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 & Murdered Indigenous Women & Girls
Truth-Gathering Process - Parts II & III
Institutional & Expert/Knowledge-Keeper Hearings
"Sexual Exploitation, Human Trafficking & Sexual Assault"
Sheraton Hotel, Salon B
St. John's, Newfoundland-and-Labrador

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Panel III:
Dr. Robyn Bourgeois, Assistant Professor,
Centre for Women's and Gender Studies, Brock University

Mary Fearon, Director, Blue Door / Community Youth Network

Lanna Moon Perrin

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Native Women's Association of Northwest Territories	Amanda Thibodeau (Legal Counsel)
NunatuKavut Community Council	Roy Stewart (Legal Counsel)
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Winnipeg Police Service	Kimberly D. Carswell (Legal Counsel)

TABLE OF CONTENTS

TABLE OF CONTENTS

LIST OF EXHIBITS

LIST OF EXHIBITS

St. John's, Newfoundland

--- The hearing starts on Wednesday, October 17, 2018 at 8:11

MS. TERRELLYN FEARN: ...started. I've asked -- we've asked Paul Pike to open with an opening prayer for us this morning, and then we'll have Sarah light the qulliq.

MR. PAUL PIKE: (Speaking Mi'kmaw). Creator, we thank you for all that you have given us here today, the people who've come from the many different directions. I ask that you bless all of them, their families. The people who come with their story, their lived experience, please be with them. Watch over the women, the girls, the grandmothers. Help to clear our minds and hearts so we can see all that is good. Help us to be supportive of one another, to lift each other up, Creator. Thank you. (Speaking Mi'kmaw).

MS. SARAH PONNIUK: Before I light the qulliq, I will say a prayer. (Speaking Inuktitut).

God, I come to you this morning. I want to thank you, to let you know that when other regions of the community hurt, we hurt along with them, because we understand and we've been there. When they hurt, we hurt along with them.

I pray this morning that you will guide us

again. And, the things that will be said will be very touching at times, but we also want to thank you for the teachings that you are providing each one of us. And, I pray for the people, no matter where they may be, in the hospital or sick at home, that you will take care of them, and also take care of our family. We ask this in Jesus' name. Amen.

(LIGHTING OF QULLIQ)

MS. TERRELLYN FEARN: Nakurmiik, Sarah. I'd like to, at this time, ask Michael R. Denny to open up with a prayer song as well, and then we will get started this morning.

MR. MICHAEL R. DENNY: (Speaking Indigenous Language). This is just a prayer song, and I'm going to sing it for everybody here. Not only for -- not only for all of us here, but also for those women as well. Take care of yourselves today, and that's why I'm going to sing this song for you.

(MUSICAL PRESENTATION)

MR. MICHAEL R. DENNY: Wela'lin. Thank you.

MS. TERRELLYN FEARN: Wela'lin. Before we get started this morning, just a couple of announcements. Just a reminder that we have our beautiful health support team that is circled around us. They're available to

support you. If you have any questions or have any needs, please let them know.

We also have the elders' room, and the beading will be there today with Gerry and Coralee. That table, it was, like, hard to get a seat at that table yesterday. So, please keep you utilizing that medicine.

We have parking passes for anybody that requires, that if you are here today locally and you need a parking pass, you can just see the main reception and they can give you one of these parking tickets to get in and out for today and for tomorrow as well.

And, finally, we had a request to host a women's sweat, and Odelle has graciously agreed to lead that for the women that are interested. That sweat is happening this evening. So, if you are interested in participating in that sweat, I'll have you go and speak with Odelle, and she can provide you the information and the protocols around that. And, thank you so much, Odelle. I know that your heart is so in this process for supporting families and survivors, and for all of those participating. So, we're very grateful for you to arrange that on behalf of them. Thank you.

I wish you well today, and we're going to take a quick break, and we'll get started at 8:30 sharp. Thank you.

--- Upon recessing at 8:20 a.m.

--- Upon resuming at 8:39 a.m.

MS. CHRISTA BIG CANOE: Chief Commissioner, Commissioners, good morning. Today, we will be having a panel, and I just have a couple of opening remarks in relation to this panel before I introduce the witnesses that we will have the pleasure of hearing from today.

So, today's panel -- and I think it's important to be put on the record and for people in the room to understand that today's panel includes witnesses that have agreed to come together and talk in a respectful manner and have dialogue on the issues of the politics of prostitution. And so, there's a range of opinions that occur as it relates to prostitution or sex work.

And so, we have witnesses today that actually speak to those different opinions or sort of maintain some neutrality. And, the whole purpose and reason to have this conversation is it's one we need to have. It's information we need to hear the different perspectives, and all of the witnesses have agreed to do so in a very respectful manner to each other, recognizing their differences and opinions, but putting forward positions that they believe are important that the National Inquiry hear.

And, on that basis, I just want to make a

kind and gentle reminder that we do need to be kind to each other, even when we have differences in opinions, even when we take different positions, that it's important that we maintain a level of respect for one another. And, on that basis, it's with great pleasure that I'm going to have the opportunity to speak with three witnesses today.

And, one of our witnesses, Dr. Robyn Bourgeois, was unable to attend in person because of the storm yesterday. So, our incredible AV and technician team, and the technician team at Brock University have been helpful in ensuring that we can video conference Dr. Bourgeois in today.

And, in addition to Dr. Robyn Bourgeois, right beside me is Lanna Moon Perrin. She has come in from Ontario, very late, again, with the storm coming in really early this morning. So, we're very thankful that she's here and ready to testify. With her is her son, Leif (ph), and at the end of the table is Mary Fearon, who would be familiar to folks here in St. John's because she's the Director of the Blue Door. We heard a little bit about the Blue Door on Monday, and what we'll be doing, and the process we'll be proceeding on this morning -- and I see Dr. Robyn Bourgeois up on the screen now. Good morning. We will actually start with Dr. Bourgeois first, and I'm going to ask that she be promised in, if

Mr. Registrar could do that, please?

MR. BRYAN ZANDBERG: Yes. Good morning, Dr. Bourgeois. Can you hear me?

DR. ROBYN BOURGEOIS: Yes, I can.

MR. BRYAN ZANDBERG: Excellent. Dr. Bourgeois, do you promise to tell your truth in a good way today?

DR. ROBYN BOURGEOIS: Yes.

DR. ROBYN BOURGEOIS, Affirmed:

MR. BRYAN ZANDBERG: Thank you.

--- EXAMINATION IN-CHIEF BY MS. CHRISTA BIG CANOE:

MS. CHRISTA BIG CANOE: And, I believe -- and it will be odd for me, because I'll often be looking at the camera so that Dr. Bourgeois knows I'm actually talking to her. So, that will be a little odd for me, but I intend to do that so that Dr. Bourgeois knows that I'm actually speaking with her.

Dr. Bourgeois, do you mind if I call you Robyn?

DR. ROBYN BOURGEOIS: That's fine.

MS. CHRISTA BIG CANOE: Thank you, Robyn. So, today, I intend to actually qualify Dr. Bourgeois as an expert. But, first, I would like to get some information and ask her a couple of questions.

Robyn, can you just give us a little bit

about your background, please?

DR. ROBYN BOURGEOIS: Sure. I am a Cree woman. I am originally -- my family originates in northern Alberta, but I grew up in the Okanagan. I am currently an assistant professor in the Centre for Women and Gender Studies at Brock University. I am a survivor of sexual violence, including sex trafficking, and I think that's what I'll share for now.

MS. CHRISTA BIG CANOE: Thank you, Robyn. You've provided us your curriculum vitae. So, we have your résumé, and it's in Schedule A for any one of the parties following along. And, I notice that you have a Doctor of Philosophy in the Department of Social Justice Education from OISE, the University of Toronto?

DR. ROBYN BOURGEOIS: Yes.

MS. CHRISTA BIG CANOE: I also see that your Master of Arts is Department of Sociology from the University of British Columbia.

DR. ROBYN BOURGEOIS: Yes.

MS. CHRISTA BIG CANOE: In addition to your academic achievements, is there anything from your C.V. that you wanted to highlight for us?

DR. ROBYN BOURGEOIS: Sure. I think there's probably a couple of things that are really pertinent for today. The first is that I have published

and presented both nationally and internationally on the topic of violence against Indigenous women and girls, particularly on missing and murdered Indigenous women and girls, sexual violence and human trafficking.

The other thing I would say that is sort of on there but isn't is that I have long been involved -- academic is part of my life, but a big other portion of my life is being an activist and being involved in communities. And so, I have done -- I've actually had the tremendous honour to now live from coast to coast across Turtle Island, and I've worked with communities all over on products relating to sexual violence and human trafficking.

Right now, in Ontario, I'm actually working with some of the local anti-violence organizations here on a project related to human trafficking. I'm also part of Ontario's experiential roundtable addressing human trafficking as well. So, I think those are, really, the kind of two things that are really, really important for knowing me today.

MS. CHRISTA BIG CANOE: Thank you, Robyn. On page 3, you actually talk a little bit about your teaching experience, and you actually list the topics that you sort of specialize in, and how it relates to teaching. One of the questions I had for you, because I think it's

important for us to understand the context of it, is one of those listed that is on page 4 is Indigenous research methodologies and Indigenous approaches to knowledge production and dissemination. Can you explain a little to us what those mean?

DR. ROBYN BOURGEOIS: Sure. One of the things -- I mean, I think most people are grappling with this across Turtle Island right now is how do we include Indigenous ways of knowing? And, that's learning and doing research, and just our knowledge systems and trying to get those into universities.

And so, quite often, I'm asked to teach about Indigenous approaches to those kinds of things. And so, that really draws on our kind of traditional knowledge, our oral traditions, how you conduct respectful research with Indigenous peoples, and doing really, you know, genuine community -- not only community-based but community-owned and community-driven research, which is really, really important.

I spend a lot of time, actually, working with non-Indigenous scholars to help them understand, you know, how do you approach communities in a respectful and mutually beneficial way? And, quite often I use treaties to help teach that. For example, I'm in Haudenosaunee territory right now. So, I often teach the two row wampum

as a way of understanding, you know, that there are responsibilities to reciprocity and friendship and living in peace, and that those influence how you do research and how you create and disseminate knowledge, and that knowledge can't be something that's produced in isolation in the university, but is, instead, something that is a living, breathing, active ceremony in many ways, and that's something that's really belonging to our communities. So, that's a little bit about what that kind of course would deal with.

MS. CHRISTA BIG CANOE: Right.

DR. ROBYN BOURGEOIS: The other thing that I would say that -- oh sorry.

MS. CHRISTA BIG CANOE: No, you go ahead, please.

DR. ROBYN BOURGEOIS: I would say the one other thing that is really important is -- a course like that, it really teaches people to emphasize traditional knowledge keepers, and recognizing that while people go into the university system and get Ph.D.'s and all those things, that we have knowledge keepers that don't have those kind of papers, and that they're just as important and just as valuable, and really, finding ways to make sure that they are represented fully in research processes, particularly if they are in partnership with a

university.

MS. CHRISTA BIG CANOE: Wonderful. Thank you, Robyn. I do have one question to clarify that, too, because the term Indigenous seems to, like, kind of, homogenize all Indigenous groups. I think you'll agree with me — if you don't, please do disagree — that when you talk about Indigenous research methodologies, you're not asserting that you can do all Indigenous research methodologies of every nation, of Métis, of Inuit, but that it's -- the term is used more to specify is you have spoken to the community you're working with? Is that a fair assessment?

DR. ROBYN BOURGEOIS: Yes, absolutely.

MS. CHRISTA BIG CANOE: Thank you.

DR. ROBYN BOURGEOIS: Yes, absolutely.

MS. CHRISTA BIG CANOE: I know that today we will be walking through a number of the publications that you have written yourself, but I note in your C.V. that you have more than what we'll be talking about today. Is there any in particular, other than the ones we're speaking today, that you wanted to highlight?

DR. ROBYN BOURGEOIS: You know what? I think in terms of today, the ones that I've highlighted are the really valuable ones. The other ones are little pieces, you know, that I often get asked to write book

reviews, or pieces that are not directly related to what I'm doing. So, really, the key ones are the ones that I've highlighted for today.

MS. CHRISTA BIG CANOE: Excellent. And, I only have one more question in relation to your C.V.

DR. ROBYN BOURGEOIS: Sure.

MS. CHRISTA BIG CANOE: I noticed that you list in your C.V. that you're a blogger, and I have seen some of your blogs online. Can you tell us a little bit about why you use blogs to disseminate some information?

DR. ROBYN BOURGEOIS: Sure. I grew up -- and it's a complicated relationship I've had with technology, but I grew up, really, with technology. And, I realized when I was doing my research for my Ph.D. that one of the most effective ways to reach folks, and Indigenous folks primarily, but people all across Canada was not through academic publications; right? Very few people, you know, are looking in these really scholarly journals for my writing, and I needed -- I felt I needed a place where I could share other ideas.

And so, technology, what I saw in my research was that technology was really important for connecting communities, for sharing ideas, and for presenting them not just for Indigenous audiences, but a general Canadian audience.

So, when I was asked to blog, I just thought it made so much sense, and I think it's definitely the future. Here at Brock, they're pushing for more and more online learning and things like podcasts, and certainly, we're going into, like, documentary film and things like that. So, I think -- one of the problems with academia is we tend to get really caught up in these very formal pieces of writing that are, you know, using big words and big ideas when, really, I think that's a barrier.

So, for me, the blog is a way of bypassing that system of formality and disciplinarity; right? So, that's why I think blogs are important.

MS. CHRISTA BIG CANOE: Thank you. Chief Commissioner, Commissioners, can I please request that Robyn Bourgeois' C.V. be entered as an exhibit?

CHIEF COMMISSIONER MARION BULLER: Exhibit 55 is her C.V.

--- Exhibit No 55:

CV of Dr. Robyn Bourgeois (12 pages)
Witness: Dr. Robyn Bourgeois, Assistant Professor, Centre for Women's and Gender Studies, Brock University
Counsel: Christa Big Canoe, Commission

Counsel

MS. CHRISTA BIG CANOE: And, Chief Commissioner and Commissioners, based on the testimony we've heard by Dr. Robyn Bourgeois and her C.V., or the evidence that has been put before you at this point, I would like to have her qualified as an expert in philosophy and sociology, with particular knowledge in the area of historical perspectives on women and gender; Indigenous feminism; intergenerational trauma, healing and community development; violence including lateral, colonial and structural violence; and finally, with Indigenous research, as explained by Dr. Bourgeois, methodologies and approaches to knowledge production and dissemination.

And, I would also like to offer parties an opportunity to canvass if there's any objections to this qualification?

Seeing no objections to this qualification, I kindly ask that you decide on whether or not she can be qualified as submitted?

CHIEF COMMISSIONER MARION BULLER: Yes, certainly. We're satisfied that Dr. Bourgeois has the requisite experience, knowledge, training, of course, to give opinion evidence with respect to philosophy and sociology, with particular knowledge in historical

perspectives on women and gender; Indigenous feminism; intergenerational trauma, healing and community development; violence including lateral, colonial and structural; Indigenous research methodologies and approaches to knowledge production and dissemination, and welcome, Dr. Bourgeois.

DR. ROBYN BOURGEOIS: Thank you.

MS. CHRISTA BIG CANOE: So, Robyn, I do want to talk to you a little bit about your thesis, but before I talk to you about your Ph.D. thesis and the work that you involved yourself in, I want to know if you can share with us to the level of your comfort, sort of, what drove you to this academic stream in terms of your personal or lived experiences?

DR. ROBYN BOURGEOIS: Sure. My lived experience is what drove it all. I have been -- I am a survivor of sexual violence, including sex trafficking. And, my experience, I was really young. I was in my late teens, and I was really lucky, I think. I have a very good sense that I got away -- very close -- just -- it's hard to explain, but I'm lucky. And, when I found my footing again and realized what a second chance I had got, I knew that I needed to commit my life to making sure that what happened to me never happened to anyone else.

And, I grew up feeling really empowered

with school. I know that sounds funny, because for so many Indigenous people, school isn't empowering. But, for me, it had always been. And, I saw an opportunity. I remember reading scholarly work. When I first -- I had gone to university -- I kind of have to set this up. I had gone to university for a little bit. Then I had left university and I ended up being trafficked, and I ended up coming back to university.

But, in that original time, I remember reading scholarly work by Indigenous thinkers and thinking, "This is amazing." Like, just how they can use the words of the government in particular, because I'm always obsessed with the Government of Canada, and I've been struggling, you know, how to make sense of what goes on in this country in relation to Indigenous peoples. And so, I remember thinking, "I can do that. I could do that."

And so, I went back to university. And, originally, I have to say that I actually avoided the topic at first. I just went to -- I went to go and study -- I wanted to study social justice issues, but I didn't particularly focus on violence against Indigenous women and girls at first because for almost a decade, I didn't talk publicly about what had happened to me. I was -- I totally believed the kind of things that I was told when I was being trafficked, that I was worthless, that people

would consider me dirty and unworthy and unreliable, and I just -- I didn't want to go there do, in my work, in my writing. It's related to ---

MS. CHRISTA BIG CANOE: I'm sorry, Robyn.

DR. ROBYN BOURGEOIS: Oh, sorry.

CHIEF COMMISSIONER MARION BULLER: We've got a technical problem. We have to just take a short break. We're not recording. So, just bear with us, please, Doctor.

DR. ROBYN BOURGEOIS: Sure.

CHIEF COMMISSIONER MARION BULLER: You know these technical issues.

DR. ROBYN BOURGEOIS: Absolutely.

CHIEF COMMISSIONER MARION BULLER: I'm sorry to interrupt you. Thank you.

--- Upon recessing at 8:58 a.m.

--- Upon resuming at 9:02 a.m.

CHIEF COMMISSIONER MARION BULLER: Okay, we're back on the record now. We can reconvene. And, thank you, Doctor, for the technical break.

DR. ROBYN BOURGEOIS: No worries.

MS. CHRISTA BIG CANOE: Yes. Thank you, Robyn. And, I don't want to put words in your mouth, but where we had left off you were just explaining once, you know, after you had had the opportunity to work at OISE

with Dr. Sherene Razack, and you were at a place where you could understand and share, just sort of as a summary, and if you could continue on with that, that would be great.

DR. ROBYN BOURGEOIS: Sure. So, I just decided that I needed to devote all of my energy. If I was going to get -- you know, if I had to do something with my life and this kind of second chance that I felt like I got, it had to be to try to fight to end this violence. And, I think that has become even more pressing for me now that I have not just -- my daughters for sure. I have two young daughters, but I also have a son, and I worry about the rates of violence against both, you know, my daughters and my son.

And so, my experience of violence has become a catalyst for everything I do. I have to say that, in particular -- and sometimes I have to remind myself about this because, you know, sometimes you get so busy focused on a position or looking at a topic that, you know, you can get -- there's all kinds of messiness, and I have to remind myself that my real preoccupation is trying to understand Canada and the Canadian nation state's role in all of this.

So, I actually spend a lot of time working. My interest is looking at the particular language of law and the state, and understanding how that excuses and

erases violence against Indigenous women and girls, because for me, it seems like that is really pressing, because that is a structural source of this violence, and it's an institutionalized source of violence. And, I think, you know, we have people working on the ground in all kinds of fields, and I think for me, that had to be the focus. And, I knew that my education could provide a platform for me to be able to fight on a level like that with the state itself.

MS. CHRISTA BIG CANOE: Thank you. Now, the thesis that you wrote in order to get your Ph.D. was entitled, "Warrior Woman: Indigenous women's anti-violence engagement with the Canadian State". I understand that this thesis was submitted -- you know, right on the cover it has, "In conformity with the requirements for the degree of the Doctor of Philosophy, the Department of Social Justice Education at the University of Toronto", and you did, indeed, write this work?

DR. ROBYN BOURGEOIS: Yes.

MS. CHRISTA BIG CANOE: And, I note that I couldn't help but count and look at -- I was looking at the sources as part of your research, not only academic sources but a lot of other resources that you went to, and I note that there's over 400 that are cited in your bibliography.

And, I just -- before we actually start talking about it, I'm going to kindly ask the Commissioners, Chief Commissioner and Commissioners, if we can make this thesis our next exhibit?

CHIEF COMMISSIONER MARION BULLER: Yes. Warrior Woman, Indigenous Women's Anti-Violence Engagement with the Canadian State by Dr. Robyn Bourgeois, 2014, is Exhibit 56.

--- Exhibit No 56:

PhD thesis "Warrior Women: Indigenous Women's Anti-Violence Engagement with the Canadian State, by Robyn Bourgeois, 2014 (392 pages)
Witness: Dr. Robyn Bourgeois, Assistant Professor, Centre for Women's and Gender Studies, Brock University
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And so, Robyn, can you tell me a little bit about the title, Warrior Woman, and the sort of general concept of your thesis?

DR. ROBYN BOURGEOIS: Sure. The title comes from the fact that I had been involved really early on with activism around missing and murdered Indigenous

women and girls. And, what I saw was this incredible -- I can only explain it as a force of nature, but all of these incredible Indigenous women across Canada who were fighting. And, I don't want to -- fighting sounds like aggressive, but they were, every day, fighting for the survival of Indigenous women and girls across this country, and they were doing it predominantly unpaid. They were doing it because they had loved ones, or friends, or just a passion for ending this violence, and I thought, "This is incredible."

You know, so often the media and society portrays Indigenous women and girls as victims, as people who are, you know, grossly abused, which is absolutely accurate, but that ends up becoming the only picture. And, I wanted to say, no, you know what? These are fierce women, fierce Indigenous women who are trying to change an incredible structure, and that structure being the Canadian state as a settler colonial nation state, and the Government of Canada as its, kind of, entity.

And so, that was one of the stories I wanted to tell. But, what I was really interested in as well was trying to understand what happens when Indigenous women and girls go to the state, the nation state, to speak about violence? Because I was always really troubled by the fact that I had looked at -- you know,

there were these spots throughout Canadian history from about, you know, I'd say 1980 forward where we have participated again and again in different things like inquiries, and like other government-based initiatives and studies. And, I just couldn't understand why we kept having to go back and keep having to repeat ourselves about the violence.

And so, what I also wanted to understand was, what was happening in those processes whereby, you know, whatever Indigenous women and girls, and our allies and supporters were saying, you know, what happened? Why aren't they being heard and why aren't those things being acted on?

And so, I sort of looked at the processes around state-based initiatives. So, one chapter focuses on family violence, for example, and Indigenous women's involvement in the national politics of family violence. And then I have another chapter that looks at what the Native Women's Association of Canada went through in terms of their work on missing and murdered Indigenous women and girls, and what I call the colonization of the resistance by Stephen Harper. And then I also did a final kind of analysis on what happens around prostitution? And, that really fed into the Missing Women Commission of Inquiry in B.C.

And so, my goal was to tell two stories. You know, what was going on with these incredible women who were, you know, fighting at the grassroots level, the national level, the international level? And, I wanted to document those incredible acts of resistance and resilience and resurgence, and at the same time, I wanted to make sure that what the Canadian state was doing was documented all along, and try to understand why we have to keep coming back again and again and again to tell -- you know, convince the Government of Canada that they need to protect the lives of Indigenous women and girls. So, that's where that thesis comes from.

MS. CHRISTA BIG CANOE: Thank you. Now, I know because we have a lot to cover today, we're not going to spend too much time on the thesis, but there is one part in particular, and you just mentioned it, Chapter 5 on Forsaken, and part of your conversation or discussion is Indigenous women and the politics of prostitution.

Specifically, I wanted to draw your attention and my friends' attention to page 256 where you talk about feminist-theorized prostitution, and you talk about, sort of, the -- there's an array or a spectrum of people of beliefs of whether we're talking about sex work, oppression and violence.

So, I'm hoping that you can contextualize a

little bit about that spectrum and what you spoke about in your paper.

DR. ROBYN BOURGEOIS: Sure. I've got to say, this spectrum, that idea of the spectrum actually came from looking at, you know, first mainstream feminism, because this same spectrum is present there. And, what I noticed is that Indigenous women in our perspectives on prostitution or sex work, we were really along the same kind of spectrum. And, most of us were ...organized around what appear to be and are often perceived to be these, kind of, polar opposite positions, and that being, you know, prostitution and the sex trade as a form of violence. And, the sex trade as being sex work and being about agency and choice, and actually an act of body sovereignty.

And so, those two positions, they tend to clash. And, in fact, I think we're in a position where sometimes those groups won't even talk to each other at this point, which is really unfortunate because, I think, at the end of the day, we all want the same thing. You know, we want an end to violence against Indigenous women and girls, and we need to find a way to keep them safe.

But, I think to be able to -- I think to go into both of those positions a little bit will help people understand, kind of, the overview of the two perspectives.

And, I want to say that what I'm going to say is really generalizations of those things. Each of the, kind of, groups or people that are in those, kind of, categories will articulate their own politics, and it can be so variable depending on each person's perspective. So, what I'm giving is a generalization, but that doesn't mean that everybody feels exactly that same way or that every piece of that is applicable to somebody who might identify in those polls, so to speak.

So, the first poll I would say is that -- comes from the perspective that prostitution is violence. And, the original, kind of, feminist perspective on that was that it was patriarchal violence, so it was related to male domination and misogyny. Now, of course, Indigenous women have articulated that a little differently. They have related it in, not only to patriarchy, but also to colonialism.

And, the argument is that prostitution in the sex trade is heavily related and, kind of, colludes with settler/colonial domination and it has done that throughout the entire course of Canadian colonial history, that it is, you know, really a violation of Indigenous sovereignty, and self-determination, and our body sovereignty through the act of selling bodies as commodities. And, it's -- the violence is inevitable,

because the violence is what makes dominant subjects be able to know themselves. So, to be able to buy a person and be able to enact whatever kind of -- to do anything you want to that body because you paid for it is considered an act of violence.

So, that's kind of that position. And, on that side, the argument is really for abolition and, really, in support of things like the Nordic model where there is, you know, really strict enforcement around pimping, and things like brothels and regulation of those things really strictly and really trying to eliminate through the law, a lot of the time through the law I should say, eliminating the sex trade and the existence of the sex trade, because they see it as being innately about oppression and violence. So, that's one side of this.

The other side, though, is that there are folks who think that the sex trade needs to be what happens and prostitution needs to be recognized as sex work — so, a legitimate form of labour that needs to be protected. Because through those labour protections, we are likely to make -- we're likely to improve the safety of Indigenous women who might be involved in the sex trade.

And, some of the people that are in that category tend to argue that being involved in sex work is

an act of agency. So, when the -- you know, they impose -- they consider the laws around prostitution and the sex trade as imposing settler/colonial domination onto the bodies of Indigenous women, and that being able to choose to engage in sex work is an act of body sovereignty, because you're then determining how you use your body and, in this situation, how you might profit from that.

And so, there is this kind of perspective that it can be -- you know, it doesn't have to innately be violent. There are people who certainly experience agency or a sense of empowerment by being involved in sex work. And so, those are kind of the two positions, and they really argue on that side for, certainly, labour protections and recognition that sex work is a legitimate form of work that needs to be recognized and -- because the people involved need to be protected, and most of that is unsupportive decriminalization.

MS. CHRISTA BIG CANOE: And, Robyn, I noted at one point you actually -- you had said that part of it is recognizing -- you said that although it's very polarizing, that some of the intent or some of the goals are the same. Can you explain that just a little further?

DR. ROBYN BOURGEOIS: Yes, I think, you know, at the end of the day, I think despite whatever our position is, we're all fighting for the same thing. We're

all recognizing that what happens to Indigenous women in the sex trade is problematic. And, we are recognizing that, you know, not only are Indigenous women and girls vulnerable to things like sexual exploitation and sex trafficking, but that, you know, people who are wanting to be involved in the sex trade are experiencing violence.

And, at the end of the day, we're all fighting to try to save the lives of Indigenous women and girls, and we're just, kind of -- we're divided amongst the different positions and really understanding if prostitution is the source of the violence itself, and so that in and of itself is the violence, or that the violence is created because of social perceptions, or regulation, or criminalization surrounding the sex trade. But, at the end of the day, I mean, I think no matter what, we all want the same thing. We want an end to this violence and we want our girls and our women to be safe no matter what.

MS. CHRISTA BIG CANOE: Thank you, Robyn. Now, at the time that you wrote the thesis, can you please share with us what your position, in terms of the politics of prostitution, is or was?

DR. ROBYN BOURGEOIS: Sure. For sure. At the time and, you know, it's still -- I'm still there. I'm struggling to, kind of, grasp for a third position now

almost because I'm struggling with it. But, at the time, I really -- I would side abolitionist, 100 percent, because I kept -- one of the things I kept looking at was really how was prostitution used again and again by the Government of Canada to exonerate perpetrators of violence against Indigenous women and girls? And, I saw it happen not just at the individual level of cases, but also the Canadian state using that as a mechanism not only to exonerate perpetrators of violence, but also, in fact, to undermine the self-determination and sovereignty of Indigenous nations in this country.

And so, when I wrote this thesis, I really, you know -- I strongly felt that prostitution was related to not only heteropatriarchal, but also colonial racialized violence, and that it was fundamental to the system of letting dominant subjects know themselves as dominant. So, like I said kind of in the introduction, the ability of people, and particularly white, middle class men, to be able to buy and use the bodies of Indigenous women and girls was a way of getting -- for them to know themselves as dominant subject. And, the violence, then, becomes inevitable, because when, you know -- when your domination and your dominance is established just on because you say you're dominant, violence becomes the way to show you're dominant.

And so, I would say at the time that I wrote this, I was really strongly there. I really absolutely -- you know, abolitionist to the extent that I -- I remember one of my community members saying to me, "You are so angry at the other side right now, and it's coming through in the reading of this document." And, he actually kind of recommended to me that maybe I was missing little pieces, because I was so firmly in this abolitionist and not willing to think about the complexities of the debate, I guess.

MS. CHRISTA BIG CANOE: And, you have kind of already touched on this, but -- when you mentioned, you know, "I'm trying to find a third position", how has your position evolved? Did that trying to find those little missing pieces change or evolve the position you had at the time you wrote this?

DR. ROBYN BOURGEOIS: I still -- you know, I still am firmly pretty over in this abolitionist court. That being said, you know, I have some problematics with it. For example, I've seen a little bit -- well, not a little bit. I've seen some transphobia being expressed in the abolitionist side of things that I'm really, really uncomfortable with, because our traditional teachings wouldn't have justified or rationalized that kind of violence. And so, I worry about that a little bit.

And, I'm also worried about -- I worry that we're not doing enough. And, I think, you know, we have really good intentions in trying to drive out the sex trade. But, at the same time, we really need things on the ground and right now. And, I worry about, if we don't start looking for a third place where both sides can come together and we can talk and we can recognize some of the core things and try to understand, you know, why Indigenous women are grossly over targeted for sexual exploitation, why Indigenous women and girls are being abused. And, ultimately for me, I'm struggling with that bottom line, which is what is the source of the ideas that makes it okay to abuse people and -- I mean, first, Indigenous women and girls involved in the sex trade, but ultimately, all people involved in the sex trade. What is the source of those ideas?

And, I can see -- you know, I certainly still think it's rooted in colonialism and heteropatriarchal violence, but I also see some of the things around sex work that could possibly be helpful strategies in the short-term. Like, I think we definitely need more resources for people who are involved in the sex trade and who might not necessarily feel like they are ready to exit. I think that's complicated, and I think it's really important, you know, especially if we use a

trauma-informed approach, that we meet people where they are.

I also -- you know, I wonder -- you know, I don't trust the government of Canada a lot, but I sometimes wonder, you know, could labour protections potentially help limit things, but I think I'm more open than I was to being able to debate this. And, I'm really at a place now where we have to come together on this. We have to find a way to be able to talk to each other, and we have to find a way to problem solve -- maybe not even that, examine the topic in a more complex way.

And, I think we need to pay attention to, you know, long-term and short-term things. But, I still -- I have to say that I still am very, you know, much leaning towards abolition and certainly leaning towards -- you know, the sex trade for so many women and girls is violence, and I -- it's really hard for me to find ways to protect that when so many Indigenous women and girls don't have a choice and they don't have the ability to escape that. And, I think that's the thing I worry about still. And, you know, the connection is certainly to colonial racism and sexism, I can't ignore that either. And, I think that's the source of the ideas about where -- why it's okay to abuse people in the sex trade.

