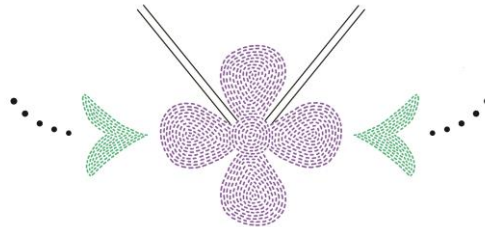


National Inquiry into  
Missing and Murdered  
Indigenous Women and Girls



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 IV - Closing Oral Submissions  
The Westin Ottawa  
Ottawa, Ontario**



**PUBLIC**

**Thursday December 13, 2018  
Oral Submissions - Volume 8**

**Government of Ontario**

**Ontario Native Women's Association**

**Independent First Nations**

**Advocate for Children and Youth, Saskatchewan**

**Concertation des luttes contre l'exploitation sexuelle**

**Eastern Door Indigenous Women's Association**

**Aboriginal Shelters of Ontario**

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## II

### APPEARANCES

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Independent First Nations	Sarah Beamish (Legal Counsel) Chief Tobi Mitchell, Deanna Jones-Keeshig, Chief Tim 'Dooley' Thompson, Councilor Cam Goodman (Representatives)
Advocate for Children and Youth, Saskatchewan	Corey O'Soup (Representative) Lisa Broda (Legal Counsel)
Concertation des luttes contre l'exploitation sexuelle	Diane Matte (Representative)
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Aboriginal Shelters of Ontario	Beverly Jacobs (Legal Counsel) Sandra Montour (Representative) Jeanine George, Alana McDonald, Mairi Anderson, Amber Silversmith, Cindy Lesage (Drama Therapy Team)

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Second Chairs: Violet Ford and Shelby Thomas (Commission Counsel)

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

Grandmothers, Elders, Knowledge-keepers & National Family Advisory Circle (NFAC) members: Vincent Kicknosway, Elaine Kicknosway, Thelma Morriseau, Stanley LaPierre, Eelee Higgins, Reta Gordon, Laureen Blu Waters, Bernie Poitras, Leslie Spillett, Louise Haulli, Pénélope Guay, Kathy Louis, CeeJai Julian, Myrna Laplante, Gladys Radek, Charlotte Wolfrey, Micah Arreak, Norma Jacobs, Barbara Manitowabi, Sarah Nowrakudluk

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

Clerks: Bryana Bouchir & Maryiam Khoury

Registrar: Bryan Zandberg

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1 Ottawa, Ontario

2 --- Upon commencing on Thursday, December 13, 2018 at  
3 8:30 a.m./La séance débute jeudi, le 13 decembre 2018 à  
4 08h30

5 **(OPENING REMARKS/REMARQUES LIMINAIRES)**

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

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

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

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

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

20 **OPENING CEREMONIES AND PRAYER/CÉRÉMONIES D'OUVERTURE ET**  
21 **PRIÈRE**

22 **ELDER VINCENT KICKNOSWAY:** Boozhoo, aanii.  
23 (Speaking Indigenous language), singers, the drummers.  
24 (Speaking Indigenous language.)

25 Creator, Maker of life, we acknowledge this

1 beautiful day that has come before us. We give greetings  
2 and thanksgiving to our Grandfather, the Sun, who has  
3 brought us light. We ask at this time to shed that light  
4 upon us individually so that it may warm our hearts.

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

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

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

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

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

25 "Women have strengths that amaze men. They bear hardships



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

23 "However, if there is one flaw in women it  
24 is that they forget their worth. Creator, please help the  
25 women gathered here to realize how they are loved, valued,

1 and appreciated by You and all who know them. Bless all  
2 the women and the men gathered here. Amen.”

3 Thank you. *Miigwetch*. (Native word).

4 **ELDER ELAINE KICKNOSWAY:** Boozhoo.

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

18 And I want to thank the drummers for coming  
19 and offering their songs and the jingle dress that's here.  
20 She's here now in that healing that she provides. Every  
21 time you hear the cones that come together, it's to remind  
22 us of that life, that spark of life and the healing that's  
23 provided. And even when you look at her you can already  
24 hear the jingles, you know, and that's that place of  
25 knowing that a lot of us need healing, a lot of us in a

1 space of healing need something that will remind us that  
2 that sound that comes from that beautiful dress, and we  
3 thank her for being here. Thank the bundle and the family  
4 and friends and the supports.

5 *Miigwetch.* (Native word).

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

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

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

12 **(EAGLE RIVER DRUMMERS DRUM/TAMBOUR)**

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

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

16 **M. CHRISTIAN ROCK:** Maintenant... maintenant.

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

20 Let us proceed well into the day.

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

1                   Respect amongst one another.

2                   Generosity.

3                   Honourable service.

4                   Collaborative approaches.

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

8                   Developing skills through practise, effort,  
9 and action.

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

12   **(LAUGHTER/RIRES)**

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

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

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

24                  Those are the principles I wanted to share  
25 this morning. At the school when I was the principal,

1 those are the reminders I shared with your staff in the  
2 school to ensure it was in good standing.

3 She'll turn to the left side of the quilliq  
4 to light it more effectively.

5 Thank you. Miigwetch. Merci.

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

10 Colin?

11 **M. CHRISTIAN ROCK:** Merci. Merci d'avoir  
12 allumé le quilliq. Maintenant je voudrais inviter Colin  
13 Brown de nous parler du « red dress ». Monsieur Brown.

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

21 I would like to introduce to you all - some  
22 of you have already met the Grandmother Earth dress who  
23 was unveiled at Thunder Bay hearing December 4th last  
24 year. And she is has been working around not only Ontario  
25 but as well as Canada and just recently got back from

1 Australia where she has made connection with other  
2 Indigenous people from across the world who have been  
3 adversely affected by MMIW.

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

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

19 So she has been a part of our bundle now  
20 for just over a year and she continues to do the work of  
21 healing with families as she serves as a teaching tool for  
22 those who aren't familiar with MMIW, as to what Indigenous  
23 women or Indigenous people face every day on Turtle  
24 Island, as well as she is a symbol of healing and hope for  
25 family members to know that we still love and care about

1 our loved ones as she is meant to dance in Spirt World and  
2 as a kind reminder for family members to be able to  
3 picture their loved ones in regalia.

4 So with that, miigwetch. And it's an  
5 honour.

6

7

**(APPLAUSE/APPLAUDISSEMENTS)**

8

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

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

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

23 **M. CHRISTIAN ROCK:** On prend deux minutes  
24 pour réarranger l'avant de la scène et puis on va  
25 commencer. Merci, bonne journée.

1

2 --- Upon recessing at 8:52 a.m./L'audience est suspendue à  
3 08h52

4 --- Upon resuming at 8:57 a.m./L'audience est reprise à  
5 08h57

6 **MS. SHELBY THOMAS:** Good morning, Chief  
7 Commissioner and Commissioners. I'm Shelby Thomas and I  
8 am an Associate Commission Counsel. And next to me is  
9 Lead Commission Counsel, Christa Big Canoe. We will be  
10 inviting parties today to make their submissions.

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

15 **---FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MS.**

16 **KATE FORGET:**

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

21 My name is Kate Forget and I am a member of  
22 Matachewan First Nation. In the 1950s my grandmother lost  
23 her status as a result of gender discrimination in the  
24 Indian Act. And I reflect most days on how that loss has  
25 impacted my family. In 2011 I became a member of my home



1 community in an effort to reclaim what was lost and what  
2 was taken.

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

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

15 Twenty-five (25) years ago - 25 years ago -  
16 3,000 people signed a petition demanding a federal public  
17 inquiry into how the Thunder Bay Police Service was  
18 conducting investigations into the deaths of Indigenous  
19 people. The petition was started by a group called the  
20 Grassroots Committee on Unsolved Murders. Three thousand  
21 (3,000) people signed the petition. Imagine the effort  
22 and the dedication that it took to collect 3,000  
23 signatures in Thunder Bay, Ontario in the 1990s.

24 Imagine the concerns that people had when  
25 they signed that petition. But also, imagine the hope

1 that they must have held in signing that petition.

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

6 Yesterday on December 12<sup>th</sup>, 2018 the Office  
7 of the Independent Police Review Director released its  
8 report on its systemic review of the Thunder Bay Police  
9 Service and its investigations into the deaths of  
10 indigenous people.

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

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

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

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

24 The report's findings that some of the  
25 investigations into the deaths of indigenous people are

1 affected in part by racism may be shocking to non-  
2 indigenous people, but I can tell you one thing for  
3 certain. Those findings will be of no surprise to  
4 indigenous people across this country and to most of us  
5 here in this room today.

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

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

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

18 And when I say "we", I'm speaking to the  
19 institutions of government that I represent here today.

20 Indigenous people know. Indigenous women  
21 and girls know. And we need to listen.

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

25 "So what I'm saying is that

1 opportunity needs to be made available  
2 to our people to be able to speak  
3 because for far too long, we've been  
4 silenced. History has silenced us."

5 We need to listen.

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

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

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

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

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

25 But before we do that, I would like to

1 speak directly to families, loved ones, and survivors,  
2 both those that have participated in this Inquiry and  
3 those who have sought answers outside of this Inquiry's  
4 process.

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

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

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

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

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

23 And second, my colleague will address you  
24 with respect to the policing dimensions in relation to  
25 Ontario's human trafficking strategy. You will recall the

1 evidence of Inspector Tina Chalk from the Ontario  
2 Provincial Police.

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

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

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

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

23 That is the road map I promised you a few  
24 minutes ago, and I would now like to speak to the first  
25 area that I mentioned, which is the non-enforcement

1 aspects of human trafficking. And in particular, I want  
2 to speak about the need to listen and the need to change.

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

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

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

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

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

24 It had an executive level table with,  
25 again, equal representation from officials at the

1 Assistant Deputy Minister level and leadership from  
2 indigenous organizations. It had a table for technical  
3 officials, again with equal representation from the  
4 Ontario government and indigenous organizations.

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

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

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

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

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

23 The listening that we did is also what  
24 drove the development of Ontario strategy to end human  
25 trafficking. It was developed with consultations across



1 the province, including engagement with indigenous  
2 survivors and service providers.

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

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

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

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

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

21 Bimikawe is an Aninishinaabemowen word  
22 meaning "leaving footprints". I am involved, along with  
23 my colleagues at the Indigenous Justice Division,  
24 including Mr. Roy, in delivering this training to my  
25 Ontario Public Service colleagues. This not only includes

1 victim services workers but also Crown prosecutors, Crown  
2 civil counsel, coroners, and staff at the police oversight  
3 agencies including the Office of the Independent Police  
4 Review director that I spoke to earlier.

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

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

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

19 Change can take another form. Change can  
20 mean new, new structures and new programs. You heard from  
21 Ms. Dobson about the work of the Provincial Anti-  
22 Trafficking Coordination Office or PATCO, for short. The  
23 work of PATCO includes the lived experience roundtable  
24 which ensures that we continue to listen to survivors of  
25 human trafficking. It includes an Indigenous-led

1 initiatives fund to ensure that Indigenous trafficking  
2 survivors receive services and wraparound supports that  
3 are designed, led, and delivered by Indigenous people. It  
4 includes support for Indigenous-specific public awareness  
5 so that we are communicating to Indigenous communities in  
6 a way that's culturally appropriate.

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

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

19 And finally, change can be dedicated  
20 legislation like the *Anti-Human Trafficking Act* which  
21 started from an opposition private member's bill by now  
22 Ontario's Minister of Labour, Laurie Scott. This  
23 legislation creates a new form of protection order that is  
24 designed with the unique needs of human trafficking  
25 victims and survivors in mind.

1           The protection orders are described in more  
2 detail at paragraphs 81 to 83 of our submissions.

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

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

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

21           Thank you. Mr. Roy will address you now.

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

23           **MR. JULIAN ROY:** You can appreciate it's  
24 tough to follow advocacy like that, so I'll do my best  
25 this morning.

1                   My name is Julian Roy. As my colleague  
2 mentioned, I'm also counsel with the Indigenous Justice  
3 Division. We've met before previously in our previous  
4 hearings.

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

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

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

22                   We need to listen when we are told  
23 something like this because it tells us a lot. It tells  
24 us about all the ways that we're failing Indigenous women  
25 and girls who are in this situation, and it also tells us

1 about what best practices could be in terms of what a  
2 police response should be to support survivors.

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

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

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

25 I have some new information from -- that

1 postdates when Inspector Chalk spoke to you and that is  
2 that human trafficking training will be part of block  
3 training next year for the Ontario Provincial Police. And  
4 so what that means, that's block training is the mandatory  
5 annual training that all officers across the province, all  
6 OPP officers across the province get. And that means that  
7 by the end of next year, all OPP officers will have  
8 specific training on human trafficking.

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

13 We have recommendations that address this  
14 in our submissions.

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

24 We need this kind of coordination because  
25 we may not get a second chance to support somebody who's

1 in this situation. We need to be ready to intervene at a  
2 time and a place that's appropriate for the survivor, not  
3 at a time and a place that we choose. We need to be  
4 ready.

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

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

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

23 The needs of survivors can't be met when  
24 people in the hospitality, transportation and hotel  
25 sectors don't understand what may be in folding right in



1 front of them. The needs of survivors can't be met when  
2 Indigenous young people aren't armed with the information  
3 that they need to be safe.

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

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

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

23 The fourth thing I want to mention, when we  
24 listen to survivors we learn about new ways to support  
25 human trafficking survivors. In Ontario the OPP is

1 engaging with anti-human trafficking community coalitions.  
2 These are standing committees of service providers,  
3 professionals and community members who support survivors.  
4 This is infrastructure that's in place, not responding ad  
5 hoc after a situation has happened. These resources are  
6 there and ready.

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

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

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

22           I want to address something that is really  
23 at the heart of the listening that we need to do,  
24 something that has been of significant concern for  
25 families, loved ones and communities, and I know is going

1 to be central to your concerns. And what I'm referring to  
2 is the concern that missing person's investigations and  
3 other police investigations are affected by racism.

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

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

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

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

1 it head on.

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

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

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

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

20 These policies, the OPP policies, require a  
21 missing person's report to be taken. There's no  
22 discretion about that. The reports that are taken are  
23 recorded electronically, permanently, and they're time-  
24 stamped for accountability purposes. They're accessible  
25 to all officers throughout the service and up the chain of

1 command.

2 The policies require investigators to  
3 gather the necessary evidence. You'll recall those forms  
4 with all the boxes that require, tell officers, prescribe  
5 specifically what they're required to collect and how  
6 they're to collect it, the lost and missing person's  
7 questionnaire, the search urgency form.

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

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

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

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

23 Supervisors are required to be involved, by  
24 policy, early and often. They are accountable to receive  
25 information. They're responsible to ensure appropriate

1 resources are deployed. They are required to apply their  
2 judgment, not after the fact, but in real time to  
3 continuously assess and re-assess what's happening on the  
4 ground. And the supervisors are the ones with the more  
5 developed judgment, with more training and with more  
6 experience, so we expect more from them in terms of their  
7 decision making. And supervisors, they are accountable  
8 under these policies for their conduct and subject to  
9 discipline.

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

21 The last area. The fourth area that I want  
22 to speak is communication. And you'll recall, Chief  
23 Superintendent Pritchard testified at some length, both  
24 when I asked him questions and when others asked him  
25 questions about communication with families.

1                   Communication is central to the efforts by  
2 the OPP to address concerns from the community about  
3 racism. Chief Superintendent Pritchard described  
4 communications with families as an area the OPP thought  
5 they were doing well in, and clearly were not doing as  
6 well as they thought. He said that to you candidly.

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

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

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

25                  The second thing I want to speak to in

1 terms of communication is what Chief  
2 Superintendent Pritchard spoke of, of the FBI model that  
3 the OPP is in the process of adapting for use in Ontario.

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

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

21 The FBI model goes beyond that. That this  
22 is a bit of an old-fashioned approach, and the victim  
23 liaison position is inside the investigation. And that  
24 that is a better way to ensure that communication occurs  
25 appropriately, both from family and to family.



1                   Before I close, Chief Commissioner,  
2                   Commissioners, I want to thank you for providing us with  
3                   the opportunity to contribute to this National Inquiry.  
4                   Through the witnesses that were called before you, through  
5                   the materials that we filed to support the evidence of  
6                   those witnesses, through our written submissions that  
7                   we've provided to you earlier this week, and our  
8                   submissions today, we thank you for that opportunity.

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

16                  Those are my submissions.

17                  (APPLAUSE/APPLAUDISSEMENTS)

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

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

22                  **MR. JULIAN ROY:** Yes, please.

