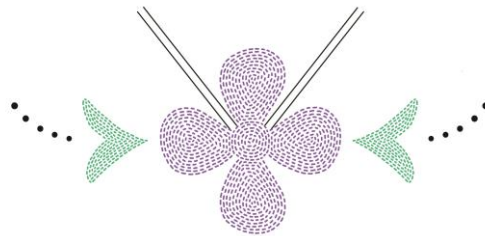


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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

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



PUBLIC

**Wednesday November 28, 2018
Part 4 Oral Submissions - Volume 3**

**Saskatchewan Association of Chiefs of Police
First Nations Health Council
Vancouver Rape Relief & Women's Shelter
Downtown Eastside Women's Centre
Awo Taan Healing Lodge Society**

**Heard by Commissioners Michèle Audette,
Brian Eyolfson & Qajaq Robinson**

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Second Chairs: Shelby Thomas & Thomas Barnett (Commission Counsel)

Heard by Commissioners Michèle Audette, Brian Eyolfson & Qajaq Robinson

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

Clerks: Bryana Bouchir & Maryiam Houry

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1

2

Calgary, Alberta

3

--- Upon commencing on Tuesday, November 28th, 2018 at

4

9:08 a.m.

5

MS. CHRISTINE SIMARD-CHICAGO: We're

6

about to start. I hope everyone had a good rest and feels

7

wonderful today. We have another full day of Commission

8

submissions, et cetera, today. But first off, we're going

9

to start our morning off in a good way, so I'm going to

10

ask Alvine and Spike to come up and do our morning prayer.

11

MS. ALVINE WOLFLEG: I'll just

12

(Indiscernible). (Speaking Native Language). Just to

13

share, we apologize for not being here for the closing.

14

But what happened was we went to get a tune-up at a

15

doctor. Like my father would say when we -- I -- I took

16

him to see a doctor, he said, "Oh, I just got a tune-up."

17

So I'm glad to see all this morning.

18

(OPENING PRAYER - NATIVE LANGUAGE)

19

MS. CHRISTINE SIMARD-CHICAGO: Now, I'd

20

like to ask Spike Junior and Clarence Wolfleg Junior to

21

come up and they do an honour song for us this morning.

22

(OPENING DRUM)

23

MS. CHRISTINE SIMARD-CHICAGO: *Migwetch.*

24

Migwetch. And I'll ask Myna to do her opening with

25

lighting of the Qulliq.

1 **--- LIGHTING OF THE QULLIQ**2 **MS. MYNA MANNIAPIK:** (Speaking Inuktitut).

3 Oh, it's -- it's me. (Speaking Inuktitut). I wanted to
4 say something about -- well, it has to do with the Qulliq
5 in a way. One of my -- my very best memories was -- as a
6 child with my late parents before we were moved from our
7 camp. I was very fortunate to live that part of my life,
8 and my very best memories are from that time under the
9 care of my very capable parents, besides the time I had my
10 beautiful daughters. In those days, first thing when I
11 wake up in the morning was beside my mother and watching
12 her spreading the flames to start off the day. I'd be
13 lying on my tummy watching her spreading that one flame
14 that was on all night, and that's how we started our day.
15 And then, after that, we had -- we had to go outside and -
16 - or just stick our head outside to take a fresh breath of
17 air to start, so we can have a good day. And that's how
18 we were brought up. It's called (Speaking Inuktitut).
19 Inuit believe it was necessary, so we can live a life
20 without facing too -- too many obstacles.

21 Then that, amongst many traditional
22 practices, were interrupted. And years have -- decades
23 have passed since. Some of us are still around who were
24 fortunate enough to actually live the peaceful, and yet it
25 can be harsh at times. But that is why we are resilient

1 people. And we are going to take it back. Maybe not
2 everything, but as long as we take back our tools of life,
3 we'll be okay. It is important to look ahead without too
4 much of dwelling in the past and move on. Thank you.

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

6 Now, I'll --

7 **UNIDENTIFIED SPEAKER:** (Indiscernible)

8 start?

9 **MS. CHRISTINE SIMARD-CHICAGO:** We're going
10 to be starting right way, so I'm -- oh, prior to that, we
11 have a Elders' Room, for those that need assistance, and
12 the Health Room. We have health -- health staff -- staff
13 available that are wearing purple shirts or purple
14 lanyards. And we also have Healing through Beading with -
15 - with Gerry (phonetic) and Cora Lee (phonetic) in the
16 Elders' Room as well. So I'll hand the mic over to
17 Christa now. Have a good day.