MS. CHRISTA BIG CANOE: Okay. Thank you.

In your thesis, in the conclusion, it's titled something, "We Count the Dead", and interestingly, a few hearings back, we heard from Dr. Janet Smylie and how Indigenous people in, like, health or social determinants of health that we're never counted properly. And, she talked about reports and the need to have proper numbers. So, I couldn't help, but your title really jumped out to me, "We Count the Dead". But, there's another meaning other than just counting the numbers, can you share that with us?

DR. ROBYN BOURGEOIS: Yes. The title comes from a quote that I often cite from Andrea Dworkin, and I know she's very controversial and -- you know, for various reasons, which are some valid and some not, but I was always really impacted by a quote that she made in a speech after the murder of women at École Polytechnique. And, she said, you know, we often get asked by particularly Liberal feminists to celebrate our successes and gains, and those gains are often measured in terms of us being in places that we weren't before. So, you know, we might be in government, we might be in institutions and organizations where we weren't before. And, Andrea Dworkin says that's not how we measure success. She says we measure success in counting the dead. We measure success in counting the number of missing and murdered Indigenous women and girls, for example, or the people

that are being raped, or the people who are victims of incest. And, when those numbers change in a meaningful way, then we can talk about success.

And, I really feel that. That's my concern. Because when I look at the rates from 1980 forward, I'm not seeing change, and that's what I'm concerned about. I'm not seeing the numbers of dead, of missing and murdered Indigenous women and girls changing, you know? Even with the start of the Inquiry and this kind of mainstream societal attention to the topic of missing and murdered Indigenous women and girls, we still see, like, every single day -- you know, I look at my social media and people have loved ones and friends who are missing and murdered.

So, that's why that chapter is called that. Because I think if we want to talk about success, it's not about, you know, Indigenous women being included in spaces that we weren't before. It's that we have to count the dead and we have to count those numbers. And, once the numbers of us who are missing, who are murdered, who is sexually exploited, who were raped, who were victims of absolute violence, once those numbers start to change, then we have change. But, at this point, I don't see that happening.

MS. CHRISTA BIG CANOE: Thank you. One of

the strategies, an important strategy you discussed, and it's on page 341 in your thesis, is the experiences of -- when you're talking about the warrior woman, has been the power of public opinion. And, we've actually talked quite a bit about that with other witnesses, knowledge keepers, about the power of public opinion. And so, in relation to your thesis, my last question on that is -- you know, and you talk about we need to count the dead. My question is, what do we need to do to be heard on these issues? And, what specifically do you think will help end the perpetual state of violence?

DR. ROBYN BOURGEOIS: Yes. That's a great question. I think -- when I wrote my thesis, I said education was the way out of this. I'm not so convinced anymore. I think, yes, it's a strategy, but if we're ultimately going to end this violence, it's got to come down to dismantling settler colonial domination and the Canadian nation state. Because -- and I've referenced this already, but I'll reference it particularly now. One of the pieces that's been really influential in terms of my thinking around prostitution and the sex trade is Sherene Razack's article called "Race, Space, and Prostitution: The Making of the Bourgeois Subject."

And, in this article, she has a line in it that stuck with me, and I think about it all the time, and

it's, "What is the source of the ideas that make it okay to abuse people involved in the sex trade?" And, I've just actually written an article where I've revamped that and said, you know, what is the source of the ideas that it's okay to murder Indigenous women and girls? And, at the end of the day, the source of those ideas is settler colonialism and the Canadian nation state, because that system is predicated on a belief in the inferiority of Indigenous women and girls. And, that inferiority has been established in multiple ways. I mean, we're called bad mothers, we are called welfare bums, we are often portrayed as drug addicts and homeless folks.

But, the one piece that has always been there is the hypersexualization of Indigenous women and girls, and the perception that we are inherently sexually available. And, that -- if we are inherently available, sexually, then the violence that happens to our bodies doesn't count because -- I mean, in really gross, kind of, pop culture terms that I've actually heard people say, we were getting what we asked for, we put ourselves in -- you know, we were -- by our very existence, we asked for it. And so, it exonerates that violence, and that's the source of the ideas. It's this inherent belief within the settler colonial system, which is the foundation of our current Canadian nation state, that Indigenous women and

girls are inferior, they're deviant, they're dysfunctional, and they need to be eliminated from this nation state, and that's what makes it okay to abuse and violate Indigenous women and girls.

So, to me now, I mean, education is part of that, but this -- I mean, we're talking literally an entire destruction and dismantling and re-articulation of the existing Canadian nation state that would have to occur without a dependence on settler colonial domination. So, that would mean things like recognizing the nationhood of Indigenous nations and honouring and respecting their rights to be self-determining and sovereign. It would mean practising like the two-row wampum says, non-interference and letting our nations do what we need to do to keep our women and girls safe.

And, it would require -- I mean, and I've got to say this again and again, it would require dealing with land. It would require either returning land or making sure we're compensated for those things. It would require undoing the *Indian Act*. It would require Canada to really take a step back and say, you know what? We cannot interfere in the lives of Indigenous peoples.

So, it's really huge drastic change, but until we end settler colonial domination in this country, our women and girls are at risk, because that's where the

inherent belief of our inferiority originates.

MS. CHRISTA BIG CANOE: And, that's actually a good segue into the next document that I would like to speak with you about. It's entitled "Making Space for Indigenous Feminism." It's actually a chapter in a book, and the editor was Joyce Green, but you wrote an article -- or sorry, a chapter in it called "The Perpetual State of Violence: An Indigenous Feminist Anti-Oppression Inquiry into Missing and Murdered Indigenous Women and Girls." And, this was published in 2017, and you are the author of this; correct?

DR. ROBYN BOURGEOIS: Yes, I am.

MS. CHRISTA BIG CANOE: Chief Commissioner and Commissioners, I kindly ask that this be made the next exhibit. The title of the chapter is actually on the second page, not the first page of the material.

CHIEF COMMISSIONER MARION BULLER: Yes. Exhibit 57 will be the article, Perpetual State of Violence: An Indigenous Feminist Anti-Oppression Inquiry into Missing and Murdered Indigenous Women and Girls by Robyn Bourgeois in the book Makin Sense for Indigenous Feminism, 2nd Edition, edited by Joyce Green. I don't have a year, but I don't think it matters. Thank you.

--- Exhibit No 57:

"Perpetual State of Violence: An

Indigenous Feminist Anti-Oppression Inquiry in Missing and Murdered Indigenous Women and Girls" by Robyn Bourgeois, in *Making Space for Indigenous Feminism, 2nd Edition*, Joyce Green (editor), Fernwood Publishing 2017, ISBN 978-1-552266-833-2 (23 pages / pp. 253-273)
Witness: Dr. Robyn Bourgeois, Assistant Professor, Centre for Women's and Gender Studies, Brock University
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And, just for the record, the copyright is 2017, and it's Making Space.

CHIEF COMMISSIONER MARION BULLER: Thank you. Exhibit 57, please.

MS. CHRISTA BIG CANOE: Robyn, again, I don't plan on spending a lot of time on this material, but I do want to help set up a couple of concepts for the purpose of dialogue, or when parties want to ask questions.

In the chapter at page 255, you talk about an Indigenous feminist anti-oppression framework. Now,

the National Inquiry has heard from a number of witnesses what Indigenous feminism is, including people like Fay Blaney. But, I want to know, and I hope you can help us understand what an Indigenous feminist anti-oppression framework is?

And, I do recognize upfront that you speak about the place it starts is honouring and respecting the knowledge and experience of Indigenous women and girls, and that it recognizes the impact of colonialism and racism on the lives of Indigenous women and girls, like you've already explained to us. But, what else do we need to understand about the feminist anti-oppression framework?

DR. ROBYN BOURGEOIS: Sure. I think in addition to that, really, you know, the initial grounding that we have to respect the knowledge of Indigenous women and girls, and we have to honour that, and we have to make sure that is represented in any process or any decision involving our lives. I think that's critical.

There are two pieces, though, that I think are really critical to understand. The first is in terms of, kind of, anti-oppression and dominant systems of oppression. So, when I talk about dominant systems of oppression, this is where we're talking about the isms; right? So, sexism and now, you know, we're talking about

heterosexism. We're talking about ableism, racism, colonialism, class-based divisions and hierarchy; all of those things.

And, I'm a student of intersectionality, or in Sherene, because Sherene was my supervisor, inter-locking systems of oppression. And, the idea is that my Indigenous feminist approach isn't just focused on colonialism and gender, because, yes, those two things are really kind of front and centre, but you have to recognize that all of the systems, whether it's class exploitation, whether it is disability and ableist privileged, whether it's raised or colonialism, they all work in and through one another. So, they work in mutually sustaining ways.

So, we can't, for example, talk about Indigenous women's experiences as just gendered experiences, because the reality is we aren't just gendered, we're racialized, but we're also defined in terms of our class. We're defined in terms of our abilities. We're defined in terms of our sexuality and so on.

And so, this framework really requires that we pay attention to how all of those things work together. So, you're always -- and it sounds daunting, and it can be at first, but once you get in the habit of constantly thinking and exploring, you know, what are the places

where there is discrimination and oppression, and where are people experiencing privilege related to, kind of, these social systems, you get used to seeing it.

And so, this framework, it's really important that we're always looking at how those multiple pieces work together to create systems of hierarchy, oppression and violence. So, that's the first piece of that.

The second essential piece for me is that we always stay focused on the violence itself. I think one of the things that I have a hard time with is when we have discussions -- and I just said this to my students this week. You know, don't minimize violence. You know, when we talk about, for example, in my class, and we talk about genocide, and we talk about actual genocide under the U.N. Convention, and I have students then say to me, "Oh, it's cultural genocide", I kind of get a little upset, because that's minimizing the level of violence that Indigenous peoples have experienced under settler colonial domination here in Canada.

And so, this framework is really attuned. We're always paying attention to violence. Who is experiencing violence? What does that violence look like and what is the source of that violence? So, we never want to minimize or turn away from that. We never want to

say, focus on, you know, how -- I think this is the more complicated piece. You know, quite often we talk about power and we talk about agency and we talk about choice, but we don't often talk about in those -- you know, there's sometimes a distancing in those discussions from the violence itself.

Sometimes there are strategies that are used to say, oh no, you know, for example, sex work is different from trafficking, for example, and that we have to keep those things distinct. But, to me, they're part of a system, and we're ignoring the violence when we do that.

So, that's what I'm trying to draw attention to, is that we can't minimize the violence. And, I think for me, I once read something from a family member of one of the missing and murdered Indigenous women and girls, and they were debating about -- you know, the discussion was about whether you, you know, tell all the, kind of, gruesome details about things. And, this person said, "You know what? I think, you know, my family member didn't get a sanitized version of the violence. They had to live through every brutal, terrible, grotesque, violent moment, and why should the rest of Canadian society get to minimize and dismiss that?"

And, I think that's what's really important

to me, is I never want us to lose sight of the violence and the fact that there are Indigenous women and girls who are being raped and murdered all across this country.

MS. CHRISTA BIG CANOE: And, in Perpetual State of Violence, you talk a bit, and we've already had a bit of this conversation about the count and why the count is important, and you talk about an accurate count as not being necessary.

So, you know, one of the witnesses we had in community hearings talked about -- he didn't care how many numbers there were. He didn't care about the statistics. He cared about the tears, how many tears were cried before women lost their lives. And, I note that you talk about in this particular article that an accurate count is not necessary, and you say, "Far too many Indigenous women and girls have gone missing or been murdered over the last few decades."

And then you proceed to talk about the one RCMP report that came out in 2014. And, it seems that in Canadian society, that was kind of a pinnacle moment, because the RCMP then recognized what NWAC and a number of agencies had been saying for years about missing and murdered women, that, in fact, the numbers were higher than expected.

But, I also understand there was, from

either side of the spectrum, there was real frustration that it took that report to legitimize what Indigenous women have been saying for years, about there not needing to be an accurate count because one person is too many.

I wanted to ask if you had anything that you wanted to talk about in terms of understanding the phenomenon of missing and murdered Indigenous women as representing just the proverbial tip of the iceberg, as you do in your article, and that, really, there's more to this than the statistics and numbers?

DR. ROBYN BOURGEOIS: Yes. I want to start, I think, by saying the -- I think the position of the numbers don't matter but we need numbers, they're actually I think two sides of the same coin for me, because you know what the bottom line is? One person is enough for me. If somebody is experiencing tremendous violence, then that should be enough. We shouldn't have to make the case.

Unfortunately, we live in a world, this Western colonial world where numbers really do matter. And, if you ever doubt that for a minute, just remember Stephen Harper's really decisive decision to cut and wax research for their database on missing and murdered Indigenous women and girls. Because, right there, he recognized the significance of numbers and the

significance of evidence in proving that there was this national phenomenon going on.

So, it is difficult to get accurate statistics. That's the other issue here, and that's -- the RCMP report is problematic. I mean, we don't talk about this a lot, but there are no, kind of, standards about collecting race data, for example, and there were periods where police weren't encouraged to collect race data, because that might enact racism, but then they started collecting race-based data in order to show racism. And, without those standards, I mean, we don't even know for sure how accurate the RCMP numbers are. And, I would be more inclined to believe the communities and the activists who have been arguing that those numbers are much, much higher.

You know, 3,000, for example, is a number that has often been shared, and I think that's probably way more accurate, because I think there are a lot of cases that have gone unrecognized as missing and murdered Indigenous women and girls. We don't know how accurate police files are. And, we also know that the RCMP have a tendency to refuse cases involving Indigenous women and girls, so that's a huge issue. And, yet, the numbers also help make cases. So, it's really a complicated issue.

I do want to say directly, Christa, to your

two questions, first of all, it -- these numbers are the proverbial tip of the iceberg. I have to remind my students this continuously. They often cite, you know, here's this contemporary phenomenon of missing and murdered Indigenous women and girls. Well, you know what? Yes, we have been focused on this from 1984 where it is the context that is prominently given. But, this phenomenon of violence against Indigenous women has gone back throughout colonial history. We have always had missing and murdered Indigenous women and girls. It's just that we're now paying attention to it in this, you know, kind of contemporary context of 1980 forward.

But, it's also really important to recognize that that is just one piece of the puzzle, that Indigenous women and girls experience extraordinary rates of all forms of violence. There are numbers, you know, in terms of sexual violence, for example, that 75 percent of our young women won't reach the age of 18 without experiencing some form of sexual abuse. We know that, you know -- there's the very famous ONWA study, the Ontario Native Women's Association study from the '80s that found that 8 out of 10 Indigenous women experience some form of violence in their homes.

We know that again and again it's not just about missing and murdered Indigenous women and girls. If

we look at sexual violence, if we look at sexual exploitation, if we look at structural forms of violence, we can see that Indigenous women are grossly and disproportionately impacted by all forms of violence. It doesn't matter -- you know, it really does not matter if we look at those -- and the stunning thing is when you look across, we see that, you know, it's in every category that Indigenous women and girls are experiencing these higher rates than non-Indigenous women and girls in this country. And, I think that's really important for people to understand that the missing and murdered is a really important focal point, but it really is -- you know, there is a much bigger picture and it is -- you know, this is a web of violence that has made this possible.

MS. CHRISTA BIG CANOE: My last question in relation to the perpetual state of violence is how you contextualize the justice system and label it as the injustice system. Specifically, at page 265, you talk about the Canadian legal system having the long history of failing to protect Indigenous women and girls from violence while simultaneously exonerating perpetrators and erasing the violence thanks largely to the sexualisation and racialized discourses of inferior and degenerate Indigenous femininity.

You also talk about how prostitution -- and

you told us this earlier when you were first talking about your studies. Prostitution is a justification for minimizing the violence. Can you tell us a little bit more about the injustice system and this, in particular, perpetuating or using prostitution as a justification for minimizing violence?

DR. ROBYN BOURGEOIS: Absolutely. So, I call this the Canadian injustice system because what we see is that again and again -- first of all, if there is ever charges laid, because we know -- and the Missing Women Commission Inquiry made this really clear, but often times even at the police level, there are decisions made not to press charges, or not to investigate, or to dismiss the violence as -- or erase the violence, actually, by categorizing a death, for example, as misadventure or an accident, when, in fact, that there is clear evidence that it was likely a homicide or something more sinister, and I think that's a problem.

But, when it gets to the courts, even if that's the case, and people are charged and brought to the court system, what we see is that again, and again, and again, and again, and again our Canadian courts, they really -- they rely heavily on the hypersexualization of Indigenous women and girls to not only erase the violence, because they will erase it by saying, "Oh, you know what?

She consented to this," or "She, you know, was engaged in prostitution," or, you know, "She, you know, was drunk and promiscuous," or any of those things.

I mean, I have heard it again and again in different court cases. But, those are used to minimize the violence, so, you know, it wasn't violence. And, it flips the other way too, because it's not just about portraying Indigenous women and girls as deviant, but it flips the other way, and quite often, the perpetrators are portrayed as, you know, good white folks, because it's often good white men who make a bad mistake and made a bad choice or, you know, they were good guys who just made a bad choice, which is problematic.

And so, what happens within the systems, we see again and again, you know, that perpetrators aren't held accountable, that they're often given lenient sentences if they're sentenced at all, and that is often -- that decision is often made on this kind of belief about the victim herself, an Indigenous woman or a girl. And, you know, they always are coming up with different ways to show, you know, why an Indigenous woman or a girl is not a worthy victim who is worthwhile and deserving of justice within the Canadian legal system.

And, one of the things that I have noticed, and I shouldn't say just me, because I think there are

other people who have documented this as well and I draw on some of this in my work, but one of the things I have noticed is that prostitution has played a really key role in this process again, and again, and again. And, what we see is, even from very early times and early colonial settlement here in Canada, is that within the justice system, that prostitution and Indigenous women are either perceived, and that's important, because perceived or actual involvement in the sex trade and prostitution has served as justification of the violence and has served to exonerate perpetrators, and it happens again, and again, and again.

And, it not only happens in individual cases, but what I have noticed is that it -- the Canadian state uses prostitution as well as a justification for not taking action. So, this is something I have been writing about really heavily in terms of the missing women from Vancouver, is that, if we look at the explanation that's given in the Missing Women Commission Inquiry, for example, again and again we come up to this fact that the police justified their inaction again, and again, and again by saying, "Oh, these women were involved in prostitution."

And so, that's a concern for me, because what I'm seeing is that prostitution is kind of this, kind

of, get out of jail free card. And, if you can prove a link, whether perceived or actual, between an Indigenous woman who's experienced -- or a girl who's experienced a tremendous act of violence and you can link that in any way to prostitution or hypersexuality, then perpetrators get either reduced sentences or are completely exonerated. And, that's a huge issue, because -- you know, not just about perpetrators. The state is using this as well.

I mean, this is what the excuse was with the missing women. Why didn't police investigate? Why did it take, you know, almost 20 years before they took this seriously? It was because of this belief that these women were entrenched in the sex trade and for that reason, you know, they weren't likely victims. And so, it allows for general inaction on violence against Indigenous women and girls, and that's a huge concern for me.

MS. CHRISTA BIG CANOE: And so, is it -- would you agree with me that this reliance, whether it's perceived or real, the characterization of women being involved in sex work is resulted in them being seen by courts, the system and government as less than worthy victims?

DR. ROBYN BOURGEOIS: Absolutely. And, not only that, I'd say the media and mainstream Canadian society. I mean, that's -- if you look at the media

discussions of the missing women, that's what these -- the scholars have pointed out, is again and again, the dominant perception advanced by the media is that we are hypersexualized and involved in prostitution.

And, general society also shares these perspectives. You know, whenever I talk to groups of people about what they believe or what they know about Indigenous women and girls, that's one of the first things that always comes up. You know, they're involved heavily in prostitution or, you know, there's mention of the squaw and that hypersexualized Indigenous female who is inherently sexually available. And, you know, so it's everybody's perception. But, you know, the mechanisms of justice, that's a huge foundational piece there.

MS. CHRISTA BIG CANOE: If I could get you to turn your attention to another article that you've written that was in the UCLA Law Review. It's called Colonial Exploitation: The Canadian State and the Trafficking of Indigenous Women and Girls in Canada. Now, this article already touches on some of the fundamental concepts that we've discussed and that you had in other articles. So, I really want to kind of focus down on a couple of key thoughts on this one, but just first for the purpose of the record, you are the author of this, this article?

DR. ROBYN BOURGEOIS: Yes.

MS. CHRISTA BIG CANOE: Chief Commissioner, Commissioners, may I have this marked as the next exhibit, please?

CHIEF COMMISSIONER MARION BULLER: Yes. Exhibit 58 is Colonial Exploitation: The Canadian State and the Trafficking of Indigenous Women and Girls in Canada by Robyn Bourgeois, UCLA Law Review, 2015.

--- Exhibit 58:

"Colonial Exploitation: The Canadian State and the Trafficking of Indigenous Women and Girls in Canada"
Witness: Dr. Robyn Bourgeois, Assistant Professor, Centre for Women's and Gender Studies, Brock University
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: So, in, sort of, following through some of the concepts that you've explained to us and some of the theories that you support in terms of, you know, in taking as base principles the concepts of colonization. What I'm really hoping to focus on in this particular article is the state action or inaction, particularly as it relates to international

issues.

And so, we have had one hearing week where we focused specifically on human rights. We talked about a number of conventions and -- in terms of how they apply. And, I know in this article, you actually focus on some of Canada's obligations as signatory to particular instruments. So, I'm wondering if you can give us, first, a little bit of background about, particularly framing human trafficking, looking at the Canadian state definitions and conceptualizations of human trafficking as you did in your article.

DR. ROBYN BOURGEOIS: Okay. So -- and I'm going to just draw on my notes because it's been a while since I wrote this article and sometimes my memory isn't so great. I was -- I have to say that this article came out because I was asked to talk as part of a panel on human trafficking. And, I was like, okay, I've got to prepare for this, and I was thinking about, you know, how has the state defined this?

And so, I went digging to see, you know, what was going on. And, I started noting -- first of all, the first thing is that really, human trafficking, as an offence, really doesn't originate in Canada until the 2000s. So, the first, kind of, piece of legislation that Canada is a signatory to is not even a national piece of

legislation. It's international. And, it's what is commonly referred to as the Palermo Protocol, and the actual full title for that is the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, and that was brought in in 2000, and Canada is a signatory on that international agreement. And, it really -- it really is kind of the starting point for the definition, the Canadian definition of human trafficking, and it draws attention to a few things.

So, the definition within Palermo deals with human trafficking as being about recruitment, transportation, transferring, harbouring or receipt of a person by means of threat or coercion, or other use of force, and that can include things like coercion, abduction, fraud, deception. And, one thing that I think is really important is any other form of abuse of power. So, I think that's a really critical piece when we talk about the Canadian state, because it talks about abusing a position of power and putting somebody in a position of vulnerability, I think, is really important. And, it also, in that Palermo definition, says that trafficking is also related to giving or receiving payment or benefits to achieve the consent of a person to be able to control or exploit another person.

And, one of the things that's really

interesting is how this protocol determines exploitation, because it's one of the first times where we see, you know, what does exploitation mean in terms of human trafficking? And, the protocol here really refers to -- the very first piece is exploitation of the prostitution -- - let me get the wording of this right. The protocol is exploitation, exploiting the prostitution of others and of other forms of sexual exploitation, it can include also forced labour, slavery, other versions of servitude and also deals with the removal of organs.

And, there's some really key things -- and I mean, when I was trying to build this article, I was trying to make the case for showing that Canada has actually engaged in human trafficking. So, I was really interested in a few protocols that Canada is bound to under those obligations of the Palermo Protocol. I was interested in, for example, that they have to offer protection to people who might be trafficked. They have to ensure that there is anonymity and privacy in whatever kind of institutions or mechanisms for prosecuting or addressing human trafficking. There's -- you have to be sure that you include the perspectives of survivors whenever you're dealing with prosecution or any kind of response to human trafficking; that you have to be sure that you implement measures to limit harm and that you

really need to take care of, not just physical harm, but psychological harm and social harm as well; and that you have to consider -- in human trafficking, you always need to consider the social factors.

So, human trafficking under the Palermo Protocol can't just be about paying attention to, you know, who is being trafficked. It has to pay attention to things like gender, and race, and class, and age and other factors that make certain social groups vulnerable to trafficking.

The other thing that I think is really important, and it's from Article 6(5) of the protocol that I think is really important is that all the signatories must agree to protect survivors while they're within their territorial boundaries. So, Canada has an obligation to protect people from human trafficking.

So, that is really the first -- the start of the Canadian definition. And, it really isn't until 2002 that Canada starts implementing its own kind of policies around human trafficking; right? So, in 2002, there is provisions made through the *Immigration and Refugee Protection Act*, which is interesting because the first approach is that it's an international issue.

And so, the first focus of the Canadian government isn't on trafficking within Canada, but it's

really looking at the -- it's really focused on people bringing people from other counties into Canada to be trafficked. And, that's a huge issue, because, as we know, Canada has a huge internal and domestic sex trafficking industry. And so, the external focus really created some issues, because, for a long time, that's what people really focused on. And, there was concern and attention paid to bringing people into Canada for sexual exploitation while, you know, the trafficking of people within the borders wasn't being looked at. And, that, you know, really -- again, that piece of legislation was really focused on criminalizing transportation of bodies into Canada for the purposes of exploitation, including sex trafficking and organs, and things like that.

And then Canada decides, okay, we're going to take this domestically. It takes a couple of years, but 2005, the provisions were then added to the *Criminal Code*, and it comes in in kind of consecutive pieces. So, in 2005, trafficking is made a crime in Canada. It's the first time, I think -- sometimes I think that's just such a stunning thing. I can't fathom that it wasn't -- I mean, it's only been 12 -- 13 years since human trafficking has actually been a criminal offence in this country. I think that's stunning to me. And then in 2010 it was amended to add increased penalty for people under age 18, and then in

2012 the implemented provisions that allowed for the prosecution of Canadians who were engaging in trafficking outside of Canada.

So there's some really important things that happened here in these definitions, and things that are really kind of bizarre actually. Canada has a really bizarre situation when it comes to this.

So, like Palermo, Canada's definition talks about recruitment, transportation, transferring of people, receiving, holding people, concealing people, harbouring people for the purposes of exploitation, but it also says exercising control, direction or influence over the movements of people for the purposes of exploiting them or facilitating their exploitation.

I think that's an interesting definition because that's the one that caught my eye and went, oh, wait a second, the Government of Canada has done this a lot in regards to Indigenous peoples and I went after that.

But there are some really interesting things I think that are pointed out about these provisions that I think it's worth -- the Commission needs to hear. And the first is that whether it be the *Criminal Code* or the *Immigration and Refugee Protection Act*, both people who are considered nationals within Canada, but also

people who are international, are protected against human trafficking. Those are -- those provisions are in place.

Now, there is a common belief that transportation is a requirement and Canada doesn't actually stipulate that in its laws. So you don't actually have to move people because there is sometimes the belief that that has to happen for it to be trafficking, but the reality, that isn't the requirement. It is part of it, but it is not a requirement.

The thing that is really bizarre about Canada, and I think is probably the most problematic piece of human trafficking legislation, and Canada, as far as we know, is the only country that does this. But Canada requires that victims of trafficking be able to prove that they experienced fear in order for the case to be valid.

So there is onus on victims to prove that they either feared for their own lives or the feared for the lives of others, like family members, for example, and that was kind of the source of exploitation, that that became kind of a point where they could -- where they were exploited. And I think that's really problematic.

We're the only country in the world that demands that victims prove they experienced fear. And why that's hugely problematic is because if you look at the issues of the sex trade and, you know, trafficking for

sure, but I would say this extends to survival sex work and I -- or survival, yeah -- and sex work, I think it's all aspects of it.

Fear isn't always clear. There is so much complexity in the relationships. And sometimes, for example, people who are trafficked are often trafficked by intimate partners or people who they believe are intimate partners or family members or people that they knew. And so it gets murky because, you know, this is the situation that happened for Bee, you know, you're told this person loves you and they're your boyfriend and they're going to take care of you and then they're forcing you to do things that you don't want to do and they're exploiting you. And how do you establish fear there because, yeah, maybe there was fear, but I also love this person and I was just trying to make this person -- you know, it's really complicated.

And so to then put the onus on victims to prove that they experienced fear is really problematic and it's certainly not trauma-informed.

You know, this really relates back to the kind of broader debate we're having in Canadian society and actually the world right now about believing survivors. You know, that survivors of sexual violence, you know, we're often asked to prove that we've been

violated or we're not believed, and that's what this protocol does for human trafficking. It says we have to prove fear.

I think the final thing that's really important is that in terms of human trafficking law, Canada nullifies consent as an argument. So people who are accused of trafficking can't say that the person consented to being trafficked. And I think that's really important because, I mean, consent is being hugely debated right now in Canada in response to the case of Cindy Gladue and I think it's really important that this be in place here in human trafficking laws because there are people who would make the case that, you know, what -- this person actually did consent to me exploiting them.

MS. CHRISTA BIG CANOE: Thank you, Robyn. There's one more point in relation to this and thank you for laying out what you believe are the important focuses of understanding the Palermo Protocol as well as the Canadian law.

One of the arguments that you make on the page 1437, looking at the academic research in the area, you talk about how the *Criminal Code* definitions, also of human trafficking, centres not just on the fear for safety, but also sometimes there's a fail to criminalise because there's a belief that harm has to be demonstrated

and that the harm has to be physical. You cite that it could be argued that safety should not be restricted simply to the physical harm, but also should encompass psychological and emotional harm. And that's taking -- I'm trying to find -- sorry, and that is -- you've talked about this before in terms of the concept of safety.

So what is the problem with only looking at physical harm instead of recognising the psychological or emotional harm that occurs from trafficking?

MS. ROBYN BOURGEOIS: For sure. I mean, this comes back to kind of an Indigenous way of knowing and doing is that we understand a holistic understanding of who we are as people; right? So we are not only physical in our manifestation and in our bodies, but we are also spiritual beings. We have psychological things. We have emotional wellbeing.

And when we focus just on the physical aspects of harm, we're missing the bigger picture, because one of the things -- and I've had some discussions lately about people -- or with people about this who are either survivors or people who have -- who work with people who have been trafficked. And one of the things that is overwhelming is the psychological and the emotional and the spiritual harm of this.

And, in fact, oftentimes the physical harm

can -- it doesn't go away, but it can be minimised. Like, you eventually heal some of those things, but the psychological and the emotional and the spiritual hang on until forever.

You know, even to this day, I'll tell you, in preparing for this testimony, you know, I have those internal battles about, you know, am I ready to share my story on this huge national stage? Am I ready to, you know, expose myself in that way, because, again, the messages are in my head, you know, oh, man, people are going to be, like, there's that, you know, former, you know, sex trade person. You know, she was, you know, trafficked, but, you know, she still looked dirty and unreliable and disgusting and all of those things. And, you know, I still deal with the issues, the psychological issues a lot more than I deal with some of the physical things.

You know, I have PTSD and my symptoms, you know, I've had some good length of time to work on those and I've had privilege to be able to do that, because I will say that this -- you know, the systems weren't great at helping me. And the only way I could access some of those things was because my mom found the resources to get me help a lot of the time.

And those things never go away. You know,

I still deal with those. I still have panic attacks. I still jump when I hear a phone ring. You know, I have a really hard time being in confined spaces because of some of the things that were done to me. I have really tough relationships with men because I was predominantly abused by men. You know, and I -- it's tough.

And so to focus on the physical harm minimises the scope of violence when it comes to human trafficking because it is so much more. It is coercion. It is manipulation. It is taking somebody and breaking them down. In fact, that's what I've often heard of the process described as. The kind of process of grooming I've also heard Bee refer to as breaking down. You're breaking somebody in.