23                  **CHIEF COMMISSIONER MARION BULLER:** The two  
24                  page document, Recommendations, Government of Ontario will  
25                  be Exhibit 10 please.

1 --- EXHIBIT NO./PIÈCE NO. 10

2 Summary of recommendations (two pages)

3 Submitted by: Julian Roy and Kate

4 Forget, Counsel for Government of

5 Ontario

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

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

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

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

1 international nature of the Internet that that is posing a  
2 problem.

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

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

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

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

25 So I could certainly turn my mind to that

1 further, and if you require further information, I could  
2 certainly address you on that.

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

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

10 **COMMISSIONER QAJAQ ROBINSON:** Faster than  
11 we ---

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

14 **COMMISSIONER QAJAQ ROBINSON:** Yeah.

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

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

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

24 **CHIEF COMMISSIONER MARION BULLER:** I just  
25 have one question about your recommendations, and it may

1 be self-evident. But you're stating in your  
2 recommendations wording that police services do certain  
3 things. So are you saying OPP and all police services or  
4 I just want to clarify who's included there.

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

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

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

15 **CHIEF COMMISSIONER MARION BULLER:** Yes.

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

23 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
24 Thank you.

25 Well, I have to say, it's been a pleasure

1 working with both of you in all of the travels across the  
2 country and all of the hearings. I want to thank you both  
3 for exemplary advocacy on behalf of your client. Thank  
4 you very much.

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

6 (APPLAUSE)

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

11 **FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MS. CORA**  
12 **LEE MCGUIRE CYRETTE:**

13 **MS. CORA LEE MCGUIRE CYRETTE:** Boozhoo.

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

18 We also want to acknowledge the reason we  
19 are here today, because woman have been murdered. This is  
20 the reason that we have brought the grandmother earth  
21 dress here today. She provides a reminder of why we're  
22 here. She provides a reminder that woman are not here.  
23 She provides a reminder that healing needs to occur. She  
24 provides a reminder that 365 days a year Indigenous women  
25 to face violence, and that is why we are here.

1                   I want to thank everyone who's chosen to  
2                   take upon this work. This is not easy work. I also want  
3                   to thank every single family member who chose to  
4                   participate. I also want to thank those who chose not to,  
5                   because they respected themselves and what they needed to  
6                   do for their own healing, and they knew what path was  
7                   right for them.

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

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

24                  I want to begin by speaking the words of  
25                  some survivors that we heard here, a dear friend, Fay

1 Blaney, that I met along this journey. I don't think  
2 there's enough recognition of the fact that colonisation  
3 impacts us very differently, men and woman. We are here  
4 because women have experienced so much violence from every  
5 aspect of their lives. That is why we are here. We are  
6 here because of racism and discrimination, let's be  
7 honest. You would not have an inquiry to address missing  
8 and murdered Indigenous women and girls if racism and  
9 discrimination did not exist.

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

19 I respectfully ask the Commissioners and  
20 your team to be brave. I respectfully ask that you make  
21 your impact well beyond our time here. I ask for your  
22 bravery in the recommendations you're going to be put  
23 forward, to not hold back. I ask for you to honour the  
24 voices that have been lost with this bravery by speaking  
25 the truth, telling the truth, making recommendations that



1 are going to make an impact so this does not happen to our  
2 daughters, to our granddaughters, to our sons, to all  
3 children and to all women across Canada.

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

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

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

19 Men stand beside us alongside this journey.  
20 We need the men to walk this healing journey with us, to  
21 not take up the space. We need to restore the equality  
22 that once existed.

23 We all know there is urgency to this work  
24 and we call upon all communities, all systems, all  
25 organisations, Indigenous and non-Indigenous people to

1 begin to work together. We are all interconnected as  
2 people. That's how we began the society we live in. We  
3 began as equals. We began to walk this path together. We  
4 need to begin to do that once more. If I'm not well,  
5 you're not well. That's a value that we all have as  
6 people, love and respect. We need to stop "othering" each  
7 other. We need to stop lateral violence. These are all  
8 issues that we can do together.

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

15 In this past year we have helped almost  
16 10,000 people in Ontario, 10,000 community members, 10,000  
17 families. From there we've reunited 71 children with  
18 their mothers. From there, we've helped over 12 women  
19 exit human trafficking and begin to rebuild their lives  
20 and to work with them on that journey. We do this sort of  
21 trauma-informed approach that it provides non-judgemental  
22 services and recognizes who she is.

23 We do not "other" her. She is not a  
24 client. She is a community member. She knows what she  
25 needs to do. We need to listen to her.

1                   As noted in Amnesty International's "No  
2                   More Stolen Sisters", Indigenous societies in Canada prior  
3                   to contact are characterized by relative equality between  
4                   men and women. This is what colonization took away. We  
5                   can reclaim this. Anything that has been taken can be  
6                   reclaimed. We now know the history. We know  
7                   colonization. We know the systems. We know what needs to  
8                   change. We need to each begin to do this change on an  
9                   individual level and then moving in towards the system  
10                  level.

11                  Knowledge keepers from my territory, the  
12                  1850 Treaty, have prophesized for years, for many  
13                  generations, has been passed on to me that when Indigenous  
14                  women are restored to the rightful places in our  
15                  communities and our society, our communities and societies  
16                  will change and become healthy once again and become  
17                  whole.

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

23                  Like the medicine, we're all connected. We  
24                  need to do it together. It's a circle. It's a choice.  
25                  It is not up and down, down and up. We are all people.

1 We are all Treaty people. We are people of Mother Earth  
2 and we need to work together to do this and to not judge  
3 each other. This was at the Thunder Bay hearing from  
4 Crystal Davies.

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

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

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

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

21 "In many Indigenous cultures and  
22 societies, we are taught to honour  
23 women as life-givers, as knowledge-  
24 keepers, as storytellers, as medicine  
25 women, as word-carriers, as community

1 members and human beings, and  
2 [colonization] has impacted negatively  
3 on those values."

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

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

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

25 We have a right, an inherent right to pass

1 on who we are to our children. Current systems such as  
2 the *Indian Act*, which itself is a colonized practice that  
3 allows discrimination against only one group of people in  
4 Canada, the human rights of Indigenous women. The  
5 Canadian government needs to recognize this and stop  
6 creating a line in the sand that creates the conditions  
7 why we're here today.

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

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

22 Part 2, we will be discussing the broader  
23 colonial policies and how they have gender implications.  
24 Such implications will have -- discuss the context of  
25 social economic problem by Indigenous women and girls

1 relating to poverty that increases the vulnerability of  
2 violence.

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

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

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

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

25 When we're looking at why we are here

1 today, survivors have very clearly told me that they have  
2 survived because of their child-mother bond. They wanted  
3 to create a new life for their children and their child  
4 gave them the strength to create that new path, that new  
5 journey.

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

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

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

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



1 are interrelated and interconnected.

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

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

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

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

22 This needs to be a process with the  
23 recommendations that you bring forward. The reinstatement  
24 of the Aboriginal Healing Foundation that supports healing  
25 of Indigenous women from across Canada must be designed

1 and developed with Indigenous women across Canada, not  
2 just through umbrella organizations. Otherwise we're  
3 going to continue to replicate colonial systems that have  
4 allowed us to be here.

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

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

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

25 Your recommendations, I ask, do not divide

1 and continue to divide Indigenous women; that we honour  
2 and respect each and every one of us.

3 **(APPLAUSE/APPLAUDISSEMENTS)**

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

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

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

22 The second understanding is that a gender  
23 analysis needs to consider contextual factors, such as the  
24 purpose and impact of any legislation, policy, the nature  
25 and situation of the individual issue at the society,

1 political, and legal history of the person's treatment in  
2 society. That's from the Ontario Human Rights Commission.

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

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

15 The term, "Gender-based violence" includes  
16 rape, sexual assault, intimate partner violence, sexual  
17 harassment, stalking, prostitution, and sex trafficking.  
18 From Duke University Women's Center.

19 Further they note the term "Gender violent"  
20 reflects the idea that violence often serves to maintain  
21 structural inequalities, including all types of violence  
22 against men, women, and children, adolescents, gay and  
23 transgendered people, and gender nonconforming  
24 individuals.

25 Gender violence is widely accepted in

1 gender roles and toxic gender relations that accompany  
2 these roles.

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

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

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

16 You know, Section 22 states:

17 "...in conjunction with indigenous  
18 peoples, to ensure that indigenous  
19 women and children enjoy the full  
20 protection and guarantees against all  
21 forms of violence and discrimination."

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

24 We must go and engage with women in  
25 community. We need to start this conversation. We need

1 to rebuild the relationship at the community level with  
2 Indigenous women, by Indigenous women for Indigenous  
3 women.

4 Chi-miigwech.

5 **(APPLAUSE/APPLAUDISSEMENTS)**

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

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

10 **MS. CORA LEE MCGUIRE CYRETTE:** Yes.

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

13 **MS. CORA LEE MCGUIRE CYRETTE:** Yes.

14 **MS. SHELBY THOMAS:** Okay.

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

19 --- **EXHIBIT NO./PIÈCE No. 11:**

20 "Ontario Native Women's Association -  
21 Recommendations to the MMIWG National  
22 Inquiry" (seven pages)

23 Submitted by: Cora Lee McGuire

24 Cyrette, Representative for Ontario  
25 Native Women's Association

1                   **MS. SHELBY THOMAS:** Chief Commissioners and  
2 Commissioners, do you have any questions?

3                   **COMMISSIONER QAJAQ ROBINSON:** I don't have  
4 any questions but I want to thank you for your oral  
5 submissions, the recommendations, and I look forward to  
6 reading the -- your expanded written submissions.

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

11                   Thank you.

12                   **COMMISSIONER BRIAN EYOLFSON:** I also want  
13 to say thank you for your very thoughtful submissions this  
14 morning and for providing us with your recommendations.  
15 *Chi-miigwetch.*

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

21                   **MS. CORA LEE MCGUIRE CYRETTE:** *Miigwetch.*

22                   **(APPLAUSE/APPLAUDISSEMENTS)**

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

24                   Chief Commissioner and Commissioners, at  
25 this time we have a scheduled break. It is now 11 after

1 10:00 and the break was scheduled for 20 minutes. I will  
2 take your direction on when you want to recommence.

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

6 **MS. SHELBY THOMAS:** If we could ask for the  
7 20 minutes and we'll update if the party is not available.

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

11 --- Upon recessing at 10:12 a.m./L'audience est suspendue  
12 à 10h12

13 --- Upon resuming at 10:38 a.m./L'audience est reprise à  
14 10h38

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

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

23 --- Upon recessing at 10:38 a.m./L'audience est suspendue  
24 à 10h38

25 --- Upon resuming at 10:59 a.m./L'audience est reprise à



1 10h59

2 **MS. SHELBY THOMAS:** I would like to invite  
3 Ms. Sarah Beamish who will be providing the oral closing  
4 submissions for Independent First Nations.

5 **---SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. SARAH BEAMISH:**

6 **MS. SARAH BEAMISH:** Good morning. My name  
7 is Sarah Beamish. I'm here for the Independent First  
8 Nations.

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

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

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

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

24 Collectively, their combined population is  
25 about 33,000 people and their territories span northeast,

1 south, and western Ontario.

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

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

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

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

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

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

24 We have Chief Tobi Mitchell, also from the  
25 Mohawk Council of Akwesasne and she is the Leadership

1 Representative of the Eva (phonetic) Council to the  
2 Executive Committee.

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

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

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

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

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

22 So I'm not going to give a comprehensive  
23 overview of IFN's perspectives and recommendations here.  
24 A lot of those we will save for the written submissions.  
25 But I would like to do three things.

1                   The first is to briefly highlight some of  
2                   the major challenges related to missing and murdered women  
3                   from the particular perspective of the IFNs.

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

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

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

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

1 addressing it.

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

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

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

17 "As an Indigenous person, you may be  
18 employed and housed, you may have a  
19 good education, you may have done  
20 extensive personal healing and be  
21 comfortable with who you are, but you  
22 will still be impacted by family,  
23 community, and systemic violence  
24 because in Indigenous communities,  
25 everyone is connected and everyone is

1 subject to forces beyond their  
2 individual or collective control."

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

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

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

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

25 People are often turning to these drugs to

1 achieve a sense of numbness and escape from the conditions  
2 of their lives that result from colonization. We must  
3 look upon this drug use with compassion and understand  
4 that as destructive as it is, for some people it may be  
5 the only way they want or feel that they can live.

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

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

21           There are few treatment centres in the  
22 north, especially, meaning that people often have to leave  
23 their home and try to get well in potentially dangerous  
24 and triggering places like Thunder Bay away from their  
25 supports and families and in a foreign cultural context.

1           The wait times to get into treatments are  
2 often months long and there is not always enough funding  
3 to complete the programs. The drug programs are not  
4 always culturally appropriate and are often not paired  
5 with adequate mental health services or support for  
6 related issues like sexual exploitation. And they target  
7 drug use as an individual issue, rather than a family and  
8 community problem rooted in colonization.

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

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

21           Then there is policing. IFN supports the  
22 submissions from other parties that have emphasized the  
23 need to fundamentally transform the way we achieve  
24 whatever legitimate functions of policing are worth  
25 retaining. A foundational purpose of the Canadian police



1 system and the law it enforces was repressing Indigenous  
2 people in support of colonial expansion, and it continues  
3 to support that purpose today.

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

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

19 Some of the IFN's rely on the work of  
20 primarily Indigenous police forces. These forces are  
21 grossly under resourced, underpaid, and understaffed,  
22 relative to non-Indigenous forces. Officers in these  
23 forces also typically deal with extremely high levels of  
24 stress and trauma because of the intensity of problems,  
25 the challenging working conditions, and the need to police

1 their own communities and families. One chief told me  
2 that the police force that serves his community and 27  
3 others has 80 officers, 15 of whom are now on stress  
4 leave.

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

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

24 One chief told me about a priest who lived  
25 and worked in his community who abused around 50 children

1 with impunity. He told me that some of these boys -- some  
2 of the abused boys had internalized homophobia as a result  
3 of having been abused by a man, and they later tried to  
4 assert their heterosexuality and their masculinity through  
5 violence against women and girls. Many of these boys are  
6 now men who have passed on the impacts to their children  
7 and grandchildren, some of whom now struggle with drug use  
8 and other symptoms of intergenerational trauma.

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

14 The IFN's former anti human trafficking  
15 coordinator told me that the typical age of entry into  
16 trafficking for girls from these communities is between 15  
17 and 18 years old. She described a culture of silence,  
18 shame, and impunity around these issues, a widespread lack  
19 of understanding of trafficking, and a failure of  
20 important related services like drug counselling to  
21 address experiences of sexual exploitation. She described  
22 a lack of specialized services for dealing with the sexual  
23 trauma that comes from the particular context of  
24 exploitation and trafficking. And she pointed to two very  
25 worrying developments with respect to this issue.

1                   The first is the growth of mines and other  
2 resources projects in IFN areas which will inevitably be  
3 accompanied by increases in the number of outsider men in  
4 the kind of man-camp context that we heard about in  
5 Iqaluit. The other is a story she is hearing of American  
6 men who come to Ontario to hunt. Having girls brought out  
7 to lodges in the bush for sexual purposes. She said there  
8 may up to a dozen men at these lodges, all of whom have  
9 guns. And without going into detail she described these  
10 encounters as brutal and rough.

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

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

19                   As with many First Nations, there are very  
20 serious housing shortages that result in overcrowding,  
21 inability to move, a reliance on stop gap measures like  
22 couch surfing, and an inability to bring service providers  
23 into the community. This is dangerous for women and girls  
24 in abusive situations, and it undermines the ability of  
25 communities to address their service and staffing gaps.

1                   It also has a particular impact on youth  
2                   and young adults, because when they have to or want to  
3                   leave their family home there is nowhere for them to go  
4                   but outside the community. This harms their connections  
5                   to their communities, and we know that when young people  
6                   leave, even for good opportunities, there are risks.

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

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

24                  Another set of issues is related to  
25                  services, and particularly trauma, mental health, grief,

1 and shelter crisis services. In some IFN communities  
2 people need to leave to access these services or can only  
3 access them maybe once a month when people come in from  
4 outside. They're often not culturally appropriate and  
5 they often force people to identify single issues that  
6 must be resolved within a set number of weeks, regardless  
7 of the actual depth, nature, and complexity of the needs,  
8 a practice that risks opening up and aggravating wounds  
9 that it cannot heal.

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

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

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

1 Independent First Nations.

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

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

23 This is causing ongoing widespread trauma,  
24 grief, and violence. It is very clear that in most cases  
25 the apprehended children are not being cared for in

1 anything close to culturally appropriate or nourishing  
2 ways.