18 **MS. CHRISTA BIG CANOE:** Thank you,
19 Christine. Bon matin, Commissaire Audette. Good morning,
20 Commissioner Robinson, Commissioner Eyolfson. I'm Christa
21 Big Canoe. I'm Commission counsel. Sitting beside me is
22 Associate Commission counsel, Ms. Shelby Thomas. She'll
23 be assisting me in inviting the Parties with Standing up
24 to the podium, so that they may make their closing
25 submissions before you.

1 Our -- our first Party with Standing that
2 will be making submissions is the Saskatchewan Association
3 of Chiefs of Police. They are represented by counsel, Ms.
4 Katrina Swan, who agreed to start early if we could.

5 **--- SUBMISSIONS BY MS. KATRINA SWAN:**

6 **MS. KATRINA SWAN:** Thank you. Good
7 morning. Good morning, Elders, Commissioners, members of
8 the National Family Advisory Circle. And before I begin
9 my submissions this morning, I would like to thank and
10 acknowledge the people of Treaty 7 territory and the Métis
11 Region 3 for once again welcoming us to their homeland.
12 And, Commissioner Audette, just so you know, I do have
13 with me the translation, so if it comes to a point where
14 you have questions for me, I will be prepared.

15 As mentioned, my name is Katrina Swan, and
16 I am legal counsel to the Saskatchewan Association of
17 Chiefs of Police, or as I'll refer to them for the
18 remainder of my submissions, the SACP. And I'm not here
19 necessarily representing the body, the SACP, but rather
20 the member organizations that make it up. Those are the
21 12 municipal police services that exist in Saskatchewan.
22 Although, the RCMP are part of the SACP, for the purposes
23 of my submissions, and my representation during the
24 National Inquiry, I'm not representing the RCMP 'F'
25 Division.

1 You may not recognize me, as this is only
2 the second time that I've had the privilege of appearing
3 before you, having cross-examined only one witness during
4 Part 2 and 3 hearings. But I can say that I have been
5 present. I've been at six of the nine Part 2 and 3
6 hearings, and I was present for the community hearings in
7 Saskatoon. I've been present, and I've been listening,
8 and I've been taking back the important lessons I've been
9 learning to my clients in the hopes of -- of helping them
10 and assisting them in their continuous efforts at
11 improvement of police in Saskatchewan.

12 I'm both honoured and somewhat apprehensive
13 to be standing before you today. I'm honoured because the
14 SACP truly supports this National Inquiry and its mandate.
15 And it's shown its commitment to the process by
16 participating in these hearings. Clive Weighill testified
17 on behalf of the SACP, and we entered many exhibits to be
18 sure that the Commissioners have valuable information
19 needed to come up with beneficial recommendations. I am
20 proud to stand before you making submissions on behalf of
21 a client group I believe works hard every single day to
22 provide valuable, responsive, and respectful police
23 services to the citizens of Saskatchewan.

24 I believe positive changes have happened,
25 and they continue to happen in Saskatchewan. And I'm

1 proud to be able to share those with you today. I'm
2 apprehensive, however. Because having sat through these
3 hearings, I know that all over Canada, including in
4 Saskatchewan, police have not always met the needs of
5 their community. I know from the pre-inquiry design
6 process, from your Interim Report, our women and girls are
7 sacred. And from the testimony heard throughout, that
8 interactions with police services have been highlighted as
9 among the most critical aspect for consideration by this
10 Inquiry.

11 From the consultations held in
12 Saskatchewan, I know the following were highlighted as
13 concerns: Police accountability, specifically, related to
14 how reports of missing and murdered women and girls are
15 handled; racism, cultural ignorance, and discrimination in
16 accessing services; improvements in police communication
17 with families about ongoing investigations; recruitment
18 and training of police officers, specifically, as it
19 relates to knowledge and understanding of Indigenous
20 people; and finally, investigative practices.

21 I've heard multiple examples of how police
22 are perceived to have failed and, in many cases, continue
23 to fail Indigenous people in this country. I heard this
24 loud and clear throughout all parts of the Inquiry,
25 including this week during the closing submissions, the

1 very powerful submissions that I've heard. I am the first
2 of only a few Parties with Standing representing police in
3 this National Inquiry to be providing closing submissions.
4 And there are many parties who will follow me, who may
5 offer a different perspective or more even -- excuse me,
6 may even take exception to some of the submissions that I
7 make. And I don't want to say the wrong thing, and I
8 don't want to cause any trauma or grief for anyone. But I
9 hope to be able to demonstrate the ongoing work and
10 commitment to improving police relations in Saskatchewan,
11 and commitment to solving the crisis of missing and
12 murdered Indigenous women and girls and LGBTQ2S people.