And part of that is physical. You know, there are certainly a lot of use of sexual violence and physical violence, but a lot of it is psychological and it's emotional and it's spiritual. It's, you know, attacks on your character. It's being told that you are worthless and nobody will ever love you again and that you are not worthy of even kindness. You know, little things like not hearing your name for weeks on end because you're not even given a name. Those things stick with you. And so, I really think, you know, we're missing a big part of the picture if we don't pay attention to the bigger pieces

of that as well, and recognize the harm isn't just physical, it is all of those things.

MS. CHRISTA BIG CANOE: Thank you. I just wanted to touch on briefly in this article, you had said earlier "I was making the case that Canada is trafficking," and one of the cases you were making is the trafficking of Indigenous children by using the example of the Indian residential school. And, it's interesting, because you point out in your article that if we take the Canadian definition or the Palermo Protocol definition of human trafficking that the IRS actually fits that definition. And, I just want to point that out at 1461 through to 1426.

And, are you okay answering questions? I'm not going to explore it with you right now, but are you okay answering any questions in relation to that assertion you're making by any of the parties with standing?

DR. ROBYN BOURGEOIS: Absolutely.

MS. CHRISTA BIG CANOE: Thank you.

DR. ROBYN BOURGEOIS: And, I would extend it. I would say it's not just the residential school. I would say it has continued to be manifested in the apprehensions of our children through the child welfare system. So, it's a bigger picture, too, as well, but I'm happy to answer questions about that.

MS. CHRISTA BIG CANOE: You anticipated what was going to be my next part of the question. So, thank you for that. I noticed that in your conclusion, you say the Canadian state has to take a hard look at itself and examine its complicity in this violence, and that ending the trafficking of Indigenous women and girls will not only require addressing how Canadian state is complicit in this violence, but require the dismantling, and that's kind of where you started. So, you would agree with me you believe we can take small steps, but in order to have the actual change, it's going to be a large dismantling of the colonial domination?

DR. ROBYN BOURGEOIS: Yes.

MS. CHRISTA BIG CANOE: I know that you've provided us, actually, with particular recommendations that you're making. This is in Schedule E for any of the parties with standing or for the Commissioners to look at, and I know that we've actually kind of already contextualized and situated some of these well. This, you prepared for -- particularly for the National Inquiry I understand; right?

DR. ROBYN BOURGEOIS: Yes, I did.

MS. CHRISTA BIG CANOE: Yes. And, there's a number of recommendations. You actually have, I believe, ten of them listed. And, given -- and I never

like to rush anyone, but given the timeframe we have, I'm going to ask if you can give some highlights? But, before I do that, I'm going to ask that the Chief Commissioner and Commissioners accept these recommendations as the next exhibit?

CHIEF COMMISSIONER MARION BULLER: Okay. Yes. Exhibit 59 is Recommendations: Sexual Exploitation, Human Trafficking and Sexual Violence prepared by Dr. Robyn Bourgeois, October 2018.

--- Exhibit No 59:

"Recommendations: Sexual Exploitation – Human Trafficking and Sexual Violence" by Dr. Robyn Bourgeois, October 2018 (seven pages)
Witness: Dr. Robyn Bourgeois, Assistant Professor, Centre for Women's and Gender Studies, Brock University
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And, Robyn, is there -- and you'd be happy to answer -- would you be okay or happy to answer any questions the parties might have in relation to these recommendations you're submitting to in cross-examination?

DR. ROBYN BOURGEOIS: Yes.

MS. CHRISTA BIG CANOE: Okay. And, on that basis, though, I want to afford you, you know, five or six minutes to highlight for the Commissioners these recommendations.

DR. ROBYN BOURGEOIS: Sure. I would highlight the first. We have to decolonize this country. We really have to look at Canada's complicity in violence against Indigenous women and girls, and we have to decolonize, because I said this earlier. The source of the idea that it's okay to sexually exploit Indigenous women and girls is settler colonialism, and it's hetero-patriarchal beliefs about the hypersexuality of Indigenous women and girls.

And so, the system is predicated on that. So, the only way we're going to challenge that is we have to dismantle the system, and it's going to be huge. It will be -- you know, I've elicited some really particular strategies within those recommendations, but it's going to have to include things like dealing with land, and either returning it or re-compensating us. Or, we not offering these kind of governmental rooted self-government agreements, but truly and honestly recognizing and respecting Indigenous self-determination and sovereignty. It's going to have to require things like returning our

children to us out of the child welfare system, because it's time for our communities to take care of ourselves.

So, that is, really, the key thing, is that Canada is going to have to take a really hard look at its own complicity in the system of violence and exploitation, and a lot of decolonization, and not reconciliation. I have a real problem with reconciliation, because it seems to be about inclusion of Indigenous culture, but it doesn't seem so much about really dealing with the things that matter like lands, like Indigenous self-determination, like ensuring the safety and security of Indigenous women and girls across the country. So, it will be serious.

The other thing, I mean, as far as things go now in terms of sexual -- sex trafficking and the sex trade, I make, kind of, three arguments that I think are important. The first is that I think we should -- I mean, we've already got exemptions under the *Criminal Code* for the different pieces of prostitution that are criminalized, so that if somebody is selling themselves, that they are exempt from prosecution, and that is to all pieces of that except for one, and that is communication. Communication is still criminalized, and I really think we need to decriminalize that.

And, I understand that that was put in

place because if we're going to (indiscernible) the sex trade, we have to -- we have to denaturalize all parts of it, and we need to kind of end that. But, the problem is for me that if, as I do understand, the sex trade as predominantly being a system of violence and oppression, then I could never in my heart of hearts be okay with criminalizing someone who has to sell their body and their sexual services. I think that is -- I mean, I don't want to get into morality, but for me, that is immoral to who I am and my understanding of the world and of violence.

But, I also think it is a really dangerous thing when we start to criminalize the bodies of people who sell sex, we end up creating situations where the Canadian state in particular can be justified in action, and we've seen that again and again. So, I really argue for the decriminalization of all those aspects in relation to people who are selling their own sexual services.

That being said, I argue that we should continue to criminalize pimping and trafficking, as we do, with a caveat, though, because those laws are often unfairly applied to people involved in the sex trade, for example. So, I've heard incidents where two people involved in the sex trade are living together. And so, they're charged as living off the avails of each other; right?

So, those are the things that are really problematic, but we really need to focus on where the power is. And, in terms of pimping and in terms of trafficking, the people who are behind all of it are predominantly white males, and we have to start using those laws to target them in particular, because they're being used to target marginalized groups who really don't have a lot of power in the system, and instead, the people who really do have a lot of power are still getting away with it.

And, that is the same with criminalizing demand. I think we have to -- the reason we have -- the reason sex trafficking exists is because there's demand for it. There is demand for illicit sex, sex that is considered abnormal, you know, particularly, I think, in terms of trafficking sex with young and very young girls and women, and the demand is still there. So, I think we need to criminalize demand.

I know that does create some problems for people who consider their involvement as sex work, but I worry about the people who don't have that choice and who aren't choosing to be there, because there are a lot of people who experience this system of violence because they're forced into it.

And so, for me, I think it's really

important that we continue to criminalize demand. But, again, we have to remember where the demand is, because sometimes that law is used to criminalize people who are minorities. So, racialized folks or people involved in the sex trade, and instead of the kind of predominant purchaser, which is, again, white middle-class males in this country.

So, the laws are being used to further marginalize people instead of really going after the sources of power and domination. So, I think those laws need to be addressed in that way.

And, those are really the key things. I think we need more, as well, in terms of services and productions for Indigenous women and girls generally, but specifically for those who are survivors of trafficking.

I struggled to find resources that were okay, and not just resources that could understand what I was going through, but more importantly, Indigenous-centred things, because at the end of the day, what saved me wasn't western psychology or those kinds of things. It was reconnecting with my culture. It was learning traditional teachings. It was ceremony. And so, we need more money and we need more support that's rooted in Indigenous-centred trauma-informed approaches to sexual violence.

MS. CHRISTA BIG CANOE: Thank you, Robyn. Chief Commissioner, Commissioners, that actually concludes, for the purpose of this witness, my examination in-chief. At this time, I kindly request a 15-minute break before we hear from Lanna.

CHIEF COMMISSIONER MARION BULLER: Okay, 15 minutes, please.

MS. CHRISTA BIG CANOE: That should bring us back here at about 10:35, please.

--- Upon recessing at 10:21

--- Upon resuming at 10:44

MS. CHRISTA BIG CANOE: May I proceed? Chief Commissioner, Commissioners, I would like to introduce the next witness today, Lanna Moon Perrin. Again, much like I had said with Robyn, it's a pleasure to be able to lead Lanna's examination in-chief, and I just want to recognize that, you know, as we had said, there will be a divergence in opinions, but we respect those differences and welcome the opportunity to hear multiple sides of the discussion. And, if I could ask Mr. Registrar to promise Lanna in on her feather?

MR. BRYAN ZANDBERG: Yes. Good morning, Ms. Perrin. Lanna Moon Perrin, do you promise to tell your truth in a good way today?

MS. LANNA MOON PERRIN: Yes.

LANNA MOON PERRIN, Affirmed

MR. BRYAN ZANDBERG: Okay, thank you.

MS. CHRISTA BIG CANOE: Thank you.

--- EXAMINATION IN-CHIEF BY MS. CHRISTA BIG CANOE:

MS. CHRISTA BIG CANOE: So, Lanna, today what you're going to be sharing with us is a lot of your own lived experience. You're going to be talking to us about your life of activism, the work you have done in the advocacy you do. So, on that basis, could we just start a little bit with how ever comfortable you are sharing with us a little bit of your background?

MS. LANNA MOON PERRIN: Bonjour. (Speaking Indigenous Language) I was born in Sudbury, Ontario. My mother was 16 when she had me, a non-Indigenous woman, child, I guess, at 16. Father on my birth certificate, unknown.

So, I guess so you know me, I moved out on my own when I was 16 to -- into Sudbury. Being young, not knowing much, you know, I applied for Ontario Works and got a place at a rooming house. And, you know, being 16, if you're given $600 for the month and your rent is $450, you know, $150 for the month isn't a lot. And, I was going to high school, and I was really trying to be good. But, you know, I got pushed to places like soup kitchens and Salvation Army's and stuff like that just to eat.

And, being on the streets and being young, I was schooled at a really young age, you know, different ways I could make money other than waiting for my welfare stub to come in.

So, I did. You know, I started with street- level sex work at 16 just so that I could buy things for myself, a winter jacket, winter boots, decent food to eat. In my life, when I was young, I did experience violence on a lot of different levels, but I don't want to, in any way, frame it that it was my choice of getting into sex work that led me to be victimized.

You know, I have heard a lot of people talking about abolishing prostitution and sex work, and that's a great idea in theory, but if we're going to abolish sex work, we need to abolish poverty, we need to abolish homelessness and we need to make sure that our nutritional needs are met. And then once all of that's taken care of, then maybe we could start talking about other things like abolishing sex work.

I started getting into political activism at a young age. I must have been in my early 20's when I was in Winnipeg. I started getting involved with the Native Youth Movement. And, you know, I tried going to school and doing things that way, but it just didn't fit me. I wasn't that kind of learner, and what they were

teaching me isn't particularly things I was interested in learning.

So, you know, I spend a lot of time doing land protection and water protection with my children here. This is my son, Lief (phonetic). He's 21. He came here to be my support today. Lief bought me my first red umbrella. I have never been shy to tell my children or be honest with my children. They know the means that I have gone to make sure that they're taken care of.

When I do -- when I did political activism in the late '80s and early 2000's, a young mother, there's no money. There's no money when you're a young single mother and you want to go to ceremony. There's no money for a young single mother and you want to go to a conference, you want to support your sisters that are stopping the -- that, you know, the Olympics are coming in and they're building a ski resort on one of our sacred mountains and we're going to stop them. Well, I would like to help you, so I'm going to go help you, but there's no money for me to do that.

So, you know, it was through my work in doing, you know, that kind of activism that brought me back into sex work. So, you know, I did that for a long time. You know, did a lot of land defence and activism with the Native Youth Movement and other movements, using

sex work as a way to feed and take care of myself and my family.

When I went back to Sudbury, I was introduced to the Sex Worker Advisory Network, the SWANs. So, I started doing outreach with them, like just doing street outreach, giving out condoms and rigs and stuff. And, it was -- you know, I will never forget when I went to Montréal to Stella. Stella is a sex work action network in Montréal that supports women in the trade. And, I remember watching -- you know, when I was doing activism, it's really exciting. There are lots of exciting moments in activism, especially, you know, when you're together and you're marching against, like -- you know, you're fighting together; you know?

And then I watched this video of all -- hundred of whores getting together, standing up for their rights, all different colours. And, I was just like, wow, I'm not the only one. Like, for so long, I felt so isolated in -- like, I'm an activist and I'm a sex worker, but I'm a sex worker behind closed doors and I'm an activist in public. So, I guess that really helped me be okay with being a sex worker and an activist, and then learning how to be an advocate for people who are in the trade.

So, you know, I'm a big believer that --

you know, I hear a lot about prostitution being a colonial thing, and it's a disease or it's a thing that colonization brought onto us. And, you know, perhaps in the ways that it was perceived to us, it could be looked at that, but I'd like to consider pre-colonization for a minute and what our sexuality as Indigenous women and how that might have looked, especially in leadership, you know? And, you know, you can't tell me that pre-colonization, Indigenous women didn't use their sexuality to advance themselves, their families, their communities and their nations. I have a hard time believing that.

You know, there's many -- we hear stories of how before automobiles and different types of transportation, people used to travel long, long ways to pass a message, weeks, months sometimes. And, when they came into a community, they were treated like they were at home, they were given something to eat, somewhere warm to sleep, and you know what? They were probably tended to sexually. And, if you think that they weren't, I would like to question why do you think like that?

You know, sometimes I feel like because of the way our history has been colonized, you know, some people like to tell the story that before pre-colonization, we were a bunch of Mary and Jesuses over here. We didn't have sex unless it was -- you know, we

were married and trying to have babies. Other than that, we weren't having sex. You know, I don't believe that, you know? I don't believe that, you know, if a person, you know, had a need, that those needs weren't met, whatever those needs were, and it was done in a respectful way, and it was done in a sacred way.

You know, I've done a little research myself, you know, probably not the extent of some of the Ph.D.'s and doctrines that might be sitting in the house, but I have had passed tobacco to a few elders about this situation, you know, and I wanted to know, like, what kind of sex was going on here pre-colonization? Like, was it just to make babies? I don't think so, you know?

And, they talk about, you know, how women -- women my age -- you know, I'm in my 40s, you know, I'm not having any more babies any time soon, but you know, still very sexually fertile, still -- you know, still got my libido going on, you know? If I don't have a husband, what am I doing with that energy? You know, if there's young men in the community that don't have wives, you know, I was understood -- it was my understanding that it wasn't unusual for women my age to be sexual therapists, to help young men understand how to treat a woman, not only physically, emotionally, mentally, how all of that weaves together.

You know, I know a lot of our sisters and brothers have left us before their time, and you know, we talk about this sexual violence that we're living through and this colonial system, and what are we going to do to break out of that, you know? And, you know, we've got to eliminate prostitution, that's what everybody says. Prostitution, prostitution. You know, prostitution paid for my son here to go on his grade 7 field trip, otherwise I couldn't send him. Prostitution paid for my daughter's tap-dancing shoes. That's what that did for my family, you know?

I'm not going to say that had I had other options, I wouldn't have taken them, but those options aren't there, you know? You want to talk about having better services for people who are, you know, surviving in the situation. I'm -- really, I'm sick of services. We don't need services. We need a better way to learn how to sustain ourselves and a livelihood.

This National Inquiry, you know, a lot of people, you know, might have a lot of different things to say about this whole thing, eh? You know, it makes me wonder, like, what makes us feel the need to even participate in something like this? This is -- to me, I feel like in a way we're administering our colonization, participating in processes like this. You know, our

processes are right there. Our processes are with the old people, you know? All of these solutions that we're looking for, we were born with those solutions, those natural laws, is what should be governing us.

Canada is not -- we can't look to Canada to obligate themselves to help us fix the situation. They're not -- I don't' see Canada as something that's going to help us, you know? Their laws. Change their laws. Changing their laws isn't going to help us as Indigenous people. Asserting our natural laws within our own communities and with our own values, I believe, is what's going to help our own people.

My 12-year old daughter said to me just not even a year ago, "Mom, I have brown skin. Does that mean that some day I might be missing or murdered?" How do you respond to that? This is how I respond. "No, that brown skin is making you resilient. That brown skin is your shield and that brown skin is your protection, and that brown skin shows the whole world that you're going to be okay. And, don't let that brown skin define that you're going to be a victim and that you are a victim." We're not victims. And, we have to stop pretending that we're victims of Canada. I don't want to believe that. I don't believe that and I don't teach my son to believe that we're victims of Canada.

We can look at all this research about trafficking. What did this lady just define as trafficking as what's been going on to our people since day one? Are we holding Canada accountable to all of -- every single one of us in this room who have been trafficked, who have been forcibly removed to be exploited for their profit? As we sit around in here and we discuss how Canada has trafficked us, guess what? Right now, in another room, Canada is talking about how they're going to put pipelines through our territory and further exploit and traffic us, move us so that they can profit from us. That's what's going on.

You know, when we came into this world, we made a contract with Creator. We made a contract, each and every one of us, who is our mom going to be, who is our dad going to be, when we're going to be born and when we're going to die. We made that contract with Creator. If something happens in between there and we leave before our contract, that's between us and Creator.

All of these people who left before their contract was over, that's between them and Creator. Creator will solve those problems. That's not up to us, really, to solve our problems. I really believe that if we want to end trafficking, we have to stop moving when we're told to move. We have to practice our own natural

laws.

All of their policies that they have in place were created to destroy us, to traffic us, so that Canada can profit from us moving around. And, for us to sit around here and discuss what happened. We all know what happened and we all know what's going on. And, the more that we sit around and discuss and wonder what's going on and what we're going to do about it, is the more time we're giving them to traffic us.

There's a lot of Indigenous women with my experience in the sex trade field that wouldn't be here to sit here because of these reasons. It's really hard to be an Indigenous woman and to have your own people tell you what you did was wrong, what you did was wrong, what you're advocating for is wrong, when all I'm advocating is a better life for my children and to do the best that I can to live my seven natural laws that were given to me and respect these bundles here that were passed onto us. These things.

I don't have a Ph.D. I'm never probably going to have one, a masters, anything like that, but this is what I was told. A white-tail feather is carried by women, a white-tail feather is carried by our leadership. No Ph.D. is going to take this feather away from me and no Ph.D. is going to talk louder than this feather right now.

So, I had my cousin bead this feather for me before I came here, and she said, I want it to look beautiful and I want you -- you know, I want you to know that you're speaking for the people when you talk in public space that are part of sex trade. Do you want to talk a little bit more about either the lateral violence that you're experiencing within community or the, sort of, external violence you experience with police?

MS. LANNA MOON PERRIN: So, you know, this whole trafficking scare -- that's what it is; eh? It's a scare because, like, according to the evidence that the panel has just presented, we have all been trafficked for over 500 years and now they're putting a fancy thing to it; eh? So, this whole trafficking scare, you know, has really made it hard for women, particularly Indigenous women, in the sex trade industry to do our work safely, because now we have to hide from police, we have to go places that are more isolated. To advertise our services is even more tricky. You know, we're being pushed, and pushed, and pushed further into isolation and further into dark places to hide our work.

And, when we're being pushed into isolation, it makes ample opportunity for those situations where we can become victims. We're not victims. But, when we get pushed, and pushed, and pushed and hidden,

that creates an opportunity for us to be victimized. We're not victims. We get victimized when we get pushed into the darkness.

MS. CHRISTA BIG CANOE: So, one of the things you were just talking about, too, is there are different types of knowledge. And, I think it's really important to kind of talk about the fact that one of the things we have recognized is different levels of knowledge and that there's an importance to all the types of knowledge. So, you talk about, you know, your spiritual journey or knowledge and your understanding of the natural laws as guiding you, or there -- Robyn talked about an academic path. But, to me, it sounds like there's a lot of commonalities. Although there are some big differences in opinion, there seems to be some commonalities.

You both talked about threads of, you know, having land back. She was saying without having land, self-governance, going back to our ways. And, for me, at the end of the day, I don't think it's about whether Robyn has a Ph.D. and you don't. I kind of -- I'm hoping we can focus a little bit on the commonalities even though there are some differences. So, we acknowledge and talk about the differences, but also see some of the commonalities.

It seems to me that both you and Robyn are saying this disconnection from our land, from our

cultures, from the knowledge, the Indigenous knowledge, is a problem and something that we need to work together to solve. Would you agree that there needs to be maybe a coming together between the two positions?

MS. LANNA MOON PERRIN: Most definitely. I most definitely believe so. And, I think that the more that we can involve ourselves in our knowledge and understanding that way of being in our approaches in 2018. And, I'll use this as an example.

I work for my community. I'm the health and wellness crisis response navigator. So, basically, what I'm doing is I'm helping our communities and our regions come up with a crisis response plan for emergency mental wellness, blah, blah, blah. So, I go to a bunch of different trainings for my job. And, one of the trainings that I just came from was called Feather Carriers. I don't know if you have heard of it, but it's an Indigenous approach to what they call suicide prevention. What they call suicide prevention; what we call life promotion as Indigenous people.

And, that's what I think that, in this society, not only as Indigenous people, but all people who live here on this land, can have a better understanding and move together and developing as a human race, is that it's not about suicide prevention; it's about life

promotion. It's not about harm reduction; it's about healing promotion. And, that's the Nishnawbe, that's the Indigenous way of doing things.

Like, I know that they want to look at all of our numbers and see how many people have died, how many people have been raped, how many people have this? Well, if we're going to have those numbers, let's have the good numbers beside them too, because it's those good numbers that are actually going to empower our children in the next generation.

Like, how many times have -- has our 10, 11, 12, 13, 14-year-old girls heard in the past five years "missing and murdered", "sisters in spirit", "You're all going to die. You're all going to die", "Actually, 1 out of 3 are you going to be raped. One out of 3 of you are going to be killed." These are the messages that we are telling our children, and these are the messages that I would like to say, let's stop this Canadian way of thinking. Let's go back to our life promotion. Let's talk about all the good things.

And, when we have our academies that work really, really hard for their Ph.D.'s and stuff, let's help them get the information so it's more level. It's really, really hard. Could you imagine this little guy here, 21-years-old, you know, and he's the one that has to

hear, "Well, you know, your life expectancy is really only about 50. You're going to be diabetic. You're going to be this. You're going to be that"? These are the things we have got to stop putting in the media ourselves.

And, when we start having these conversations in our coffee tables, in our band offices, in our communities, let's put the positive twist. Let's put the Indigenous angle on. Let's stop talking about these Canadian numbers and Canadian statistics that are just scaring the crap out of our kids. They don't need to hear that. These are adult issues and our little children are hearing these issues, and it's damn scary for them.

You know, we need to promote more. We need to have more of our bundle in a circle like this. We need to stop. We need to be more in a circle, and we need to start promoting the seven natural laws instead of changing Canadian laws to our standards, which will never happen, because Canada was created to kill us. Canada was created to kill us, and it's never going to be shaped in a way under a form that's ever going to put us in a way of equal standing.

We've got to stop thinking that that's going to happen. And, we've got to start promoting our own selves, and our own people, and our own communities, whether that be in the city or whether that be on reserve,

it's our own way of doing things, not the Canadian way. We're never going to change Canada to fit our standards. It's not going to happen. It hasn't happened in 500 years and I doubt it's going to happen in another 500. But, what may happen, what I believe could happen, is that all people that live here in these territories can learn to love and respect the seven natural laws. That's what we need to promote.

MS. CHRISTA BIG CANOE: In terms of -- so one of these things, this coming to knowledge, this use of your suggestion and your opinions on coming back to or returning to teachings and focusing on positives, is obviously, sort of, a different position than Robyn's. But, I think you would agree that some of those successes we do see is when our Indigenous women and children do achieve levels of access, that they chose themselves and were driven to, is actually part of that empowerment too; right?

MS. LANNA MOON PERRIN: Mm-hmm.

MS. CHRISTA BIG CANOE: It takes us back to this concept of choice. And, I know that one of your positions is that we need to reframe sex work as a choice. That gives Indigenous women back their power, strength and control, and I'm hoping you will be able to explain to us how you believe -- how you see that position of bringing

back power and control by reframing sex work.

MS. LANNA MOON PERRIN: Well, I don't want to act as if -- you know, I don't want to -- like, the accomplishments of all of us are well-noted, you know, whether that be an academia or however it is that it is; you know? It's well-noted. And, as we progress as human beings, and as people, and as a civilization, that it's my hope that we all work together as a common goal and empowering ourselves as Indigenous women to do what we feel we need to do to take care of ourselves and our families.

You know, like, I hope, I really, really hope that my daughter doesn't have to pay -- turn a trick to pay rent. I really hope so. I don't want that for her. But, you know what? If the day comes where she can't pay her rent and she has to go into that field, I really, really hope that there are laws there that are going to protect her. I really, really, really hope that she isn't in a dark corner standing somewhere waiting to be victimized. That's what I hope.

And, it might take us a long time to get back to a place where us, as Indigenous women, feel completely empowered and feel like we have the right to do things and to do it safely. It might take us a while to get to that journey, and I understand that it's not going

to happen the way I want it to happen tomorrow. We're not going to wake up tomorrow morning and, you know, I'm not going to have to worry about housing and health care and any of those things. That's not going to happen.

And, I agree with the last presenter, it's a progression. It took -- it was a progression to get us to this place, and it's going to be a progression to get us out of this place. And, I want to work with the person who just presented here, and those kind of ideologies that Indigenous women are leaders of these lands and we have the right to speak as leaders, but we're not seen as leaders and we don't feel like leaders because we have no -- we have no homes. We have maybe no families. You know, all these things -- all these things that we don't have. What are we leading? What are we leading?

If we're leaders and we have no land, we have no family and we have no community, but we're leaders, what are we leading? I don't want to lead any Canada laws, you know, that's not what I'm leading, but the natural laws -- you know? And, if we were to peel away all the policies, and all the bills and all the Constitution, if we were to peel all of that away, I believe maybe in the root, root, deep, deep part of that, there might be the idea of seven natural laws. Maybe. But, that might be a whole other plant, I don't know.

But, the ideas of it, eh? That's what we need to plant in our children.

MS. CHRISTA BIG CANOE: I was wondering if you could share with us a little bit about your advocacy. You touched on it briefly when you talked about going to Stella's, but if you could tell us a little bit more about SWANs or the type of advocacy work you're doing now?

MS. LANNA MOON PERRIN: So, I got involved with SWANs about three years -- well, four, five years ago, I was a volunteer. And, about three years ago, I got a position to do -- to coordinate the project.

So, in working with my sisters, I noticed -- you know, I was listening to CBC one morning and I heard that Sex Work 101, and I was listening to it, and I was listening to her story. Really intense story. Really real story. And, I thought, well, that's a pretty intense story, but there's a lot of stories that are like that, but don't have that crazy scary ending that she has. You know, she has a pretty scary ending at the end of her story. Not all stories end like that. Not all stories begin like that either.

So, I was thinking, what can we do as sex workers so that we can all have a story, but at the same time knowing that when we tell our story, we can't always do it publicly because we are going to be stigmatized at

the end of the day, eh? Me, I'm kind of used to having arrows shot at me all day and every day, so that's why I got these tattoos on my face. I'm going to shoot them right back with my eyes.

So, I'm used to having arrows being shot at me, but a lot of women, especially women who have been involved in the sex trade, don't feel like they really have a voice to tell their story. So, I thought, wow, what if we made a play? What if we add masks? What if they were able to tell their story that way?

Well, sure enough. We got a little bit of money and we produced a play, and we made masks, and we made art, and it was really, really, really beautiful. And then it really helped me understand that our sexual energy, that's an energy of art, that's an energy of creation, it's an energy of something beautiful. And, I thought, wow, if every whore in the world could be given a paint brush and a violin, what a better world this would be.

But, it's so true. Our sex workers are artists. They're performers. They bring beauty and love into the world in the darkest places, and places where no one else wants to look and places where everyone else is scared to go. Our sex workers, we go there with our high heels and our mini skirts and we make it a beautiful

place, and place to be, and a place to be proud of, and I don't want that taken away from me.

And, I think that if sex workers were given more of an opportunity to really be ourselves, to be the artists, to be the performers, the actors, the writers, you know, it could be a lot more beautiful. Maybe we'd have more burlesques. I don't know. But, it's beauty. Sex is beautiful. It's something worth being celebrated, not something to be shy about.

And, I think that over the years of conditioning through residential schools, and through foster homes, and through shaming, sex is something that we want to hide and that we want to be afraid of. And, we need to stop doing that. We need to celebrate our bodies and our sexuality. And, if we're given more opportunities through art and through music and through drama and through theatre that, you know, maybe it might be a little bit easier.

You know, if you were to tell a sex worker, well, you know, instead of going outside and doing sex work today, I'll give you $100.00 if, you know, you could help make this mask and she gets to express herself, and she makes a beautiful piece of artwork, you know? That's what I think is going to help us.

MS. CHRISTA BIG CANOE: I know that you

actually do have some proposed recommendations, and we heard Robyn talking about decriminalizing the sex worker part. Like, we should not be criminalizing sex workers, we need to not do that, but she talked about criminalizing johns or pimping.

So, I know one of your recommendations is about decriminalizing sex work to create safer work environments for Indigenous women involved in the sex industries. So, before I ask you about the commonalities, I'm going to ask you now, what's the difference in your position between Robyn's? Is it decriminalize all sex work or are there still components where ---

MS. LANNA MOON PERRIN: I'd say that, straight up, pure decriminalization of sex work is really going to help us, you know? Like, why come down on the clients? I mean, they're just -- I feel like the clients, you know, oh, the middle-class white man, you know, he's the one that's making all this -- well, if they're the paying customers.

Well, I'm going to tell you, in my experience as a sex worker, maybe a quarter of my clients were middle-aged white men, okay? A lot of them were East Indian, some of them were black, some of them were women, some of them were Indigenous, you know? It's not the middle-aged white man that is only our clients, you know?

There's a lot of people that are our clients, there's a lot of people that seek sex work as services.

I mean, she talked about domination and how, you know, people who buy sex feel that it's their right to dominate that body. Well, in contrary to that, believe it or not, people pay money to be dominated because they're not dominated. So, they want someone to dominate them. They want to be kicked around. It happens. It happens.

So, if we're going to talk about, you know, taking care of the sex worker, let's look on the other side of the coin. Who is seeking these services? Why do these men feel the need to be dominated? Why do these men at 50-years old want you to put a diaper on them and burp them? It happens, okay?

So, how come they're not being asked these questions? You know, there's -- you know, maybe there's something going on with them that's worth exploring, you know? Why criminalize them? They have needs that they're trying to meet, you know? I don't think there's nothing wrong with that, you know? They're not hurting anybody. I've never felt -- I've never had a client made me feel less than them. If anything, my clients really appreciated me for the work that I did. And, it would be nice if the rest of the society could view sex work as a

service. A service, you know?

And, if we don't want sex work to be considered -- if we want to be in the human utopia where people don't need to pay for sex, then let's be in the human utopia where people don't have to pay for medicine. People don't have to pay for food. People don't have to pay for shelter. Let's move towards that utopia instead of just taking out the sex part, because if we're going to try and move to a utopia where sex work isn't going to happen, I don't know what kind of world that is. Instead, I don't think it's a world that I'm ever going to see.

MS. CHRISTA BIG CANOE: And, in terms of other recommendations you have, I understand one of them is that decriminalizing sex work would help decrease human trafficking and sexual exploitation. Did you have anything you wanted to explain about that position?

MS. LANNA MOON PERRIN: So, a lot of times when our young women enter into sex trade, we enter into sex trade on our own. Maybe every now and then there might be an older whore around to sort of show us the ropes, tell you, "Wear a condom. Don't under cut," you know, all those, kind of, little street rules; you know? But, the part that is never really talked about is we're doing something illegal, and if we get caught, we're going to get thrown in jail. So, everybody else out there knows

that we're being sneaky, and the predators know that we're being sneaky, because they're being sneaky too.