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

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

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

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

25 And, of course, another major issue, which



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

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

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

21 We know that too many Indigenous children  
22 have ended up dead because they have had to come to these  
23 cities for school and other services. It places a  
24 significant weight on these children and their families to  
25 know that this is the cost of obtaining an education and

1 job opportunities. And there are perverse incentives  
2 built into this system that unnecessarily increase the  
3 risks and disconnection.

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

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

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

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

22 Elders are also experiencing neglect,  
23 tokenisation and isolation in ways that are not  
24 traditional and that are harmful to them and to their  
25 whole community.

1                   Many elders are also being forced to care  
2                   for their grandchildren without financial and other  
3                   supports equal to those provided to foster parents, all  
4                   while living with incomes that may be very low because  
5                   they are no longer employed. This is creating undue  
6                   hardship and pressure on them and it impacts the care they  
7                   can provide to the children and it is a form of elder  
8                   abuse.

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

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

21                  One, Indigenous people and nations are  
22                  entitled to more than mere physical survival. They are  
23                  entitled to excellence, justice, healing, dignity, well-  
24                  being, opportunity, hope and self-determination across  
25                  every facet of their lives and societies.

1                   Two, all decisions and actions must  
2                   contribute for the reconnection, rebalancing, repair and  
3                   restoration of Indigenous people, families, cultures,  
4                   languages, systems, relationships, lands and waters.  
5                   Nothing that continues the disruption and weakening of  
6                   these things can be tolerated any longer.

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

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

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

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

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

24                  All solutions must be community-driven,  
25                  with overarching coordination, support and funding that is

1 guaranteed through provincial and federal action plans.

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

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

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

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

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

23 The widespread anti-Indigenous racism and  
24 discrimination prevalent across Canadian society must be  
25 challenged and ended.

1                   Funding to Indigenous people, nations,  
2                   organisations and programs must be equitable. This does  
3                   not mean equal to funding to non-Indigenous ones. Given  
4                   the historical inequities and injustices it almost  
5                   certainly means more.

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

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

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

21                  All decisions, actions, programs, laws,  
22                  institutions and policies must ensure and enhance  
23                  Indigenous people's collective and individual safety in  
24                  the broadest sense, including physical, emotional,  
25                  spiritual, health, economic and cultural safety.

1 Education is critical to ending violence  
2 against Indigenous women, girls and two-spirit people and  
3 education is needed at all levels, inside and outside  
4 First Nations.

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

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

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

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

25 Those giving care must also be cared for to

1 prevent stress, burnout and vicarious trauma and unhealthy  
2 coping mechanisms. This includes caring for those in  
3 formal professional capacities and also those who are  
4 giving care work in informal, family or community-based  
5 capacities.

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

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

19           So I'd like to close by building on that  
20 last point. The IFN has done very impressive work to  
21 create and implement wise practises in addressing violence  
22 in their own communities. And part of this has been a  
23 scoping exercise of wise practises used in First Nation  
24 communities across Canada and also internationally. I --  
25 we will include several of these in the written



1 submissions, so that you can benefit from them, and -- and  
2 we hope also other Indigenous communities might benefit  
3 from these.

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

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

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

19 **KEESHIG:**

20 **MS. DEANNA JONES KEESHIG:** Thank you. The  
21 Independent First Nations developed this video in order to  
22 create awareness, to prevent, and to intervene in ending  
23 violence against Indigenous women and girls, their  
24 families, and communities. It builds upon the strength of  
25 who we are as the Independent First Nations. And we're

1 happy to share. And I hope you like the video.

2 (VIDEO PRESENTATION/PRÉSENTATION VIDÉO)

3 (APPLAUSE/APPLAUDISSEMENTS)

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

16 (APPLAUSE/APPLAUDISSEMENTS)

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

20 **MS. SARAH BEAMISH:** Yes.

21 **CHIEF COMMISSIONER MARION BULLER:** Exhibit  
22 12 will be the Independent First Nation's video, Embrace  
23 Love.

24 **--- EXHIBIT NO.12/PIÈCE NO. 12**

25 Video 'Embrace Love,' .MP4 file

1 format, 206 MB (3 minutes 37 seconds)  
2 Submitted by: Sarah Beamish, Counsel  
3 for Independent First Nation

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

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

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

8 **COMMISSIONER QAJAQ ROBINSON:**

9 (Indiscernible).

10 **MS. SHELBY THOMAS:** I know.

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

19 I want to thank you for your participation  
20 in the Inquiry, the questions you've posed to different  
21 witnesses throughout the process, and for bringing to us  
22 today, not only your understanding of -- of how we should  
23 look at the evidence that we've heard, but also looking at  
24 and showing us what self-determination looks like.  
25 There's often this, well, what does it look like? What's

1 that going to be? Like, it's this big mystery that being  
2 self-determining is something that is scary for the  
3 Canadian nation, for the state, for this colonial settler  
4 state. And thank you for showing us what that is. And  
5 your presence and your participation and also in -- in  
6 showing us what that looks like in your community. So  
7 thank you so much.

8 **COMMISSIONER BRIAN EYOLFSON:** Ms. Beamish,  
9 I also just want to say thank you very much for your  
10 submissions today, and I really look forward to the  
11 written submissions. And I also want to thank you, as my  
12 colleague did, for your participation in the Inquiry, for  
13 your very helpful and thoughtful questions of witnesses at  
14 the various hearings. And I want to acknowledge and thank  
15 the representatives of Independent First Nations that are  
16 here with you today. And especially thank you all for  
17 sharing this very beautiful video with us today.  
18 Meegwetch.

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

20 **CHIEF COMMISSIONER MARION BULLER:**

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

24 Chiefs, Counsellor, Ms. Jones Keeshig,  
25 thank you very much for coming today, and thank you for

1 sharing the video. That's a real gift to us. We're very  
2 grateful. Thank you all.

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

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

7 (APPLAUSE/APPLAUDISSEMENTS)

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

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

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

20 I come here as the grandson of Indigenous  
21 grandmothers, as the son of an Indigenous mother, as the  
22 brother of Indigenous sisters, the uncle of many  
23 Indigenous nieces, but most importantly, as the father of  
24 Indigenous children, three of who are young Indigenous  
25 girls.

1 I have an 18-year old daughter. She's just  
2 going into her first year of university this year. She  
3 strives to be a pharmacist. None of -- or many of our --  
4 we are really unrepresented in that field, and it's  
5 something I'm really proud of her. I have a 16-year old  
6 daughter who doesn't love school but loves boys.

7 (LAUGHTER/RIRES)

8 **MR. COREY O'SOUP:** So I'm challenged to  
9 fight them off but to educate them as well. I have a  
10 6-year old daughter as well. And I also have two sons  
11 that I strive to teach them about being good, young,  
12 Indigenous men.

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

23 I have to have those conversations with my  
24 16-year daughter as she's entering the dating world.  
25 She's beautiful. They're difficult conversations.

1                   And I strive for the day, I hope for the  
2                   day, I pray for the day where those conversations are  
3                   different between my sons and their daughters, between my  
4                   grandsons, between my granddaughters. I hope for the day  
5                   that those conversations are not just because they're  
6                   girls, not just because they're Indigenous, but because  
7                   they're human beings.

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

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

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

23                  Some of the statistics in Saskatchewan are  
24                  pretty appalling. They should shock you. I think I've  
25                  shared some of these, but I want to reiterate them to you.

1                   We've heard about the number of children in  
2                   care across Canada. In Saskatchewan, we have over 5,000  
3                   children in care, in government care. The estimates range  
4                   from 70 percent to 90 percent of those children are  
5                   Indigenous children in Saskatchewan. We have the second  
6                   highest rate. Our neighbours to the east, Manitoba, have  
7                   the highest rates. Sometimes we call it a race to the  
8                   bottom, but one that we don't want to win.

9                   If you look at our young Indigenous people  
10                  in our justice system, the boys in Saskatchewan make up  
11                  92 percent of our youth population in our jail system  
12                  under the age of 18. And if you look at our young  
13                  Indigenous girls in our jails in Saskatchewan, 98 percent  
14                  of them are Indigenous girls.

15                 And I know for a fact that it's not just  
16                 our Indigenous children and youth that are committing  
17                 these crimes. Make no mistake, we're like -- they're like  
18                 all children and youth, they make mistakes, they commit  
19                 crimes, but for no reason should we be represented at  
20                 92 percent and 98 percent of our Indigenous girls in our  
21                 youth facilities. Those are the highest rates in the  
22                 country.

23                 If you look at our education achievement  
24                 rates in Saskatchewan, non-Indigenous children and youth  
25                 in Saskatchewan graduate at a rate of almost 86 percent.



1 If you look at our Indigenous youth, it's almost half,  
2 it's about 43.2 percent now, almost half. Our Indigenous  
3 children in Saskatchewan, and I would say in Canada, are  
4 more likely to end up in our jails than they are to  
5 graduate from high school. These are things that we  
6 should not stand for.

7 If you look at the health of our children  
8 and youth, not just our physical health, but we focused on  
9 the mental health of our children and youth in  
10 Saskatchewan. Young Indigenous boys in Saskatchewan are  
11 9 times more likely to die by suicide. Young Indigenous  
12 girls are 29 times more likely to die by suicide.

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

22 And I'll tell you this, Saskatchewan and  
23 Canada is leading the way when it comes to those rates.  
24 And many of these are third and fourth world countries,  
25 and they're literally amazed by the fact that Canada, with

1 all its wealth and its resources, has those appalling  
2 numbers.

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

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

17 I brought this to you as I was an expert  
18 witness back in Québec City. But today this is what I  
19 want to focus on, on those specific rights that our  
20 government has an obligation to. Not just a moral or an  
21 ethical obligation, they have a legal obligation. Because  
22 in 1991, Canada ratified, they were a signatory to the  
23 *United Nations Convention on the Rights of a Child* so  
24 they're legally obligated to respect it. Now, the UNCRC,  
25 as I'll call it today, is the most widely-ratified human

1 rights Treaty in the history of the United Nations. It  
2 has near universal status and it highlights the values and  
3 importance that the world puts on the rights of children.  
4 And it's -- the onus is on Canada to respect these rights.

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

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

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

19 Now, the UNCRC is particularly important  
20 for the Inquiry to consider because it lays out a  
21 framework for addressing so many of the underlying factors  
22 putting Indigenous women and children at risk. The root  
23 causes of a disproportionate violence perpetrated against  
24 Indigenous women and girls can be traced back to  
25 structural inequalities related to denials of economic and

1 social rights throughout their lives. And make no  
2 mistake, those denials begin at childhood.

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

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

25 UNCRC Article Number 4 states that,

1 "Parties shall undertake all  
2 appropriate legislative,  
3 administrative, and other measures for  
4 the implementation of the rights  
5 recognized in the present convention."

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

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

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

24 We know for a fact that our children, our  
25 Indigenous girls, face all types of discrimination that

1 starts from right when they were born, how I just  
2 explained. It starts as they enter into our education  
3 system, as they start to access our health system, our  
4 social system, our Child Welfare system. We are  
5 consistently and constantly discriminated against  
6 throughout all of those systems.

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

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

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

24 There's something called the CRIA, the  
25 Child Rights Impact Assessment that I spoke to you about

1 before that I believe we should be using in all instances  
2 when children and youth are being considered, when  
3 decisions are being made about them; we should use this  
4 child rights impact assessment to ensure that the voice,  
5 that our children are being considered, that the impact  
6 that the decisions that are being made about them are  
7 being considered.

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

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

1 have them to be the change makers within their communities  
2 and within their country.

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

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

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

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

25 "To eliminate the causes of



1 discrimination by ensuring access to  
2 culturally-appropriate services in the  
3 areas of health, nutrition, education,  
4 recreation and sports, social  
5 services, housing, sanitation, and  
6 juvenile justice."

7 They're also called "positive measures".

8 United Nations Declaration on the Rights of  
9 Indigenous People,

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

14 Those are specific to women and children.

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

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

23 We need to work on improving the  
24 marginalisation of disadvantaged communities. We need to  
25 address violence against women and Indigenous girls.

1                   The profound impact of poverty on  
2                   Indigenous children and the need for a child-centred  
3                   national poverty reduction strategy must be addressed.

4                   The failure to take action to address  
5                   sexual exploitation and abuse as it affects Indigenous  
6                   children and the failure to and fully investigate and  
7                   punish perpetrators in cases of missing and murdered  
8                   Indigenous girls.

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

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

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

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

25                  Education must be equal and respect

1 cultural identity, values and languages. The UNCRC  
2 requires that Canada take measures to ensure regular  
3 attendance and reduce dropout rates, but Indigenous youth  
4 are still less likely to graduate.

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

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

21 As an educator I had come from a background  
22 as a teacher, as a superintendent, was a special advisor  
23 on education. One of my elders challenged me. She said,  
24 "Corey, I have a grandson. I want him to graduate from  
25 high school. It's what I always want for all of my

1 grandchildren. But I'll tell you this, if he doesn't  
2 graduate from high school and doesn't cross that stage,  
3 you're telling me that he's not successful just because he  
4 doesn't have a piece of paper that says he's successful.  
5 I want to challenge you to consider what success looks  
6 like for me and for my grandchildren."

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

11 "He has to walk. He has to ride a bike.  
12 He has to bum a ride from me or from somebody just to get  
13 to work every day. But you know what? He gets to work  
14 every single day. And you know what he does after work?  
15 He goes home to his partner. He goes home to those two  
16 young children. And you know what he does with that  
17 paycheque that he gets every two weeks? He puts food on  
18 their table. He puts clothes on their back. He puts  
19 shoes on their feet. You know what he does on the  
20 weekends? He comes and visits me. He brings those two  
21 little grandchildren to my home, brings his partner.  
22 We're together as a family. And you know what he does  
23 back Monday morning? Back to work. And you know what  
24 grade he graduated from? He didn't graduate from Grade  
25 12. He didn't get Grade 11. He didn't get Grade 10. He

1 got Grade 9. And you're telling me, through your western  
2 way of defining success, through your colonised way of  
3 defining success that he's not successful. But I  
4 challenge you today that he is a success, because he's at  
5 home, because he's working, because he's putting food on  
6 his table, because he's putting clothes on the backs of  
7 his children. So let's not just say that our children  
8 have to graduate from Grade 12 to be a success. Let's  
9 look for new ways to define the success of our children  
10 and our youth and our families."

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

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

24 We can have more doctors and nurses and  
25 counsellors. We can have all of those and we need all of

1 those specialised supports, but those are just treating  
2 the symptoms of a system that has let us down. What we  
3 truly need is something to break that cycle and education  
4 will break that cycle.

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

23           So I challenge our children and our  
24 families to do that so that they choose their future for  
25 themselves. And it is up to us to support them. It is up

1 to the government to support our children and our youth,  
2 not to hold them down.

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

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

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

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

17 And I mention the rates, and specifically I  
18 want to reiterate the rate of our young Indigenous girls.  
19 Twenty-nine (29) times more likely to die by suicide.  
20 That is almost leading the entire world in our small,  
21 little province of Saskatchewan. Twenty-nine (29) times.  
22 That's something that every time I say it, it does not  
23 lose the meaning. And the committee has said that suicide  
24 is a form of violence against our women and our children,  
25 so it's something that we cannot forget about.

1 Under Article 19 of the UNCRC, children  
2 have a right to be protected from all forms of physical or  
3 mental violence. Article 22 of UNDRIP says Indigenous  
4 children require specific measures to be protected from  
5 violence. The terms of reference of the Inquiry's  
6 specific -- specify its mandate, is to address all forms  
7 of violence against Indigenous women and girls in Canada.  
8 I urge the Inquiry to consider the issue of Indigenous  
9 youth suicide and make recommendations to prevent it.

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

23 There are six themes. I'll just share them  
24 briefly. I gave you the report, I'm -- I hope you read  
25 it. These kids will make you cry, but they'll make you



1 smile, and they'll make you laugh as well. Bullying and  
2 cyber-bullying, not something that will surprise you. But  
3 as you dig deeper into the book, you'll see that it's not  
4 just kids bullying kids anymore, it's adults bullying  
5 kids. It's teachers, it's police officers, it's leaders  
6 in their community. We create programs based on stopping  
7 kids from bullying kids, but we have to self-reflect. I  
8 had to self-reflect as a dad and as a teacher. Did I  
9 participate in bullying? Yes, I did. And I'm ashamed of  
10 it. But these kids changed my life. They changed me as a  
11 father, they changed me as a professional. Bullying is  
12 becoming more aggressive, more violent. Our kids are  
13 literally scared for their lives, scared to walk home.  
14 They're scared to end up in the hospital, they're scared  
15 to end up dead. And they do.