13 We understand that one of the most crinable
14 (phonetic) -- critical components of community safety is
15 trust in the police. If I can sum-up my presentation in a
16 very simplistic way for you today, although ...there are
17 challenges in Saskatchewan and the police may not always
18 get it right, there are also some very good things
19 happening.

20 If the national enquiry had been given more
21 time, I would very strongly have advocated for you to hear
22 more from the Saskatchewan witnesses then just Chief Clive
23 Weighill. He's an excellent ambassador for policing in
24 Saskatchewan and he was unanimously selected by the SACP
25 to be the voice for the purposes of this enquiry.

1 But having the opportunity to hear from
2 individuals such as Chief Troy Cooper and Chief Evan Bray
3 from Regina would have been very valuable for the
4 Commissioners.

5 These are the chiefs of police of the two
6 largest police services in Saskatchewan and they're people
7 who are passionate about policing as a profession, but
8 they're equally passionate about the communities they
9 serve and they're working hard to change how police
10 perceive members of the community they serve and also
11 working to change the perception of the public about
12 police.

13 Chief Cooper has been repeatedly recognized
14 and awarded for his commitment to the Indigenous
15 community. Particularly his work building relationships.

16 Two times this year he was recognized by
17 the Prince Albert Grand Council. Once for his work on
18 missing and murdered Indigenous women and girls, and once
19 for his work with the broader Indigenous community.

20 Chief Evan Bray is very quickly being
21 recognized in and around Regina as a dynamic speaker and
22 community leader who has important lessons to offer
23 related to the police's role in reconciliation. He is
24 regularly called upon by local Indigenous leaders to
25 participate, often prominently in local events.

1 Why are these things important? Because
2 leadership starts at the top and these two gentlemen
3 demonstrate outward commitment to being better, to
4 offering enhanced services to ensure greater community
5 safety and for -- community safety for all and an enhanced
6 level of understanding about Indigenous communities.

7 Before I get into the meat of my
8 submissions, I would like to provide you with some
9 statistical -- I've been practicing that word and I can't
10 get it. Statistical and historical context for policing
11 in Saskatchewan.

12 In Canada, there are 69,072 police
13 officers. My clients represent 1,076 of those. The
14 majority of those 1,076 - 951 individuals - work in 3 of
15 the municipalities in Saskatchewan: Prince Albert, Regina
16 and Saskatoon.

17 Although there is a tendency to paint
18 police with a single brush, police services across Canada
19 are not all the same. There are many differences in
20 priorities, resources and attitudes in every region across
21 this country. This became clear to me throughout the
22 course of the evidence heard.

23 The way things are done in Saskatchewan is
24 not always the same as other provinces. And although I do
25 not wish to dwell today on the negatives, it's impossible

1 for me to stand before you without acknowledging the dark
2 history of police in Saskatchewan. It's a well-known
3 history and its been highlighted by numerous witnesses and
4 Commissioner Audette in particular on more than one
5 occasion.

6 I'm of course speaking of the controversial
7 history of the Saskatoon police service with respect to
8 starlight tours. Although Saskatoon is synonymous with
9 the phrase, similar allegations have been made about
10 police services across Saskatchewan.

11 Starlight tours refer to situations in
12 which police were alleged to pick up intoxicated people,
13 often Indigenous, and drop them off at a location near the
14 outskirts of the city. They were said to be walking home
15 with a stated intention of sobering up. In a province
16 like Saskatchewan with extremely cold temperatures in the
17 winter, this was a dangerous and potentially fatal
18 practice.

19 During the early 2000's, police and
20 Indigenous relations in Saskatchewan reached a critical
21 point. Tensions ran especially high after two members of
22 the Saskatoon police service arrested Darrell Knight, an
23 Indigenous male, and transported him to the edge of the
24 city on a cold February night, leaving him there to find
25 his own way home.

1 Fortunately, Mr. Knight survived the
2 encounter and the two members were ultimately convicted of
3 forceful confinement and assault and were subsequently
4 dismissed by the Saskatoon police service.