I think I was 16 and I was picked up by these two guys. I was in Sudbury, and they were telling me, "It's so cold out here. You know, you don't need to work outside. You know, we could take you to Toronto and we could put you up in a hotel, and you don't have to work outside and, you know, we could just bring your clients to you. And, you know, you could be comfortable and you don't have to stand out here freezing with your fishnet stockings exposing yourself." And, I was like, wow, that sounds really nice; you know? I like that.

So, I went with them to Toronto. I wasn't trafficked. I didn't go there against my will. I jumped in that car for the opportunity to work inside, somewhere warm; you know? Lo and behold, when I got there, there ain't no hotel room. It was a pretty greasy little room. I think it was on top of some fried chicken place because it sure smelled bad. And, you know, I left there. I ran away from there. You know, I didn't tell them I was leaving. I just left.

But, that created an opportunity where I was exploited because I didn't have anywhere safe to turn. You know, if there was an agent out there that could help me get something like that, I wouldn't have to go to these

slimy, you know, we'll call them pimps, or whatever you want to call them, go-between people; right? Because there are no laws stopping them from doing what they're doing. Well, I guess there is, but I mean there are no labour laws; right?

So, even -- I worked for an escort agency once. It was a well-paid escort agency; you know? I would walk out of -- I would come home from work with at least $300 or $400 at the end of the night. But, I will tell you, the rules in those places would make any union or labour law, like, cringe. Like, talking, like, $10 a minute for every minute you're late, 10 bucks. You're 10 minutes late for work? That's $100 that you owe. You know, if you fall asleep during your shift, that's $1 a minute you're paying for every minute. You know, if you're -- if you come to work and you have a run in your pantyhose and you're not dressed the way you want, you get fined, you get sent home, you have to change and you're expected to come back within the hour.

So, like, because there are no labour laws, an agent or a pimp, if you want to say it, has the freedom to hold you and make you play by their rules, because you chose to engage with that person, so you play by their rules. But, if there are adequate labour laws in place, then we don't have to go by those rules. We know that our

-- what our rights are. I can have a run in my pantyhose and still go to work. I don't care what you say. We would have the freedom to do that. We don't have the freedom to do that right now.

MS. CHRISTA BIG CANOE: Is there any other recommendations or comments that you want to share with the Commissioners or those in attendance today?

MS. LANNA MOON PERRIN: I would like to really to have the Commission or anybody support real research when it comes to, you know, sexuality, pre-colonial sexuality. You know, the person who presented here talked a little bit about it before, pre-colonial sexuality, pre-colonial feminism.

You know, it would be nice if we could have some real research go on and find out the findings to that, those old stories. They're out there. I have heard a couple of them, and they were told to me in confidence, and they were told to me in quiet, and they were told in, like, "Okay, I heard about these Cree women. They used to have sex out of marriage, but don't tell anyone."

That's how some of the research happens; you know? You pass your tobacco, and the elder -- you know, they don't want to talk about those kinds of things, so we need to empower our elders that their voices are heard, and those stories are heard, and that we could find

the real facts.

You know, we could only guess, really, when it comes to, you know, this -- like, documentation. I know that -- what was it? I think in Canada the first documented human trafficking case happened in in the 1500's? Yes, one of those big ships came somewhere around here, picked up two little Indian boys and dropped them off somewhere around Montréal. It's in the Canadian history books, so that's our first human trafficking case. Are we going to hold Canada -- or is Canada going to be obligated to that? I don't think so.

So, let's talk more about, you know, really getting those old stories about pre-colonial sexuality, pre-colonial feminism. I hate saying "feminism". I don't even understand, really, what that means. Like, this is from what I'm told by my grams. My grams told me this; okay? She said, "Feminism, my girl," she says, "I don't know about that one." She says, "You know," she said, "those people, they're trying to make men and women, you know, on an equal standing." She said, "Don't you know that women are better than men?"

No, it's true. And, a lot of our old pictures -- when you see pictures of women, it's circles. Men is half circles or a line. We're whole; you know? And, that's that whole -- I think that when we're talking

about Indigenous feminism, we're minusing that idea. And, it's not that we're better, but I don't think we're equal. But, we're not better. We're just different. Men and women are different. We're not equal.

And so, when it comes to Indigenous feminism, I have a hard time grasping, you know, the whole equality thing between men and women, because I was just raised that women just know a little bit better, a little bit when it comes to those sort of things, so -- but those are the stories I would like to encourage the Commission, if you may, maybe talk about more funding for Indigenous women to go to ceremony and to find out what these stories really are so we don't have to sell tricks to go to a ceremony. We don't have to sell tricks to go to a conference. That would be nice. That would be a good one.

MS. CHRISTA BIG CANOE: Is there anything else you wanted to add?

Chief Commissioner, Commissioners, this actually comes to the end of my examination in-chief with Lanna. I'm mindful of the time, so I want to seek your direction on whether we should proceed in calling the next witness. And, if so, I would just need a moment so we can arrange the front, or if we should maybe now have the lunch break? And, I would be requesting that the lunch

break be only 45 minutes so that we would be returning at 12:30. And, this isn't a goal to try to keep on track. I know we have had some late starts and pauses for technical issues, but...

CHIEF COMMISSIONER MARION BULLER: Maybe somebody can tell us if the catering has started lunch for us? I have to get all the important information.

MS. CHRISTA BIG CANOE: I do understand that it was originally set for 12:00, the lunch break, so...

CHIEF COMMISSIONER MARION BULLER: Okay, I think let's stop. We'll stop now and reconvene at 12:30.

MS. CHRISTA BIG CANOE: Thank you.

--- Upon recessing at 11:43

--- Upon resuming at 12:39

MS. CHRISTA BIG CANOE: Chief Commissioner and Commissioners, I would like to start with our next witness. We're very fortunate, as we have been with all of the witnesses today, to actually have with us Mary Fearon. I anticipate that what you will hear from Mary is about providing services to sex workers here in St. John's. Before we get started, Mr. Registrar, I ask that you promise Mary in.

MR. BRYAN ZANDBERG: Good afternoon, Mary Fearon. Do you promise to tell your truth in a good way

today?

MS. MARY FEARON: Yes.

MARY FEARON, Affirmed

MR. BRYAN ZANDBERG: Thank you.

MS. CHRISTA BIG CANOE: And, Mary, I understand, before we get started, that you wanted to start with something?

MS. MARY FEARON: Yes. And, I would just like to respectfully acknowledge the territory in which we gather as the ancestral homelands of the Mi'kmaw, and Beothuk, and the Innu, and the Inuit and their ancestors as the original people of Labrador. And, I would also like to acknowledge that the presentation is a reflection of the work that I do at Thrive and the Blue Door Program, and myself as a clinical social worker, and to just acknowledge the women who are in my program and some of the voice that I will be sharing with you today.

MS. CHRISTA BIG CANOE: Thank you. And so, Chief Commissioner and Commissioners, we're putting Mary -- and, sorry, may I call you Mary?

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: Thank you. We're putting Mary before you today not as an expert, although you will note in her biography she has a Masters of Social Work and is a registered social worker, but rather, as an

institutional witness in terms of the frontline delivery and services that she does for non-profit organizations.

--- EXAMINATION IN-CHIEF BY MS. CHRISTA BIG CANOE:

MS. CHRISTA BIG CANOE: And, on that basis, I just have a couple questions for you, Mary, if I can start. Can you share a little bit, to the comfort level that you have, with us about you?

MS. MARY FEARON: So, I am a clinical social worker. And, I have worked with families for about 20 years in different capacities in the community. And, I went back to university at a late stage, and started working in social work, and then went back and did my masters to, kind of, move my work forward in a more clinical way, I guess.

And -- but I'm also a storyteller, and that's part of the work that I do in the community, is collecting traditional Newfoundland stories and sharing those with people. And, I am the Program Director of -- currently the Program Director of the Blue Door. But, before that work, I worked in Child Protection.

MS. CHRISTA BIG CANOE: I also understand that you have, for a number of years, you had indicated for many years in different capacities, working with families and youth as an educator and a community advocate. I also understand, too, though, if you could

tell me a little bit about what the Board of Gemma is?

MS. MARY FEARON: So, Gemma was an organization that was originally started to look at the promotion of infant mental health in our province and look at really advocating for policies, government policies, around understanding how early childhood experiences impact long-term outcomes for individuals. So, we were really looking at policies around child protection and, you know, ensuring around the poverty reduction strategy in Newfoundland, really trying to educate policy makers around the impact of social determinants of health in those early years and how that impacts long-term outcomes.

MS. CHRISTA BIG CANOE: Yes, and I understand you were the Chair of the Board of Gemma for some time?

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: Yes. And, not that we will be exploring that in great detail today, but obviously your work in the advocacy in the area of trying to promote the mental health issues of infants, it impacts even the work you do now; right?

MS. MARY FEARON: Definitely. And, having a good understanding of early experiences, and trauma, and stress, toxic stress, in a person's life can really influence where they find themselves later in their lives

and, really, is an indicate -- can be an indicator of, you know, outcomes that we're dealing with in our program around addictions, mental health and some of those issues.

MS. CHRISTA BIG CANOE: And so, Mary, we -- I understand we have a bio that was included in the material.

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: And, this, sort of, is your synopsis of the work you have done?

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: And, I'm going to just kindly request at this time, Chief Commissioner and Commissioners, if we can make this the next exhibit?

CHIEF COMMISSIONER MARION BULLER: Yes. Ms. Fearon's bio, I think that's the right...

MS. CHRISTA BIG CANOE: Yes.

CHIEF COMMISSIONER MARION BULLER: I'm sorry, I'm flipping through pages here.

MS. CHRISTA BIG CANOE: That's all right. Tab A.

CHIEF COMMISSIONER MARION BULLER: Ms. Fearon's bio will be Exhibit 60, 6-0, please.

--- Exhibit 60:

Bio of Mary Fearon (one page)

Witness: Mary Fearon, Director, Blue

Door / Community Youth Network

Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: Okay, thank you. Now, there was another document, and I think this is maybe a good way to start the conversation about the Blue Door and the work you're doing now. You provided an overview on October 13th of this year of the Blue Door. And, before we talk about it, I'm going to request that we also make this document an exhibit so that we have it in our materials. And, you prepared this overview; am I correct?

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: Yes. Chief Commissioner and Commissioners, may we please have this made the next exhibit?

CHIEF COMMISSIONER MARION BULLER: Yes. Overview of Blue Door, and I have this as a draft; is that correct?

MS. CHRISTA BIG CANOE: Yes, it does say draft. I think it's fair to say that we can strike the word "draft" now.

CHIEF COMMISSIONER MARION BULLER: Okay, as amended, I suppose, submitted by Ms. Fearon, October 13th, 2018 will be Exhibit 61, please.

--- Exhibit 61:

"Overview of Blue Door," by Mary Fearon, October 13, 2018 (six pages)
Witness: Mary Fearon, Director, Blue Door / Community Youth Network
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: Thank you.

CHIEF COMMISSIONER MARION BULLER: Thank you.

MS. CHRISTA BIG CANOE: And, Mary, if you can tell us a little bit about the Blue Door. We heard a glimpse of some of the work that the Blue Door does on Monday's testimony, but I would like to hear from you more about the Blue Door if we could?

MS. MARY FEARON: So, the Blue Door Program is a low- to no-barrier program that is offered for individuals in the community who identify as wanting to exit the sex trade. And, it's generally between the ages of 16 and 29, but we do have some expansion on that just because of the need. And, we offer intensive individualized services based on the individual needs of people who identify and want to be in our program.

And, we do have two coordinators or case managers. We have a teacher, and we have a therapist on staff, as well as myself. And, we really work in -- like

I said, intensively with individuals to allow them to develop goals around what they would like to do with their lives that might include housing, or mental health counselling, or support around addictions. Just navigating systems in our program -- other programs that we have, navigating the justice system. We really support them in trying to figure out what services are out there and meeting them where they are with whatever -- however they identify.

MS. CHRISTA BIG CANOE: And, if I could just explore that last concept a little further, in terms of meeting them wherever they are, I understand that Blue Door is an exiting program, but I also understand that you will provide services to anyone who comes through those doors?

MS. MARY FEARON: Absolutely. So, we really try to recognize that if someone comes in through the door and they identify as wanting to be engaged in sex work, but they would also like to exit, then we make as much room for them as anybody in the program. So, some people can identify when they come through the door that they have been exploited. Others can identify as wanting to engage in the work, or choosing to do the work. Wherever they are, we meet them there, and then we try to figure out what they want in terms of what that exiting

process looks like.

So -- and lots of our participants -- well, I won't say lots. Some of our participants are, you know, meeting just for individual counselling and recognize that they are still engaging in the work so that they can meet their needs until they can identify that they would like to change that. But, the long-term goal is that they all identify as wanting to exit.

MS. CHRISTA BIG CANOE: And, as you said, though, in -- and you have talked a couple times about this plan. So, if I understand correctly, Blue Door offers a number of wraparound type services, but that it's in creating a plan, but it's not your plan, it's the plan of the individual accessing your services, do I understand that correctly?

MS. MARY FEARON: Yes, absolutely. We do not develop plans that "this is how you exit". We look at what things they might identify as barriers to themselves, we may help them or support them in trying to identify those barriers throughout a process. But, if somebody says, like, "I want to be in the Blue Door and what I need is housing, and then -- you know, and I want to figure out how I'm going to get more money and figure out how I'm going to get to the doctor," then we will set those as the goals and we'll work towards those.

But, what we found is, as we have developed relationships, which is a key part of the program, we -- people are able to identify other things that they might need in their lives and we work towards developing that. So, we're always assessing what those goals look like. We spend a lot of time developing personal plans with individuals and, again, trying to figure what it is they need and not directing that, but supporting it.

MS. CHRISTA BIG CANOE: And so, is it fair to characterize that interaction, then, providing those services is really about listening and letting them be heard as opposed to dictating the services they need?

MS. MARY FEARON: Yes. Well, listening and being heard is key to building relationships, and also making space for people to trust that this is a place that they can come and share their story and there will be no judgment or no -- you know, whatever it is. And, we allow space for that and really just think about relationship.

MS. CHRISTA BIG CANOE: And, in building those relationships, I do want to, sort of, talk a little more about, like, Blue Door's creation and their funding and stuff, but before I even get there, I want to talk about the need for a service like Blue Door.

We heard both witnesses earlier today, one of the commonalities or one of the things that they both

spoke to is the issues of poverty, poverty as a driving factor regardless of where you are on the spectrum, whether you're looking at it as prostitution or sex work, that until we can resolve issues of poverty, we can't resolve any of the other concerns that sex workers experience. So, did the need for Blue Door drive out of that same issue of poverty?

MS. MARY FEARON: Definitely. It was one of the driving factors. One of the things that we see with a lot of our participants, particularly our younger participants, is survival sex. And, that idea that if they need to get a place to say, if they're homeless, then they will often trade sex as a means to get some other need met, whether it be housing or food. Food security is a big issue. So, yes, there was -- it was out of the need, that people are living in poverty in our province and across our country was certainly a big driving factor.

MS. CHRISTA BIG CANOE: And, the food security issue. So, one of the interesting things when I first read about Blue Door was often services that are provided are, kind of, siloed. So, they might provide counselling, they might provide housing, but you -- the approach that Blue Door seems to be taking is to look at the various different social determinants of health and see how you can help navigate through those systems. How

important is that to the work you're doing every day?

MS. MARY FEARON: It's definitely important, navigating systems, but more importantly, recognizing -- because we didn't necessarily recognize that food security was such a big issue until the participants started bringing it forward. And, what we noticed was, participants came to the group and we provided a meal, bigger numbers of people came to the groups when we provided a meal.

So, we realized that we were meeting a need and we talked about that, and people said, "Yes, like, when I come here and have a meal, I can take something home with me, it might be one of the only few meals I have in a week", so -- or "I can bring the leftovers home for my child". So, we try to really identify what the participants need and drive -- that drives the work that we then do.

MS. CHRISTA BIG CANOE: And, now, what is Blue Door? Is it a non-profit? How is it funded? What are the supports that Blue Door has in order to keep its doors open?

MS. MARY FEARON: Well, the Blue Door Program came out of research that the Community Youth Network, Thrive -- Thrive and the Community Youth Network in St. John's were approached by the province, and they

said, we want to do some research on what's happening out there in the community around the sex trades, sexual exploitation.

And so, they set about to do this research, and through that process, which I would suggest that the people who were doing the research knew that there were lots of people out there, youth particularly being exploited in the community, and they just wanted to bring that forward as a piece of information to the government to say, this is a big issue and we need to address it, because I think -- as Lanna said today, it's in the shadows and people were not talking about it.

So, we -- the research was done. The report came together. And, they realized that, yes, there was a need. And so, Thrive and CASEY, which is the Coalition Against the Sexual Exploitation of Youth, came together and put a proposal together to apply for federal funding for the Blue Door Program. And, we were funded for a five-year project, and that started about 18 months ago and will run till 2020, February 2020.

MS. CHRISTA BIG CANOE: And, what happens February 2020? I guess you don't know yet?

MS. MARY FEARON: That's a very big question. So, it really puts our program in a more precarious place around this kind of urgency around making

sure we're supporting people. We don't want to -- we recognize that the exiting process is an incredibly long process for people when you're dealing with -- sometimes with addictions, mental health, poverty. You know, we have to work down through the chain of getting people's needs met.

So, we may find somebody housing, and then try to stabilize that housing, then try to figure out how to get them, if they recognize that they'd like to get -- work towards an education, then we work towards that. If they want to get some job skills, we're working towards that. Then, we're getting down to maybe after a period of time developing a relationship that they feel they can go into the therapeutic relationship. As we know, that's a long process as well.

So, it's really -- and we want to make sure, when people have times in their lives when they're finding it more stressful -- Robyn talked about that this morning, that, you know, being triggered throughout her life, this process of trauma, you know, making space that when people have those triggers in their lives throughout periods of time, that we have a place that they can come back to and say, I'm supported, and not have to, you know, go down a different route.

So, we recognize that the process is long.

And, we've got a wait list, and we want to make space for those people on the wait list. But, we also hear our participants saying, "I should leave now, because I'm really -- like, my addictions are under control. I don't think I should be taking up the space, there's somebody on the wait list." And, we're saying, "No, let's just -- we'll figure this out."

So, it's a lot of navigating when you don't have the prop -- I mean, we've got good funding for the small program we offer, but when you look at the long-term of what we need in this country, that it's not -- five years is not a sustainable time. We're doing the best we can with the time we have, but...

MS. CHRISTA BIG CANOE: And, if I understand, Blue Door, it's not cultural specific, you welcome anyone through your doors?

MS. MARY FEARON: Anyone who is male, female, non-binary, LGBTQ, anybody in the community who identifies that they are engaged in the sex trade and would like to move toward exiting.

MS. CHRISTA BIG CANOE: And, on that basis, though, can I ask, you know -- and I'm not looking for specific numbers and I'm certainly not looking to have, you know, any client exposure or disclosure. But, can you give us a sense of, either through your partners, CASEY

and Thrive, or Blue Door, what -- how many of those are Indigenous? Are you seeing any trends with Indigenous people accessing your programs?

MS. MARY FEARON: Yes. Well, we definitely see a higher number of Indigenous women -- people in our program. We have seven out of the 21 participants in our program currently identify as Indigenous. So, that's about 33 percent, you know? So, it's a high -- I would say it's a high number, when you look at the numbers of Indigenous people in the province.

MS. CHRISTA BIG CANOE: And so, you've talked a couple of times -- you've talked both about Thrive and CASEY, I'm wondering if you can give us a little context about these partners, like what services they are, and what they do and how they interact with Blue Door?

MS. MARY FEARON: Well, CASEY is a really important partner with the Blue Door. So, CASEY is a group of community members and people with lived experience who came together to develop the Coalition Against the Sexual Exploitation of Youth, and they are really trying to educate and advocate for you know, changes within our government and within programming to ensure that we recognize that there are a lot of youth being targeted and that it's a big issue in our province.

So, they're really working on that end, and the Blue Door is working to just support people who identify and want to exit. And, we're working together because we really see that piece of experience and lived experience as a critical piece of the work that we're doing. So, participants in our program can kind of transition into a team, EVOLVE, which is the experiential learning team, and they can work - if they identify, when they transition in our program - to be part of that voice of lived experience in the community.

And, we recently had -- Sue McIntyre came to do some -- she was doing some research, Dr. Sue McIntyre, and she wanted the voice of lived experience in the research she was doing, as well as professionals in the community. And, we had seven people at the table from the Blue Door and from CASEY who were the voice at those consultations, which was really, very empowering for both us as professionals and the women also spoke about that. So, we really see the role of the lived experience as critical as we move forward.

So, any of the work that we do, do in partnership with CASEY, I'm always consulting with those, because the person who's heading that up is someone with lived experience. So, I often consult with her, because she has given me great insight into the lack of knowledge

I have had about what it is to be in the sex trade.

MS. CHRISTA BIG CANOE: And, you spoke about EVOLVE as the empowering voices of lived experience, the education program. Can you just share a little bit more about what EVOLVE is?

MS. MARY FEARON: Yes. So, EVOLVE is, again, when people transition out of the Blue Door Program and are ready to, kind of, shift to a new place. They can -- they have the option of working with the team. We currently have three people on our EVOLVE Team who are out educating people about sexual exploitation of youth, in particular.

And so, they're working to -- they -- the people who transition out of our program can shift into this process of being educated about what the work looks like of being the voice of lived experience. And, we really see a peer mentoring part as a big part of how we're shifting towards our program in Blue Door.

We really want more people with lived experience coming in and running our groups, supporting our programming. And, we see this opportunity of people who come through our program and move into the EVOLVE Team being able to be that part of the voice that comes back and is participating in the running of programs and supporting the, I would say, the cause of education around

that whole -- the sexual exploitation of youth.

MS. CHRISTA BIG CANOE: I noticed in the overview you provided, you did talk about participants and some of the statistics. You have already helped us understand, sort of, the Indigenous women or the 33 percent. Is there any other, sort of, notable things we should be thinking about in terms of the Blue Door participants in terms of what you have provided us in the overview in terms of age range or, you know, the types of -- the indicators of social determinants of health?

MS. MARY FEARON: Yes. So -- well, a couple of things. One is that we recognize that 95 percent identify as living in poverty when they come into our program, so poverty is clearly a big indicator; that 79 percent have had some kind of addiction, or currently are dealing with addictions, or recovered from addictions.

And, we also recognize that food security is a big issue; mental health. When we look at the top issues that people identify, it's probably homelessness, which is equated to poverty, of course, and mental health; transportation, because often we have programs that we can support -- program support people, but they don't support them to get there. So, we certainly offer all of that. All of our staff have -- can drive people around to their different appointments and programming, and so on.

So, yes, and -- but what we really -- the other thing we notice is that about 21 percent are under the age of 18 or -- so that, again, speaks to -- when you think about sexual exploitation and being under the age of 18 being a criminal offence to be doing sex work, that's a fairly high number, I think, when we think about that. And, 15 percent are 19- to 25-years-old; and 24 percent are 26- to 30-years old; and then 32 percent are over 30-years-old.

And, that's one of the other things about our program that's interesting, because our mandate is 16 to 29, but we're finding a lot of older women coming to our programs, and that's many of the people on our waitlist, you know, need services and supports as well, the women in our communities, but we're -- we do take people over -- clearly, the 32 percent are over 30 but, again, just meeting the needs of those different age ranges and age groups.

So, there's a lot of social isolation that participants talk about too, that they really don't have access to supports, and we heard that a couple of times. People are in the work, and when they're ready to get out, they don't know where to access the support and community that understands the work that they do.

And, we often hear our participants talk

about how the Blue Door creates an environment for community. They can talk about their sex work openly, they can talk about their experiences of sexual exploitation or choice openly in these spaces, and that has been really something for me to observe as the director to recognize how important community is, specifically for this particular population, that it's they identify in a way, and because there's so much shame and stigma attached to this particular kind of work, or this -- yes, that it's -- there's not much space for that.

And, this -- our program really allows that, and participants talk a lot about how this community creates a space for them to talk about it. And, the process of talking about them -- about it allows them to see that they're not in isolation with the experiences they have for feeding their families or, you know, choosing this work to feed their families, or choosing this work to do whatever their -- the reasons they're choosing it and they're recognizing they're not alone. So, it's been really -- that sense of community has been really important.

MS. CHRISTA BIG CANOE: And, there's mention of one of the studies that have influenced the work. Its acronym is ACE, the Adverse Childhood of Ex Study. Can you tell us just a little bit about that?

Because I think that helps contextualize and I would like to know why it's important and how it works.

MS. MARY FEARON: Yes. So -- and I don't like -- I recognize that -- before I start with the ACE Study, I recognize that there's a lot of predictors, and it's not only that people have these experiences, and then they have this other experience. It's so much bigger than that, so I don't want to say everybody who has early childhood adverse experiences comes to here, or that people aren't resilient. I really want to recognize that's an important part that we really recognize the resilience of the participants that come to our door, because they come through the door, first of all, and they're standing there before us with often really difficult stories.

But, when we -- one of the parts that we do with our program is we do the ACE Study. And, the ACE Study is the adverse effects of early childhood experiences, and it assesses things like living -- there are indicators. There are nine indicators, and they look at things like growing up in a house with violence, someone -- a parent who's been incarcerated.

They look at growing up in poverty. They look at all nine different indicators, having a parent with mental illness. And then if -- they have looked at

these studies and said that more indicators, more of these adverse effects in your early experience are more indications of health -- physical health and mental health, kind of, issues that can come forward for people.

And so, we do the ACE Study with our participants after we have developed a relationship with them and we feel that it's the right time. And, we have noticed that many of the participants in our program have identified that at least they have three or more of these indicators in their lives. And when we look at the Indigenous women, two in particular I can think, two Indigenous women in our program have identified eight of the nine experiences, adverse childhood experiences in their lives.

And I think it really, again, speaks to the issues around -- back to my early work around Gemma, how do we support families to not live in poverty? How do we support families to be able to have -- you know, be supported with their mental health, with their addictions, with all of these other experiences that might be indicators of further trauma in their lives?

MS. CHRISTA BIG CANOE: And just in terms of, like, you had mentioned that with the participants in your program, specific ones that identified, but a number of the -- just for purpose of the record too for anyone

who might be ---

MS. MARY FEARON: Yeah.

MS. CHRISTA BIG CANOE: --- following along on the webcast and doesn't have this document right in front of them, it might be helpful to just identify what the adverse experiences are listed as, for example, the emotional ---

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: --- abuse or the physical abuse.

MS. MARY FEARON: Okay. So I'm just going to pull that up in front of me so I have that. I have it here.

So, from the study that we did -- well, first of all, a hundred per cent of the participants identified as having some adverse experiences in their early childhood years. So 73 per cent identified emotional abuse, 40 per cent physical abuse, 47 sexual abuse, 80 per cent neglect, 93 parents were divorced or separated, 60 per cent mother or stepmother was treated violently, 80 per cent lived in households with substance abuse, 87 per cent had a household member who experienced mental illness, and 40 per cent had a parent who was incarcerated.

So when we look at those numbers we

recognise that there's some connection between those kinds of experiences and the experiences that they may be facing in their lives when they come through our doors.

MS. CHRISTA BIG CANOE: And if I could just -- if we could kind of change gears here a little, one of the reports that's at Tab E that you provided to us is "It's Nobody's Mandate and Everybody's Responsibility: Sexual Exploitation and Sex Trade in Newfoundland and Labrador." And I understand it was a document created in partnership that went, am I correct, to the Government of Newfoundland?

MS MARY FEARON: Yes. So that was funded by the Government of Newfoundland and the Women's Policy Office. And that was what we were talking about earlier, Thrive. That's why the Blue Door kind of came together was Thrive, the Community Youth Network recognised and CASEY recognised that this was an issue that youth were being exploited in our communities.

And so the government funded, with the Women's Policy Office, to sponsor the research. And CASEY developed the research. And over a hundred participants were interviewed and that included people with lived experience, professionals in the community. And they came up with this report that clearly identified that we had this issue in our communities that youth were being

exploited and that we needed -- sexually exploited and we needed to do something.

Unfortunately, that was in -- it was finished in 2010 I think and -- or 2011, and it was shelved by the government at the time and has only recently been released. And 20 per cent of that document has been redacted to protect -- the government of the day has said to protect the people who were interviewed and the people that were questioned about the work that they were doing or the experiences they had.

MS. CHRISTA BIG CANOE: So if I could just touch on that redaction we do see in the report, it seems to come up when there's informants or key informants.

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: But if I understand, when this report was written, there was no use of, like, direct names, but when -- I'm trying to understand why we get a report back that has this much redaction in it.

MS. MARY FEARON: Well, I can't really speak to that because it was not during my time, but what I can say is that the current government did finally publish this on the government website and that was what they decided to do.

MS. CHRISTA BIG CANOE: And so without

knowing, it could be possible that to protect information this is why we see so much redaction. So this was a report that was given to the government and the government releases the report, but only does it publically in a redacted format. Am I understanding that correctly?

MS. MARY FEARON: Yes, and it came out a number of years after. So the participants who were -- like CASEY, for example, and Thrive were given a copy of the full document.

MS. CHRISTA BIG CANOE: Okay. Is there anything else that you wanted to add in particular about this report?

MS. MARY FEARON: No.

(LAUGHTER)

MS. CHRISTA BIG CANOE: But you are familiar with and have read the report in your ---

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: --- capacity at Blue Door?

MS. MARY FEARON: I have. Yes.

MS. CHRISTA BIG CANOE: On that basis, Chief Commissioner, Commissioners, I'm going to ask that we enter this as the next exhibit, please.

CHIEF COMMISSIONER MARION BULLER: Certainly. For the record, Exhibit 62 is the redacted

version of It's Nobody's Mandate and Everyone's Responsibility: Sexual Exploitation and the Sex Trade in Newfoundland and Labrador by the ---

MS. CHRISTA BIG CANOE: Thrive and CASEY I believe.

CHIEF COMMISSIONER MARION BULLER: Thrive and CASEY.

MS. CHRISTA BIG CANOE: Yes, Thrive and CASEY.

CHIEF COMMISSIONER MARION BULLER: April 2011.

MS. CHRISTA BIG CANOE: Thank you.

--- EXHIBIT NO. 62:

Redacted version of "Overview of Blue Door and Everyone's Responsibility: Sexual Exploitation and the Sex Trade in Newfoundland and Labrador," Community Youth Network, (pp. 1-119 **Note:** pages 4, 6, 10, 33, 64, 76, 102, 108, 110 not included in PDF)
Witness: Mary Fearon, Director, Blue Door / Community Youth Network
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: Now, I just wanted to talk to you a little bit about the outreach that Blue Door is able to do, either by themselves or through partners, because often, you know, youth are fairly dynamic. They're into social media. They're, you know, catching attention. Often we hear, oh, we got to catch their attentions in a good way. What are some of the means and mechanisms that you do outreach?

MS. MARY FEARON: Well, we -- originally when the Blue Door program started we were actually out on the street trying to connect with people. We were reaching out to other community partners, connecting with Stella's Circle. We were connecting with the RNC. We were connecting -- which is the police. We were working with anybody in the community, youth or other youth organisations, and, of course, the people who come through the doors of Thrive.

So we had developed some media that we developed and there was a series of reports that came out on the radio and on television. We also developed some posters, because a lot of people think of sexual exploitation as being kind of being caged, that whole idea of what sexual exploitation of youth looks like, but we wanted to make sure that people understood that's survival sex and any kind of transitioning of, you know, needing to

have your basic needs met could -- and you were under the age of 18 was being -- you could be considered exploited.

So we really tried to change that image of what sexual exploitation looked like. So we developed that poster which ---

MS. CHRISTA BIG CANOE: I believe we do have a poster to put up. Oh, and sorry, could we get the other one, please, first? The one that's titled "Sexual Exploitation is Here."

We do -- if we can actually pull up the first you had up then, "Are You Involved?" Yeah.

MS. MARY FEARON: So we developed some print material. And we have actually had -- we recently had somebody come into the office and put an application in for the Blue Door program. She said she saw this poster in a hospital and she was in an emergency room and she immediately called the number and was -- the hospital is close to our office, so she just walked down the street, came in. She's currently on our waitlist.