16 Bullying never stops. When we were kids,  
17 and we got bullied at school or on the playground, we  
18 could walk home and be relatively safe, except if you have  
19 a -- a sister like mine. But we could go into that home  
20 environment and be relatively safe. Cyber-bullying takes  
21 this to -- takes this to a new level. If I could turn off  
22 the internet for eight hours a day, let our kids have a  
23 good rest. Let them go outside and play and explore the  
24 world like we used to when we were little kids. Let them  
25 sit around the dinner table and have face-to-face

1       conversations. And that's not just for our kids, that's  
2       for our adults. Our children have told us that we are  
3       addicted to our cell phones. We are addicted to social  
4       media. They are just modelling our behaviour.

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

21               The other themes are around lack of  
22      emotional support, lack of physical safety, lack of  
23      activities, substance misuse, and lack of emotional and  
24      mental wellness supports within their communities. Those  
25      are all things that we need to consider.

1                   I was -- I was asking my staff, I said,  
2           "Would I be able to do 40 minutes up here?" And they were  
3           like, "Oh, yeah. Corey, we've heard you talk. You can do  
4           40 minutes just like that." So I see the timer going.

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

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

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

1                   Now, quickly, I want to wrap up with a --  
2                   some other specific measures that I think we -- we need to  
3                   consider here at the table. Prioritizing the needs and  
4                   rights of Indigenous children in public budgets at all  
5                   levels. The Committee on the Rights of a Child has said  
6                   that this funding must be sustainable, even in times of  
7                   financial restraint. Vulnerable groups, such as  
8                   Indigenous youth, must be the last to be affected.  
9                   Unfortunately, it seems like when the cuts come, when the  
10                  Premiers and the Prime Ministers have to make cuts to try  
11                  and balance a budget, it seems as though those cuts are  
12                  made on the back of our children and youth. It seems as  
13                  though those cuts are made on the back of our Indigenous  
14                  people. It seems as those that suffer the most when these  
15                  budgets are cut, our cut from our people and our children.

16                  And the United Nations committee recognized  
17                  this. And I challenged the government to consider as they  
18                  make those cuts, to reconsider, to reprioritize investing  
19                  in our children instead of cutting supports and services.  
20                  There was a report done -- or actually two different  
21                  reports done in Saskatchewan. One done by the FSIN, The  
22                  Federation of Sovereign Indigenous Nations, and one done  
23                  by GDI, the Gabriel Dumont Institute, and talks about  
24                  investing in our children and youth. And literally, if  
25                  you invest in our children at our -- at a young age, and

1 invest in their education, invest in their social service,  
2 invest in their welfare, the impact in Saskatchewan alone  
3 is in the billions of dollars. I believe the number that  
4 was in the FSIN report was \$90 billion dollars, from birth  
5 to graduation, to post-secondary, to graduate level  
6 education. I didn't bring those, but now that I think  
7 about it, I actually will -- I'll present those to you as  
8 evidence. Ninety billion dollars. Yet, we think we are  
9 so short -- short-sighted in our thinking, that we make  
10 those cuts to those most vulnerable.

11 I want to reiterate the challenge in the  
12 creation of a National Commissioner of Children and Youth,  
13 and specifically, I believe that National Commissioner  
14 needs to be independent from Parliament, the way that we  
15 are within our own provinces and jurisdictions. I am --  
16 I'm an independent officer of the Legislature of  
17 Saskatchewan. Once I receive my appointment, my job is to  
18 be the accountability body for the Government of  
19 Saskatchewan in all areas pertaining to children and  
20 youth. I am to ensure that all children and youth are  
21 safe and protected while receiving government services in  
22 Saskatchewan. I'm responsible for the safety and  
23 protection of over 300,000 children and youth in  
24 Saskatchewan. And my independence is something that I  
25 must have while performing those duties.

1                   So I would challenge our government to  
2 consider this. I know that the considerations is on the  
3 books, but as -- Commissioners, I would challenge you to  
4 put this within side -- with inside one of your  
5 recommendations to our government to support that. A  
6 National Commissioner would do many things for our  
7 children and youth.

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

25                   And the last thing that I want to talk

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

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

17 And I believe that if we do that, if we  
18 challenge Canada to do that that just gives us another  
19 mechanism, it gives our Indigenous people, it gives our  
20 Indigenous children and girls an opportunity to challenge  
21 the Canadian Government on an international level. To ask  
22 those difficult questions of why are we leading the world  
23 in rates like Indigenous youth suicide? Why are women and  
24 children are missing and going murdered? It will give us  
25 that mechanism to take this and to take these types of

1 inquiries and to challenge them at forums, such as the  
2 United Nations, which our children and youth don't  
3 currently have.

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

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

18 Thank you so much for your time today.

19 (APPLAUSE/APPLAUDISSEMENTS)

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

21 Mr. O'Soup, prior to coming today, the  
22 Advocate for Children and Youth, Saskatchewan provided us  
23 with two documents. One of the documents was a two-page  
24 document with recommendations, and the other was an  
25 executive summary of the oral closing submissions. Would



1 you like to make that an exhibit -- or both of those an  
2 exhibit today?

3 **MR. COREY O'SOUP:** Yes, please.

4 **CHIEF COMMISSIONER MARION BULLER:** Okay.

5 Could I have the names of the documents again please?

6 Okay. We have the executive summary.

7 **MS. SHELBY THOMAS:** The executive ---

8 **CHIEF COMMISSIONER MARION BULLER:** It is  
9 dated November 14<sup>th</sup>, 2018. That will be the next exhibit,  
10 Exhibit 13.

11 **--- EXHIBIT NO./PIÈCE NO. 13:**

12 Bilingual executive summary (12  
13 pages)

14 Submitted by: Corey O'Soup,  
15 Advocate for Children and Youth,  
16 Saskatchewan

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

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

23 **CHIEF COMMISSIONER MARION BULLER:** Sure.  
24 Exhibit 14 will be the two pages of recommendations from  
25 the Advocate for Children and Youth. Thank you.

1 --- EXHIBIT NO./PIECE NO. 14:

2 Summary of recommendations (two pages)

3 Submitted by: Corey O'Soup, Advocate

4 for Children and Youth, Saskatchewan

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

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

10 **MR. COREY O'SOUP:** Yes.

11 **CHIEF COMMISSIONER MARION BULLER:** Thank  
12 you.

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

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

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

1       you go to.

2                   **MR. COREY O'SOUP:**   M'hm.

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

11                  **MR. COREY O'SOUP:**   M'hm.

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

17                  So I guess in the most simplistic way for  
18      me to put this, is should this -- would you advise that  
19      this commissioner have that multi-jurisdictional  
20      authority, similar to how the Inquiry has, where each  
21      province and territory and the federal government give the  
22      commissioner authority within their jurisdiction so a  
23      Indigenous children here in Saskatchewan, in Northern  
24      Nunavut can go and not have to deal with this bureaucracy  
25      and this artificial division of jurisdiction over them?

1                   **MR. COREY O'SOUP:** M'hm. I'll tell you how  
2 we do it in Saskatchewan. So currently, we don't have an  
3 Indigenous like child advocate that is responsible  
4 specifically for our First Nations, but I have taken on  
5 that responsibility. As an Indigenous person that I do  
6 take any and all calls from all children and youth and all  
7 Indigenous children and youth regardless of whether they  
8 live on or off reserve.

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

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

25                   I don't think that our provincial

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

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

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

25 We've had this conversation about how would

1 we interact with a national commissioner and for sure, we  
2 would want to work very closely with them. We would want  
3 to ensure that no services were disrupted. We would want  
4 to ensure that the proper advocacy would go to the proper  
5 child.

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

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

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

25 So those are things that we could work on

1 as well. But I do believe that we need that person in  
2 place and we can work out those details as we move  
3 forward.

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

8 **MR. COREY O'SOUP:** Thank you.

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

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

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

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

23 **(APPLAUSE/APPLAUDISSEMENTS)**

24 **MS. CHRISTA BIG CANOE:** Chief Commissioner  
25 and Commissioners, we now have scheduled a lunch break,

1 but if I may have just a couple of housekeeping notes,  
2 particularly for parties who are in the room who have  
3 already presented this morning or will be presenting this  
4 afternoon.

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

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

16 **CHIEF COMMISSIONER MARION BULLER:** Sure,  
17 1:30 please.

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

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

21 --- Upon resuming at 1:36 p.m./L'audience est reprise à  
22 13h36

23 **MS. SHELBY THOMAS:** Bonne après-midi,  
24 Commissaire en-chef et les commissaires. La prochaine  
25 partie qu'on va entendre... que j'aimerais inviter à le



1 podium est la Concertation des luttes contre  
2 l'exploitation sexuelle. Maître Diane Matte va faire la  
3 présentation. Elle va avoir 40 minutes.

4 **(PRESENTATION/PRÉSENTATION)**

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

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

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

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

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

25 Les organisations de femmes autochtones que

1 nous côtoyons et soutenons demandent justice et réparation  
2 depuis très longtemps. Il faut les entendre.

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

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

17 Le temps et les ressources imparties ne  
18 sont pas suffisantes, mais en plus on aura souhaité à  
19 l'instar de plusieurs groupes autochtones des pouvoirs  
20 accrus et plus contraignants pour les commissaires.

21 Pour que justice soit faite, il nous faut  
22 reconnaître ce qui s'est passé et les responsabilités que  
23 portent des individus, des institutions et des  
24 gouvernements. Nous serons donc au côté des organismes  
25 qui surveilleront comment le gouvernement tiendra compte

1 des recommandations émanant de l'enquête pour réclamer la  
2 prise en compte de leurs paroles dans leurs communautés,  
3 dans la société canadienne et dans le système de justice  
4 plus particulièrement.

5 Nous avons décidé de participer à cette  
6 enquête car le mandat de la Commission d'enquête les amène  
7 à... et je cite:

8 « ...se pencher sur les causes  
9 systémiques de toutes les formes de  
10 violence y compris la violence  
11 sexuelle à l'égard des femmes et des  
12 filles autochtones, et faire rapport à  
13 cet égard et examiner les causes  
14 sociales, économiques, culturelles,  
15 institutionnelles et historiques sous-  
16 jacentes qui contribuent à perpétuer  
17 la violence envers les femmes et les  
18 filles autochtones au Canada et qui  
19 accentuent leur vulnérabilité. »

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

25 Nous assistons cependant depuis quelques

1 années à un ressac et trop de personnes ou institutions  
2 souhaitent relativiser cette violence ou prétendre qu'elle  
3 est symétrique avec la violence vécue par les hommes.

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

8 La Concertation des luttes contre  
9 l'exploitation sexuelle est un organisme féministe visant  
10 à éradiquer l'exploitation sexuelle est un organisme  
11 féministe visant à éradiquer l'exploitation sexuelle et  
12 toutes les autres formes de violence envers les femmes.

13 Nous croyons... excusez... nous croyons que les  
14 causes systémiques vécues par les femmes autochtones comme  
15 pour les autres femmes en partie portent les noms de  
16 patriarcat, colonialisme, racisme et capitalisme. Nous  
17 croyons plus particulièrement que l'exploitation sexuelle  
18 commerciale -synonyme de prostitution- est l'une des  
19 formes de violence envers les femmes les plus occultées et  
20 banalisées.

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

25 La CLES est un organisme créé en 2005 afin

1 de remettre au cœur des préoccupations du mouvement  
2 féministe un regard critique sur l'existence de la  
3 prostitution comme institution freinant l'atteinte de  
4 l'égalité pour toutes les femmes. Nous condamnons  
5 l'industrie du sexe et considérons qu'elle est illégitime  
6 et incompatible avec les droits des femmes. Nous  
7 travaillons au quotidien à construire un monde sans  
8 prostitution et des alternatives à celle-ci via des  
9 démarches visant à modifier et adapter des lois  
10 québécoises et canadiennes, des activités de lobby auprès  
11 des divers paliers de gouvernement afin qu'ils abordent  
12 les besoins spécifiques des femmes ayant un vécu en lien  
13 avec la prostitution.

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

23 Nous accompagnons et soutenons plus de 200  
24 femmes par année. Au moins la moitié d'entre elles sont  
25 aux prises avec la prostitution et l'autre moitié a quitté

1       cette industrie, mais vivent, certaines depuis plusieurs  
2       années, mais continuent d'en vivre les conséquences.

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

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

24                Nous avons défendu devant ces instances  
25       juridiques le droit des femmes de ne pas être prostituées.

1 Nous invitons la justice à reconnaître que la  
2 prostitution est une pratique millénaire, centenaire trop  
3 longtemps tolérée, d'inégalité qui doit être vue comme  
4 allant à l'encontre de l'égalité pour toutes les femmes et  
5 non comme un simple échange de services dont il suffirait  
6 de reconnaître la légitimité pour protéger les femmes  
7 contre la violence.

8 Nous avons déclaré que nous ne pouvons,  
9 comme société, passer sous silence que la plupart des  
10 personnes prostituées sont des femmes et des filles,  
11 presque tous les acheteurs clients et la majorité des  
12 proxénètes et profiteurs sont des hommes. L'achat et la  
13 vente du corps des femmes dans la prostitution est une  
14 pratique mondiale d'exploitation sexuelle et de violence  
15 masculine contre les femmes qui normalise la subordination  
16 des femmes sous une forme sexualisée. Elle exploite et  
17 intensifie l'inégalité systémique sur la base du sexe, de  
18 l'indigénéité, de la race, de la pauvreté, de l'âge et du  
19 handicap.

20 Tout en reconnaissant que les articles du  
21 Code criminel canadien concernant la prostitution étaient  
22 discriminatoires et menaient à plus de criminalisation des  
23 femmes, tout particulièrement les femmes autochtones, nous  
24 demandions à la Cour de reconnaître que nous pouvions  
25 traiter sur un même pied d'égalité les personnes qui sont

1 amenées pour toutes sortes de raisons à vendre des actes  
2 sexuels et les personnes profitant de la prostitution des  
3 femmes, soit les clients, les proxénètes, les  
4 propriétaires de bars de danseuses ou de salons de  
5 massages dits érotiques, les entremetteurs, etc.

6 Nous les invitons à faire une analyse  
7 systémique de la prostitution et de juger  
8 inconstitutionnels les articles permettant la  
9 criminalisation des personnes prostituées qui existaient à  
10 ce moment, tout en maintenant une criminalisation du  
11 deuxième groupe profitant de la prostitution d'autrui.

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

23 Cela était d'autant plus important à faire  
24 comme analyse que les premières touchées par la  
25 prostitution sont les femmes les plus marginalisées et



1       appauvries, dont les femmes autochtones, et ce, de façon  
2       disproportionnée.

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

20                      De plus, cette notion que la sécurité des  
21      femmes dans la prostitution serait plus grande dans un  
22      système totalement décriminalisé est inexacte. Plusieurs  
23      recherches démontrent que la prostitution est l'une des  
24      situations de vie la plus dangereuse pour les femmes et le  
25      danger ne vient pas du fait de la criminalisation d'achat

1 d'actes sexuels ou des proxénètes ni du lieu où elles se  
2 trouvent, mais bel et bien de ceux qui consomment des  
3 actes sexuels ou profitent de la prostitution d'autrui.

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

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

15 Aux Pays-Bas, ce sont 28 personnes  
16 assassinées depuis 2000. De son côté, la Suède, qui a opté  
17 pour un modèle criminalisant l'achat et la vente d'actes  
18 sexuels d'autrui, tout en décriminalisant les personnes  
19 prostituées elles-mêmes ne comptabilisent aucun meurtre de  
20 personnes dans la prostitution depuis 1999.

21 La véritable protection pour les femmes  
22 réside dans une remise en question d'une pratique  
23 patriarcale qui a trop duré et l'ajout substantiel de  
24 ressources et de conditions économiques pour prévenir  
25 l'entrée dans la prostitution ainsi que soutenir celles

1 qui sont aux prises avec cette réalité ou qui en sont  
2 sorties.

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

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

24 La CLES a réalisé en 2014 une recherche-  
25 action sur le... avec le soutien financier de Condition

1 Féminine Canada afin de mieux répondre et... de mieux  
2 connaître, excusez-moi, les réalités des femmes dans la  
3 prostitution et plus particulièrement leurs besoins.

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

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

14 À la question, « est-ce que vous souhaitez  
15 sortir de la prostitution », 80,9 pourcent des femmes  
16 toujours dans l'industrie du sexe ont répondu « oui ».   
17 Lorsqu'on isole celles étant dans la prostitution... les  
18 femmes autochtones étant dans la prostitution de rue, le  
19 pourcentage monte à 95,2 pourcent.