5 Around the same time there were four other
6 Indigenous men who died in suspicious circumstances,
7 similar to those alleged by Mr. Knight. This prompted the
8 Saskatoon police service to ask the RCMP to conduct a
9 full-scale review of those four cases and one historical
10 case from 1990.

11 Each of the above incidents led to what I
12 would suggest was a well-founded loss of public trust of
13 police in Saskatchewan, particularly in Saskatoon.

14 The situation resulted in protests across
15 the province. It drew international condemnation from
16 Amnesty International and in response the Federation of
17 Saskatchewan Indian Nations, as they were then called,
18 established their own special investigations unit to
19 review allegations of police misconduct.

20 Shortly after its creation, this special
21 investigations' unit had received thousands of calls from
22 Indigenous people across the province alleging police
23 mistreatment.

24 Upon completion of the investigation by the
25 RCMP and inquests into four of the five cases, the

1 Saskatoon police services was not tied to the deaths of
2 four of the gentlemen.

3 However, the investigation into the 1990
4 death of Indigenous teen Neil Stonechild resulted in the
5 calling of a provincial enquiry.

6 After a lengthy enquiry, approximately 10
7 weeks of hearings, over the course of 9 months, with 64
8 witnesses, on October 26th, 2004, Commissioner Mr. Justice
9 David Wright released his final report.

10 The findings and recommendations made by
11 Mr. Justice Wright became the impetus for wholesale review
12 and sweeping changes in Saskatchewan. I will cover what
13 those were in more detail in my written submissions.

14 Saskatchewan is small and at the conclusion
15 of the Stonechild enquiry, police and Indigenous relations
16 were strained across the province. However, the impact of
17 the Stonechild enquiry has been described as a turning
18 point in Saskatchewan's history.

19 You heard Chief Weighill say proudly that
20 Saskatchewan police responded positively to the
21 recommendations of Mr. Justice Wright, implementing every
22 one.

23 Since the Stonechild enquiry, the SACP and
24 its member organisations have worked hard to rebuild the
25 trust lost during that time. They've undertaken many more

1 far reaching initiatives that have helped improve
2 relations in Saskatchewan. And this work continues today.

3 Some additional context which shows how far
4 Saskatchewan police have come since Stonechild, is found
5 in Exhibit from the Regina hearings; the CV of police
6 chief Clive Weighill.

7 When Chief Weighill was sworn in to the
8 Saskatoon police service in 2007, trust in the Saskatoon
9 police service was at an all time low.

10 In particular, of the people surveyed, only
11 38 percent of the Indigenous community had trust in the
12 Saskatoon police service and 53 percent of the broader
13 community had that same trust. This information was
14 measured based on community satisfaction surveys conducted
15 by outside agencies.

16 But upon Chief Weighill's retirement in
17 2017 those numbers had increased dramatically. Eighty-six
18 (86) percent of Indigenous people surveyed had
19 satisfaction with the Saskatoon police service and 93
20 percent of overall respondents surveyed had that same
21 trust.

22 It's respectfully submitted that this
23 information is relevant to the Commissioners, because it
24 demonstrates the origins of current practices and policies
25 in Saskatchewan.

1 Although there were many dark years, the
2 Stonechild enquiry was the catalyst for recognition by
3 municipal police services that there's importance in
4 relationship building and understanding Indigenous history
5 and in cultural relations.

6 It may seem like I am taking the easy road
7 out in this hearing, because I'm not bringing any new
8 recommendations to the Commissioners today, but I
9 certainly do strongly support several pre-existing
10 recommendations and that's where I'll spend the remainder
11 of my time with you this morning.

12 Although my focus is on the police related
13 recommendations, the most critical recommendation is
14 obviously the root causes of why Indigenous women and
15 girls are missing or murdered. This is at the core of
16 your mandate.

17 In Saskatchewan as you heard during the
18 testimony of Chief Weighill, police are involved in a
19 number of initiatives designed to address the root causes
20 of vulnerability and marginalisation of Indigenous women
21 and girls.

22 Police services in Saskatchewan are
23 becoming more and more involved in restorative justice
24 efforts and are working collaboratively with community
25 partners to ensure better linkages for individuals to wrap

1 around care and support services.