But one of the things that we did was -- which I wanted to talk about, but we realise that people come through the door. They can't just be left on a waitlist. We needed to do something. So we switched our educator. As part of her job now is to reach out at least once a month and figure out what people -- what we can do

to support them in the time while they're waiting.

And we've had -- this woman who came through the door that day, she said, "Like, I really just need some basic skills. I'm -- you know, I practice in homecare, but I haven't worked for a long time due to my addictions and I really just want to go back to that, but I need some basic skills and I thought you might be able to help me." And so we have and she's gone on to do those things. So, the posters really work.

The other thing that we developed was we developed these business-like cards, but our Blue Door card, we don't have anything on it except our phone number. And so, when we meet with people and they're interested in our program, they can have that emergency -- that number as somewhere they can call, but it doesn't necessarily identify what the number is for, because if they're being exploited or being managed by somebody, that's a safety issue. So, we really try to make sure that we weren't exposing anybody.

MS. CHRISTA BIG CANOE: I know the cards, like, literally does have no -- it just has the picture -- the same picture of the Blue Door on it. It looks almost like it's just any regular old business card. And, there's -- but there are other small ---

MS. MARY FEARON: Yes. So, we have the

small card with all the information about who we are and what we do that we have out, and we do have those at different place in the city with -- you know, there's a pole dancing place in St. John's; they keep our cards down there. There's different community agencies, like I said, that are working with people in the justice system more.

Youth agencies, we keep our cards around so that people can have them, and we're finding in the early days, we had more agencies making referrals for our program, but now we're getting a lot of self-referrals, which has really shifted how things -- our information is getting out there, is through word of mouth.

People are finding -- were fining big changes in the -- lots of the participants who come to our program are really making major changes in their lives, and it's really wonderful to watch, so they've been talking about it. Other people who are using our services at Thrive, like our needle exchange, see those kinds of changes. They then recognize it's something that they might be able to do, so they've been coming in and accessing the services.

And, the same as the word is being spread by worth-of-mouth really, now, a lot more, but recognizing that we want to change how people see sexual exploitation in our province and across the country so that youth don't

get themselves in predicaments where they're being exploited.

MS. CHRISTA BIG CANOE: And, just for the purposes of the record, this was Legal's error not providing it to AV, but in the materials for parties with standing and in front of our Commissioners, part of the poster campaign that was an example is the sexual exploitation is here, and the clear message is, they do it for food, shelter and survival. And then if I understand, is there anywhere, like online, or were these just ---

MS. MARY FEARON: Yes, you can find ---

MS. CHRISTA BIG CANOE: --- found in the community?

MS. MARY FEARON: You can find these -- oh, I can't -- anyone can call my office and we can get them out to people, if they'd like. So -- or they can e-mail me.

MS. CHRISTA BIG CANOE: And, just for the purpose of the record, Chief Commissioner and Commissioners, the one poster that's at C, can I kindly ask that that be made the next exhibit?

CHIEF COMMISSIONER MARION BULLER: Yes. Exhibit 63 is Sexual Exploitation is Here poster.

--- Exhibit 63:

"Sexual Exploitation Is Here" poster

(one page)
Witness: Mary Fearon, Director, Blue Door / Community Youth Network
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And then at Tab D was the Are You Involved poster.

CHIEF COMMISSIONER MARION BULLER: Exhibit 64 is the Are You Involved poster.

--- Exhibit 64:

"Are You Involved?" poster (one page)
Witness: Mary Fearon, Director, Blue Door / Community Youth Network
Counsel: Christa Big Canoe, Commission Counsel

MS. CHRISTA BIG CANOE: And, I understand, Mary, that you do have some recommendations ---

MS. MARY FEARON: Yes.

MS. CHRISTA BIG CANOE: --- based on from, you know, your experience and the services you provide. I was wondering if you could share those with the Commissioners and those in attendance today?

MS. MARY FEARON: So, I guess the recommendations are really connected to ongoing long-term support of programs such as the Blue Door. And, more

programs like this. The financial support for programs like CASEY, because it's really important for the voice to be heard about what childhood -- you know, the sexual exploitation looks like, because we know that our youth are being targeted, particularly those who are more vulnerable in our communities, those in care, in group homes and -- so we really need to support that process of educating people about that.

And, providing CASEY training for everybody in the community, including other service providers like the police and nurses in our community, because we see a real problem with how people are managing the participants that we see. They often feel very stigmatized by people they have to deal with in the community, including if they have to go into a hospital for services.

If you don't understand what sexual exploitation can look like, then you don't know what you're -- who you're supporting. And so, I might not recognize the signs about somebody trying to even identify as wanting to exit or be supported.

So, yes, I would definitely -- and again, back to that thing of long-term supports so that there's not such urgency around the work that we're doing. The other problem with the short-term funding is keeping staff, and it's really important when you're developing

these relationships with participants that there's some consistency there.

We really -- you know, we recognize that the staff that are coming -- and the time is coming close to the end of our -- you know, when it gets close to the end of our time, the people are thinking about their job, their own security -- job security. But, when you have -- you're waiting, you know, it's this much time, you're going to work, then -- you will see more turnover in the position, I think. And, it does impact the quality of programs that we're running.

So, it's really important that there's that sustainability funding from that perspective, too, so there's less urgency around the programs we're running and that we can continue to keep really good staff that are connecting with the participants and really making those -- because connection is one of the strongest, you know, supports that we can offer people, is to feel like they have a purpose and a belonging.

MS. CHRISTA BIG CANOE: And, just -- I want to maybe tie one thread back together because I keep going back to this, what we've commonly heard, despite the varying opinions as -- I mean, we heard from both Robyn and Lanna the stigmatization issue, and we've heard about it when they try to, you know, receive services, or in

medical -- when they're dealing with police, and it doesn't seem to matter where a person finds themselves in the spectrum of the politics of prostitution. What they find is that the society is not supporting them or meeting them where they're at. And, you started with that's a really important component of what Blue Door does, and that's one of those common threads.

So, what is it that you and your staff do to ensure that you're not stigmatizing anyone who does walk through the door?

MS. MARY FEARON: Well, I guess for us, we really just try to listen and allow people to be where they are, and not have -- you know, like, if people identify as really feeling like this is work they want to do, they want -- but they just want to think about the long-term changes for themselves, or when they come in and ask, you know, about anything that they ask about. One of the things -- okay. It's not a complicated question. What we do is we just open our doors and welcome people in and listen, is what I would say.

But, when I first started working at Thrive, the first thing that struck me in their -- and my office is right outside the needle exchange. People come through the door and they would ask for whatever they needed, you know, can I have a bag of longs or, you know,

some pipes and cookers? And, there was never a moment when that person felt that they couldn't -- they didn't have the right to ask for that. And, people would often say -- I would hear them say, you know, I used to have a job and I, dah, dah, dah, and they'd justify why they were there. And, the participants would just smile and say, like, "We're really glad you're here and no judgment in anything that you're doing right now."

And, we really -- I think Thrive is an organization, and the Blue Door, really operate from that value of, we want to support you, and wherever you are in your journey, we will try to do that without judgment. And, we recognize that people are doing the best they can with where they are in that very moment, and it takes a lot of courage to walk through a door and say, "I need help." And, the women come through it.

And, every day, when we sit around in our staff meetings, we talk about just remembering that this is about a person who wants to be supported, and they may not have anybody else in the world, so we always try to be respectful and recognize that they have the choice to choose whatever they want to do in their lives and all we can do is try to ensure they're safe and that they know, no matter where they are in their journey, they can walk through our door and we'll be there.

MS. CHRISTA BIG CANOE: Thank you. Chief Commissioner -- unless there's anything else you would like to add, Mary?

MS. MARY FEARON: No, that's good. Thank you.

MS. CHRISTA BIG CANOE: Chief Commissioner and Commissioners, this actually concludes my examination-in-chief of all three witnesses. It's at this point that I'm going to kindly request a 15-minute break, so that we have the opportunity to do the cross-verification process. And, sorry, I'm actually going to ask for it to be 20 because the parties with standing will also need a short break. If we could make it 20 minutes, that will allow for a break and the verification process to occur, so we can come back into cross-examination.

And, the only other thing I would like to say, and I understand that Dr. Bourgeois is still listening to us, is that I want to thank each and every single witness for participating and sharing your stories, your experience, your positions. As I said at the beginning of today, it's not easy to stand in sometimes positions that aren't necessarily popular, or it's tough to have this dialogue, but this dialogue is important to be heard and listened. And so, I just wanted to thank each of you for your contribution.

And, on that note, I would request kindly a 20-minute break.

CHIEF COMMISSIONER MARION BULLER: Twenty minutes.

--- Upon recessing at 13:29

--- Upon resuming at 13:54

MS. CHRISTA BIG CANOE: Thank you. Commissioners, we'll have a list brought up to us momentarily, but I do know the first parties to call. Before we go into cross-examination, just for the awareness of the witnesses and for the record, and what have you, we have a rule that now doesn't let me speak to the witnesses in terms of their testimony. Of course I can ask them, do you want water or other questions, it's not a prohibition in talking to them, it's that I can't talk about the evidence they've given until cross-examination is complete. I just want them to know that, so that if they're looking at me for a response, they don't think I'm just ignoring them, for one thing.

The other thing is, you know, given all that we've talked about today and the differences in opinions, I just want to make a gentle reminder that this is pursuant to Section 7 and 53, a trauma-informed process. And so, we just want to be careful and kind in our questions and keep that in mind. We had at least two

panel members today share their lived experience, so I'd just ask you, as a gentle reminder, to keep that in mind.

And, just also for the purpose of the record, I am just going to make it really clear. Aside from the issue of there potentially being the position that there's not enough time to ask questions is a completely separate issue, I will be keeping tight time today. I will -- and the way that we do this -- and it's not always easy. But, the way that we do this as Commission counsel, and you guys have the clock up there, is when you're coming into your last minute, if you ask a question before your time is done, we always let the witness answer. We always let the witness answer. Otherwise a question is left out hanging.

But, if you feel like I'm cutting you off, I'm going to be even handed in doing that today, and I'm going to ask counsel to kindly be aware of your time because in fairness to all other parties who have the same base time allotment, we don't want it to appear like some parties are getting more time than others.

And, I just want to put right on the record that it will be my goal today to keep everybody on tight time, and that's just part of my job acting in the public interest, and it's never anything personal. It's just to keep us moving along in a good way today.

On that note, I would like to invite up as the first party with standing to ask questions, Native Women's Association of Canada. Ms. Virginia Lomax will have nine-and-a-half minutes in her cross-examination.

--- CROSS-EXAMINATION BY MS. VIRGINIA LOMAX:

MS. VIRGINIA LOMAX: First, I want to acknowledge the spirits of our stolen sisters who are in the room with us today. I want to thank the elders for their prayers and acknowledge the sacred items that are in the room with us. I also acknowledge that we're on the homeland of the Beothuk, Mi'kmaw, Innu and Inuit people, and I thank you all for your hospitality so that we can do our work here in a good way today.

My first questions are for Dr. Bourgeois. May I call you Robyn?

DR. ROBYN BOURGEOIS: Absolutely.

MS. VIRGINIA LOMAX: Thank you. Would you agree with the statement that violence takes on many forms, including emotional violence against a person or a community?

DR. ROBYN BOURGEOIS: Yes.

MS. VIRGINIA LOMAX: And, would you agree that being required to demonstrate that your well-being is important is violent?

DR. ROBYN BOURGEOIS: Yes.

MS. VIRGINIA LOMAX: Would you agree that communities and organizations are often required to apply to the government for funding to support community engagements, community-based research and community-owned research, including research geared towards improving the lives of Indigenous women, girls and gender-diverse people?

DR. ROBYN BOURGEOIS: Yes.

MS. VIRGINIA LOMAX: And, would you agree that these applications require organizations and communities to use colonial metrics to quantify the value of their community's well-being, essentially that Indigenous women's groups and communities must demonstrate that their lives are worth the research and funding?

DR. ROBYN BOURGEOIS: Yes.

MS. VIRGINIA LOMAX: Would you agree with the statement that requiring Indigenous communities and organizations to demonstrate their worth and the value of their personal and community well-being over and over again constitutes violence against a community?

DR. ROBYN BOURGEOIS: Yes.

MS. VIRGINIA LOMAX: And so, then, following this train of thought, when Indigenous communities and organizations are required to quantify the value of Indigenous women and girls and gender-diverse

people's lives, they are experiencing violence from the government?

DR. ROBYN BOURGEOIS: Yes.

MS. VIRGINIA LOMAX: And, in your expert opinion, if Indigenous women and girls and gender-diverse people, and the communities and organizations to which they belong, have to demonstrate the value of their lives repeatedly in order to receive even unstable funding for community engagement, community-based and community-owned research, and through this process experience violence, does this reality exacerbate the epidemic of violence against Indigenous women, girls and gender-diverse people?

DR. ROBYN BOURGEOIS: Absolutely.

MS. VIRGINIA LOMAX: Would stable reliable funding for Indigenous women, girls and gender-diverse people's communities and organizations, where they are not required to quantify their life's value according to colonial metrics, be part of a solution to the serious epidemic of violence?

DR. ROBYN BOURGEOIS: Yes.

MS. VIRGINIA LOMAX: And so, now that we have established this violence, can you comment on how this violence has been used as an instrument of the colonial government to further assert the colonial government's authority over the lives and bodies of

Indigenous women and girls and gender-diverse people? And, please feel free to use NWAC's Sisters in Spirit initiative as an example.

DR. ROBYN BOURGEOIS: Thank you. That's a really important piece of the research I did. I spent a lot of time actually with the Native Women's Association of Canada, and I spent a lot of time really meeting and talking with people like Kate Rexe, who was involved, and Katherine Irngot (phonetic), and others who were involved throughout Sisters in Spirit. And, what I've argued again and again is that there was a systematic dismantling of Sisters in Spirit and the efforts to address missing and murdered Indigenous women and girls by the Government of Canada. And, it was step-by-step-by-step.

I remember -- in terms of getting funding, I remember going to see Kate Rexe in 2009, right at the end
-- kind of towards the end -- it was December-ish, and it was towards the end of funding for the initial Sisters in Spirit project, and she said to me -- I'll never forget this. She said, "How big is an annual report? For other organizations you've been involved with, what does that look like?" And, I said, "Oh, you know what? Most times -- you know, I've been involved in a few -- they're, you know, maybe at the most 100 pages. Maybe." And, she

looked at me and she said, "Come and check this out."

And, I remember walking into the room with her and she had literally, I think, seven or nine, three-inch binders stacked on top of each other. And, she said to me, this is the annual report that we had to put together to secure -- to kind of, you know, justify the funding we had received, but also to make the case for future funding. And, it was, like, every single document, every speech, every little piece of paper that the organization had put together. And, all I could think of at the time was, this is a government surveilling this particular organization and the work it's doing.

And then the aftermath confirmed that for me, because what I watched is over the next, you know, 10-or-so years, that Stephen Harper's government systematically targeted NWAC. I remember having a conversation with Kate again about the transition between the first phase of funding from 2005 to 2010 for Sisters in Spirit, and then into -- from evidence to action. And, she kept telling me that one of the things that was done again and again, for example, was that they would be given a point person, a contact person within the Status of Women for example, who would be, kind of, their contact to go through the process of getting more funding. And, that person was changed multiple times over the course of a

year.

And, what happened was that every time they changed that person, the file had to start all over again. And so, that's one example. But, then, I saw, you know, the reduction in funding, I saw the elimination of the research database which was so important. I saw them limit the use of the name "Sisters in Spirit" and this incredible international recognition of this organization. And, I saw them do it again at the end of funding from Phase II, from evidence to action. And, I saw them do that again in the next phase.

And, we have just drastically -- I think I was giving a talk about this recently, and I think we worked out the budget cut to be a reduction of 75 percent of the original funding agreement for Sisters in Spirit. So, if that isn't systemic colonization of Indigenous women's resistance and their labour and their energies, I don't know what is.

MS. VIRGINIA LOMAX: And so ---

DR. ROBYN BOURGEOIS: And, the only thing I would -- sorry, yes, go ahead.

MS. VIRGINIA LOMAX: Sorry. And so, would you agree then with a statement that it's in the colonial government's best interest to keep Indigenous communities and organizations grasping for funding year, after year,

after year?

DR. ROBYN BOURGEOIS: Absolutely.

MS. VIRGINIA LOMAX: And, would you agree that it's also in a colonial government's interest to have Indigenous communities and organizations fighting against one another for the same funding?

DR. ROBYN BOURGEOIS: Absolutely. It's a divide and conquer strategy. If we get everybody in competition for a very, you know -- a constructed limited pot of money, because that's what really it is. We can find money if we want to find money, but it's a constructed limited pot, and then we put everybody in competition for it. It's divide and conquer, and that is, you know, a very specific colonial strategy.

MS. VIRGINIA LOMAX: And so, even if this divide and conquer strategy that you're talking about, maybe it's not intentional, maybe it's not conscious, but it's still having the same result?

DR. ROBYN BOURGEOIS: You know what? I wouldn't even go as far as saying it's not intentional, because I'm pretty sure it is intentional. You know, specifically, I can talk about Harper but, you know what? His politics were very clearly colonial and very directed at the elimination of Indigenous peoples in all aspects. And, I think it was intentional and I think it was on

purpose. I think it's a little more ambiguous with Trudeau, but I don't think he's getting to the point yet where he is still not practicing those same colonial policies. So, I think it's intentional.

MS. VIRGINIA LOMAX: Thank you for your testimony today. And, Ms. Moon Perrin ---

DR. ROBYN BOURGEOIS: Thank you.

MS. VIRGINIA LOMAX: --- may I call you Lanna?

MS. LANNA MOON PERRIN: Yes.

MS. VIRGINIA LOMAX: First, I wanted to thank you from the bottom of my heart for your work as a water protector and a land protector. You told us today that you used your earnings from sex work not just to feed and house yourself, but also to engage in land protection work; is that right?

MS. LANNA MOON PERRIN: I have, yes.

MS. VIRGINIA LOMAX: And, is it fair to say that this is because no one is paying you to protect the land?

MS. LANNA MOON PERRIN: Yes.

MS. VIRGINIA LOMAX: And, in your experience as a land protector, do you think it's important that the Canadian government protect sacred lands like the mountain you spoke of earlier that was

having a ski resort built on top of it?

MS. LANNA MOON PERRIN: Pardon me? Could you just reframe that question? I didn't understand it.

MS. VIRGINIA LOMAX: Sure. So, do you think it's important for the Canadian government to make efforts to protect sacred lands that have such significance? You had spoken about the mountain that was having the Olympic ski built on top of it.

MS. LANNA MOON PERRIN: I think that there are already laws in place to protect those sacred lands that the Canadian government needs to pay attention to.

MS. VIRGINIA LOMAX: Thank you so much. Those are all of my questions. I'm out of -- well, they're not all of my questions, but I'm out of time.

MS. LANNA MOON PERRIN: Thank you.

MS. CHRISTA BIG CANOE: Thank you, Ms. Lomax. Next, we would like to invite up ITK. Ms. Elizabeth Zarpa has 11.5 minutes.

--- CROSS-EXAMINATION BY MS. ELIZABETH ZARPA:

MS. ELIZABETH ZARPA: Good afternoon. My name is Elizabeth Zarpa, and I'm legal counsel representing Inuit Tapiriit Kanatami, which is a national organization that represents 60,000-plus Inuit from the four land claim regions known as Inuvialuit, Nunavut, Nunavik and Nunatsiavut. ITK also represents the growing

number of Inuit who are leaving their homes to reside in urban centres like St. John's.

I want to acknowledge the original inhabitants of these lands within what is now Newfoundland and Labrador and Nunatsiavut, namely the Mi'kmaw and Beothuk of Newfoundland, and the Inuit of Labrador, and the Innu of Labrador. I stand on the shoulders of my Inuit ancestors who worked hard to allow me the opportunity to be here today. I acknowledge the presence of my fellow Nunatsiavut elder, Ms. Sarah Ponniuk, nakurmiik for keeping the qulliq lit all week, and I want to thank all the staff, and my colleagues and the Commissioners for your continued hard work throughout this very difficult week.

My questions will be prominently for you, Ms. Fearon, and also you, Ms. Moon Perrin. I have a lot of ground to cover, so I'm going to try and move quickly through these. Ms. Fearon, are there Inuit women who are involved with sex work within St. John's?

MS. MARY FEARON: Yes.

MS. ELIZABETH ZARPA: And, how do you -- in brevity, how do you know that?

MS. MARY FEARON: Because they have self-identified.

MS. ELIZABETH ZARPA: Okay. And, in your

testimony, you highlighted that you meet women where they're at when they come into the Blue Door Program, and the plans to exit are individualized; correct?

MS. MARY FEARON: Yes.

MS. ELIZABETH ZARPA: And, the reason for that is because the need of each individual woman is unique?

MS. MARY FEARON: Yes.

MS. ELIZABETH ZARPA: And, in the overview of the Blue Door Project, which is Exhibit 61, at page 4, it outlines that 7 of the 21 people in the project are Indigenous. Can you please highlight how you know these individuals are Indigenous?

MS. MARY FEARON: All of these women self-identified as Indigenous women in the community.

MS. ELIZABETH ZARPA: Okay. And, in your experience with Blue Door and working with Indigenous women and Inuit women within the sex work industry within St. John's, would you say the needs of Inuit women specifically are different, say, from a white woman who lives in St. John's?

MS. MARY FEARON: Yes, I would, and I would say every individual in our program has specific needs that we're trying to meet, but definitely.

MS. ELIZABETH ZARPA: Okay. And, if you

can, how many of these seven Indigenous women are Inuit from Labrador?

MS. MARY FEARON: Two.

MS. ELIZABETH ZARPA: Okay. And, are there Inuit women on the waiting list?

MS. MARY FEARON: I can't answer that question.

MS. ELIZABETH ZARPA: Okay. And, do you desegregate your data on Indigenous people who enroll in your program or who are on the waiting list?

MS. MARY FEARON: No, we don't.

MS. ELIZABETH ZARPA: Okay. And, in your experience of working at the grassroots level, can you please tell me if there are any Inuit-specific programs like the Blue Door Project for Inuit women and girls in St. John's?

MS. MARY FEARON: No, I would say there aren't.

MS. ELIZABETH ZARPA: Okay. And, would you suggest that there's a need for an Inuit-specific program similar to the Blue Door Project in St. John's for Inuit?

MS. MARY FEARON: Probably in the province, for sure.

MS. ELIZABETH ZARPA: But, not in St. John's?

MS. MARY FEARON: Well, yes, in St. John's.

MS. ELIZABETH ZARPA: Okay. Okay, thank you. And, my next set of questions are going to go towards the early adverse child experiences that are highlighted in Exhibit 51 and also that you highlighted in your testimony. You stated there are nine early adverse childhood experience factors that many or all sex workers, like women, experience, like poverty, or a family member who was incarcerated when they're younger. I just wanted to highlight or question, within those nine early childhood factors, is there any emphasis on the state-sanctioned poverty or state-sanctioned systems of oppression that contribute to Inuit women and their families working within the sex trade?

MS. MARY FEARON: I don't want to speak on that just because I don't feel that I have enough knowledge to speak particularly to the Inuit women of -- but I know that poverty is an issue that's contributing across our province and across our country to the sex-trade industry and the exploitation in particular.

MS. ELIZABETH ZARPA: Okay, thank you. My next questions will go towards you, Ms. Moon Perrin. Thank you for being here. Thank you for your powerful testimony today. It's very relevant and it's important, and you're heard. Could you please elaborate on how many

years you have been involved in sex work?

MS. LANNA MOON PERRIN: I started sex work when I was 16. I'm 42-years-old now. I could say in the past three or four years, I have had the privilege of a pay cheque in a job that fills my soul. It makes me feel that I contribute back when I work, so I haven't had the need to make money other ways. So -- but, I mean, before that, I mean, I don't know, what's forty -- what's 39 take away 16? About that long.

MS. ELIZABETH ZARPA: Twenty-two or something like that? Okay.

MS. LANNA MOON PERRIN: Yes, a couple decades.

MS. ELIZABETH ZARPA: And, in those decades, have you -- did you encounter Inuit sex workers?

MS. LANNA MOON PERRIN: Yes.

MS. ELIZABETH ZARPA: And, were there any in -- like was it in Toronto or...

MS. LANNA MOON PERRIN: Everywhere.

MS. ELIZABETH ZARPA: Okay.

MS. LANNA MOON PERRIN: Toronto, Winnipeg, Vancouver; you know?

MS. ELIZABETH ZARPA: Okay, thank you. And, also in your testimony, you highlighted that as -- when you were working for an escort service, you received

something around $300 to $400 a night while working within that escort service. Is that something that's considered to be a good, sort of, income for ---

MS. LANNA MOON PERRIN: Yes, that's a high-end ---

MS. ELIZABETH ZARPA: Okay.

MS. LANNA MOON PERRIN: --- right? That would be a high-end escort agency for the -- like, I mean, in Winnipeg, at the time, that was probably one of the -- and at the time in Winnipeg, too, I could tell you that probably that one escort agency owned probably 10 of the 15 phone lines in town, even though that they were advertised under different names.

So, I mean, that one agent held the monopoly of what looked to be a whole bunch of other businesses. So, yes, that was -- I mean, that was probably one of the highest, at the time, places in Winnipeg.

MS. ELIZABETH ZARPA: Okay. And, within the sort of different ways that you could pursue your sex work, escort service is just one avenue; correct?

MS. LANNA MOON PERRIN: Yes.

MS. ELIZABETH ZARPA: And then what are the other, sort of, avenues and is it $300 or $400 a night?

MS. LANNA MOON PERRIN: It really -- and

that one agency, I mean, you could -- like I have seen people go home with, like, even $1,500, and then minimum of $100, and it would really depend on the dates that happened and luck of the phone call, you know, and a lot of different ways.

But, I mean, it sounds like a lot of money but, I mean, if you take into account a high-paying escort agent, a person working in the agency, you have to be -- your nails always have to be done, your hair always have to be done, you have to have the best perfume, best panties, the best wax job, the best blah, blah, blah, blah, blah, the best babysitters and you're living at a very high speed, really fast life where you're paying a driver $40 or $50 a ride because your driver isn't just your driver. Your driver is your body guard, your confidante, your dry cleaner, your babysitter, your -- you know what I mean?

So, taking that into consideration and working high-court agencies, but there's also massage parlours. There's also street-level working. There's also strip club working. There's also internet working. There are so many different forms and levels that I couldn't even -- it would take me forever just to write them all down and all the different levels.

And, if we really want to talk about the

exchange of sexual services for something else then, I mean, it could go into every day living, really, because, I mean, I was at a really young age when I learned that if I were to use my flirtatious skills as a 9-year-old to get the answer off another 9-year-old boy's questions, I could do that. So, if we're talking about using our sexuality to advance, I don't know. I don't know if I could even mark that using paper, like numbers.

MS. ELIZABETH ZARPA: Okay, thank you. And, you also highlighted in your testimony earlier today around the need for labour laws to, sort of, govern because in the experience of an escort service, for instance, where there are no labour laws, you fall asleep and you're $1 an hour

-- $1 a minute.

Could you please, in that spectrum of different types of avenues that you could do sex work, how would labour laws make it better for sex workers?

MS. LANNA MOON PERRIN: Well, I think that if we had labour laws, then we would be able to hire a driver, and hire -- go to a safe place and work, because a lot of times, we can't even find -- there are not even hotels that will rent to sex workers anymore out of fear that they're going to be charged for being involved with trafficking. So, there are not a lot of safe places that

we could work. So, if it was decriminalized and it wasn't criminal to work, then we could work wherever we wanted to.

And, the places where we work aren't going to have consequences and will actually -- because nobody wants to see someone else hurt, usually; you know? Morally, other human beings, the hotel owner, if they hear someone screaming, they will call the cops, you know what I mean? But, if they know that, you know, that -- if they know that, you know, that sex work is happening there, you know, they could watch out for that sex worker, but they don't even want sex work to happen there because they don't want the cops to come there.

So, they'll tell the sex worker, "Go somewhere else." And, guess what? The sex worker goes to the back alley and nobody hears her. So, it's not necessarily about maybe labour laws, but really about not criminalizing people for doing the work and for having the act of sex.

MS. CHRISTA BIG CANOE: Thank you.

MS. ELIZABETH ZARPA: Thank you, that's my time.

MS. LANNA MOON PERRIN: Thank you.

MS. CHRISTA BIG CANOE: Next, we would like to invite up Ms. Allison Fenske on behalf of AMC. Ms.

Fenske will have six minutes, please.

--- CROSS-EXAMINATION BY MS. ALLISON FENSKE:

MS. ALLISON FENSKE: Thank you. Yes, I'm Allison Fenske here on behalf of the Assembly of Manitoba Chiefs, and I want to begin by acknowledging the land that we're on and the people that are hosting us. And, in doing so, I would like to recognize the Beothuk, the Mi'kmaw, the Innu and the Inuit.

I would like to give thanks for the song and prayer this morning, and acknowledge the sacred items that are here. I would like to recognize the elders, grandmothers, survivors and families, their strength and resilience, and the spirits of those that are no longer with us.

To Ms. Perrin and Dr. Bourgeois, on behalf of the Assembly of Manitoba Chiefs, I would like to thank you for sharing your respective stories and for sharing your strength and your courage. And, Lief, I want to thank you for being here to support your mom.

My question today is about media, and I'm going to direct it to Dr. Bourgeois. But, recognizing the multitude of ways that people hold knowledge, I would also like to invite Ms. Perrin to comment if she has anything to add to this conversation.

And so, the Commission has heard evidence

in prior hearings about links between the ways that media influences or even creates negative perceptions of Indigenous women and girls. Dr. Bourgeois, you mentioned briefly media discussions of Indigenous women and girls, and I'm wondering if you can comment on any links, direct, in fact, between media coverage and sexual violence against or the exploitation of Indigenous and, in particular, First Nations women and girls.

DR. ROBYN BOURGEOIS: Sure. One of the examples I often present when I'm teaching about this topic is Walt Disney. Because if you look at the representations of Indigenous women and girls in Walt Disney, we see that they are both Pocahontas in Pocahontas and Tiger Lily in Peter Pan. And, what I show my students is, there are certain constructions. Pocahontas is an Indian princess, so is Tiger Lily, and missing from those stories is the, sort of, you know, (indiscernible) shadow, sister of the Squaw but, nonetheless, those two figures are there.

But, what is always striking to me about those two figures is that in both of those movies, they are targeted for violence. So, there's a really famous scene from Pocahontas where Pocahontas is kind of rising from the mist and she's in a shadow, and there's John Smith pointing a rifle at her. So, that's one of the

first things that most Western people learn about Indigenous women, is Pocahontas being targeted with a gun. In Tiger Lily's case, she's tied up and wrapped around an anchor, and there's a great shot of Captain Hook and he's got a hook at her throat.

So, the message in Disney, one of the main sources where most of us learn our basics about life, is that it is okay to abuse Indigenous women and girls. And, we have actually heard reference in some of the cases of sexual violence, for example you know, there was the mention about Pocahontas and I thought Pocahontas was a myth, and there's actually a book called that. And, we've heard reference to that -- the belief that it's okay, right? because it's represented in that, And that's one of the big examples.

But, we see also -- you know, I think about the missing women in Vancouver. I think about the media coverage. And, yes, there were some attempts at being sensitive, certainly The Sun did a really important series that drew attention to that, but there were also really voyeuristic, violent representations that focused on specifically the -- you know, kind of this creating this idea of deviance and luridness. So, it was all about involvement in prostitution and drug addiction and homelessness, and this whole dehumanizing of the missing

women.

So, when we get to the situation where we're trying to get people to respond and we're trying to get police officers to respond, they're still getting the same message. And, that's the problem, is that the media continues to perpetuate this belief that Indigenous women are deviant and there's multiple ways of doing that, but it has an impact and that's what most of Canada then comes to know, if not the world, about Indigenous women and girls.

MS. ALLISON FENSKE: Thank you for that. Ms. Perrin, is there anything that you would like to say about the way that media portrays Indigenous women and any connection you see to violence?