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

25 Peu d'études ont été réalisées pour mieux

1 cerner la spécificité des besoins des femmes souhaitant  
2 quitter l'industrie du sexe pourtant.

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

10 Nous souhaitons mettre en lumière les  
11 besoins des femmes sorties ou encore dans l'industrie du  
12 sexe, de leur spécificité selon leur vécu et leur  
13 connaissance des ressources pouvant les aider dans leurs  
14 démarches, en particulier à la sortie de l'industrie du  
15 sexe.

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

23 Nous avons trouvé peu de différences entre  
24 les besoins exprimés en fonction de l'âge, du lieu où  
25 elles étaient dans la prostitution, du temps qu'elles y

1 ont passé également.

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

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

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

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

24           Plusieurs femmes fréquentant notre  
25 organisme nous ont indiqué qu'elles regrettent amèrement

1 de ne pas nous avoir connu auparavant. Il faut aussi dire  
2 que l'approche « réduction des méfaits » a d'abord et  
3 avant tout été créé pour travailler avec des personnes  
4 dépendantes des substances. Il s'agit de minimiser les  
5 risques de décès suite à une consommation excessive ou  
6 dangereuse. Le danger pour la personne toxicomane vient  
7 des substances et peut trouver un sens d'avoir cette  
8 réduction des méfaits.

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

16 Il est aussi marquant de voir combien la  
17 violence des hommes envers les femmes est l'un des  
18 facteurs les plus déterminant de l'entrée des femmes dans  
19 la prostitution.

20 Cette violence, vécue souvent en tant  
21 qu'enfant, vient toucher profondément la capacité des  
22 filles de se concevoir comme des sujets. Ce sont souvent  
23 leur estime d'elles-mêmes, leur conception des hommes de  
24 leur entourage ou des inconnus, leur capacité d'imposer  
25 leurs limites, qui servent de terrains propices au

1           recrutement auquel les filles et les femmes font face.

2                           De plus la banalisation de l'industrie qui  
3           s'est développé à partir de la prostitution contribue à  
4           rendre l'entrée dans la prostitution beaucoup plus facile  
5           que la sortie.

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

14                          Cela s'accroît pour les femmes et les  
15          filles autochtones et peut expliquer en partie leur sur-  
16          représentation dans la prostitution. Les femmes  
17          autochtones vivent des conditions sociohistoriques qui les  
18          différencie des autres femmes en ce qui a trait à leur  
19          vécu en général. Cette particularité a des répercussions  
20          sur leurs expériences prostitutionnelles. Dans une fiche  
21          faisant état des causes de la violence faites aux femmes  
22          autochtones, l'Association des Femmes Autochtones du  
23          Canada reprend l'explication de Guthrie Valaskakis qui  
24          date de 1999.

25                          Les femmes autochtones sont décrites dans



1 les écrits du début de l'ère coloniale comme des  
2 princesses indiennes ravissantes, fières et vertueuses.  
3 La résistance à la colonisation a entraîné la  
4 représentation des femmes autochtones en tant que  
5 « squaw » sales, obscènes, grossières et perverses.

6 En effet, l'héritage colonial et le racisme  
7 associé au patriarcat engaine une perception des femmes  
8 autochtones comme déviantes, sexuellement dépravées, et  
9 les exposes à donc encore plus de violence et de  
10 stigmatisation.

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

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

19 Étant donné l'air du temps et l'attitude  
20 des colonisateurs vis-à-vis les populations Autochtones,  
21 on peut surement s'imaginer que il s'agissait d'affirmer  
22 que la... on peut affirmer que la dernière explication est  
23 la plus plausible. C'est-à-dire qu'on voulait d'abord et  
24 avant tout protéger les familles blanches qui étaient  
25 présentes. Les bonnes mœurs des familles blanches. Cet

1 article d'ailleurs, 120, est disparu dans les années 50  
2 seulement.

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

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

12 Donc la recherche a été faite en 2013 -  
13 2014. On peut passer à la prochaine..

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

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

24 Next slide. Notre point de vue était un  
25 point de vue féministe: la préoccupation de la sortie des

1 femmes de l'industrie du sexe; les rapports de sexe, le  
2 reste et de classe, et l'écoute de la parole des femmes.

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

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

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

25 On voulait savoir est-ce que les femmes

1 expriment des besoins différents selon leurs domaines  
2 d'activités dans l'industrie du sexe par exemple ou est-ce  
3 qu'elles connaissent les ressources pour répondre à ces  
4 besoins.

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

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

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

21 La prochaine. Dans... par rapport à la  
22 question de leur présence dans l'industrie du sexe, 19  
23 pourcent avaient déjà quitté, mais 81 pourcent - et ça  
24 c'est un échantillon qui est très rare parce que  
25 effectivement 81 pourcent des femmes qu'on a rencontrées

1 étaient toujours dans l'industrie du sexe.

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

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

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

22 La prochaine. On demandait aux femmes de  
23 s'identifier elles-mêmes au niveau de leurs groupes  
24 d'appartenance ethnoculturel et c'est le portrait qu'on  
25 avait des femmes qu'on a rencontré.

1                   La prochaine. L'âge d'entrée dans  
2 l'industrie du sexe c'était à 46 pourcent moins de 18, ce  
3 qui est à peu près semblable à ce que... aux femmes non-  
4 autochtones également. De 27 pourcent de 18 à 25 ans et à  
5 noter quand même, 20 pourcent de 26 et plus.

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

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

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

21                   La prochaine. Les revenus; parce que  
22 souvent on a... y'a le mythe que quand on est dans la  
23 prostitution on fait beaucoup d'argent et on voit que  
24 c'est loin d'être la réalité. Le bleu plus foncé c'est  
25 celles qui ont quitté et le bleu plus pâle c'est les

1 femmes qui sont toujours dans l'industrie du sexe. Et on  
2 voit que quand même la plupart d'entre elles gagne moins  
3 de 600 \$ par semaine. Et y'a quand même énormément  
4 d'entre elles qui gagnent 400 \$ et moins par semaine et  
5 évidemment le même nombre de femmes qui gagnent moins de  
6 200 \$.

7 En fait, un phénomène dans la prostitution  
8 c'est vraiment de savoir que la pauvreté est un facteur  
9 d'entrée. La prostitution appauvrit très souvent les  
10 femmes, mais quand elles sortent de la prostitution elles  
11 sont encore plus pauvres très souvent, parce que elles  
12 doivent aller à l'aide sociale si elles ne le sont pas  
13 déjà. Donc elles... ça génère aussi de la pauvreté pour les  
14 femmes.

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

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

21 La prochaine. Les facteurs d'entrée. Je  
22 vous en ai parlé un peu encore. La prochaine. Les  
23 obstacles à la sortie, le besoin d'argent, l'absence de  
24 services et méconnaissances des services, évidemment. La  
25 peur d'être seule, parce que l'isolement est un grand

1       facteur dans l'industrie du sexe en tant que tel.

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

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

15                  La prochaine. La violence qu'elles  
16      subissent, on a parlé de violence pendant l'enfance. La  
17      violence policière, la violence conjugale qu'elles ont  
18      subie.

19                  La prochaine. Notre constat c'est qu'y'a  
20      pas de besoins différents selon le domaine d'activités  
21      dans l'industrie du sexe. Ce sont des besoins globaux qui  
22      ont... ou y'a pas vraiment... les besoins sont vraiment  
23      imbriqués. Y'a quelques besoins spécifiques en fonction  
24      du racisme, du profilage, évidemment, parce que 100  
25      pourcent des femmes Autochtones que nous avons rencontrées



1 ont des problèmes d'ordre juridique et vivent plusieurs...  
2 pour plusieurs, un profilage très clair.

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

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

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

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

1 les femmes qui sont dans la prostitution.

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

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

11 Développer des formations pour sensibiliser  
12 les intervenants et intervenantes au vécu des femmes  
13 Autochtones dans la prostitution et sur la prévention de  
14 l'exploitation sexuelle.

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

22 Évidemment des recommandations également au  
23 niveau socio-économique pour offrir des alternatives pour  
24 les femmes autochtones et contrer leur appauvrissement,  
25 ainsi que celle de leurs communautés.

1                   En ce sens-là on soutient entre autres la  
2 proposition de Rape Relief and Women's Shelter concernant  
3 le revenu minimum garantie décent. Pour nous c'est  
4 vraiment une revendication... une recommandation sur  
5 laquelle il faut ne pas démordre, en fait, puisque, comme  
6 je disais, le facteur d'entrée dans la prostitution et les  
7 résultats de la prostitution dans la vie des femmes c'est  
8 la pauvreté donc s'y attaquer est de... très, très  
9 important.

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

19                   J'insiste sur le étant sortie parce que  
20 plusieurs des femmes, comme je vous dis, qui fréquentent  
21 notre organisme déplorent le fait que on s'intéresse  
22 beaucoup à la prostitution des mineurs mais qu'on ne parle  
23 pas ou qu'on ne s'adresse pas aux femmes plus âgées qui  
24 ont eu un vécu dans l'industrie du sexe, mais qui... et qui  
25 vivent encore les séquelles.

1                   Le besoin d'exiger des gouvernements  
2           provinciaux et territoriaux de la mise en place de  
3           programmes de sortie individuelle comportant un accès à la  
4           citoyenneté, un accès à un logement, l'effacement de tous  
5           les casiers judiciaires liés à la prostitution ou  
6           l'itinérance, l'accès à des services de désintoxication  
7           gratuits, l'accès à un soutien financier pour elles et  
8           leurs familles pour une période de deux à cinq and, ainsi  
9           qu'un accompagnement et du soutien dans un projet de vie,  
10          développer des alternatives économiques spécifiques pour  
11          les femmes autochtones dans les communautés,  
12          investissement dans les infrastructures sociales des  
13          communautés.

14                   Souvent on investit, je pense entre autres  
15          à tout le développement du nord, le développement minier  
16          où ce sont essentiellement des emplois pour les hommes  
17          qu'on... puis malheureusement c'est souvent même pas les  
18          hommes autochtones qui en profitent. Mais il faut penser  
19          aussi à investir dans les infrastructures sociales des  
20          communautés, parce que effectivement là où y'a des  
21          développements minier entre autres ou des projets de  
22          grande envergure qui amènent un flux d'hommes dans une  
23          région donnée, on sait l'impact que ça a sur le taux  
24          d'exploitation sexuelle des femmes, particulièrement des  
25          femmes autochtones.

1                   Le volet juridique; reconnaître le  
2                   caractère sexiste, raciste et colonialiste de l'industrie  
3                   de la prostitution et soutenir la loi criminalisant  
4                   l'achat d'actes sexuels qui est en place depuis 2014, tout  
5                   en demandant une modification pour une décriminalisation  
6                   totale des personnes prostituées. Aucune femme ne devrait  
7                   se retrouver criminalisée pour avoir été ou être dans la  
8                   prostitution.

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

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

19                  À l'heure actuelle dans la loi,  
20                  malheureusement, quand c'est de la sollicitation sur la  
21                  rue, là où y'a des enfants plus particulièrement, les  
22                  policiers peuvent encore criminaliser les femmes pour  
23                  vendre leurs propres services sexuels. On pense que c'est  
24                  non-seulement contre-productif mais que ça va à l'encontre  
25                  de l'idée même de protéger les femmes.

1                   On pense qu'il faudrait effectivement un  
2 examen des motifs d'incarcération des femmes autochtones  
3 et la libération de celles ayant été accusé de crimes  
4 économiques de sollicitation ou tout autre crimes commis  
5 sous l'influence d'un proxénète. Un peu le modèle de  
6 Philadelphie, qui depuis quelques années est appliqué aux  
7 questions d'agressions sexuelles. On recommande que on  
8 applique la même logique envers les femmes autochtones et  
9 les situations où elles se retrouvent emprisonnées et  
10 criminalisées pour avoir été dans l'industrie du sexe ou  
11 sous l'influence d'un proxénète.

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

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

25                   Les juges, tout comme sur le... bien en fait

1       pour l'ensemble de la violence sexuelle on ne peut que  
2       faire un constat de... en fait c'est plus que de la  
3       méconnaissance qu'ils ont. Dans leur cas je pense que  
4       c'est vraiment le désire de maintenir une forme de statut  
5       quo, en fait, par leurs jugements puisque très souvent on  
6       constate que effectivement les juges contribuent au  
7       problème plutôt que de le résoudre.

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

16                      La CLES travaille aussi avec tous les  
17      hommes et organismes qui croient en une société d'égalité  
18      pour toutes et tous. Et on soutien particulièrement  
19      évidemment les femmes autochtones dans leur désire de  
20      changer des choses. Et on sait, en fait, que tout  
21      avancement ou toute amélioration des situations de vie des  
22      femmes autochtones ne pourra que bénéficier à l'ensemble  
23      des femmes canadiennes et donc pour nous l'importance du  
24      rapport de la Commission doit être... en fait, le rapport  
25      nous on va le surveiller comme d'autres organismes vont le

1 surveiller et on est... on exprime comme toujours notre  
2 solidarité envers les femmes autochtones. Merci.

3 **MS. SHELBY THOMAS:** Madame Matte, aimeriez-  
4 vous déposer le PowerPoint come une pièce aujourd'hui?

5 **Me DIANE MATTE:** Oui.

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

10 **Me DIANE MATTE:** Oui.

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

14 **--- EXHIBIT NO./PIÈCE No. 15:**

15 PowerPoint presentation « Analyse  
16 des besoins des femmes désirant  
17 sortir de la prostitution » dated  
18 February 13, 2016  
19 Submitted by: Diane Matte,  
20 Representative Concertation des  
21 luttes contre l'exploitation  
22 sexuelle

23 **--- EXHIBIT NO./PIÈCE No. 16:**

24 Bilingual summary of  
25 recommendations (six pages)



1 Submitted by: Diane Matte,  
2 Representative for Concertation  
3 des luttes contre l'exploitation  
4 sexuelle

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

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

12 **Me DIANE MATTE:** Merci et merci.

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

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

21 **Me DIANE MATTE:** M'hm.

22 **CHIEF COMMISSIONER MARION BULLER:** And the  
23 number of years that they spend in prostitution, so thank  
24 you very much for pointing that out. It's quite an eye  
25 opener for me, so thank you.

1                   It's been a pleasure working with you all  
2 across Canada. Thank you so much for being a very  
3 passionate advocate for those who need help. Thank you so  
4 much.

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

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

10 **--- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MS.**

11 **NATALIE CLIFFORD:**

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

13                   First introduce Cheryl Maloney, President  
14 of Eastern Door, to say a few words.

15                   **MS. CHERYL MALONEY:** Thank you.

16                   Commissioners, I just wanted to acknowledge  
17 and thank you on behalf of the four Atlantic Provinces  
18 Eastern Door women's organizations.

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

24                   Sometimes we're critical but we know that's  
25 necessary to -- a necessary evil.

1 I'd also like to just honour the young  
2 Mi'kmaq lawyer, Natalie Clifford -- I call her young  
3 'cause I'm starting to feel old. But I think it's really  
4 important. One of the things I experienced and witnessed  
5 in the Inquiry was the amazing young Indigenous lawyers in  
6 this country that filled these rooms during this process,  
7 so I just wanted to acknowledge all of them.

8 Thank you all.

9 **(APPLAUSE/APPLAUDISSEMENTS)**

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

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

16 Thank you for taking the time to listen  
17 today.

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

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

23 And thank you to our Elders, Grandmothers,  
24 health supports, NFAC, and one of my personal aunties,  
25 Denise Pictou Maloney, and our angel, Audrey Segal

1 (phonetic), who have guided us throughout this process.

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

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

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

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

22 For decades, they've led an advocacy,  
23 demonstrations, marches, and offering one-on-one services,  
24 representation and wraparound supports for families --  
25 Indigenous families and communities experiencing violence.

1           The women behind Eastern Door are in the  
2 extraordinary company of Indigenous women and grassroots  
3 organizations across this country that, in this process  
4 and before, have joined together creating a unified voice.

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

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

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

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

24           You'll remember the powerful testimony of  
25 Aggie Gould. She smiled from ear to ear as she showed off

1 her brothers and her Dad, and she was so happy to be with  
2 them and have the opportunity to share her truth about her  
3 sister, who has now been missing for 24 years, Virginia  
4 Pictou.

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

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

13 Pamela asked you for harsher penalties for  
14 sexual offenders.

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

22 He asked you for stronger penalties, too,  
23 and he told you that when this happened, his Mom had a  
24 restraining order against his Dad; to him, a mere piece of  
25 paper.

1                   Commissioner Audette will remember hearing  
2                   from Barbara Bernard, whose mother, Mary Francis Paul, was  
3                   found dead on the Charlottetown waterfront; a broken neck,  
4                   they said.