2 You heard evidence of many multi-agency
3 initiatives designed to proactively address situations
4 or individuals before they're in crisis. We heard about
5 Hubs in Saskatchewan, which is a multi-agency approach.
6 You heard about our Police and Crisis Teams, which is a
7 partnership with the Saskatchewan Health Authority
8 targeting individuals with mental health related issues
9 and helping them find services before reaching crisis.
10 You heard about The Regina intersectoral Partnership, or
11 TRiP, and Saskatoon's Strengthening Families. These are
12 targeted towards youth and their families.

13 Chief Weighill provided evidence about the
14 high number of missing youth, in particular, how the
15 majority of the young who go missing are running from
16 group homes or are habitual runaways. Most recent numbers
17 in Saskatoon show that of the 867 instances of female
18 youth being reported missing, 810 are habitual runaways.
19 It's easy to draw the correlation between these missing
20 youth and their increased vulnerability. Programs such as
21 Operation Runaway in Saskatoon are working to address this
22 concern, and similar to the programs described above,
23 illustrates the importance of wrap-around services.

24 I'd like to commend to you for your review,
25 a number of documents that have been put in evidence

1 already. These documents provide a very robust discussion
2 about the initiatives in Saskatchewan, many of which I
3 will be speaking of today and, obviously, due to time
4 limits, I will not have the chance to walk through in
5 great detail. But, in particular, I commend you to
6 Exhibits 28, 29, and 30 from the Toronto hearings on
7 racism, documents that were put in through Ms. Farida Deif
8 from Human Rights Watch. Those are the detailed responses
9 from the Regina, Saskatoon, and Prince Albert Police
10 Services to the questions that were posed by Human Rights
11 Watch. And also, Exhibit 75, put in through Chief
12 Weighill at the Regina hearings on policing practices and
13 policies. This is the representative workforce reports
14 from Regina and Saskatoon. I will reference these
15 throughout my submissions, both
16 in -- in my oral submissions and writing. And, in
17 addition, a review of the testimony of Chief Weighill will
18 provide you with excellent context.

19 With respect to policing, there are five
20 specific recommendations that the SACP strongly agrees
21 with. And in the limited time I have left to present, I
22 will necessarily have to be brief. But I will address
23 them, as I say, in my written submissions. The five
24 recommendations are: More representative police services;
25 cultural competency for all police officers, with an

1 ongoing requirement for training; strong community
2 relationships and partnerships with Indigenous
3 communities; Indigenous liaison positions and victim
4 services; and transparent and accountable policing, and
5 with this, comes the importance of oversight.

6 There's always room for improvement, but I
7 would like to highlight that the SACP is already doing
8 several things in response to these five recommendations.
9 First, for representative workforces and Indigenous
10 recruiting. Throughout the many hearings held, the
11 National Inquiry has -- and -- and including in your
12 Interim Report, our women and girls are sacred. One of
13 the consistent messages heard by the Commissioners is the
14 importance of having more representative police services
15 and the hiring of more Indigenous police officers.
16 According to Statistics Canada, in 2016, Indigenous people
17 made up 15.6 percent of the population in Saskatchewan.
18 Obviously, population is not consistent across the
19 province, which is why representative workforce means
20 something different in every municipality.

21 During the testimony of Chief Weighill, we
22 entered Exhibit 75, and it contains information about
23 employment equity plans that the Saskatoon Police Service
24 and the Regina Police Service have entered into with the
25 Saskatchewan Human Rights Commission. This exhibit

1 details the statistical breakdown and describes in detail
2 the initiatives being undertaken. Very briefly, in Regina
3 and Saskatoon, the target of a representative workforce is
4 14 percent. In Regina, there are 10.3 percent of our
5 sworn officers is Indigenous, and in Saskatoon, there's
6 9.8. The number is higher in Prince Albert, where the
7 total Indigenous population is higher. The goal of
8 representative workforce in Prince Albert is 35 percent,
9 and the total number of Indigenous police officers is 30
10 percent.

11 As set out in the evidence of Chief
12 Weighill, recruitment of Indigenous people into policing
13 has been, and continues to be, a priority for municipal
14 police services, and there are many initiatives in place
15 to improve recruiting. By quick way of highlight, in
16 Regina, Saskatoon, and police -- or in Prince Albert,
17 there is a dedicated Indigenous recruitment officer.
18 There are mentorship programs; the Treaty 4 Citizens
19 Police Academy, they attend career fairs across
20 Saskatchewan, including in Indigenous and remote
21 communities; and there's a partnership with the Aboriginal
22 Policing Preparation Program at the Saskatchewan
23 Polytechnic -- I guess, it's like -- like university.
24 It's a polytechnical institute. All of these focus on
25 mentorship, recruitment, and are aimed at ensuring the

1 success of Indigenous people in application, training, and
2 employment in policing.