MS. LANNA MOON PERRIN: Well, yes, media will portray whatever it be, and I suppose that as Indigenous people, when we're in this time and we're seeing these Pocahonteses and Tiger Lilys, I think as people we really -- we really need to make choices about, are we going to fight these mainstream media characters or are we going to turn off the TV and just take our kids to the bush?

Yes. I mean, it's portrayed -- all kinds of horrible things are portrayed in the media about everybody, not just Indigenous women. But, as Indigenous

people, we have the tools to combat that. And, my son, Lief, I'm sure he doesn't see any Indigenous women like a Pocahontas or anything like that, because I brought him up not to watch those shows, you know? I brought him up somewhere different to see us. So, we have the power to stop that ourselves, I think.

MS. ALLISON FENSKE: Thank you. That's my time.

MS. CHRISTA BIG CANOE: Thank you. Next, I would like to invite up, MKO. Ms. Barlow will have nine and a half minutes.

--- CROSS-EXAMINATION BY MS. JESSICA BARLOW:

MS. JESSICA BARLOW: Good afternoon. I want to acknowledge the spirits of our sisters, families, survivors, elders and grandmothers, singers and drummers, the sacred items in the room, Commissioners and Inquiry staff, and the witnesses for sharing with us. I would like to express gratitude for the lands that we're on, and to the Beothuk, Mi'kmaw, Innu and Inuit peoples for welcoming us here.

My name is Jessica Barlow and I'm privileged to be legal counsel on behalf of MKO. MKO is an advocacy organization that represents numerous sovereign First Nations in Northern Manitoba. I would also like to thank NunataKuvat for providing their time to

us today.

All of my questions today will be for you, Dr. Bourgeois. And, I would like to start out by talking to you regarding the concept of state sanctioned and condoned exploitation and violence against Indigenous women and girls. And, I'd specifically like to talk to you about this concept and how it correlates to resource industries and project approvals.

And so, in your document, the Perpetual State of Violence, which is Exhibit 51 for the record. At page 254 of the document as it's marked, but it's actually the second page of the text, I believe, that we were provided, you identify, and I'm going to paraphrase a bit here, I think. As a settler colonial state, Canada has an historical ongoing investment in the violence against Indigenous women and girls, and indeed, all Indigenous peoples, in order to secure and retain unfettered access to Indigenous lands. Through its laws, policies and institutions, the Canadian state has inflicted extreme violence on Indigenous communities in explicitly gendered and sexualized ways that simultaneously secure patriarchy, white supremacy and colonial domination; is that correct?

DR. ROBYN BOURGEOIS: Yes.

MS. JESSICA BARLOW: And, you also go on to identify that the effects of this colonial hegemony

portrays Indigenous people as inferior, deviant, inherently dysfunctional and that it's gender derogatory towards women and girls that contributes to their violability; is that accurate?

DR. ROBYN BOURGEOIS: Absolutely, yes.

MS. JESSICA BARLOW: And, that this violence, this ongoing investment in such violence against Indigenous women and girls is the most efficient way, you say, of securing and maintaining colonial order because it enhances and naturalizes patriarchy, is that true?

DR. ROBYN BOURGEOIS: Yes.

MS. JESSICA BARLOW: And so, in that vein, I want to go a bit further with you about this ongoing state investment in violence against Indigenous women and girls to secure and maintain this unfettered access to Indigenous lands.

And so, would you agree that part of this unfettered access to Indigenous lands would include resource and extractive industries and project approvals by government?

DR. ROBYN BOURGEOIS: Absolutely.

MS. JESSICA BARLOW: And, are you familiar with the fact that resource industries that exist in Canada, that there's a direct correlation between these industries and also violence or sexualized violence or

exploitation of Indigenous women and girls?

DR. ROBYN BOURGEOIS: Yes.

MS. JESSICA BARLOW: And so, if I tell you that in Northern Manitoba, hydro-electric development is prevalent, and that we know and it's been well-documented in multiple reports, even as recently as this summer in a Clean Environment Commission Report, that with the arrival of a large male workforce into these areas, that there's a direct correlation to sexualized violence against Indigenous women and girls.

And so, if I tell you that, and also if industries are going to persist and if governments are going to continue to use this unfettered discretion or investment to approve such industry and projects without the due consideration for prevention of this violence and its cumulative impacts on the community, I'm wondering if you would agree that this is effectively state-sanctioned or condoned violence against Indigenous women and girls?

DR. ROBYN BOURGEOIS: Absolutely.

MS. JESSICA BARLOW: And, are you able to speak further to this correlation between the perpetuation of violence against Indigenous women and girls and the continuation of state-sanctioned or condoned violence and exploitation, specifically as it relates to resource and industry?

DR. ROBYN BOURGEOIS: Sure. And, actually, I speak about this in the article on human trafficking. One of the things I draw attention to in that article is that there actually is a form of trafficking that's referred to as development or resource trafficking. And so, what that involves is literally the moving -- and this has happened again and again throughout Canadian colonial history. But, it involves the physical moving and relocation of Indigenous populations from their traditional territories, basically getting them out of the way so that industry can come in and then exploit and extract those resources.

And so, right there, I mean, we're sanctioning that it's okay in terms of development to basically traffic Indigenous -- entire Indigenous communities and get them out of the way for the benefit of those who will profit through that exploitation. And, I think that has evolved now into this specifically gendered violence where we see things like the rise of man camps.

I have a partner in the United States, somebody that I've spent a great deal of time talking to, who actually works on this exact topic in the north, in Alaska. And, she just talks about how, you know, it's -- as soon as resource extraction comes to town, and development comes to town, and that male -- exactly as you

said, that male-dominated workforce, that there is -- there are the conditions for exploitation and there are these things called man camps that arrive where a lot of Indigenous women and sometimes girls are actually forced to service those folks. And, I think it's all an extension.

I mean, settler colonialism is predicated on abusing our Mother Earth, which is a very gendered construction of our creation, but it's a metaphor for the destruction of Indigenous females as people; right? And, saying females inclusive of, you know, both cis and transgendered Indigenous females. But, it's that metaphor. So, it doesn't ever surprise me when resource extraction comes to town and there's that abuse of our Earth Mother that then extends into women and girls as well.

MS. JESSICA BARLOW: Thank you. And what kind of recommendations would you make in that vein?

DR. ROBYN BOURGEOIS: Wow. Well, first of all, I think, you know, we know, first of all, what is going on with a lot of resource extraction is highly problematic. You know, there is a reason that so many of our communities are fighting every single day to protect those natural resources and to stop things like pipelines coming through.

And I think the Government of Canada has to colonise. We have to -- they have to get to a point where they recognise our sovereignty and self-determination and don't plough through our, you know, wishes with a freaking pipeline. Like, it's so against everything in our treaties, all of those things.

So I think that's a huge start, but I think -- I don't know. It's a big question and I think, you know, it's a bigger problem and I think it's related to colonialism and the belief that settlers have the inherent right to steal the resources and the land and use that in any way they see fit.

MS. JESSICA BARLOW: Thank you. And so building off of what you just said about self-determination, on page 54 of your Warrior Women thesis, which was Exhibit 56, for the record, you discuss the Canadian state ensures access for itself and for corporations to the lands and resources. And they utilise, among other things, economic development through self-government and they offload these responsibilities for only certain areas of governance, for example, you list public health and infrastructure in your thesis, without ensuring that there's appropriate funding. And so Indigenous communities then turn to governments or representatives in order to resolve their fiscal issues

and that this might be a flawed model of self-government. Are you able to speak to that?

DR. ROBYN BOURGEOIS: Sure. I mean, any form of Indigenous self-government that is dictated by the Government of Canada is going to be innately flawed because it's going to reflect the interests of the government in Canada, which are innately settler/colonial at this point. So, it becomes important that -- I mean, true recognition of Indigenous self-determination would be that Indigenous peoples determine what their own forms of governance would be.

And what scares me about these kind of self-government agreements that exist right now is exactly the point that you made. That they offload responsibility for things like public health, but also ignore the fact that Canada is responsible for creating that problem, and that Canada has a responsibility to make amends. I mean, treaty -- like, our treaties say you have a responsibility to address these things and yet they go ignore it.

And so I think that's the problem with these self-government agreements. They give the illusion of, you know, we're making change and we're getting self-determination, but they're carefully confined and they're carefully structured around the interests of the government. And the government never deals with those

kind of fundamental things like land, like, you know, preventing development and resource extraction in our vital resources. Those things are still in place.

So, for me, those things -- those kind of mandated Canadian settler state government things, they're not helpful. They're not beneficial at all because, in reality, if you go by the two-row wampum, which I really think is a powerful metaphor for how we proceed, that path, if we're going two boats down the river and we're having non-interference, then the Government of Canada has no say whatsoever in how Indigenous peoples govern themselves and they need to mind their own business. In fact, they've got enough problems within their own nations that they need to solve before they start trying to implement things for Indigenous peoples.

MS. CHRISTA BIG CANOE: Thank you.

MS. JESSICA BARLOW: Thank you so very much. My time is up. Good afternoon.

MS. CHRISTA BIG CANOE: Next we would like to invite up the Institute for the Advancement of Aboriginal Women. I see Ms. Lisa Weber coming to the podium and she will have nine-and-a-half minutes.

--- CROSS-EXAMINATION BY MS. LISA WEBER:

MS. LISA WEBER: Thank you very much. Excuse me. Good afternoon, Commissioners. I see the

Chief Commissioner isn't there. Good afternoon, panellists, and thank you very much for your testimony this morning. It was very interesting and inspiring.

So I am counsel for the Institute. This is an organisation that operates out of Alberta providing social justice advocacy supporting programs for Indigenous women in that province. And IAAW essentially operates on the basis of project-based funding and also operates on the basis of significant volunteerism, so year-to-year operations essentially.

I will have some questions for all three of you, but I'll start with Ms. Perrin. And thank you for your presentation this morning, Ms. Perrin. And my question is regarding research. You talked and made interesting references to pre-colonial research and I thought that was an interesting idea.

So I wondered if you could comment, if this Commission were to make a recommendation regarding the value of such research concerning Indigenous peoples' pre-colonial values and beliefs concerning sexuality, would you agree that it should be Indigenous peoples who are conducting that research and creating a record of that research.

MS. LANNA MOON PERRIN: Most definitely.

MS. LISA WEBER: Okay. And I'm wondering

if you could perhaps talk about and provide a couple of examples of what that research might look like, what form might that research be?

MS. LANNA MOON PERRIN: From what I understand, that form would be taking some tobacco to someone who knows the answer and asking them.

MS. LISA WEBER: Thank you.

My next questions are for Ms. Bourgeois and thank you very much for your presentation as well. Ms. Bourgeois, I found it very interesting.

You talked about the repeated -- I'm not sure where to look here. You talked about the repeated representation to the Canadian state, repeated messages, and yet not being heard. And I hear in your voice the frustration, as many of us in this -- in these proceedings have felt as well, as well as, you know, generally in society. Short of de-colonising the system, which I agree would be the ultimate or an ultimate solution, do you think in the interim that increased involvement by Indigenous peoples within the existing system would be helpful to breaking down the barriers we continue to face?

DR. ROBYN BOURGEOIS: Yes.

MS. LISA WEBER: Okay. And what steps do you think might be implemented to ensure that those voices and perspectives are not overshadowed in the interim?

DR. ROBYN BOURGEOIS: That's a tough one, because there are all kinds of problems. We have to look at things like tokenism where we have one Indigenous person who's called in to represent all Indigenous peoples. We have problems with there being a single person who's responsible and then has to field all topics with indigeneity; right?

So we have to be really careful that we're not just picking one or two people and saying, okay, we're inclusive Indigenous peoples. No, it has to be greater than that and we have to make sure that there is a representation of the multiplicity of Indigenous voices.

So, we need -- you know, we certainly need, you know, people with education. We need people with non-traditional education and we need people who have bush experience. We need our Elders. We need traditional knowledge-keepers. We need representation across Indigenous nations. We need to ensure that, you know, at the very least that there is inclusion from First Nation, Inuit and Métis groups in all of the discussions. We need to ensure that there's gender balance, and that's not just male/female. That's also making sure that we include trans voices or two-spirited voices and gender diverse voices as well.

So I think it has to become -- those steps

towards inclusion have to not be tokenistic and, you know, one-off kind of strategies, but it has to look at integrated ways to ensure that there is equitable representation and that we include, you know, a variety of knowledge-keepers at every turn, because that's the only hope we have of really pushing the system forward and in a way that is responsive to the kind of distinct needs of the different groups of Indigenous people across the country.

MS. LISA WEBER: Thank you. Switching gears just a little bit, I'm wondering if you see a parallel or have seen a parallel or recognise common elements between the high numbers of Indigenous children in the Child Welfare system and incidents of human trafficking, particularly Indigenous women and girls.

DR. ROBYN BOURGEOIS: Absolutely. I think -- and I think there's research actually to verify this, but I'm pretty sure that they've identified involvement in the Child Welfare system as one the key indicators of vulnerability for being trafficked. And so we know, for example, that, you know, what's happening with a lot of the Indigenous children in care -- and I actually had an opportunity to go and visit one of the hotels in Winnipeg where they put a lot of Indigenous children on their own and they're young and they're by themselves. And they're

in a section of the city which, you know, it's not unheard of daily that there are people driving around in vans and cars looking for people to pick up for various things.

So that's the problem I think. That childcare system is making our Indigenous women and girls vulnerable. And, it sets up -- you know, I think the real -- the discussion about early childhood experiences were the key, because I think that sets up a future, potentially, of vulnerability, because the experiences in the child welfare system are often violent, they involve alienation from community, and so on.

MS. LISA WEBER: Thank you. I have one further question for you, and I'm -- it's more of a question to ask you to elaborate. You made a comment this morning about reconciliation, and I think I know what you are alluding to, but I'm wondering if you could elaborate on what seemed to be coming across as, perhaps, some criticism of that concept?

DR. ROBYN BOURGEOIS: Sure. I'm openly critical. In fact, I'm waiting to write a piece where I can call it what I really want to call it, which is "wreck", as in W-R-E-C-K, because at least how it's been manifested through the Trudeau government, it's looked good. Like, it's like, we're going to do these things, and we're going to make an effort. And, a lot of the

things I'm seeing in terms of how that's being interpreted in things like universities is needing culture inclusion, so making sure Indigenous events are happening, and that non-Indigenous folks have access to things like our ceremonies or our traditional knowledge keepers. And, yet, the really critical issues aren't being addressed there; right?

So, there is no discussion of land. In fact, you know, I just wrote this article about Trudeau saying he's going to be known for reconciliation, but the one thing he hasn't done at all is address the issue of land. Instead, he actually purchased a pipeline to drive it through Indigenous lands, and that's -- that, to me, captures the problem of reconciliation, because it looks good on the surface, but deep down, we're still experiencing these really severe instances of colonialism.

So, for me, I think it's a policy that's kind of like multi-culturalism. Like, we'll include you, and we want your ceremonies, and we want you to wear your regalia and things like that, but we're not actually going to do the structural work needed to dismantle the oppression that we've inflicted on you. So, that's my critique of reconciliation.

MS. LISA WEBER: Thank you for that. My last question is - I have a little bit more time - for Ms.

Fearon. When talking about the Blue Door and the program here in St. John's, you mentioned that, in your approximation, there would be perhaps 33 percent of the individuals receiving services would be Indigenous?

MS. MARY FEARON: Yes.

MS. LISA WEBER: And, I'm wondering, in terms of your structure, do you have a board that governs your work?

MS. MARY FEARON: Well, Thrive has a board that governs our work and we take direction from that board. And, like I said, we work in partnership with CASEY and we also have a leadership team that we consult with.

MS. LISA WEBER: Okay. Do you know how -- that you don't have an independent board yourself then, but do you have any knowledge of how the structure of those organizations are put in place? Is there Indigenous representation?

MS. MARY FEARON: I can't speak to that, but I know that it's something that, since I've been invited to come to this Inquiry, that it's something we're certainly reflecting on and really recognizing, when we see who our population is, that we reflect that in the work that we do moving forward.

MS. LISA WEBER: Okay. And, how about your

own positions within your organization? Are -- do you have Indigenous people employed in the organization in senior positions?

MS. MARY FEARON: Not currently.

MS. LISA WEBER: Okay. Those will be all my questions, thank you.

MS. MARY FEARON: Thank you.

MS. LISA WEBER: Thank you to the Commissioners.

MS. CHRISTA BIG CANOE: Thank you. Next, we would like to invite up the Independent First Nation. Ms. Katherine Hensel will have 9.5 minutes for her cross-examination.

--- CROSS-EXAMINATION BY MS. KATHERINE HENSEL:

MS. KATHERINE HENSEL: Ouai (phonetic), kukschem to the Commission, good to see you, and to the witnesses today. My name is Katherine Hensel. I am Secwepemc, and I am counsel for the Independent First Nations in Ontario, as well as the Association of Native Child and Family Services Agencies of Ontario, and I am appearing as counsel for both here today.

It is a privilege to be here in this beautiful land, the ancestral territory of the Beothuk people, and the traditional territory of the Inuit, and Maliseet and Mi'kmaw people.

My first questions are for Ms. Moon Perrin. You have described so powerfully and intentional -- intelligently, and with such acute critical thinking your own experience of sex work and your perspective on it. And, on the one hand -- you know, and I'm going to lean a little bit in on a difficult dichotomy that you acknowledged in the thinking around sex work. You said if there was no poverty, no homelessness and some other bad things, there would be no prostitution.

On the other hand -- and you have described, you know, coming out of it and no longer doing the work. On the other hand, you have described the valued and the valuable service that you have provided to men, the beauty and the kindness of it. And, based on your description and your words, it bespeaks -- it's medicine that you're describing. And, you have also described the risk and the actual harm that results from criminalization. And, you have experienced this. You have lived it. So, your insight is so valuable to this Commission and to all of us.

We have heard evidence from others that this field of work and some of the exploitation that comes with it, not necessarily but does, you distinguish yourself between trafficking and sex work that it needs to be treated with extreme caution and care, and many women

and girls are simply too vulnerable and experienced too much harm for it to be a safe or a good thing.

So, it's a difficult dichotomy. I don't -- I'm not suggesting here to you or to the Commission that it's one that's going to be -- or that the Commission should seek to resolve. These are really painful conversations that people are having, but everyone wants to reduce the harm and make things more safe, as you have acknowledged.

What, in your view, should Indigenous service providers do as they experience this struggle that I have talked about, the dichotomy, to support Indigenous girls and women to reduce the harm as they're struggling with it, as they're struggling with the two differing perspectives? That's a very long question.

MS. LANNA MOON PERRIN: Thank you for that. I think that -- you know, I did some frontline social work myself a little bit in Toronto with Native Women's Resource Centre of Toronto, working with the Sexual Violence Response Team kind of like on a service provider level; right? And, I find the best results that I have, I think, that in the short time I was in that role is really to be able to meet people where they're at and not talk about exiting. Don't talk about exiting to a sex worker. A sex worker doesn't want to hear, "You've got to leave

the trade." A sex worker wants to hear, "Hey, how are you doing today? You want a cup of coffee? Nice blouse," you know? Meet her where she's at. Acknowledge her as a person; you know? That's number one.

I think that more opportunity needs to be made for people in the trade before we could even produce exit projects; okay? I have seen these exit projects; okay? They look nice on paper, but the reality is, is can you really offer a woman a home, stable income; you know? Like, all these different things.

I have a really hard time with these exiting projects because of that. You know, we don't need existing projects, we need support projects, support in getting housing, nutrition, and finding our skill that we want to contribute to society. Our thing, other than giving head, because that's what -- that's not what we came here to do. You know, we do -- there are some people that can provide sexual therapy, you know, but not -- you know, I think that opportunity to be artists, opportunity to be thinkers, scientists, scholars and to be met where we're at. Yes.

MS. KATHERINE HENSEL: Kukschem for that. And, specifically in the field of child welfare. And, that's, first of all, starting with girls, because child welfare comes from all different angles, with mothers,

with girls, with children in care. For girls, what is effective -- in your view, what is most effective -- would be most effective in working with Indigenous girls who are engaged in sex work?

MS. LANNA MOON PERRIN: Well, I think a lot of the times, especially -- and I've seen this. A lot of times, young Indigenous women get involved with sex work not only to get the material needs met, but to validate themselves, because for a long time, you know, Indigenous, and especially if you're in the foster care system and you're given all kinds of rules and you're treated really badly and, you know, like you're just -- you're just often pushed down, pushed down, pushed down. So, sex work is almost a way for a lot of Indigenous women to break out, to make their own money and to be validated, you know?

And, that doesn't always happen in a sweet, kind way, and I don't want to paint the picture to the Inquiry that, you know, sex work is about this big sacred beautiful medicine and we all experience -- it's not like that either, you know? Like, there is hardships. Like, there's scars that go with it, you know? Not everybody is built to be a sex worker and we get forced into this for some really serious reasons, you know?

So, to validate these young women, put them on their berry fast, you know, give them some eagle

feather teachings, cultural -- we need to give our children more culture and fill that need to fit into community and fit into something, because there's a strong sex-work community and a street community, and you get sucked right into that.

MS. KATHERINE HENSEL: Thank you. And, how about with respect to mothers? You are an Indigenous mother. What would you tell Indigenous welfare service providers about the supports and, you know, for some families there's interventions necessary ---

MS. LANNA MOON PERRIN: So ---

MS. KATHERINE HENSEL: --- you've seen it, you've known it, but ---

MS. LANNA MOON PERRIN: --- I don't think that there needs to be interventions done by child welfare for sex worker mothers if they're sex workers. I mean, if they're ---

MS. KATHERINE HENSEL: Just because they're sex workers.

MS. LANNA MOON PERRIN: Just because they're sex workers. No. If there is neglect issues -- like, maybe they need a babysitter because they have to work late at night, maybe they need a safe place to do their work, you know, because there's issues about bringing clients in the house, you know what I mean?

Maybe if they don't -- maybe they don't really want to do sex work and maybe there could be other options available, but I think coming down

-- like, I've been reported by -- to child welfare before for, "Oh, Lanna is doing sex work," you know?

So, I mean, the agents come in to do the inspection and they're there, you know, ready to be angry at this, like, whore that's, like, sex working but, you know, what do they see? Is a fridge full of food, you know, a clean house. Why are they here? "Well, someone said you were sex working." And? You know? So, that shouldn't be a reason to be knocking on someone's door, I think.

MS. KATHERINE HENSEL: All right. I think that's my time. Thank you again for appearing here today.

MS. LANNA MOON PERRIN: Thank you.

MS. CHRISTA BIG CANOE: Next, we would like to invite up the Congress of Aboriginal People. Ms. Lombard will have six minutes in cross-examination.

--- CROSS-EXAMINATION BY MS. ALISA LOMBARD:

MS. ALISA LOMBARD: Good afternoon. Wela'lin to the Indigenous peoples of these beautiful lands, for welcoming us. Elders, families, Commissioners, witnesses and counsel, thank you for sharing and listening.

Dr. Bourgeois, from my understanding and for context, the actual transaction involved in the exchange of money for sex is not and never has been criminalized in Canada. It is its surrounding components that have been variously criminalized.

In *Bedford*, the Supreme Court of Canada ruled that the relevant provisions of the *Criminal Code of Canada* at the time involving solicitation and body houses were ruled to be unconstitutional on the basis of Section 7 of the *Charter*, which provides for the protection of life, liberty and security of the person. With Bill C-36 and subsequent amendments to the *Criminal Code*, living off the avails and seeking to buy sex for money is now criminalized. Those who seek to buy sex or those who profit from it, who are not the person engaging in the transaction itself, are now subject to criminal prosecution, for clarity.

These distinctions, these confirmed constitutional protections incontrovertibly exist. They're important when we examine the over policing and the criminalization of Indigenous women in the sex trade.

In law, as I see it, what I just described is distinct and ought not to shift or effect the application of laws pertaining to sexual assaults and other crimes that disregard the right to proper, free,

prior and informed consent.

Would you agree that *Criminal Code* provisions pertaining to sexual assault, murder, et cetera, are engaged regardless of the survivors or the victim's activities or their life path prior to the violation of their human dignity?

MS. CHRISTA BIG CANOE: Sorry, I'm going to ask to stop the time for one minute. And, I'm going to proceed if Dr. Bourgeois is comfortable answering this question, because she does have expertise on violence and some interconnections, but you've put before her a very legalistic question. So, I just want the record to note that she's not a lawyer and her expertise isn't in law.

So, if you -- just to contextualize, maybe if you could just rephrase slightly the last part of your question, what you're asking her to agree to, if you're amenable to that, please?

MS. ALISA LOMBARD: Okay. So, my point is essentially that there is a body of law, and there seems to be some form of understanding or some tendency for institutions to criminalize Indigenous women in the sex trade where, in fact, the *Criminal Code* does not sanction that particular approach to things, and other criminal offences stand separate and apart from that particular body of law or legislation.

And so, my question is, essentially, do you see those things as separate and distinct, and not interrelated, or that they ought not to be interrelated in an assessment of whether or not to prosecute?

DR. ROBYN BOURGEOIS: I'm not sure I have the legal background to answer this.

MS. ALISA LOMBARD: Okay. Did I understand correctly when you said that the police swearing in information in the Crown's prosecutorial discretion are a part of where the injustice resides? And so, essentially, between contact with the police and ultimate criminal trial that there's a whole bunch of -- a lack of transparency in the process in the middle? Did I understand that correctly?

DR. ROBYN BOURGEOIS: Yes.

MS. ALISA LOMBARD: Okay.

DR. ROBYN BOURGEOIS: Yes.

MS. ALISA LOMBARD: So, would you agree that greater transparency in processes like that, such as the police's decision to swear in information and justifications pertaining to the exercise or non-exercise of that prosecutorial discretion are important in better understanding how the issues the Inquiry is tasked with examining transpire?

DR. ROBYN BOURGEOIS: Yes.

MS. ALISA LOMBARD: Thank you. Ms. Perrin, thank you for sharing your powerful truth today. Your testimony, as I've understood it, speaks to, among other critical things, the importance of positivity and balance with a view to life promotion. And so, you spoke about the importance of celebrating our lives and sexuality, and about how you've experienced judgment by police and doctors; is that correct?

MS. LANNA MOON PERRIN: Yes.

MS. ALISA LOMBARD: Would you be comfortable sharing your views in relation to your experiences with doctors in the health care system?

MS. LANNA MOON PERRIN: No, I wouldn't.

MS. ALISA LOMBARD: Okay. Thank you. Those are my questions.

MS. LANNA MOON PERRIN: Thank you.

MS. CHRISTA BIG CANOE: Thank you. Next, we would like to invite up Mr. Stuart Wuttke on behalf of the Assembly of First Nations. Mr. Wuttke has seven-and-a-half minutes.

--- CROSS-EXAMINATION BY MR. STUART WUTTKE:

MR. STUART WUTTKE: Good afternoon. My name is Stuart Wuttke. I'm general counsel with the Assembly of First Nations. I'd like to thank the panel for coming here. Also, I'd like to acknowledge the

traditional territories of the Beothuk, Mi'kmaw, also the -- in Labrador, the Inuit and the Innu.

I'll start off by asking questions of you, Dr. Bourgeois. You testified about Canada's role in the colonization process. And, really, you talked about the subjugation, the oppression and the domination that usually colonial powers have over colonies. In the Canadian context of course, you've likened that to control over First Nation, Inuit territories and maintaining colonial control over those; would that be correct?

DR. ROBYN BOURGEOIS: Yes.

MR. STUART WUTTKE: And you also described what you call economic trafficking, essentially the dispossession of Indigenous peoples. Usually in those -- typically in those circumstances Indigenous peoples' lands are taken away from them and they're usually given less than suitable lands for living; is that correct?

DR. ROBYN BOURGEOIS: Yes.

MR. STUART WUTTKE: I'm just wondering, with respect to your work on the colonisation process, would you agree that other countries or other peoples around the world that also suffered from the colonialisation *[sic]* process, such as in Africa and Asia, have had a hard time recovering from colonisation?

DR. ROBYN BOURGEOIS: Absolutely.

MR. STUART WUTTKE: And in many of those countries there are lingering social problems?

DR. ROBYN BOURGEOIS: Absolutely.

MR. STUART WUTTKE: Now, with respect to -- you also mentioned that getting out of the colonial process would require self-government. Would that be a fair statement?

DR. ROBYN BOURGEOIS: I don't know because self-government, technically when we think of that as that state sanctioned self-government, so I wouldn't say it would be self-determination and our old forms of governance and the way that nations see fit and that's -- I mean, that's distinct depending on each nation; right? So I would tend to gear towards self-determination instead.

MR. STUART WUTTKE: Thank you. That would be our preference as well.

With respect to exercising self-determination, now we've heard some people state that First Nations aren't ready for self-determination and people have issues with First Nations taking on self-government. Would that be, you know, sort of a misnomer or misconception?

DR. ROBYN BOURGEOIS: If I may be permitted to speak very candidly, I think it's absolute bullshit.

MR. STUART WUTTKE: Thank you.

(LAUGHTER)

MR. STUART WUTTKE: That would be my assessment as well.

(LAUGHTER)

MR. STUART WUTTKE: With respect to the colonial process or the colonisation process, typically around the world colonisers would always attack Indigenous women; would that be correct?

DR. ROBYN BOURGEOIS: Yes.

MR. STUART WUTTKE: And in the Canadian context that was done through the *Indian Act* where First Nation women were stripped of their identity, belonging to community, belonging to their families?

DR. ROBYN BOURGEOIS: Yes.

MR. STUART WUTTKE: And today they're -- that still causes repercussions in many communities and families?

DR. ROBYN BOURGEOIS: M'hm.

MR. STUART WUTTKE: And would you agree with me the proposition that the whole process of colonisation is basically to destroy the Indigenous women, because once the women are gone the nation itself will perish at some point?

DR. ROBYN BOURGEOIS: Yeah.

MR. STUART WUTTKE: Mary-Ellen Turpel talked about ethnocide. Are you familiar with that concept?

DR. ROBYN BOURGEOIS: Yes.

MR. STUART WUTTKE: Can you please explain what that is from your perspective?

DR. ROBYN BOURGEOIS: My understanding of ethnocide is the idea that you target a specific group based on their ethnicity. And what's interesting about that is that ethnicity is often socially constructed. So it's not necessarily how a group might define themselves. It's actually typically how a dominant group would define a certain group and so they end up often drawing on stereotypes about certain groups. But the idea is that ethnic groups can be targeted specifically for elimination. And so that is my understanding of ethnocide.

MR. STUART WUTTKE: All right. Thank you. Now, you also talked about the media's role in perpetrating violence and basically the essentialisation of sex crimes. And this is early as Jack the Ripper. Would you agree with that?

DR. ROBYN BOURGEOIS: Absolutely.

MR. STUART WUTTKE: And as a result of the way the media portrays the, you know -- or sensationalises

sex crimes it really results in -- has resulted in the past a number of copycat crimes.

DR. ROBYN BOURGEOIS: I think that's quite possible.

MR. STUART WUTTKE: All right. Thank you. And also, the media also perpetuates that -- well, basically, one issue that we have with media covering this is that on one hand it's good to get the information out about the vulnerabilities, but on the other hand, it really tells perpetrators that First Nation women and girls are up for grabs. They're easy. Nobody's going to look for them. The police aren't going to do anything. Can you comment on that?

DR. ROBYN BOURGEOIS: I absolutely agree and I think it reinforces that message for some people at the end of the day, you know, especially non-Indigenous peoples. And that's, you know, white settlers. And I'm -- like, literally, if I had to pick a group that this is most prevalent for, it's white men. It's just reinforcing these ideas all over again.

And I also think though -- I want to -- I would add to that that there is an element I think of what's often called race pleasure. And I think there is a certain satisfaction for non-Indigenous peoples to only see our suffering and only see us as deviant and basically

vanishing, because it lets them feel good in not being Indigenous; right? So I think it's all of those pieces, but I think it certainly -- it's so problematic. It's just -- it's so problematic.

MR. STUART WUTTKE: All right. Thank you very much.

My next set of questions is for you, Ms. Perrin. I'd like to thank you for sharing your personal journey with us today. It was very moving and very compelling.