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

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

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

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

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

25                  So guiding principle number one:

1 Indigenous women have the salutation to help Indigenous  
2 women, full stop.

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

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

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

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

25 The second: Eastern Canada was forgotten.



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

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

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

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

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

24 If careful attention and respect had been  
25 given to RCAP, and more recently the TRC calls to action,

1 would we have needed this Inquiry? How long -- how will  
2 this Inquiry be different?

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

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

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

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

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

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

25 I asked for permission to share Cassidy's

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

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

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

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

24           Again, it is the families who deserve our  
25 utmost respect in this process.

1 I'll turn now to what has been heard  
2 throughout parts 2 and 3 of this Inquiry, building on and  
3 supporting our preliminary findings.

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

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

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

22 Indigenous people have inherent  
23 jurisdiction over themselves. It is intrinsic, arguably  
24 inalienable. At least it has not been ousted through a  
25 process of free prior and informed consent and the right

1 to self-govern is not repatriable by non-Indigenous  
2 governments. One cannot return something that was never  
3 taken.

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

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

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

24 Canada is also represented by a police  
25 service's explicit institutional support of its members

1 accused of systemic abuse of Indigenous women. And the  
2 spectre of Canada is echoed in the culture of exploitation  
3 of women that develops around workmen camps in remote  
4 regions of the country. It's also apparent in the  
5 destruction of sacred Indigenous hunting grounds  
6 perpetrated by private companies who may or may not have  
7 licence to do so from regulators.

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

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

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

25           The National Inquiry's timing is situated

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

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

12 And so the foundational recommendations  
13 offered by Eastern Door are as follows: that Canada  
14 recognize a meaningful position for Indigenous women in  
15 the political sphere of Canadian governance; that it  
16 exercise and give meaning to its commitment to Nation-to-  
17 Nation relationships with Indigenous people fully  
18 supported and fund initiatives to -- of Indigenous leaders  
19 to achieve self-determination; that First Nations  
20 leadership and Indigenous organizations commit to self-  
21 determination and self-government and unify in a  
22 commitment to accept nothing less; and that all relevant  
23 elected bodies commit to upholding at least the minimum  
24 standards of treatment of Indigenous people as laid out in  
25 the UNDRIP.

1                   You've heard extensive evidence and  
2                   advocacy for a number of parties that Canada has  
3                   international and domestic obligations to protect  
4                   Indigenous women, girls, and LGBTQI2S, and that Canada is  
5                   in constant breach of those obligations.

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

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

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

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

24                  And the guiding principle I offer, she is  
25                  in danger and we have an obligation to protect her.



1                   The plan will accomplish its goal by  
2                   guaranteeing minimum standards of international and  
3                   domestic human rights protection through basic principles  
4                   and accompanying recommendations engaging in each of the  
5                   problem areas that you have -- that have been come to be  
6                   known to you throughout this process.

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

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

20                  Many of them are the existing and future  
21                  service providers and will be on the ground implementers  
22                  of the recommendations this Inquiry provides. They know  
23                  the issues and some of the very organizations have been  
24                  constituted out of a need to service those issues. A  
25                  natural role would be for them to assess on an ongoing

1 basis the effectiveness of efforts of relevant elected  
2 bodies to meet, support, fund and further the  
3 recommendations of the National Inquiry, and to blow the  
4 whistle where they are not.

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

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

17 The answer is in balance, and in this case,  
18 a rebalancing of power, justified by the resounding call  
19 for substantive equality, through their ability to offer  
20 regular report cards, register complaints and request  
21 redress. The balance would be maintained through a  
22 careful strategy in which elected bodies who are found to  
23 be in contempt of the standards and who fail to rectify  
24 the same would be ultimately fined monetarily. With an  
25 arrangement grounded in principles similar to those used

1 to justify the nation's carbon tax and human rights  
2 oversight, the funds recovered would be distributed  
3 directly among the grassroots Indigenous and women's  
4 organisation who are the service providers within the  
5 region affected by the non-compliance, because they are  
6 the ones who must continue to painstakingly fill the gaps  
7 and offer services while their regional elected bodies  
8 fail to support them directly.

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

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

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

24 These submissions outline a framework for a  
25 National Action Plan with recommendations that would be

1 used to measure regional action. However, it is expected  
2 and hoped that the Commissioners will incorporate  
3 recommendations and ideas as harvested throughout the  
4 process, and implementation needs to be regionally  
5 relevant and Indigenous-led. Appropriate regions and  
6 representation should be defined through meaningful  
7 consultation.

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

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

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

22 The first section of the National Action  
23 Plan on value of Indigenous women, I offer you guiding  
24 principle number six. She has been disrespected and  
25 devalued for the benefit of others. She is invaluable.

1                   Supported by UNDRIP Articles 21 and 22, and  
2           I will mention UNDRIP articles, but I advocate for the  
3           whole application as well as Canada's other international  
4           obligations.

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

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

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

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

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

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

24                   Create grant and scholarship opportunities  
25          for Indigenous women engaged in resource protection.

1                   Examine valuation of Indigenous women's  
2 lives throughout the judicial system and process,  
3 including through legislative control of measurements to  
4 determine pecuniary damages and victim surcharges.

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

17                   The next section is education for  
18 Canadians, guiding principle number seven. Repatriate her  
19 dignity. Lies have been spread about her. It's time for  
20 Canadians to know her true identity. UNDRIP Standard  
21 Articles 14, 15, 21 and 22. To appreciate the value of  
22 this section of recommendations it must be recognised that  
23 the mis-education of generations of Canadians has been  
24 used as a tool to enforce colonial patriarchy in Canada.  
25 Mis-education is the root of rampant racism in Canada.

1                   Recommendations in this regard include  
2                   education about Indigenous people must be Indigenous led  
3                   and regionally informed. It must include curriculum about  
4                   the active mis-education of generations of Canadians from  
5                   a colonial violence lens and it must be introduced to  
6                   children in the first year of elementary school and  
7                   continue throughout their career, their education career,  
8                   as a core topic.

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

22                  Education for Indigenous communities, the  
23                  next section, guiding principle, it's time to give her  
24                  back her talk and time for her to learn her identity so  
25                  she can take pride in herself. And for those of you who

1 don't know, this is a reference to Mi'kmaq Poet Laureate  
2 Rita Joe in her poem "I Lost My Talk." And if I have a  
3 moment at the end I will read it for you.

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

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

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

25 The process of planning and erecting these



1 shelters and safe places must be mindful that often  
2 leaders are perpetrators and women need protection from  
3 them.

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

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

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

21 Eastern Door calls on Canada to end  
22 criminalization of sex work, grant pardons, apologize for  
23 imposing the criminal justice system, commit to a robust  
24 part in initiative to alleviate the affects of the ongoing  
25 over incarceration of Indigenous women for reasons

1 relating to poverty, and provide resources and supports  
2 for Indigenous communities to take on initiatives for  
3 alternative custody arrangements, including, where  
4 appropriate, in their communities.

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

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

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

20           Among other recommendations, they ask to  
21 carefully limit the availability of Gladue reporting and  
22 restorative justice diversions to reflect their original  
23 purposes, that Indigenous-led committees be given  
24 authority to develop criteria to determine whether a  
25 Gladue report or restorative justice should be used on a

1 case-by-case basis with the overall goal to maintain the  
2 integrity of the process and offer their support for  
3 Indigenous writers of Gladue reports.

4 The next section, land reclamation.  
5 Guiding Principle: Her body is intrinsically connected to  
6 her land. UNDRIP standard, Article 32.

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

14 The next section, community healing.  
15 Guiding Principle: Indigenous communities are families  
16 and they are hurting. UNDRIP standard, Articles 12 -- 11,  
17 12, 13 and 15.

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

24 Healing for families including men.  
25 Guiding Principle Number 16: Heal her, but don't send her

1 back until you've healed the men, for they too are  
2 survivors of colonization.

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

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

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

21 Healing for families including children.  
22 Guiding Principle:

23 "These children are only loaned to us;  
24 we may claim them, they're ours, but  
25 the babies are loaned by the

1 Creator...You, as a mother or a father  
2 must watch over them at all times."

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

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

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

24 Finally, media responsibility. Guiding  
25 Principle Number 18: She is not your headline. She is a

1 human being worthy of life and worthy of love. UNDRIP  
2 standard: Reporting should be guided by a meaningful  
3 understanding of the entire declaration.

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

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

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

22 Media are uniquely positioned to educate  
23 the masses. They can humanize Indigenous women and affect  
24 how they are searched for, whether people with information  
25 come forward, and ultimately, media can help create

1 awareness, and the basic empathy among the general  
2 population. In addition, the availability and low cost of  
3 social media to communicate better information limits  
4 excuses for faulty reporting.

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

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

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

24 The women behind Eastern Door call on you  
25 to strongly recommend an all-encompassing national action

1 plan to end violence against Indigenous women, girls, and  
2 LGBTQI2S, and in doing so be fearless in the details. You  
3 should offend, shock, and disrupt.

4 And those are my submissions. Thank you.  
5 Wela'lin.

6 (APPLAUSE/APPLAUDISSEMENTS)

7 **MS. NATALIE CLIFFORD:** With my 30 seconds,  
8 I will grace you with Rita Joe's poem:

9 "I lost my talk  
10 The talk you took away.  
11 When I was a little girl  
12 At Shubenacadie school.  
13 You snatched it away:  
14 I speak like you  
15 I think like you  
16 I create like you  
17 The scrambled ballad, about my word.  
18 Two ways I talk  
19 Both ways I say,  
20 Your way is more powerful which ways I  
21 say. Your way is more powerful. So  
22 gently, I offer my hand and ask, let  
23 me find my talk so I can teach you  
24 about me."

25 Thank you.



1 (APPLAUSE/APPLAUDISSEMENTS)

2 MS. SHELBY THOMAS: Thank you. Ms.  
3 Clifford, there was two photos that went up during your  
4 presentation. Would you like to make those exhibits  
5 today?

6 MS. NATALIE CLIFFORD: Certainly. The  
7 first one is a logo for Eastern Door Indigenous Women's  
8 Association and the second is Cassidy Bernard. Thank you.

9 CHIEF COMMISSIONER MARION BULLER: So  
10 Collectively, Exhibit 17 please.

11 --- EXHIBIT NO./PIÈCE NO. 17(a) and (b) :

12 Exhibit 17(a): Digital logo of  
13 Eastern Door Indigenous Women's  
14 Association

15 Exhibit 17(b): Digital photograph  
16 of Cassidy Bernard  
17 Submitted by: Natalie Clifford,  
18 Counsel for Eastern Door  
19 Indigenous Women's Association

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

22 COMMISSIONER QAJAQ ROBINSON: I don't have  
23 any questions. I'm very much looking forward to reading  
24 the full submissions. I just want to say (Native word) to  
25 Cheryl as well to you and thank you very much for your

1 continued engagements and contributions throughout all of  
2 the hearings. It's been a pleasure. Thank you.

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

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

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

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

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

25 **(APPLAUSE/APPLAUDISSEMENTS)**



1 unceded lands and ancestors of the Algonquin peoples. I'd  
2 like to acknowledge the elders who have participated in  
3 this hearing and the families, and to honour the spirits  
4 of those women that we are representing, the missing and  
5 murdered Indigenous women and girls to honour their lives,  
6 their spirits.

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

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

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

24 And the Aboriginal Shelters of Ontario has  
25 had standing in all parts of this Inquiry. Their work is

1 all about maintaining healthy relationships and this is  
2 done by recognizing the interconnectedness between  
3 organizations as well as with an individual, their family,  
4 their extended family, and the community, and the land to  
5 which they belong.

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

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

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

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

1 to support and represent them.

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

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

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

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

19 Jeanine George, she's the coordinator of  
20 the Aboriginal Shelters of Ontario. Alana MacDonald  
21 (phonetic), she's the shelter or the manager of the  
22 residential services at Ganohkwasra. Mary (phonetic)  
23 Anderson, she's the shelter supervisor of Ganohkwasra.  
24 And Amber Silversmith, she's actually the MMIWG  
25 counsellor, so she works with the families at Six Nations

1 at Ganohkwasra. And Cindy Lesage, she's a shelter  
2 counsellor and at Ganohkwasra.

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

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

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

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

25 So I'd like to just remind everybody that

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

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

17             To my brothers and sisters in the audience,  
18      and everyone else, just remind yourselves that it's only  
19      30 minutes. We can stay grounded. We can keep our feet  
20      on the floor. We can remember to breathe when we're not  
21      really sure what's going on with our heartrate or  
22      something, because sometimes we just forget how to  
23      breathe. So if we can just remember that as well.

24             I'll also be queuing everyone to take a  
25      deep breath if I also feel that people are not breathing.



1       So I can sense that, so breathe.

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

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

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

19                      Our homes are poorly built. They are  
20      basically plywood wrapped in plastic where mold breeds.  
21      Our youth have to fly out of our community to go to high  
22      school. They are taken from their community, their  
23      families, their home, everything they've known to attend  
24      high school in a mainstream urban setting. They are a  
25      target to be trafficked. They are being trafficked.

1                   Many of our women can't go out alone at  
2                   night. There are large corporations that fly in at  
3                   different times on their shifts so they are nervous that  
4                   they will go missing. They do go missing.

5                   Family violence is rampant in our  
6                   communities. We have lack of resources, lack of staff,  
7                   poor housing. We have one shelter to cover 10  
8                   territories. That is one shelter with likely one staff to  
9                   cover 10 territories. That is the land base of Prince  
10                  Edward Island. One shelter. We need more staff, more  
11                  resources and more supports in the North.

12                  **MS. BEVERLY JACOBS:** If I can ask our  
13                  Indigenous On Reserve Sister Shelters to step forward and  
14                  share the gaps that you are experiencing in saving the  
15                  lives of our Indigenous sisters.

16                  **FEMALE SPEAKER:** I am Indigenous On Reserve  
17                  Shelters. Our funding is mainly IMAC. We have one  
18                  shelter that doesn't even receive IMAC funding.

19                  We can't provide pay equity. Our shelters  
20                  are run by our chiefs and councils who also implement  
21                  their policies and procedures. In some cases, our chiefs  
22                  and councils take our funding and direct it to other  
23                  departments under their direction.

24                  We are single staffed. We can't afford to  
25                  have two staff on shift. This is not only dangerous for

1 the staff but for the clients as well.

2 Many of us live and work in our own  
3 community. Our day doesn't end after 7 or 8 hours. We  
4 get calls at night. We get people that come to our doors  
5 seeking help or looking for a safe place.

6 Our shelters are not -- don't meet the  
7 needs of our clients. Many of them don't meet the  
8 building code. We don't receive funding for capital,  
9 which means that we can't keep our buildings up to code.  
10 If we were off reserve our buildings would be shut down.

11 **MS. BEVERLY JACOBS:** Indigenous Urban  
12 Sister Shelters, if you can share with us the gaps in  
13 services that you're experiencing saving lives.

14 **FEMALE SPEAKER:** I am Urban Indigenous  
15 Shelters. I am federal and provincial funded; however,  
16 our workers are only getting paid \$17 an hour, yet our  
17 mainstream is still getting paid 24 -- over \$25 an hour.  
18 Why is that? Why?

19 Yet our workers are single staffed. We  
20 don't have enough funding to bring in our own culture and  
21 our own traditional knowledge holders, but yet we can sit  
22 on a panel. They can call us the token Indians that they  
23 want us to come and sit on their panel and say yes, we'll  
24 hear you. Yes, your culture is important to us, and it's  
25 important to your people to heal your people.

1                   But yet our words are shunned. We are  
2                   silenced there. And we cannot access land base to help  
3                   our young ones learn about our teachings and our culture.

4                   **MS. BEVERLY JACOBS:** And finally, our  
5                   Mainstream Sister Shelters, if you can step forward and  
6                   share your gaps in servicing Indigenous women.

7                   **FEMALE SPEAKER:** I represent Mainstream  
8                   Shelters. We are funded by the provincial government.  
9                   Some of our shelters have pay equity, but unfortunately,  
10                  some of us need to fundraise over \$400,000 a year in order  
11                  to have those salaries comparable.

12                  With that being said, sometimes we are  
13                  double staffed, but it takes a lot of work and a lot of  
14                  effort, which also detracts from the time that we spend  
15                  with our clients.

16                  We do have resources. Some of our shelters  
17                  have outreach services, maintenance workers, cooks,  
18                  counsellors, but we get very nervous because we do not  
19                  know how to deal with Indigenous people. We don't even  
20                  know how to refer to Indigenous people. There's such a  
21                  disconnect, we just don't know how to deal with your  
22                  people. What is appropriate.