You talked about how current laws are forcing sex workers into more dangerous working conditions. I was wondering if you can sort of state for the record what sort of laws are needed to be enacted or what laws need to be passed to ensure that the safety of sex workers is paramount and protected?

MS. LANNA MOON PERRIN: Again, I'd like to just keep saying decriminalisation I believe is the best move that Canada can make right now to try and keep women who are in the trade safer. I mean, just the last person was talking about how it's legal to buy -- legal to -- illegal to buy sex, but not illegal to sell sex. So, you know, when that law came into effect, every john got so paranoid that the regular places that they might want to go buy sex, they wouldn't go there anymore because they

were scared.

So it's almost like you're putting the -- like, the johns are -- I don't want to say victimising johns, because that just sounds weird, but I mean, it's just -- it's -- the whole situation is just not right, you know. Like a decriminalisation is the way to go. And putting any kind of laws around sex I don't know if -- how that even works, you know.

And, you know, I know that when they were talking about Bedford and, you know, when that whole trial was coming about, you know, sex workers came pretty close to having decriminalisation of sex work during that time. And if you've ever watched that trial, you'll know what stopped it. It was the testimony of people, Indigenous women, sisters in spirit, missing and murdered inquiry. It was our -- it was us Indigenous people, it was our testimony that pretty much stopped decriminalisation happening, because it was our testimony that turned us into victims. And we need to stop doing that to ourselves and to our sisters. Thank you.

MS. CHRISTA BIG CANOE: Thank you.

MR. STUART WUTTKE: Okay, my time is up. Thank you.

MS. CHRISTA BIG CANOE: Next we would like to invite up Amnesty International Canada. I see that

Jacqueline Hansen, Ms. Jacqueline Hansen is up and she will have six minutes for cross.

--- CROSS-EXAMINATION BY MS. JACQUELINE HANSEN:

MS. JACQUELINE HANSEN: Thank you. Good afternoon. My name is Jackie Hansen and I work with Amnesty International Canada. And it is a privilege to be here today on lands that the Beothuk, the Mi'kmaq, the Innu and the Inuit peoples. And in particular, it is an extraordinary honour to be here today and to listen to you testify before the National Inquiry, Ms. Moon Perrin.

My questions are for Ms. Moon Perrin. May I call you Lanna?

MS. LANNA MOON PERRIN: Yes.

MS. JACQUELINE HANSEN: Meegwetch for sharing your story and for putting such clear recommendations before the Inquiry. And, Leaf, your mom said that you said that she has the right to be safe too. Leaf, you and your mom and all sex workers have the right to live in safety and dignity, free from violence and discrimination.

And my questions are going to pick up from what my colleague from the AFN just said. Lanna, you spoke earlier about feeling safe in your interactions with clients. Sex workers in the downtown east side of Vancouver did this peer study, which included a list of

ways sex workers identified to keep themselves safe, things like sharing knowledge about bad dates, things like creating safety plans which could include checking a vehicle for hidden people before getting in, taking note of a licence plate or the make of a car. What measures did you take to ensure your personal safety?

MS. LANNA MOON PERRIN: I had a spotter. Well, when I worked outside, I had a spotter, so I had someone who would be about maybe half a block from where I was working. It was usually -- I would just get a male to do that. And, they would watch me leave, and they would take down the licence plate, and then they would meet me at a designated place, and that I would get them to hold on to my money, too, throughout the night so I wasn't, like, carrying around my whole profit so if I did get robbed that I wouldn't get robbed for everything.

And, yes, I mean, the spotter didn't really do much but hold the money and take down licence plate numbers. Nothing ever happened, but I think it was just my own assurance knowing that there was somebody out there looking out for me.

MS. JACQUELINE HANSEN: What, if any, impact has the criminalization of the purchase of sex had on your ability to keep yourself safe?

MS. LANNA MOON PERRIN: Well, I mean, I

think -- like, by the time the laws changed, what was it, 2012 or '14, or something like that, I was already like -- I hadn't been participating in a lot of street-level sex work or much at all during those years or even after that, so I don't feel like I could really -- like, are you talking about the changes in the laws, like, how that's impacted me? I can't really speak to that in all fairity *[sic]*. Yes, I mean, I did still work outside a little bit, but I can't really speak to that too much in all fairity. Sorry.

MS. JACQUELINE HANSEN: Okay.

MS. LANNA MOON PERRIN: Mm-hmm.

MS. JACQUELINE HANSEN: What impact do you think decriminalization of the purchase of sex would have on the lives of sex workers in terms of not only physical security, but also the stigma surrounding sex work?

MS. LANNA MOON PERRIN: Well, I mean, to be -- for it to be more acceptable. I guess, I mean, just to be able -- to be able to rent a hotel room, or get a driver, or put up an ad or, you know, those kind of physical things, too, but I think that maybe decriminalization will start massaging the attitudes towards Canadians about sex work and about sex workers; you know? So, it's not seen as something that's dirty, or should be hidden, or is wrong, or for people who partake

in -- like, who are clients to feel that they're dirty or that they should feel ashamed because they're seeing services as a sex worker; you know? And so, it's really about taking away that shame from all of us, you know, and, like, as just normal every day people.

MS. JACQUELINE HANSEN: Thank you.

MS. LANNA MOON PERRIN: Mm-hmm.

MS. JACQUELINE HANSEN: You spoke earlier about some negative interactions with police, and I was wondering if you could share with us what sort of police presence, or response, or approach might be helpful to Indigenous women who sell or trade sex.

MS. LANNA MOON PERRIN: Well, if a woman -- I mean, it would be nice to be able to report a bad date to a police officer without getting -- being given the attitude, "Well, you know, a girl could run faster with their dress up than a guy can with their pants down," you know, I have heard from a police officer before. You know, I mean, it's -- we talk about -- like, in decriminalization, it's the hope that people can negotiate services and those services will be understood; right?

I mean -- so if I were to negotiate something like one act for money, you know, something for something, and I didn't get my money; you know? So, I would like to be able to go to the police and, you know, I

would like to say, you know, "I was robbed." You know, "I was assaulted." You know, these different things and be taken seriously.

Sex workers who were -- who would say something like that now would -- I don't even think -- I can't even think of someone who would even go to the cops, honestly, if they were hurt like that. Like, I sure the heck wouldn't. And so, I guess to be able to see police that might take us seriously, that we're allowed that protection too.

MS. JACQUELINE HANSEN: I'm aware my time is up. Thank you so much.

MS. LANNA MOON PERRIN: Thank you.

MS. CHRISTA BIG CANOE: Thank you. Next, we would like to invite up Ms. Natalie Clifford on behalf of Eastern Door Indigenous Women's Association.

MS. NATALIE CLIFFORD: Thank you.

MS. CHRISTA BIG CANOE: And, sorry, Ms. Clifford, just for the record, will have six minutes.

--- CROSS-EXAMINATION BY MS. NATALIE CLIFFORD:

MS. NATALIE CLIFFORD: Thank you. I'm just going to dive right in. My first question is for you, Ms. Fearon. I wondered if there are similar services in St. John's for women who don't identify an exit plan?

MS. MARY FEARON: Yes, there are.

MS. NATALIE CLIFFORD: And, is there an advocacy group or a central hub like yours for those women?

MS. MARY FEARON: Yes, there is.

MS. NATALIE CLIFFORD: So, I wonder, Blue Door helps connect women with individualized services in St. John's, but only St. John's; is that correct?

MS. MARY FEARON: Depends. We have supported people to go out of province for treatment, or for addictions, or for different services that might -- they might need outside the province or outside the province.

MS. NATALIE CLIFFORD: But, within Newfoundland and Labrador as an example, are there women working in sex work in other parts of the province?

MS. MARY FEARON: Definitely there are women working in other parts of the province.

MS. NATALIE CLIFFORD: And, are there comparable services in those communities?

MS. MARY FEARON: Not that I know of.

MS. NATALIE CLIFFORD: So, one of the services that you might refer an individual to could be a safe house; is that correct?

MS. MARY FEARON: No, we do not have safe houses in St. John's necessarily. We do have another

service that -- shop that does support women who are working in the sex trade.

MS. NATALIE CLIFFORD: Is it a shelter?

MS. MARY FEARON: No.

MS. NATALIE CLIFFORD: So, there are no safe houses in St. John's?

MS. MARY FEARON: No.

MS. NATALIE CLIFFORD: Are there situations in which you would imagine women who use your services could use a safe house?

MS. MARY FEARON: Definitely.

MS. NATALIE CLIFFORD: Would you support a recommendation that safe houses ---

MS. MARY FEARON: Yes, we would. I would say it's a good recommendation.

MS. NATALIE CLIFFORD: And, that safe houses should be available, sorry, in St. John's and throughout the province?

MS. MARY FEARON: Definitely. Because what we find is that, just quickly, that they end up being taken to the lock up, or incarcerated, or put into a mental health facility and locked facility.

MS. NATALIE CLIFFORD: And, would it be important that those safe houses' locations are kept confidential?

MS. MARY FEARON: Definitely.

MS. NATALIE CLIFFORD: And, that women could potentially bring their families with them?

MS. MARY FEARON: Definitely.

MS. NATALIE CLIFFORD: Thank you. Ms. Moon Perrin, I have a few questions for you, please. I want to have a little conversation putting labour laws aside, because my clients are grassroots Indigenous women in this region, so covering the four Atlantic provinces. And, as a matter of their own initiative, they support women, as a first, but ultimately, families and communities. And so, they have asked me to ask you a specific question and get your advice.

So, just to back up, one of the things that I understood you to say was that you wanted some independence, or you would like sex workers to have independence. But, at the same time, you identified when you were talking specifically about your daughter that if she were to engage in sex work, you hope she would have supports and safety.

So, my clients know that there are women working in our communities, in reserves, so we're talking cities, but separately remote communities. And, sometimes, there's denial and it's kind of very taboo. And, the women I represent would like to appropriately

reach out and offer support to help ensure safety for these women. They want to know the best way to approach that so as not to impose on their independence. So, if you could give us some direct advice, it would be greatly appreciated.

MS. LANNA MOON PERRIN: I suppose, like I had said before, one of the most important things would be to be able to meet women where they're at; you know? And, to meet them, accept them where they're at and not expect anything in return, you know, is really big, because a lot of times when we do go to agencies to get support, you know, we're expected to go to a shelter, or give us an exit program, or da, da, da, da, da, da, da, da.

And so, a lot of times, Indigenous sex workers don't even bother accessing a lot of these services because of the wants back, you know, or the expectations. "What do you mean you don't want to go to a safe house? What do you mean you don't want a welfare cheque? What do you mean you don't want to go to welfare," you know? And, this is how we -- you know, "Well, I just don't want to go to welfare." "Oh, well, I can't -- if you don't go to welfare, then I can't help you," you know?

So, there are these expectations that if we're going to access services, then we need to be able to

meet their status quo. We need to be counted as a number so that they could get funding so that they could help us; right? So, I think that if we could somehow get away from taking the number and giving people expectations to give back; you know?

MS. NATALIE CLIFFORD: Thank you.

MS. LANNA MOON PERRIN: Yes.

MS. NATALIE CLIFFORD: One more quick question for you ---

MS. LANNA MOON PERRIN: Yes.

MS. NATALIE CLIFFORD: --- and my time is running, but that is helpful, thank you. I -- you identified that you would like access for free to conferences and ceremony to connect -- for women to connect with their Indigenous identity and that that would be a good recommendation. And, I wondered if you thought that, indeed, if that was funded, that it could help those women with their self-esteem?

MS. LANNA MOON PERRIN: Most definitely. Most definitely. Like, access to ceremonies, access to travel, access to meet other people, and not just people that Chief and Council are going to send you to. You know, people that you actually want to go see. You know, I want to go build a tiny house in the mountains with Kanahus Manuel on the -- to stop a pipeline, "Okay, here

you go, have some money. Go enjoy yourself. Have a good vision quest." That's how we need to support our young people not, "Well, there's a conference on diabetes prevention happening in Winnipeg next month. You could go there." No. You know what I mean? So, young people, we need to be able to support their incentives no matter how crazy it sounds, you know, and be able to give them the money to do that.

MS. NATALIE CLIFFORD: Thank you.

MS. LANNA MOON PERRIN: Thank you.

MS. CHRISTA BIG CANOE: Commissioners, I would like to maybe gauge with you. We were intending on having a second afternoon break, just a short one. There's approximately about 50 minutes left of cross-examination. Did you want me to call some more cross-examination or take a 10-minute break now?

COMMISSIONER BRIAN EYOLFSON: I think we can take a break now.

MS. CHRISTA BIG CANOE: Thank you. And, I do ask that it is a 10-minute break. So, if we could be back around 3:37, that would be great. Thank you.

--- Upon recessing at 15:37

--- Upon resuming at 15:45

MS. CHRISTA BIG CANOE: Commissioners, if we could begin again, please, with the cross-examination?

The next party I would like to invite up is Families for Justice. I see Ms. Suzan Fraser's ready. She has six minutes.

--- CROSS-EXAMINATION BY MS. SUZAN FRASER:

MS. SUZAN FRASER: Thanks, Ms. Big Canoe. Commissioners, elders, grandmothers, I'm grateful to be here again on this land and by this beautiful water. My name is Suzan Fraser. I'm here on behalf of a group of 20 families who have lost or continue to look for their loved ones. And, my questions today are mainly going to be for Ms. Fearon and Ms. Lanna Moon Perrin.

So, those families, some of them have some information about what happened to their loved one, some of them have information that's not satisfactory, some of them have gone through a criminal trial process and many of them are really just waiting for answers. My question to you, Ms. Fearon, and to you, Ms. Moon Perrin, is, in the course of your work, and starting with you, Ms. Fearon, do you come across people -- do you have work with people who are missing to their families?

MS. MARY FEARON: Yes, I would say that they have disconnected from families.

MS. SUZAN FRASER: And, do they understand or consider themselves to be missing to their families?

MS. MARY FEARON: No one has identified

that, but they have talked about being disconnected from family or have lost all connection with family.

MS. SUZAN FRASER: And, it's likely that some people who access the services at Blue Door may have had traumatic connections to their families, and that might be one of the reasons that they're not connected to their families?

MS. MARY FEARON: Yes.

MS. SUZAN FRASER: And, do people ever express to you a wish to be reunited with their families?

MS. MARY FEARON: Yes, they do, and that's all part of that -- we talked -- I talked about earlier about the goal setting and trying to figure out what it is that people want from us. So, if that's identified, we would certainly support them in that.

MS. SUZAN FRASER: Okay. And, what tools do you have to support them in that?

MS. MARY FEARON: Well, one of the things we could do -- there is -- with our program, the therapist does -- you know, would be able to talk through that process of making sure that it was safe for them to identify -- you know, reconnect with families. And then we would do whatever we could do in terms of accessing other services in the community to reconnect people. We have -- you know, there's no end to what we can do within

our role outside -- within the, you know, regular kind of work day, but we will do whatever we can and reach out to any services we can to support people in that.

MS. SUZAN FRASER: That might become more complicated if the person is living thousands of miles away from their home in terms of -- just in terms of the -- if they wanted to go back home, would you have access to ---

MS. MARY FEARON: Well, we might do some independent fundraising. We have done for different participants. We have identified different things and will support them in any way we can, and if that means figuring out how to access funds through different agencies or if we really felt that it was part of a healing process for the person, we might be able to do some fundraising within our programs.

MS. SUZAN FRASER: And, that's all going to be following the lead of the person that you're working with?

MS. MARY FEARON: Absolutely.

MS. SUZAN FRASER: Okay, thanks. Ms. Moon Perrin, in my profession, people always often come to me, because I'm older, when they're having issues with work. They might want to leave the legal profession, they might want to go elsewhere, and they come to me to say, "You

know, what do you think my options are at this point in time?" Did you ever have people come to you, people that you knew from work, who were questioning whether they wanted to continue in the line of work?

MS. LANNA MOON PERRIN: Are you talking about sex work?

MS. SUZAN FRASER: I am talking about sex work.

MS. LANNA MOON PERRIN: So, did people want to -- are people feel -- are you asking me if people want to -- ask if do they want to leave their job?

MS. SUZAN FRASER: Like, I'm just thinking that you seem like a wise woman and that if I were doing sex work, you might be somebody that I would come to if I were having issues to say, "I'm not really sure if I want to continue in this work or not; you know? Have you ever thought about leaving?" And, not that, but what would you say to somebody or have you ever had that kind of conversation with anybody?

MS. LANNA MOON PERRIN: Yes. So, I mean, it's just like any other job. Sometimes you feel -- don't feel like doing it that day.

MS. SUZAN FRASER: Right.

MS. LANNA MOON PERRIN: And, I mean, I guess there's, of course, because of the different

challenges that we have in our work, it's a lot more challenging and we think about leaving. And, like, I always say to everybody, I mean, just follow your heart and do what feels right for you; you know? If you don't want to be in sex work anymore, you know, look at your other options or you might not be -- you know, that might be -- you know, there might be -- a lot of the times, I always look at maybe in bigger cities, like Toronto or maybe even Sudbury, like, sometimes there are peer support programs where you could, like, work five or 10 hours a week doing outreach; you know?

And, sex workers are awesome at doing outreach, especially with other sex workers, because sex workers know how to get to other sex workers and can get to other places where other service providers can't get. So, often ---

MS. SUZAN FRASER: Can I just -- can I ---

MS. LANNA MOON PERRIN: Yes.

MS. SUZAN FRASER: I don't mean to interrupt, but I've got to just follow-up so I understand the answer, is that a good service for you would have sex workers and/or people who have exited sex work helping with the service, because they know how to do the outreach; is that right?

MS. LANNA MOON PERRIN: For sure. For

sure.

MS. SUZAN FRASER: Okay, please add anything else that you wanted to add and I'm sorry to have cut you off.

MS. LANNA MOON PERRIN: So, I guess, too, I mean if sex workers -- like often in -- like, sex workers often have all kinds of different skills that maybe they're not aware of, but then as sisters we can help bring that out. Like, "Man, you braid awesome hair. Like, maybe you should try and go, like, work part-time at a hair studio or something like that." Or, "I know this sister over here and she can really get her nails done and" -- you know? So, actually looking at other things like that, where women have gifts in fashion and in beauty and in art, and maybe just to find those other things, but also to look at, you know, are different services in the community that are looking for people to do street outreach? Looking for -- you know, frontline social workers are sometimes hired now on lived experience, you know? And, to, kind of, look at those kind of options as well.

MS. SUZAN FRASER: Thank you all so very much for your answers to the questions and for being here.

MS. CHRISTA BIG CANOE: Thank you. Next, we would like to invite up the Regina Treaty Status Indian

Services Inc. Ms. Erica Beaudin has nine-and-a-half minutes for cross.

--- CROSS-EXAMINATION BY MS. ERICA BEAUDIN:

MS. ERICA BEAUDIN: Thank you. Good afternoon. Welal'lin to the elders, drummers, singers for their prayers, songs. And, nakurmiik for your -- the lighting of the qulliq. Once again, I acknowledge and thank the L'nu for the welcome to the unceded territories, the Mi'kmaw and Beothuk, as well as the Inuit and Innu people who call this home.

My name is Erica Beaudin and I hold the position of the Executive Director for the Regina Treaty Status Indian Services out of Treaty 4 territory in what is now Saskatchewan. I thank the Saskatchewan Aboriginal Circle Corporation who graciously gave me their time today.

I hope to have time for all three panellists, but I'll start with Dr. Bourgeois. Anaskumatin (phonetic) for your testimony this morning, Dr. B. May I call you Robyn?

DR. ROBYN BOURGEOIS: Yes.

MS. ERICA BEAUDIN: You mentioned Andrea Dworkin this morning and her, perhaps, controversially stating to measure success by counting the dead. Of course, this is difficult due to using statistics that may

not have the same definitions as we would in determining the counting of women, children and two-spirits that we've lost.

If we could control the process of collection of data, and then the analysis of it, who do you see as conductors of this research and how would we go about in utilizing this research to best serve the needs of Indigenous women and children and two-spirited?

DR. ROBYN BOURGEOIS: One-hundred percent that should be controlled by Indigenous peoples. I think we are best situated to do that kind of work and it needs to be in the hands of our people who have the skill to do this, despite whatever the government says. And, I think the provisions around that are tough because it would -- we have to negotiate with some of the Canadian institutions, right, to get some of those numbers, and we know that there's problems there. So, it would have to be an openly transparent, kind of, process and relationship.

And, I don't know if we could ever entirely get fully accurate numbers; right? You know, there are certain crimes, for example, like trafficking that are clandestine, that are hidden, and they go under the radar. And so, you know, even now in, you know, the work we do, we can't even be sure of what that number looks like. But, yes, I think the bottom line is that research would

have to be done by Indigenous peoples and it would have to be done in ways that are respectful and in line with our Indigenous ways of knowing and doing.

MS. ERICA BEAUDIN: Thank you. You mentioned the RCMP report that was tabled in 2015. When it speaks to who the perpetrators are to Indigenous women, it states that 90 percent of the perpetrators are known to the victims. In Saskatchewan, this statistic was quickly picked up on by mainstream politicians to state that if this was the case, it is Indigenous men who are responsible for the violence, therefore, this is a First Nations problem. Could you quickly discuss what kind of tactic this is and what its intent is to do?

DR. ROBYN BOURGEOIS: Absolutely. This is a tactic of really colonial domination and heteropatriarchy and masking the issue, because what they're not saying is that research also shows that if any racial group, Indigenous peoples are the only group -- and Indigenous women and girls in particular are the only racialized group that are as likely to be murdered by somebody within their racial group, so another Indigenous person, as they are to be murdered by a non-Indigenous person and really specifically a white person.

So, that's what they're leaving out. What they're trying to do is they're trying to paint the

problem as one of existing with us, which is a -- it's something the Canadian government has done again and again. We are always the problem and we have to be dealt with. And so, that strategy is deflecting that. It's really painting an inaccurate picture and trying to locate the problem within Indigenous communities instead of within the state and settler colonialism itself.

MS. ERICA BEAUDIN: Thank you. Earlier in the week in discussing the exploitation of women and children in the sex trade, grooming was discussed. For many women, part of the grooming is having them commit a criminal act, so the perpetrators have control and the woman won't go to police.

In my agency, we have brought women to the police for safety. And, most of the time, this is the last thing they were provided. The women were either charged or remanded, and there was very little consideration regarding the initial situation that had the woman commit that crime.

What role does Gladue have in ensuring the courts understand these types of complicated and dynamic situations is the A part, and should there be more Gladue writers available to Indigenous women who are in this and similar situations?

DR. ROBYN BOURGEOIS: Yes, Gladue is an

interesting situation, because I think we're seeing a little bit of a critique of it right now in the case with Tori -- yes. Sorry, the woman who murdered Tori Stafford here. And, I think it's an interesting issue, because I've heard from Indigenous women and girls who have experienced abuse in their homes that Gladue can sometimes be used as a get out of jail free card for the perpetrators of violence.

So, I want to keep that in mind. But, I also recognize that our system of justice doesn't pay attention to that. I know my own experience in trafficking was that I was groomed in first as a drug mule, and then when I resisted trafficking, then I was groomed in a more violent way with imprisonment and repeated rape and abuse. So, the grooming happens. And, my experience was as well that the criminal justice -- the police, nobody cared about that. All they saw was me as a perpetrator at some point; right? And, that I was deviant.

And, I think Gladue does leave space for recognition that the justice system is inherently colonial and that there are other conditions that exist that inform some of the reasons why Indigenous women and girls end up involved in things like crime. And, I mean, we have to draw attention to the ultimate route of settler

colonialism.

And so, I think there needs to be more uses of Gladue, but I'm also cautious because seeing what's going on with what happened with Tori Stafford and how that is affecting dominant society's perception of Indigenous peoples and justice response, I see a lot of BS in the papers that, you know, this is our obedience and that, you know, we inherently would just let all criminality go; right?

And so, I'm a little concerned about that. But, I think it is at least a viable option that exists now for Indigenous women to be able to say, you know what? Some of these things that are happening aren't a choice. They aren't something that I wanted to do and that I was forced into these things, and I think it leaves space for that.

MS. ERICA BEAUDIN: Do you think the service should be free to women?

DR. ROBYN BOURGEOIS: Absolutely.

MS. ERICA BEAUDIN: Thank you for your time. Ms. Perrin, may I call you Lanna?

MS. LANNA MOON PERRIN: Yes.

MS. ERICA BEAUDIN: Thank you. Welcome to both you and Lief. I appreciate the time and preparation you took to come here and educate us on the different

perspectives regarding the sex trade. My first question to you is that you stated this morning that you were sick of services. What kind of services do you believe aren't needed or are not beneficial for people involved in the sex trade?

MS. LANNA MOON PERRIN: When I say that I'm sick of services, I look here at the bundle in the middle of the room and that is what we need access to. You know, watering it down with whether it be exit programming -- or whatever it is. You know, like, access to services to me really means access to culture, you know, and everything else in between really shouldn't matter.

MS. ERICA BEAUDIN: Thank you very much. If prostitution became legal, it is the government at different levels who most likely would determine the regulations for that prostitution. Do you trust the governments to enact regulations that would protect sex trade workers as opposed to protecting itself as a system?

MS. LANNA MOON PERRIN: No, I never believed that legalization of sex trade is a good thing.

MS. ERICA BEAUDIN: Just the decriminalization?

MS. LANNA MOON PERRIN: Criminalization.

MS. ERICA BEAUDIN: Okay. Thank you. You spoke very eloquently about your belief system, which I

would classify as an Indigenous traditional world view. Do you believe opportunities for youth and women, and for that matter, anyone that desires that spiritual journey should be available?

MS. LANNA MOON PERRIN: Yes.

MS. ERICA BEAUDIN: Do you believe it should be Indigenous people or organizations to be the ones to deliver that service.

MS. LANNA MOON PERRIN: Yes.

MS. ERICA BEAUDIN: Thank you so much. A final question, Lanna. I've asked similar to other witnesses in previous panels. This morning you briefly mentioned a utopian society. If you had a magic wand and could create a utopian society -- or a utopian childhood for an Indigenous child, what would it look like?

MS. LANNA MOON PERRIN: It would look like they would have access to their language and to their food and to their real teachers and that they wouldn't have to go far away to get what they need. And they wouldn't have to spend 9:00 a.m. to 3:00 a.m. *[sic]* in a frozen little -- what do you call those things? Those little trailers they have on the reserve for schools, you know. They should just be able to have access to this. This is what we need here.

MS. CHRISTA BIG CANOE: Thank you.

MS. ERICA BEAUDIN: That's my time today. Thank you so much.

MS. LANNA MOON PERRIN: Meegwetch.

MS. CHRISTA BIG CANOE: Next I would like to invite up the Aboriginal Women's Action Network. Ms. Fay Blaney will have 13 minutes.

--- CROSS-EXAMINATION BY MS. FAY BLANEY:

MS. FAY BLANEY: Thank you very much. I want to begin by thanking Pauktuutit for allowing me to use their time here today. And I wanted to direct my questions to Dr. Bourgeois. And, of course, needless to say a lot of my questions will revolve around the concept of Indigenous feminism.

So, at the outset of the Inquiry there was a lot of push to include men and boys into the Inquiry. And so my question to you is, do you think that colonialism impacts us differently, Indigenous men and boys and Indigenous women and girls?

DR. ROBYN BOURGEOIS: Absolutely.

MS. FAY BLANEY: And how is that impact different?

DR. ROBYN BOURGEOIS: Well, because of the explicit gender and the containment to two kind of binary gender identities, right, so female and male, and the way that's perceived within the colonial system is different.

So, there is this intense hyper sexualisation of Indigenous women and girls. There is a real focus on sexual exploitation that we don't often see in violence perpetuated against Indigenous men and boys. We also see a real focus on targeting Indigenous women and girls as mothers and daughters and their problematic ability to take care of themselves.

And that's a distinct difference from what is done to men, because Indigenous men are often portrayed as, you know, the savage, as somebody who is innately violent. They don't experience the same degree of hyper sexualisation that Indigenous women and girls experience.

And, you know, I think -- the bottom line is, I think -- I always hear the argument, you know, both Indigenous women and men abuse. Okay. Granted, that's true. But the bottom line is, there are far more Indigenous women and girls being abused by Indigenous males than there are Indigenous females who are abusing Indigenous males.

And we can't ignore that gender dimension because it draws attention to how heteropatriarchy and colonialism has been implemented in our communities. And if we lose sight of that, then we are literally doing ourselves then, because it -- not just through colonialism that our communities have been colonised and racism, but

it has been specifically through these gender dimensions of colonialism.

MS. FAY BLANEY: Thank you so much for that. So I wanted to point to the fact that the early settlers were privileging their relationships with Indigenous men as it pertains to the political relations, economic relations, religion and that has persisted to the present day.

And so my question there is, are you concerned about the clashes between the sovereignty struggle of our people and the struggle of Indigenous women to challenge our social erasure within our communities?

DR. ROBYN BOURGEOIS: Absolutely.

MS. FAY BLANEY: Do you have concerns?

DR. ROBYN BOURGEOIS: I think it's absolutely concerning because it's ignoring the fact that it has been precisely through gender-based violence that colonialism has been enacted on our communities.

So I often hear the argument that, you know, if we go back and Indigenous nations are sovereign and self-determining that all of that will undue. And I don't believe that's accurate, because what we're ignoring is that for several hundred years there has been institutionalised patriarchy inflicted in our communities.

And I think you alluded to this, Fay, really importantly. You know, the *Indian Act* between 1876 and 1951 actually prohibited Indian women with status from not only voting in *Indian Act* elections, but also holding positions of leadership. And so essentially for almost a hundred years our voices were excluded from the leadership of our communities and there was a patriarchal culture that was really, you know, percolated or nurtured almost. And we still see that.

I think it's really telling, for example, that we still have very few Indigenous female chiefs and that some of our major Indigenous organisations are predominantly controlled by Indigenous males. And that oftentimes those organisations have actually worked against Indigenous women.

And I think in particular around the Constitution and the Charter of Rights and Freedoms when, you know, a group like the Assembly of First Nations actually fought to keep a group like the Native Women's Association of Canada out of those conversations, because they saw gender and the issue of gender as being divisive and actually going against our whole process of sovereignty. And yet that totally ignores how all of this was made possible specifically through gender.

So, to me, that's a huge concern and I

can't imagine us pursuing self-determination without also really paying attention to that, how heteropatriarchy has infiltrated our communities.

MS. FAY BLANEY: And the argument is often made that Indigenous women's political actions are eroding the sovereignty of our nations. How would you respond to that?

DR. ROBYN BOURGEOIS: I think that is -- how do I put this really nicely? That is an evocation of a colonial patriarchy. Because they're basically saying that as Indigenous women and girls, our individual interests and needs don't matter as much as self-determination and sovereignty. And not only that they don't matter, that we're actually kind of a disease or a problem attached to our nations. And I think that's perpetuating heteropatriachy.

It's basically saying that Indigenous women and girls don't matter and that we are the threat to colonials -- or to self-determination. No, the bottom line is settler colonialism is the threat to self-determination and sovereignty and it has been done through gender-based violence.

So unless we pay attention to gender-based violence, we are just -- we're participating in colonial hegemony and we're making sure that we're just continually

manifesting those same discourses and this time it's Indians using it against other Indians and it's based in a gender dimension.

MS. FAY BLANEY: Thank you. So you did tell us in your testimony that Sherene Razack was your senior supervisor.

DR. ROBYN BOURGEOIS: Yes.

MS. FAY BLANEY: In one of her writings she questions how marginalised women can achieve empowerment and agency by fulfilling the goals and aspirations of those doing the marginalising. Can you speak to that or elaborate on that from a colonial perspective?

DR. ROBYN BOURGEOIS: Absolutely. I think the question -- if we take this to -- and when Sherene was reading that article around prostitution she was talking about it generally, but I think it really does apply to Indigenous women and girls, because the system of settler colonialism and patriarchy and gender-based violence says that Indigenous women and girls are innately sexually available. And part of that construction has always been that we are innately prostitutes. We are innately involved in the sex trade.

So Sherene's argument is, if we're already positioned like that, if we are already constructed as being inherently involved in the sex trade or being

inherently sexually available, then taking up that position can feel like empowerment.

I mean, I've actually done this myself where, you know, I remember when I was drinking really heavily and I was like, you know what? If the society says that I'm a drunken Indian, well, guess what, I'll be the best drunken Indian I could ever be, because then I -- it felt like I was taking control of the situation. And yet what that does is it didn't disrupt the system. It didn't change the system. The dominant society still have the same belief.

And that's what Sherene's drawing attention to is that for women who are marginalised, and certainly Indigenous women and girls are in that category, how is us taking up a position that's already presumed for us an act of disrupting the system, because we're actually conforming to what the system already says, and that's kind of the issue that we're stuck on because, you know, I certainly don't want to discredit that there are people who experience agency and empowerment through making a choice.

But, there are a lot of other women who don't have that same experience. You know, I certainly did not experience any element of choice, or agency, or freedom in what happened to me and, you know, being tied

to a bed and raped continuously until I was so complicit that I would have done anything that my perpetrator would have told me to do. And so, taking out that position doesn't challenge the system. In fact, it leaves it in place, and so that's the inherent problem. We're not dismantling.

And, I think, you know, there's some argument that maybe there's respectability, like if we become more respectable it will undo that. But, I will tell you from living proof, it does not. No matter how many things -- no matter how many letters I have after my name now that I get, you know, this doctor moniker, none of the things that I have garnered in terms of respectable society have protected me from this violence. At the end of the day, I'm still visited by violence that is predicated on the fact that I'm an Indigenous woman and they see me as a Squaw.

MS. FAY BLANEY: Thank you very much, Robyn. I wanted to say that the new Canadian law on prostitution holds some promise for a better tomorrow, but there are still huge issues that need to be addressed. I wanted to share a short story with you about my cousins.

I had two cousins, first cousins, that were fostered out. And, one of them was being prostituted out by her caregiver for alcohol and the other one was in a

foster home, and she was being sexually abused by the foster parent. And, the older one, she came to Vancouver and did some prostitution, and I want to be clear that they were not child or youth sex workers. They were exploited children, and we have been using that pretty loosely in the past day or so. And, these are women that are shamed for the position that patriarchy has put them in.

And so, my older cousin, she suicided in her 20's and my other cousin suicided in her 30's. So, from an Indigenous feminist perspective, what could have been done that would have changed the outcome for my cousins in relation to the new law on prostitution in this country?

DR. ROBYN BOURGEOIS: That's -- wow. First, thank you for sharing that story. It's always hard for us to share those kind of darker bits of our lived reality, so thank you for sharing that. I think this is a really hard question. I think this is something that we're all grappling with.

If I go back to the fundamentals of it, I mean, ultimately, I want to look at the root cause again. I want to understand how it becomes acceptable to do these things to other people, how it becomes acceptable for somebody to use the bodies of other people to profit.

And, I think the system that exists that says Indigenous women are inherently deviant, and dysfunctional, and hypersexual, and all of that contributes to this.

So, from an Indigenous feminist perspective, I mean, ultimately, we're going to have to deal with those root causes. We're going to have to deal with settler colonialism, we're going to have to deal with sexism, we're going to have to deal with capitalist exploitation, because I think the bottom line is we -- and we're not talking about this a lot.

The bottom line is we know that the capitalist system is based on exploitation whether we're working as professors or we're working in the sex trade, because when you get into exchange of money for services, the only way to profit is to be able to minimize the expenses of those who are profiting.

And so, it becomes -- it's a system, it's a problem, and I think we have to deal with all of those dominant systems of oppression. Would that have saved your cousins? I'm not sure, because I think we also don't have resources available to people who survive these things.

I mean, I have struggled. I will tell you that. I have searched, I have found supports where I can, but it was really until I found another community of

survivors who had gone through the same experiences that I had that knew how to connect me to cultural teachings, that knew how to connect me to people who could help me understand that what happened to me wasn't my fault. I just wouldn't be alive today, and I think that's the problem.

I think we leave and we abandon women who don't experience the sex trade as agency or empowerment. We turn our backs on them and we let them suffer. You know, I'm suffering today sitting through this, because I'm not hearing the stories of the women like me who were forced into these things, who didn't experience any agency, who didn't experience any control over their situation, who were brutally raped, drugged and basically left for dead. I was dehumanized to the point that I didn't exist as a human being, and I don't hear people talking about how we protect those people, and that's what I'm concerned about.

I'm glad people experience this as agency empowerment, but the reality is not all of us do. And, the people I'm worried about are the women and girls like me who didn't have the choice and those people that aren't here at the table today. There are a couple -- you know, there's a survivor, there's a few of us who are out there talking, but you know what? The dead aren't here. The

women and girls who are so deeply entrenched aren't here, and we leave these women out to fend for themselves, and that's what I'm concerned about.

You know what? I was in suicide risk for the last, you know, 15 years, because I didn't have supports in place or even a supportive system in my community to make that possible. I have been ostracized for how I feel about the sex trade. I have been called all kinds of horrific names, and it's no wonder that so many of us end up like your cousins, killing ourselves, because we feel so hopeless when we get out of the system.

MS. FAY BLANEY: Thank you so much, Dr. Bourgeois. I really appreciate your work.

MS. CHRISTA BIG CANOE: I'm going to request a break, please. Yes, if we could please have a break, that would be nice.

COMMISSIONER BRIAN EYOLFSON: Let's take a break.

MS. CHRISTA BIG CANOE: Thank you.

--- Upon recessing at 16:18

--- Upon resuming at 16:37

MS. CHRISTA BIG CANOE: Commissioners, thank you for the break. Before we proceed calling the four remaining parties, a couple of things. The Government of Canada will not be exercising their cross,

so we have four parties remaining to cross. Both Mary and Lanna are available to answer questions, however, I will be making a motion, and my motion situates in our rules where Commissioners have the ability, in the efficiency of time or for the purpose of a trauma-informed approach, to make an order on the record for various reasons to enable you to make an order that Dr. Bourgeois will not be answering any more questions.

I know in the past we have tried other things when we have had time constraints or something come up in terms of written questions. However, in this particular circumstance, what I'm requesting for an order is that she be excused at this point as a witness, that taking a trauma-informed approach allows her the choice not to continue to be cross-examined and that in the particular circumstance it's warranted. And, on that basis, I do ask that you make an order to excuse her from the remaining four parties.

I will give the parties an opportunity, if they wish to, object to do so now.

And, seeing no objection, I am kindly asking that you make the order.

COMMISSIONER BRIAN EYOLFSON: Thank you, counsel. Yes, we will grant the order that the witness, Dr. Bourgeois, be excused. Thank you.

MS. CHRISTA BIG CANOE: Thank you. As I did state, the other two witnesses are still here and available for the remainder of the cross-examination. And, on that basis, I would like to invite up the MMIWG Manitoba Coalition. Ms. Dunn will have six minutes.

--- CROSS-EXAMINATION BY MS. CATHERINE DUNN:

MS. CATHERINE DUNN: Thank you. I have no questions of Dr. Bourgeois, but on behalf of my client, the Manitoba Coalition of Murdered and Missing Indigenous Women and Girls, I would like to acknowledge the incredible courage that we have seen through the evidence that she has given us this afternoon and thank her on behalf of my client and, in fact, on behalf, I'm sure, of every person in this room who has had the privilege of listening to her compelling evidence. And, to thank her as an individual who has been through many things, but who has shown us today what courage is and she has a courage which I have rarely seen in my life, and I thank her for it, as does everyone in this room I'm sure.

(APPLAUSE)

My next set of questions is for Ms. Moon Perrin. And, Ms. Moon Perrin, you have indicated that in your view, it is essential that the sex trade be decriminalized; is that correct?

MS. LANNA MOON PERRIN: Yes.

MS. CATHERINE DUNN: And, in your view, what does that look like in terms of decriminalization? For example, if it were up to you, can you see sex trade work taking place in a physical facility that is safe for the occupants therein who are doing their work? Or do you feel that that's too regulated?

MS. LANNA MOON PERRIN: I believe that -- what I believe would be the safest thing for sex workers in regards to decriminalized sex trade is for us to be able to negotiate how, where and when, you know, the -- we're going to service our clients.

MS. CATHERINE DUNN: All right. And, would you envision a security on -- in terms of the decriminalization process for individual workers?

MS. LANNA MOON PERRIN: Well, if the individual workers feels the need that they want security, that they would have the right to have security without that person being implicated in a crime.

MS. CATHERINE DUNN: And, as an advocate, do you feel that you would have any consideration of working either with the police or in conjunction with the police to educate them and their constables how to deal with workers in the sex trade industry?

MS. LANNA MOON PERRIN: From what I know, like even, like, Maggies in Toronto and Stellas in

Vancouver, and SWANs in Sudbury, I mean, we've had conversations with police forces on many occasions about what we need to feel safe and what our expectations are from the police and, you know, sometimes we get that, sometimes we don't. But, there is dialogue.

MS. CATHERINE DUNN: From your own experience, can I ask you how many sex trade workers that you have come across, that have been involved specifically with the child welfare system? To give a percentage, would it be 50 percent, 60 percent?

MS. LANNA MOON PERRIN: Like, as children or as mothers?

MS. CATHERINE DUNN: Well, in any way.

MS. LANNA MOON PERRIN: General?

MS. CATHERINE DUNN: As mothers, as children coming through the system ---

MS. LANNA MOON PERRIN: I don't know. I can't say.

MS. CATHERINE DUNN: Okay.

MS. LANNA MOON PERRIN: Like, I don't -- I can't -- to assume to know that about my...

MS. CATHERINE DUNN: Right. Okay. Those are my questions. Thank you.

MS. LANNA MOON PERRIN: Thank you.

MS. CHRISTA BIG CANOE: Thank you, Ms.

Dunn. Next, we would like to invite up Femmes autochotones du Quebec. Ms. Rainbow Miller will have six minutes. Maître Miller.

--- CROSS-EXAMINATION BY MS. RAINBOW MILLER:

MS. RAINBOW MILLER: Good day, Commissioners. Witnesses, thank you for coming to this Inquiry. All of my questions were for Dr. Bourgeois. I did not make an objection, because we completely understand, you know, that she was probably not in a state to testify.

I just want to thank her on record, you know, for giving us the testimony and I just want to say, you know, that she's a beautiful person and I really was struck by her strength and her beauty. So, I do not have any other questions for the witnesses.

MS. CHRISTA BIG CANOE: Thank you, Maître Miller. Next, we would like to invite up the Native Women's Association of the Northwest Territories. Ms. Amanda Thibodeau has six minutes.

--- CROSS-EXAMINATION BY MS. AMANDA THIBODEAU:

MS. AMANDA THIBODEAU: Thank you. Thank you, counsel and Commissioners. And, I would as well like to thank all the witnesses here today for their testimony. I think that each one of them has provided a very valuable point of view to consider. And, the knowledge and the

truth that they've testified to today is very much appreciated by myself and I'm sure everyone else in the room here. I'd also like to acknowledge that we are here on the ancestral lands of the Beothuk, Mi'kmaw, and the lands of the Innu, Inuit and the South Inuit.

I have some questions for Mary Fearon today. May I call you Mary?

MS. MARY FEARON: Yes.

MS. AMANDA THIBODEAU: Thank you. In your evidence, you speak to the challenges and barriers created by short-term funding and its impacts on the quality of programming. Based on your experiences and observations in your 20 years of community-based advocacy, do you agree that these observations about challenges and barriers created by short-term funding apply to the non-profit sector generally?

MS. MARY FEARON: Yes.

MS. AMANDA THIBODEAU: And, obviously, stable long-term funding would be the ideal, but would you have any recommendations on what range or minimum duration for funding would start to reduce these challenges?

MS. MARY FEARON: Well, I'd have to say that there needs to be sustainable funding indefinitely at this stage, until we can address some of the issues that are -- like, key information that we know about what's

causing a lot of the exploitation of youth and the children in our society.

So, yes, like until we deal with the bigger issues of poverty and access to health care and mental health services and addiction services, then I don't really think that we can put a time limit on it, because as we saw today, the recovery process is ongoing and supports need to certainly be there in the long-term. So, putting an, you know, an infinite amount of time on something or a definite time on something is not really practical, I don't think, in this case.

MS. AMANDA THIBODEAU: Do you envision a different way of structuring the funding that would lessen the impacts?

MS. MARY FEARON: Yes, I do. I think that -- of course, you know, I think it's important to be reporting back to somebody when we're offering these kinds of services, but I think there needs to be, kind of, block funding for, you know, maybe five years, five years, five years with these reporting times at the end of those five years. But, knowing that the continuum of services will -- you know, you will be able to engage in those services and not have to think about the end date.

MS. AMANDA THIBODEAU: Thank you. My next question is for you as well. You speak to a lack of harm

reduction approach in our health care system such as there being smoking policies, dropping clients who miss appointments, lack of supports for those who are active in their substance abuse and that sort of thing. Would you agree that dropping a client or a patient in a mental health crisis for missing an appointment or declining to advocate for that person with an active addiction essentially punishes that person for symptoms of their mental illness or addiction?

MS. MARY FEARON: Yes.

MS. AMANDA THIBODEAU: And, if a service provider drops someone who misses an appointment or is unwilling to support someone until their addiction is less active, in your experience and observation, does that in fact increase that person's vulnerability?

MS. MARY FEARON: Definitely.

MS. AMANDA THIBODEAU: Thank you. My last question is in regards to criminal records that come about as a result of trauma due to mental health and addictions. So, there's a tension between some who would advocate that criminal records should be kept forever as part of a punishment to a person for committing a crime, or under the guise of protection of others from those people who may be a risk based on their history, how would you help such persons including youth move forward successfully

while responding to those who would keep -- who would want a criminal record to be kept more permanently?

MS. MARY FEARON: Okay. Just clarify that question for me because -- sorry.

MS. AMANDA THIBODEAU: The tension between the people out there who say, "Well, we need to have this record exist so that people know when somebody has done something bad," or is part of their punishment versus helping people move forward when they have something they have done in their past that may have created a criminal record.

MS. MARY FEARON: Yes, and I think that we need to reflect on where people are in their lives when we look at those criminal activities and what that -- how that reflects on why they did the things they did, and there needs to be a process by where -- some kind of, you know, process where people don't have a criminal record over a period of time and don't engage in criminal activity, that there needs to be some way to remove those records, because those are huge barriers to all kinds of things, including housing and employment and other services. So, yes, I think that that needs to be dealt with in a different way.

MS. AMANDA THIBODEAU: Thank you. Thank you very much, those are all my questions today. And,

again, I would like to thank the witnesses for their testimony today.

MS. CHRISTA BIG CANOE: Thank you. We would like to invite up as the last party crossing, Vancouver Sex Workers' Rights Collective. Ms. Carly Teillet will have six minutes.

--- CROSS-EXAMINATION BY MS. CARLY TEILLET:

MS. CARLY TEILLET: Tashi, bonjour and good afternoon. I would like to begin by acknowledging our presence on the ancestral territory of the Beothuk, the Mi'kmaw and on lands Inuit, Innu and Southern Inuit call home, and to acknowledge the spirits of our women and girls, their families, the survivors, the elders, the medicines and sacred items that are here with us today.

So, as mentioned, my name is Carly Teillet, and I am the great granddaughter of Sara Riel, who is the niece of the Louis Riel, and that means that I am Métis, born in Winnipeg. And, I have the incredible honour and responsibility that comes with acting as counsel for a collective of Indigenous women and LGBTQ, two-spirit and gender fluid individuals who engage in sex work and trade in Vancouver's Downtown Eastside.

Lanna, may I call you by your first name?

MS. LANNA MOON PERRIN: Yes.

MS. CARLY TEILLET: Thank you. Thank you

for sharing your story. You shared a truth and you -- your truth is that you are an incredibly strong Indigenous woman and you are a white feather carrier, a mother, a sex worker, a land defender and so much more, and you hold knowledge that the public and this Commission needed to hear, particularly as this Commission has not heard the truth of most of my clients.

Now, you mentioned this morning, "I am hurt more and stigmatized more by my Indigenous sisters than Canada or the government." And, you also talked about positive numbers, and you talked about changing the story to celebrate, to promote life and to promote strength. And so, what can Indigenous organizations, including Indigenous women's organizations, what can they do to support and lift up Indigenous women, LGBTQ, two-spirit and gender-fluid folks who engage sex work and trade?

MS. LANNA MOON PERRIN: Thank you. I would like to encourage all of you to take a look at any policies that your agencies that you work for may have in regards to prostitution and really consider that we're all victims and we're all survivors of Canada, taking out the sex worker experience. And, that may be -- you know, morally, you may be abolitionist, you may not -- you may think that we should never have to sell sex. You may believe that, and that's your right to have that moral

belief.

But, in the safety for the people who are currently on the streets right now working to survive for money and selling sex, I would like to really encourage you to maybe take an approach of decriminalization and not to criminalize our brothers and sisters who choose or not to choose to be involved in the sex trade industry, to help empower and raise each other up, to not assume that we need to exit, that we need to fix our drug addictions, that we need this, this, this.

You know, I don't know if I said this on the panel or -- but this is something I believe. Like, the Indigenous approach is not, "Oh, that's broken. Let's fix it." The Indigenous approach is, "Oh, it's different. How can we use it differently," you know? And, as Indigenous women, we're in a place where we have to operate differently than we did 500 years ago, so what could we do to support each other in our individual work so that we could work together? Yes.

MS. CARLY TEILLET: So, speaking from your years of working with women in many cities, your contacts with the sex work community across Canada and from your advocacy role right now, are you able to give us a picture into how often people who assault sex workers are actually charged and convicted?

MS. LANNA MOON PERRIN: I don't know any.

MS. CARLY TEILLET: That's a powerful statement. And, just to close, you mentioned this morning that for a long time you felt alone and isolated, and over time you found out that you weren't alone. And so, I know that there are some of my clients listening and I know that there are folks listening to you from across the country, what would you like to say to them?

MS. LANNA MOON PERRIN: That we're not victims and we're not survivors. We're human beings living a human experience just like everybody else and that we have a right to voice our opinions and our beliefs just like everybody else. And, we have the right to safety, and we have the right to prosper, and we have just as many rights as every other human person in this country.

MS. CARLY TEILLET: Thank you for your voice and your story.

MS. LANNA MOON PERRIN: Meegwetch.

MS. CARLY TEILLET: Meegwetch.

MS. CHRISTA BIG CANOE: Thank you. Commissioners, I actually have no question in redirect, but if I can have your indulgence just to make one comment? I mean, I already thanked the witnesses this morning for their strength, and I want to thank Ms. Dunn.

I think she articulated well how I felt as well. And, I just wanted to advise, though, that, you know, Robyn, she will still receive our gifts, and we will continue to work with her, and provide health supports, and love, and mad respect for the courage it took her to testify today.

When we decided to have this dialogue and conversation, we actually knew that there could be potential to trigger and harm. And, we worked together with the witnesses to ensure that they could work together, and that supports were in place. And, I just wanted the record to show that, and that I believe, you know, everyone, like Ms. Dunn suggested, probably feels the same amount of mad respect and love for Robyn.

And, I also have an immense amount of mad respect for Lanna and Mary too, because this was not an easy conversation. And, I think, if anything, it just demonstrates and proves, really, the gravity, and the circumstance and the daily reality that Indigenous women experience in this country.

And, I think, if anything, I'm hoping that part of the message out of this panel was how we need to come together more as opposed to be spread apart on the spectrum if, for nothing else, the interest of the safety of all Indigenous women and girls, and two-spirted and trans, gender fluid. So, again, an immense amount of love

to the panel for all that they contributed and to the parties with standing for their love and their respect in the room as well.

--- QUESTIONS BY MR. BRIAN EYOLFSON:

MR. BRIAN EYOLFSON: Thank you very much, Ms. Big Canoe. First I want to thank so much the witnesses for being here with us today and sharing their truths. It's been a difficult day. It's been a long day and I just want to acknowledge that and acknowledge your contributions. I also want to thank the parties with standing for their questions today and for their understanding.

And I think I just had one question that I wanted to ask Ms. Fearon. In terms of your work that you do, do you have any opportunities in your work to reach out across jurisdictions, across provinces and territories to share wise practices or other practices with other organisations?

MS. MARY FEARON: Yes, I am given the opportunity to do that. And I'm always very open and our agency overall is very open to that and I would welcome it. And I hope that people would feel that they could reach out to our agency as well.

COMMISSIONER BRIAN EYOLFSON: So is there any organisation to that or are there any recommendations

you would have maybe about being more organised around that?

MS. MARY FEARON: Yes, I think -- well, there is -- definitely within our agency we're always reaching out to other agencies, making partnerships within our community. And I mean that in the broader sense of the province, but, yeah, I think that there could be within the coalition the -- of -- the CASEY, the Coalition Against Sexual Exploitation of Youth, I think that would be something that they're already doing is reaching out to agencies and looking to the information and making partnerships with, for example, Sue McIntyre Kain (ph) and we're looking at how do we strengthen those partnerships so, yeah.

COMMISSIONER BRIAN EYOLFSON: Thank you very much. I don't have any other questions, so I'll pass it on to Commissioner Robinson.

--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:

COMMISSIONER QAJAQ ROBINSON: Thank you. I actually have a couple of questions. Mary, can I call you by your first ---

MS. MARY FEARON: Yes.

COMMISSIONER QAJAQ ROBINSON: Thank you. We heard earlier this week from the chief of the police for the Newfoundland ---

MS. MARY FEARON: Royal Newfoundland Constabulary.

COMMISSIONER QAJAQ ROBINSON: --- Royal Newfoundland Constabulary, yes. Sorry about that. And he talked about some of the partnerships that they were building with your organisation, the Blue Door, to help improve the services that the police force were providing to women and people who utilise your services.

MS. MARY FEARON: Yes.

COMMISSIONER QAJAQ ROBINSON: Could you talk a little bit about that sort of challenges, benefits?

MS. MARY FEARON: Well, certainly some of the challenges are working with the police and working with the women that we're working with. People feel very -- there's a lot of kind of tension between the participants and the police, based on reality of their experience, I'd like to add. But that we're trying to figure out how to break down some of those barriers.

And so one of the things that we have done is developed a partnership where there are specific female police officers who are trauma informed and understand the position that many of the participants we work with, that they have been given those particular contacts. They allowed us to liaise between the participants in our program and the police department, so we've started doing

some of that.

And they're trying -- one of the things they have also done is a partnership with trying to get CASEY to come in and educate police officers on the sexual exploitation of youth, which has been, I think, shifting how the police see it and the seriousness of the issue that we have in our province.

And the other thing is, is just consulting with us to consult with our participants about better ways of engaging with the participants that we have and dealing with people in the sex trade in general. So they have looked to us and consulted with us to consult with our participants and they're opening -- open to listening to our participants personally, but we leave that up to the individuals to decide. And at this stage they're working mostly through us to pass that message along to the police.

And just simple questions about when we do this, how can we do it better? And we'll go back and consult with the participants in our group and try to find better ways of managing that. And it hasn't been easy and there's lots of tricky movement through that process, but, I mean, it's a first step in how to open the communication to change things.

COMMISSIONER QAJAQ ROBINSON: Are you

seeing some benefits flowing from that?

MS. MARY FEARON: Yes. Small benefits for sure, but benefits.

You know, I can think of in the last month that the RNC plain clothed females have come into our office and consulted with us or consulted with CASEY about issues that they've been dealing with in the community. And I think, again, it's just hearing the voice of lived experience and what they want things to be differently. And participants who've had to report instances of violence have been able to bring someone from the Blue Door in and meet particularly with trained officers, which has been definitely beneficial.

COMMISSIONER QAJAQ ROBINSON: Okay. Wonderful. Thank you. Thank you very much for answering my questions and your evidence and for coming and joining us. It was nice to hear from the police that they were engaging, so I wanted to hear your side of how that was going down so.

MS. MARY FEARON: Thank you.

COMMISSIONER QAJAQ ROBINSON: Happy about that opportunity.

Lanna, can I call you Lanna?

MS. LANNA MOON PERRIN: Yes.

COMMISSIONER QAJAQ ROBINSON: Okay. And

hi, Leaf. I want to thank you as well.

I don't have a lot of questions, but I was struck by something you said. Not all stories begin or end like that. And I think that that was really a teaching moment for me, because you're right. There's -- no story starts and ends the same. But in the course of this Inquiry and in life we're learning that there is a lot of similarities and shared experiences.

And, you know, at the fundamentally -- and we have to look at this from the perspective of the rights held by Indigenous women, girls, trans and two-spirited, no matter what, and that those rights be recognised, protected and upheld. And I really appreciate what you shared with us today. And I think that that priority of safety is so key and true choice.

And I want to share with you that from women that I've heard from in private, I've heard from a number of women and we've heard from one today where there was no choice. And that's exploitation.

And I want to know from you, because it seems to me that this is where the debate is in this spectrum of when is it exploitation? When is it choice? Is there a line? Where's the line? And then that line seems to dictate how we are supposed to respond; right?

MS. LANNA MOON PERRIN: M'hm.

COMMISSIONER QAJAQ ROBINSON: And I'd like to hear from you where is that line. But I also recognise that no story ends or begins the same way.

MS. LANNA MOON PERRIN: Yeah, and I think it's -- I believe -- so and we really need to listen to the person who's saying I don't want to be here, you know. And I think that that's where maybe decriminalisation might help us a little bit, because I really believe that -- I know that there's a lot of people that are in the trade that are forced to be there or that don't want to be there. There's no doubt in my mind that that is going on.

So -- and so how do we know who's choosing and who's not choosing to be there? So my answer to that is, you know, if decriminalisation were to happen and people are in the trade not by choice, then perhaps they would feel like they could make a phone call and be protected, because what they are doing is not illegal, you know. They're not -- because you don't want to be -- and when you're in the company of other sex workers or you're in the industry, you don’t want to blow the whistle and bring heat all over the place just for your own self, because everybody else might be okay with where they are. But, if you bring that attention there, then everyone else is going to be looking at you too.

So, I think that decriminalization might

help us weed out that process a little bit easier. It'll make a person who is in the trade feel like, I'm here because I choose to be here, and if I don't want to be here, either somebody that I can tell. So, that's where I'm, kind of, feeling that, you know, decriminalization might be the safest way for us to go.

COMMISSIONER QAJAQ ROBINSON: Thank you.

MS. LANNA MOON PERRIN: Thank you.

COMMISSIONER QAJAQ ROBINSON: When you were talking about -- you talked about you know where -- you know outreach. It was on the topic of outreach and how women in the trade are the best outreach workers. And, I -- one of the realities that I've heard about from women is that, because of the level of abuse, and it doesn't have to be physical, it was psychological, that they experienced by the person exploiting them or trafficking them, that no amount of, sort of, comfort in the police was -- like, it was really not a police response that they were looking for, and it was really a community response, but of course that safety element needing to be there. Do you see -- and so when you were talking to me about how, you know, we know where our sisters are and you know that environment, it struck me as there being an opportunity where women in the industry by choice can help work with those who aren't ---

MS. LANNA MOON PERRIN: Yes.

COMMISSIONER QAJAQ ROBINSON: --- and help with the outreach.

MS. LANNA MOON PERRIN: Sex workers aren't pro-trafficking. That's something we need to make clear. And, when trafficking is happening, a sex worker is the first person to call that colour and to be able to support each other through that process. It's very, very often that one sex worker will help another sex worker get away from a pimp without assistance of police. That happens a lot, you know?

And, I really believe that -- when I started doing outreach, it felt so good to me to be able to connect with my sisters and, you know, have a cup of coffee and talk. And, they were able to open up to me and feel okay, and say, oh, well, there's this bad date here going around, maybe you should -- okay. And then write it down. And then give that information around. Okay. Blue car, you know, red hat, this guy, blah, blah, blah, you know? And, to be able to share that information amongst each other.

So, yes, I really think that sex workers, we can empower each other. We are anti-trafficking and we need more of the support -- more support from our communities to be able to support ourselves as sisters.

COMMISSIONER QAJAQ ROBINSON: And, would you agree that that's institutions, like the police, respecting your knowledge and wisdom?

MS. LANNA MOON PERRIN: Yes. I mean, yes, if the police could respect our knowledge and wisdom and, kind of, let us, sort of, keep our knowledge and wisdom where it's at and share it when it's needed, you know, because we've been able to gain this knowledge and wisdom through our experiences, but we're not going to go out and be blabbing it off to everybody, you know? I mean, in a case of somebody's safety, of course, you know, we'll make sure that the information is there to keep someone safe, but I mean -- yes.

COMMISSIONER QAJAQ ROBINSON: Okay. Thank you. Those are all my questions. I want to thank you so much for coming, and sharing with us and engaging in this conversation that I know is not easy. I want to express my gratitude to you, Lanna. I also want to express my gratitude to Robyn. I -- sorry. I'm sorry. I'm so sorry. I know they're going to sing after and I wish you were in this room, Robyn, for the medicine that's in this room. And, the love that's in this room for you. And, I want you to know what you've taught me and I hope one day I can share that with you. Fundamentally, in a society where Indigenous women and girls are marginalized,

subjugated and abused by the state, to talk about choice is hard. This whole conversation is so hard. And, when it's state sanctioned, we've heard about it from so many other witnesses. And, I hope we can talk again another day.

I also want to thank the parties with standing, and I want to especially thank our legal team and Commission Counsel for very bravely and rightfully making this a topic that had to be discussed. I think that we all know though, at the end of the day, in the beginning of the day, it's about safety, and having these conversations is what needs to happen to get to that. So, I want to thank you, Christa, and your team very much for what I know was a hard day.

And, for the families and survivors and all those in the room, trying to do this in a process is so hard, with the clocks and -- the irony that that is also state defined doesn't go past me in this moment. So, I'm going to stop. I just really needed to express my gratitude and express how sorry I am. I guess we adjourn then, or...

MS. CHRISTA BIG CANOE: Yes. I think you may have some gifts over there that you want to share.

CHIEF COMMISSIONER BRIAN EYOLFSON: Just before we adjourn, I just want to acknowledge that the

witnesses have come here today and they have shared their gifts with us, their gifts of their truths. And, as a -- in appreciation of that, we have a small gift in return for you, we have some eagle feathers.

And, this is something that we started early on in our process, some matriarchs out on the west coast provided us with eagle feathers to be able to honour our witnesses who come and share their truths with us. And, as we've gone across the country, different communities have provided us with eagle feathers.

So, we have some feathers to give and we have one for Robyn, and we'll find a way to get it to her as well. And, we hope that -- it's a small token, but we hope that it can maybe lift you up on those days when you need a little bit of lifting up. So, I'm going to ask that our grandmothers to come and help us present the eagle feathers to you. Thank you. Meegwetch. And, these are Mi'gmawe'l feathers I've been told.

MS. CHRISTA BIG CANOE: Sorry. And, actually, the Commissioners also want to extend that -- the same gift to Lief. So, Commissioner Robinson's coming over to you, Lief. I think I speak on behalf of the Commission when I say you standing beside your mother today and supporting her exemplifies what we have heard a lot about us wanting to ensure that Indigenous men stand

by their women and understand and support. And so, this feather is also to lift you up and to thank you for the love and support you provided your mother today and the example you have shown. So, meegwetch.

(APPLAUSE)

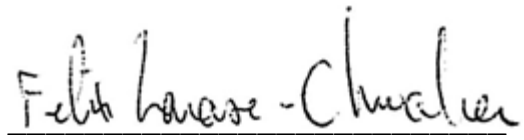
MS. TERRELLYN FEARN: If there ever was a time for a song, it is now. So, I would like to invite anyone that would like to come up and sing. And, we're going to be singing the Women's Warrior song for these brave warriors that have had the courage and the heart and the openness to share so powerfully and profoundly with all of us and all the world today. So, please join us.

(MUSICAL PRESENTATION)

--- Upon adjourning at 17:27

LEGAL DICTA-TYPIST'S CERTIFICATE

I, Félix Larose-Chevalier, Court Transcriber, hereby certify that I have transcribed the foregoing and it is a true and accurate transcript of the digital audio provided in this matter.



Félix Larose-Chevalier

Oct 17, 2018