23                  Sometimes, you know, we make appointments  
24                  and your people don't show up. And if you do show up, a  
25                  lot of times you don't follow through on anything. We

1 find it very difficult because some of the people we deal  
2 with they feel -- I feel they're very quiet. Sometimes we  
3 feel that they're reserved. They don't communicate well  
4 and they appear very angry. We're not equipped to handle  
5 Indigenous people.

6 We do offer some of our shelters second-  
7 stage housing, but your families are so large. We don't  
8 know how to accommodate large families. We don't know  
9 what to do.

10 Sometimes people are asking for unusual  
11 food. We've never even heard of it. We don't even know  
12 where to get it. We don't even know what it is. So  
13 there's such a disconnect between mainstream shelters and  
14 Indigenous people.

15 Some of our shelters have harm reduction.  
16 That means that we give out alcohol on our premises, but  
17 then on the other hand we're told that we're not allowed  
18 to give it out to Indigenous women. Why? We don't know  
19 that we don't understand.

20 Our shelters are mandated for domestic  
21 violence. That means a partner abuse in the home. A lot  
22 of your people come to our shelters and they need help  
23 with family violence. Our staff don't even know what that  
24 is. We don't know how to help you.

25 **MS. BEVERLY JACOBS:** So with hearing all

1       this, I'm sure there's some heavy hearts because I feel it  
2       as well. So the next energy we're going to introduce into  
3       the room -- if you can go get her? This is called the  
4       energy of violence against Indigenous women. This is what  
5       energy feels like. This is what energy sounds like to the  
6       Indigenous women in this country. So I hope you can hear.

7                   **MS. SANDRA MONTOUR:** (Yelling.) So, who  
8       had the nerve to call me into this place? This is the  
9       National Inquiry against Murdered and Missing Indigenous  
10      Women. These are the Commissioners. I've heard a lot  
11      about what you've been doing. You've been trying to  
12      educate people so I don't come into their homes. How dare  
13      you do that? How dare each of you do that? I want to  
14      survive.

15                   I know all these families. I've been in  
16      their homes. I know each one of you. How dare you try to  
17      educate people so that they don't -- so that I don't come  
18      into their homes and their lives? I'm a force to be  
19      reckoned with.

20                   And what do we have here? What do we have  
21      here? We have the shelters. They are the ones who are  
22      actually mandated to stop me. So this is -- your primary  
23      mandate is to stop me. Okay. Let's see what we have.

24                   We have the Indigenous Northern Remote  
25      Shelters. Let's see if they can -- what they have. I see

1       that they have so much residential school syndrome in  
2       their community. It's so easy for me to take their women.  
3       With all the residential school and the abuse that happens  
4       in their home. I'm in their home as children. I'm in  
5       their home and I can take their thoughts of their men.  
6       It's so easy because did you know who I'm born from? I'm  
7       born from colonisation and oppression. I exist in every  
8       system. I'm there. That's who my parents are. And I can  
9       easily take those women from that community.

10                Their shelters are run-down. They have  
11       mould in their shelters. They have one shelter the size  
12       of Prince Edward Island land base. How are they supposed  
13       to fight against me? I'm too powerful, way too powerful.  
14       You're easy pickings. Your women go into -- are abused.  
15       There's nowhere to go. They go into the cities, then they  
16       get trafficked. So easy. It's so easy for me to take  
17       those women.

18                And who do we have here? Indigenous on-  
19       reserve shelters. My favourite. I see some of them have  
20       chief and council. The money goes there to chief and  
21       council. And I know a lot of those chiefs and councils  
22       are mainly men who don't respect those shelters. And what  
23       they do is they take that money away from your women, away  
24       from their women, and they put them to roads, put them to  
25       bridges. And they're single-staffed.

1                   Oh, and some of them, some of them even  
2 survive on food banks to feed their clients. Did you know  
3 that? They're no fight for me. Easy-peasy. You're no  
4 fight for me, Indigenous on-reserve shelters.

5                   And Indigenous urban shelters. So  
6 overcrowded. I see those women going to you and their  
7 children going to the Indigenous urban shelters, trying to  
8 seek help, trying to get help. Way over capacity. They  
9 work with all kinds of women, all different colours. Many  
10 women are trying to escape me. How dare they think they  
11 can escape from me?

12                   And they have -- for a 12-bed shelter they  
13 have 18 families in there, and 1 staff. So easy. You're  
14 no competition for me either, you mandated shelters, who  
15 are -- this is your primary purpose is to fight me.  
16 You're no competition.

17                   And mainstream shelters. You have  
18 resources. That's true, but you also don't know how to  
19 connect with your -- many of your Indigenous clients. So  
20 that leaves them on the street. That leaves them -- and  
21 you also only let them stay for six weeks. They're there  
22 for six weeks. Six weeks. I've had those women a  
23 lifetime and they expect them to cure them in six weeks.  
24 And they're way over capacity. They have -- again, they  
25 have -- for a 24-bed shelter, they're taking in 30



1 families. Thirty (30) beds and they're putting them on  
2 cots. No -- they're no competition for me, none.

3 And neither are you. You're not no  
4 competition for me. I'm powerful. I'm very powerful.  
5 This system is just a joke. I'm sorry, but you're never  
6 going to get rid of me. As long as there is a system, as  
7 long as there is oppression and colonisation, I will  
8 survive.

9 **MS. BEVERLY JACOBS:** If I can remind  
10 everyone now to take a breath? So now we're going to take  
11 a few steps into the future. I'm not really sure how far  
12 into the future we are, but now we're in the future and  
13 the recommendations that have put forth have been heard.  
14 So I want to know now that the recommendations have been  
15 heard. How -- in the northern shelter, how have your  
16 programs changed hearing that you've been heard and all  
17 your requests have been met?

18 **MS. MAIRI ANDERSON:** All of our requests  
19 have been met. We are able to provide services and  
20 support our clients.

21 We will be able to provide cultural  
22 education and have cultural councillors to do land-based  
23 healing with our clients.

24 We will be able to have a cultural resource  
25 councillor and an education councillor to go out into the

1 community to provide the education around family violence.

2 We will have second-stage housing where our  
3 clients will be able to move into the longer-term housing  
4 and gain more education to heal themselves.

5 We will be able to have more funding so our  
6 staff will be able to have -- we'll be able to have double  
7 staff.

8 We will have more shelters in the north, so  
9 it's not just the one shelter.

10 We'll be able to provide good, quality  
11 healing for our clients.

12 **MS. BEVERLY JACOBS:** And our on-reserve  
13 sister shelters, can you please tell me how times have  
14 changed for you with these recommendations?

15 **MS. JENEAN GEORGE:** We now receive federal  
16 and provincial funding. This allows us to have a pay  
17 equity. We can now recruit and retain our staff. We have  
18 adequate housing. Our shelter is adequate. It meets the  
19 needs of our clients. We don't have to worry about not  
20 meeting building code. We now have second-stage housing.  
21 We are double-staffed. We have specialised staff. We  
22 have a community educator. We have a men's councillor.  
23 We have a traditional knowledge holder. And we have a  
24 child welfare worker right in our shelter. We have a  
25 cook. We have maintenance people. We're self-sufficient.

1                   **MS. BEVERLY JACOBS:** Good for you.  
2                   Indigenous off-reserve sisters, how has your lives  
3                   changed?

4                   **MS. AMBER SILVERSMITH:** We've been able to  
5                   increase wages, which has been -- it's been a huge  
6                   movement for our shelter, because now our supervisors and  
7                   managers don't have to fill those shifts and go beyond  
8                   their role either. So now they can write proposals and  
9                   they can -- they have more time on their hands to actually  
10                  go and do the educating roles that they are supposed to be  
11                  in. And now we're double-staffed. We are able to  
12                  incorporate more cultural teachings. We were able to buy  
13                  some land base where we can do our traditional lodges and  
14                  we can do our traditional ceremonies for our residents.  
15                  And now -- now we can -- we've even incorporated a women's  
16                  medical centre into our shelter so now they can have their  
17                  families there, they can go and get checked out and all  
18                  their needs can be met right there within our shelter, and  
19                  they feel safe.

20                  And we have a cultural worker that works  
21                  with them now, so they don't have to be going to someone  
22                  that maybe they don't feel completely safe with, that now  
23                  they do. They have that extra support behind them. And  
24                  we have an Indigenous Partners Assault Response Program  
25                  for them and for -- not just them either but their abusers

1 to come and get educated and heal.

2 **MS. BEVERLY JACOBS:** Thank you.

3 Mainstream, and have times changed for you  
4 as well.

5 **MS. CINDY LESAGE:** Well, with the  
6 recommendations and the funding that we needed, now that  
7 it's the future, yes, things have definitely changed. We  
8 are no longer having to fundraise \$400,000 or more each  
9 year. Instead we can use that focus onto the needs of our  
10 clients, that's why we're into this field, that is what  
11 it's all about is those clients.

12 We now have implemented Indigenous shelter  
13 practices in our mainstream shelters as well. We have  
14 incorporated Indigenous cultural sensitivity training, and  
15 we've also been able to afford a cultural resource  
16 counsellor which is able to connect Indigenous people with  
17 mainstream society, and we have that connection that we so  
18 desperately need to continue the healing journey for all  
19 people.

20 **MS. BEVERLY JACOBS:** Thank you. So the  
21 future sounds great but I'm still interested to hear or  
22 see what the energy of violence against Indigenous women  
23 are up to lately. So we're going to see what this  
24 energy's been doing and what they have to say.

25 **MS. SANDRA MONTOUR:** So I'm being called

1 back again. I'm being called back again. You didn't have  
2 enough of me the first time. So I have to look at my  
3 competition again, these people who dedicate their lives  
4 to try to eliminate me from their communities and their  
5 territories.

6                   Indigenous remote shelters, what did you  
7 do? What did you do? What did you do? I see that you're  
8 doing land-based healing with your families. I see your  
9 buildings are upgraded. You're not living in mould  
10 anymore; your families are coming into your shelter. What  
11 did you do? Your men are healing. Your families are  
12 healing. Your expertise is land-based healing.

13                   And you, on-reserve shelters, what did you  
14 do? Your Chief and council are standing behind you 100  
15 percent. You're double staffed. You're healing your  
16 families and your communities. You're teaching them. You  
17 have a community educator out into your territories and  
18 your community teaching them about what family violence  
19 is. I can't -- I can't get close to you. Do you know  
20 what you're done?

21                   And what about you, Urban Indigenous  
22 shelters? You're expanded. You've developed protocols  
23 with your police. You have an indigenous cultural  
24 resource person that's going out and educating your  
25 community partners. You're double staffed. I can't get

1 close to you. You're doing way too better -- too much  
2 good work.

3 And what about you, mainstream shelters?  
4 You have a cultural -- Indigenous cultural resource worker  
5 that's educated your staff. You're taking cultural  
6 sensitivity training, educating your staff. You're  
7 smudging in your shelters. You're leading the way.

8 What did you's do? I can't get close to  
9 you. I can't take your people. I can't take your women  
10 anymore.

11 **MS. BEVERLY JACOBS:** Well, that's good to  
12 hear because I think it's time we interrupt because I'm  
13 kind of, frankly, sick and tired of hearing from you. I'm  
14 not sure about the audience. I'm pretty sick of her.

15 (APPLAUSE/APPLAUDISSEMENTS)

16 **MS. BEVERLY JACOBS:** So if my sister  
17 shelters could join hands and take a step forward, you  
18 have one final thing you can say to this energy of  
19 violence against Indigenous women. Step forward together  
20 to the mic.

21 **MS. MAIRI ANDERSON:** (Native words).  
22 Enough! You've had your time. Enough is enough. (Native  
23 words).

24 (APPLAUSE/APPLAUDISSEMENTS)

25 **MS. JENEAN GEORGE:** You're now longer

1 welcome in our territories or in our families.

2 **MS. AMBER SILVERSMITH:** (Speaking in Native  
3 language). Your time here is done. What you have come here to  
4 do to our women is done. (Native words). Leave!

5 **MS. CINDY LESAGE:** Enough is enough. Not  
6 one more woman. Not one.

7 **(APPLAUSE/APPLAUDISSEMENTS)**

8 **MS. SANDRA MONTOUR:** My only hope to  
9 survive is if you don't listen to them. Don't listen to them  
10 so I can survive.

11 **MS. BEVERLY JACOBS:** Thank you.

12 **(APPLAUSE/APPLAUDISSEMENTS)**

13 **MS. BEVERLY JACOBS:** The first thing I  
14 would like to offer is for Sandy to be able to de-role, shed  
15 that ugly skin.

16 **MS. SANDY MONTOUR:** (Speaking in Native  
17 language). My name is Sandy Montour. I'm Mohawk from six  
18 Nations, the Grand River territory.

19 I am not violence against women energy. I  
20 grew up in that energy. I know that energy as a child, and I  
21 am not that energy.

22 **(APPLAUSE/APPLAUDISSEMENTS)**

23 **MS. MAIRI ANDERSON:** My name is Mairi  
24 Anderson, and I am not northern Indigenous remote shelters;  
25 however, I support the remote northern Indigenous shelters.

1 I'd like to especially thank Dorothy MacKay from a northern  
2 shelter, who has befriended me and I've gone to visit her  
3 shelters. She struggled up a lot up north; there's a lot of  
4 struggle that she has to deal with.

5 (APPLAUSE/APPLAUDISSEMENTS)

6 **MS. JENEAN GEORGE:** I am not on-reserve  
7 Indigenous shelters. My name is Jenean George (Native words).  
8 I'm from Oneida Nation of the Thames, and I continue to support  
9 all our shelters.

10 (APPLAUSE/APPLAUDISSEMENTS)

11 **MS. AMBER SILVERSMITH:** I am not urban  
12 Indigenous shelters. (Speaking in Native language). Amber  
13 Silversmith is my English name. I am from Six Nations and I  
14 support our murdered and missing, in Six Nations and the  
15 surrounding territories.

16 (APPLAUSE/APPLAUDISSEMENTS)

17 **MS. CINDY LESAGE:** And I am not mainstream  
18 shelters. I am Cindy Lesage and I'm a shelter counsellor, and  
19 I work on Six Nations Reserve, and I'm passionate about helping  
20 all people flee domestic violence and family violence.

21 Thank you.

22 (APPLAUSE/APPLAUDISSEMENTS)

23 **MS. BEVERLY JACOBS:** Welcome back, ladies.

24 I would just like to introduce Sandra  
25 Montour for some final words.



1                   **MS. SANDRA MONTOUR:** I want to thank you  
2 all for sitting through that drama, and thank my team here.

3                   There's many shelters listening and I just  
4 want my sister shelters to know we heard you, and we did our  
5 best up here.

6                   We're very honoured to be able to talk to  
7 you on their behalf, on our behalf. What we're going to be  
8 doing now is I'm going to introduce a video that we're going to  
9 play and I'm going to, again, leave it for you for our children  
10 to show all of us how to get along.

11                  And I want you to notice something about  
12 this video. I want you to notice the innocence of these kids  
13 as they share the relationship they have with each other and  
14 the respect they have for each other. And I'm just going to  
15 turn it over to the video now.

16                   **(VIDEO PRESENTATION/PRÉSENTATION VIDÉO)**

17                  **MS. SANDRA MONTOUR:** So I want to just  
18 acknowledge the Haudenohso:ni children at Six Nations for  
19 their video and again, from the mouth of babes, they know  
20 how to respect the rules of male and female when we're  
21 children and it's that innocence that we, within our  
22 shelters, are trying to support our women and our children  
23 and our men to get back to.

24                  So I also wanted to make sure I acknowledge  
25 Bev Jacobs and Abby Carpenter. They have really helped us

1 and been an excellent legal team.

2 And again, I just want to ask Martine if  
3 they would come forward again. Come on forward again,  
4 ladies.

5 It took a lot of courage to do what we did  
6 today. We wanted to put it on the floor. That's what we  
7 do at Ganohkwasra. We don't just talk about it, we put it  
8 on the floor. And that's -- and I think that we're able  
9 to do what we had to do today. So now, go on ladies. Can  
10 I have a big round of applause for this team?

11 **(APPLAUSE/APPLAUDISSEMENTS)**

12 **MS. SANDRA MONTOUR:** Nia:wen, everybody.

13 **MS. SHELBY THOMAS:** Thank you. Ms. Jacobs,  
14 I just have a few follow-up questions with respect to  
15 things we saw today. So I'll just wait til you're done  
16 hugging everyone.

17 Ms. Montour, I can ask you. I'm standing  
18 over here, actually, where I'm first sitting. Aboriginal  
19 Shelters Ontario provided a summary. I'm just wondering  
20 if you would like that to be an exhibit today?

21 **MS. SANDRA MONTOUR:** Yes.

22 **MS. SHELBY THOMAS:** As well as the video?

23 **MS. SANDRA MONTOUR:** This last video, yes.

24 **MS. SHELBY THOMAS:** Yes, and not the  
25 photos, right?

1                   **MS. SANDRA MONTOUR:** Not the photos,  
2                   please.

3                   **MS. SHELBY THOMAS:** Okay.

4                   **CHIEF COMMISSIONER MARION BULLER:** Okay.

5                   The summary will be Exhibit 18; the video will be Exhibit  
6                   19. Thank you.

7                   **--- EXHIBIT NO./PIÈCE NO. 18:**

8                                   Bilingual executive summary (13  
9                                   pages)  
10                                  Submitted by: Sandra Montour,  
11                                  Representative for Aboriginal  
12                                  Shelters of Ontario

13

14                   **--- EXHIBIT NO./PIÈCE NO. 19:**

15                                  Video presentation by Aboriginal  
16                                  Shelters of Ontario, .MP4 file  
17                                  format, 206 MB (3 minutes 37  
18                                  seconds)  
19                                  Submitted by: Sandra Montour,  
20                                  Representative for Aboriginal  
21                                  Shelters of Ontario

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

1                   **COMMISSIONER QAJAQ ROBINSON:** I don't have  
2 any questions, but I want to express my gratitude to all  
3 of you for the teaching today.

4                   I want to thank you, Ms. Montour, for  
5 today, but also the testimony in Calgary. You taught me -  
6 - you provided a teaching or shared with us how Indigenous  
7 shelter workers have to figure out how to do everything  
8 with 50 cents.

9                   **MS. SANDRA MONTOUR:** Yes.

10                  **COMMISSIONER QAJAQ ROBINSON:** And that  
11 stuck with me. And we've had our challenges and we've had  
12 to do a lot with our 50 cents, with the time, really. And  
13 every time I've been frustrated, every time I've felt  
14 challenged to a point where it felt like failure was the  
15 objective, I've remembered your words to do what you can  
16 with you've got all the time and to use every minute.

17                  And I wanted to share what your teaching  
18 meant to me in this moment in this time because it's  
19 touched me in how I've done my work. And I want to thank  
20 you for that teaching and also for teaching us the  
21 realities, the unacceptable realities that you, as  
22 frontline workers, as the warriors, are -- and the  
23 healers, are facing. So thank you. Nia:wen.

24                  **MS. SANDRA MONTOUR:** Nia:wen.

1                   **COMMISSIONER BRIAN EYOLFSON:** I'd like to  
2                   also thank you very much, Ms. Montour, for this  
3                   presentation, performance this afternoon. It's a very  
4                   powerful way of reminding us of highlighting a lot of the  
5                   truths that we heard about, the challenges that shelters  
6                   face in providing services to Indigenous women and girls  
7                   and even some of the evidence that you gave when you came  
8                   and shared your truths. So I want to thank you for that,  
9                   as well as being here today. And I want to acknowledge  
10                  and thank your counsel, Bev Jacobs, and your whole team  
11                  for doing this for us today. *Chi-miigwetch.*

12                  **MS. SANDRA MONTOUR:** Thank you.

13                  **CHIEF COMMISSIONER MARION BULLER:** I too  
14                  want to thank all of you, Ms. Jacobs, Ms. Montour, Ms.  
15                  George, Ms. MacDonald, Ms. Anderson, Ms. Silversmith, Ms.  
16                  Lesage. Thank you all very much for a very moving  
17                  presentation, very thoughtful of course, and very visual,  
18                  that we're going to take with us to the table when we're  
19                  writing.

20                                 So I want to thank you all very much. It  
21                                 was brilliant. Thank you.

22                  **MS. SANDRA MONTOUR:** Nia:wen. That was  
23                  what we were hoping for to hear from you, so yeah.

24                  **MS. SHELBY THOMAS:** Thank you. Chief  
25                  Commissioner and Commissioners, that's the last party for

1 the day, so I ask that we adjourn until 8:30 tomorrow, but  
2 there will still be the closing ceremonies right after  
3 this.

4 **CHIEF COMMISSIONER MARION BULLER:** We'll  
5 adjourn the submissions portion of our work today to  
6 tomorrow at 8:30 and of course, we have our closing.  
7 Thank you.

8 **M. CHRISTIAN ROCK:** Donc merci à tous pour  
9 cette journée. On va maintenant procéder avec la fin... les  
10 procédures de fermeture de la journée.

11 Je vais inviter Madame Bernie Williams à se  
12 joindre à moi pour remettre les bâtons d'engagement.

13 Thank you to everyone for this day of work.  
14 I will now proceed with the ceremony of closure and I ask  
15 kindly Bernie Williams to join me and to proceed with the  
16 commitment sticks.

17 Mrs. Williams.

18 **GRANDMOTHER BERNIE WILLIAMS:** I just want  
19 to say *howa* again. Say, Bev, before you leave, can you  
20 guys wait? We'd just like to invite the Commissioners up  
21 again. I just want to say *Nia:wen* again. The commitment  
22 sticks, I will read again, was designed by Elder Fred  
23 Johnson from the Alkali Lake Reserve back in 2015. The  
24 commitment sticks, as they are called right now, or will  
25 always be called, and it reads:

1                   "The commitment stick serves as your  
2                   personal commitment to live violence  
3                   free and as a reminder of the values  
4                   of the lives of our Indigenous women  
5                   and girls." (As read)

6                   So we'd like to ask the Commissioners to  
7                   please come up. The Commissioners would like to  
8                   acknowledge and to honour the Government of Canada, which  
9                   is Kate Forget, if she's here, and her party. Ontario.  
10                  Sorry. I think I need new glasses.

11                  Julian, that includes you.

12                  And the Commissioners would also like to  
13                  acknowledge and to recognize the Ontario Native Women's  
14                  Association. I believe it's Cora Lee on behalf of Dawn  
15                  Harvard. If she's here with her party.

16                  And the Commissioners would also like to  
17                  acknowledge and to honour the Independent First Nations,  
18                  Sarah Beamish and party, if she's here.

19                  And the Commissioners would also like to  
20                  acknowledge and to honour the Advocate for Children and  
21                  Youth in Saskatchewan is Corey O'Soup, if she's *[sic]*  
22                  here, and party.

23                  I don't know how to say this in French.  
24                  All I know it says Diane Matte, if she is here. Sorry.  
25                  How do you say it?

1                   **MS. DIANE MATTE:** My name or the?

2                   **GRANDMOTHER BERNIE WILLIAMS:** No, no.

3                   **MS. DIANE MATTE:** Oh. Concertation des  
4 Lutttes Contre L'Exploitation Sexuelle.

5                                   (LAUGHTER/RIRES)

6                   **GRANDMOTHER BERNIE WILLIAMS:** It's pretty  
7 hard.

8                   **MS. DIANE MATTE:** Try to repeat it.

9                   **GRANDMOTHER BERNIE WILLIAMS:** But what does  
10 that mean?

11                   **MS. DIANE MATTE:** It's the Coalition  
12 Against Sexual Exploitation.

13                   **GRANDMOTHER BERNIE WILLIAMS:** Okay. The  
14 Coalition Against Sexual Exploitation. I can't say it in  
15 French.

16                                   And the Commissioners would like to  
17 acknowledge and to honour is the Eastern Door Indigenous  
18 Women's Association and party. Natalie D. Clifford and  
19 Michelle.

20                                   (APPLAUSE/APPLAUDISSEMENTS)

21                   **GRANDMOTHER BERNIE WILLIAMS:** Cheryl  
22 Maloney too please come up.

23                                   And the last but not least, the Aboriginal  
24 Shelters of Canada, Beverly Jacobs and her party here.  
25 Nia:wen again for your ---



1 (APPLAUSE/APPLAUDISSEMENTS)

2 **GRANDMOTHER BERNIE WILLIAMS:** And while  
3 Beverly and them are coming up here, I want to say that --  
4 is Bev Jacobs and I have a huge, long history. And she  
5 was one of the very first women when she was at the Native  
6 Women's Association of Canada as the President who stood  
7 with us to go into the field that -- of Robert "Willie"  
8 Pickton. And one of the hardest things I think we ever  
9 had to do. And -- but her work on the frontlines with us,  
10 with Walk for Justice.

11 And I just really honour and I just -- I'm  
12 so proud to have you as my friend and to walk with us.  
13 Nia:wen. And just put your hands together. She is an  
14 amazing warrior woman. Nia:wen.

15 (APPLAUSE/APPLAUDISSEMENTS)

16 **GRANDMOTHER BERNIE WILLIAMS:** And after we  
17 present these commitment sticks, we family members would  
18 also like to -- is drum in to do the woman's warrior song.  
19 We're going to do the woman's warrior song for you women  
20 here, and men. And Michelle Audette sends her love to all  
21 of you too.

22 We'd like to do the woman's warrior song  
23 for all you warrior women and men, and to the legal team  
24 too. And I'm sure Bev has sang this thousands of times  
25 with us, so we're on the other side of you now. We want

1 to honour you with this song, and all of you women here.  
2 Nia:wen.

3 (SINGING AND DRUMMING/CHANT ET PERCUSSIONS)

4 **MR. CHRISTIAN ROCK:** Merci pour la chanson.  
5 Thank you to everyone for this song. We will now be  
6 listening to a final song with drummers coming from Eagle  
7 River.

8 On va maintenant écouter la chanson de  
9 fermeture du groupe des joueurs de tambours de Eagle  
10 River. Messieurs.

11 **(CLOSING SONG AND DRUMS/CHANT DE CLÔTURE ET TAMBOURS)**

12 **MR. CHRISTIAN ROCK:** Merci, messieurs, pour  
13 votre performance. C'était exceptionnel.

14 Thank you to the group. It was powerful.  
15 Thank you very, very much.

16 We will now proceed with the extinguishing  
17 of the qulliq, but before that we will have a song. So I  
18 will invite Louis to join us for the song.

19 I'm sorry, just before we'll start the song  
20 I would like to invite Vincent, Reta and our Elder Elaine  
21 to join us for the final prayers -- closing prayers.

22 Je voudrais demander à nos aînés, Vincent,  
23 Reta et Elaine de nous rejoindre pour la prière de  
24 fermeture.

25 **(CLOSING PRAYER/PRIÈRE DE CLÔTURE)**

1                   **MS. RETA GORDON:** Creator, we thank you for  
2 this day and for these four days that we have met here.  
3 We gathered here to listen to many speakers and presenters  
4 on the plight and the problems of our Indigenous peoples  
5 of the First Nation, the Métis Nation and the Inuit  
6 Nation. Much time was put in to listen, learn from and  
7 put into place ways and means to alleviate the horrific  
8 life problems our people suffer daily. In order to go  
9 further, it isn't only studies needed, but human rights  
10 must be adhered to all.

11                   The needs of our Indigenous communities are  
12 well-known by the people living in those communities and  
13 all across Canada as well as the elected members of the  
14 provincial and the federal governments. What was  
15 discussed here must not end here, but must go on until all  
16 the plight of Canada's First Peoples is alleviated.

17                   Much is owed to the Commissioners and their  
18 helpers of the National Inquiry into Missing and Murdered  
19 Indigenous Women and Girls, who took time away from your  
20 family and loved ones to travel coast to coast to listen  
21 to and gather the heart-breaking stories of the families  
22 who have lost their precious grandmothers, mothers,  
23 daughters, sisters, nieces, cousins, and friends, may the  
24 Creator confer a special blessing and give you strength.

25                   To the families and to the Commissioners,

1 we offer a heartfelt thank you to the organizers of these  
2 meetings. Thank you all for how well we Elders, and  
3 everyone, have been treated. Our needs were met. We were  
4 respected and welcomed by all the workers and the  
5 volunteers.

6 To the drummers and the qulliq fire keeper,  
7 you started us off in a good way, and for that, we thank  
8 you. Megwiich. (Native words). Thank you to you two  
9 groups.

10 And may the Creator confer a special  
11 blessing on all standing in this circle. Thank you. God  
12 bless.

13 **ELDER ELAINE KICKNOSWAY:** Megwiich for  
14 today. Boozhoo (speaking in Native language).

15 I give thanks for the day. I give thanks  
16 for the fire. I give thanks for the water and the water  
17 carriers and the keepers.

18 I give thanks for just the listening  
19 throughout the day and across where the voices and the  
20 continuum of the songs and the dance and the spirit  
21 continue.

22 I give thanks for the holding of the  
23 different ceremonies. I give thanks for those special,  
24 what they call spirits songs, singing their songs to know  
25 that they are in our songs, they are in our ceremony.

1                   We have to acknowledge interrelated with  
2                   the missing and murdered families, survivors, kin, loved  
3                   ones, and that relationship of how we carry it, so that we  
4                   carry ourselves in that blessed way and that gracefulness  
5                   way, so that we can come back and begin again.

6                   So I give thanks for today. Megwiich.

7                   **ELDER VINCENT KICKNOSWAY:** (Speaking in  
8                   Native language). Creator, maker of life, we acknowledge  
9                   as this day has come forth to us and now the daylight will  
10                  go beyond our western doorway, we acknowledge and give  
11                  thanks to all; to the Commissioners, to all those  
12                  presenters, so that we may have been able to utilize the  
13                  abilities that you, the Creator, has made possible for us  
14                  to honour and respect, which is our voices.

15                  And to our listening, our ears, that we may  
16                  be able to continue to listen to all peoples who have  
17                  heard or seen this televised gathering; may they become  
18                  aware of the initial intent and purpose of this gathering.

19                  We acknowledge and give thanks to the  
20                  Anishinaabek, Algonquin First Nations peoples and to this  
21                  territory that we are on. (Speaking in Native language)  
22                  Megwiich.

23                  We acknowledge and give thanks to all of  
24                  life's creations and to those of our own personal  
25                  abilities. To all their families that are afar from us

1 within those four directions, we are honoured and we say  
2 thank you.

3 And to those four directions we give thanks  
4 and say (speaking in Native language). Boozhoo.  
5 Megwiich.

6 **M. CHRISTIAN ROCK:** Merci à nos aînés de  
7 nous avoir présenté vos prières.

8 Thank you to our Elders. Thank you very  
9 much for being there.

10 We will now proceed with a song led by  
11 Eelee and then we will proceed after with the prayer and  
12 the extinction of the qulliq.

13 On va maintenant procéder avec une chanson  
14 qui va être dirigée par Eelee Higgins. Ensuite on va  
15 procéder avec la prière et puis l'extinction du qulliq  
16 pour la journée.

17 **ELDER EELEE HIGGINS:** At the last minute I  
18 decided to plan this little sing-along. The words that we  
19 heard today it will be in our hearts. We will be singing,  
20 "This Little Light of Mine, Let it Shine" in Inuktitut.

21 We will sing it twice so that the words  
22 that we heard today will remain alive in our hearts.

23 Also, thank every one of you for attending  
24 this.

25 One, two, three.

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(SONG/CHANT)

(CLOSING PRAYER/PRIÈRE DE CLÔTURE)

**ELDER EELEE HIGGINS:** This morning it  
didn't want to lit. Now it doesn't want to extinguish.

(LAUGHTER/RIRES)

(EXTINGUISHING OF THE QULLIQ/EXTINCTION DU QULLIQ)

**M. CHRISTIAN ROCK:** Merci. Merci d'avoir  
procédé à l'extinction du qulliq. Maintenant on a terminé  
la journée. Donc, je vous remercie pour avoir été là  
toute la journée.

Seulement des petites notes pour demain  
matin. Donc, il y a une cérémonie de la pipe qui commence  
à 7h00 dans la salle Québec et vous êtes conviés à revenir  
pour la session qui commence demain à 8h30.

Thank you for attending today's session.  
We will start again tomorrow morning at half past 8:00,  
and you may join us in the Quebec room for 7 o'clock for  
the pipe ceremony.

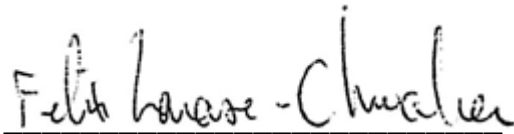
Thank you very much.

--- Upon adjourning at 4:47 p.m./L'audience est ajournée à  
16h47

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LEGAL DICTA-TYPIST'S CERTIFICATE

I, Félix Larose-Chevalier, Court Transcriber, hereby certify that I have transcribed the foregoing and it is a true and accurate transcript of the digital audio provided in this matter.

A handwritten signature in cursive script that reads "Félix Larose-Chevalier". The signature is written in black ink and is positioned above a horizontal line.

Félix Larose-Chevalier

Dec 13, 2018