3 Another important item highlighted
4 repeatedly in evidence in Parts 1, 2, and 3 as well as in
5 the Interim Report, is improved training in cultural
6 competency. The Commissioners will recall that Chief
7 Weighill, during his testimony, advanced this as one of
8 his recommendations as well. And the SACP agrees that
9 this is critical to community safety, to reconciliation,
10 and to changing the attitudes of police towards Indigenous
11 people. As such, the SACP very strongly endorses this
12 recommendation. In Saskatchewan, at various stages of a
13 police officer's career, there is cultural training. It
14 happens on a mandatory basis during recruitment training,
15 and there are a number of mandatory courses that are
16 mandated through the municipal training regulations that
17 include cultural components.

18 But it's the individual police services
19 that also bear responsibility to ensure training. And in
20 Regina, there is mandatory training for all sworn and
21 civilian staffs that occur -- staff that occurs annually.
22 Every second year, this includes cultural components. In
23 2014, a member of our Community Diversity Unit provided
24 training on the importance of traditional teachings. In
25 2016, three Elders from the Chiefs Advisory Council

1 provided education about the Truth and Reconciliation
2 Commission, putting it into real terms and context by
3 offering their own lived experiences. And in 2018,
4 Merelda Fiddler-Potter, a professor at the -- First
5 Nations University of Canada, provided four hours of
6 education about Indigenous history from colonization to
7 present. This included an interactive component, during
8 which time, all members were assigned one of the justice
9 related calls to action and were asked to discuss
10 strategies for implementation. In 2018, the senior
11 executive members of the Regina Police Services
12 participated in the KAIROS Blanket exercise, and this will
13 be rolled out to the remainder of the police service in
14 2019.

15 Our Cultural and Diversity Unit has also
16 been asked by the Elders of the Regina Police Service to
17 write down traditional teachings and have them available
18 on the Regina Police Service's internet site to help
19 people understand the traditional teachings. In Moose
20 Jaw, the members have participated in mandatory Treaty
21 training and have also participated in the KAIROS Blanket
22 Exercise. In Prince Albert, cultural awareness is one of
23 their core values. There are regular training and
24 learning opportunities provided by their Elder, and
25 information about community events and training

1 opportunities are circulated to the entire service.

2 After the Stonechild Inquiry, all members
3 of the Saskatoon Police Service were required to take
4 mandatory training that included colonialism, residential
5 schools, The White Paper, Sixties Scoop, and contemporary
6 issues. Since then, all members of the police service
7 have been required to take the 32-hour diversity training
8 offered by the Saskatchewan Police College. In addition,
9 Elders teachings are provided regularly, and they are
10 currently working on an Indigenous engagement strategy.
11 This includes researching options for improved cultural
12 competency training. Although, the police services are
13 making the requests to have this training provided, it is
14 Indigenous curated, and it is Indigenous led. It is this
15 type of training that will help transform police services
16 to be more aware of responsible -- responsive to the
17 Indigenous culture and teachings.

18 My third point is community relationship
19 building. In the National Inquiry's Interim Report, the
20 Commissioners highlighted the need for improving
21 relationships between police services and the Indigenous
22 community. And the SACP agrees, this is a critical
23 component for addressing much of the existing mistrust of
24 police by members of the indigenous community. As I said
25 earlier, a key component to community safety is trust in

1 the police.

2 In Saskatchewan, SACP members are always
3 working on partnerships with indigenous leaders, Elders
4 and organizations.

5 It is respectfully submitted that in 2018,
6 positive relationships are the norm and building and
7 growing new relationships is always a priority.

8 One of the key reasons that the SACP was
9 most disappointed with the Human Rights Watch submission
10 to the Government of Canada on police abuse of indigenous
11 women in Saskatchewan and the failure to protect
12 indigenous women from violence is with the generalization
13 of the relationship between the police and indigenous
14 community as being, and I quote, deeply fractured.

15 To be clear, the SACP is not disputing the
16 lived experience of the women who shared their stories
17 with the Human Rights Watch but, rather, the issue was
18 with the lack of inclusion of the SACP side of the story
19 and the submission.

20 The SACP fully participated in the research
21 and was disappointed that the final submission failed to
22 recognize or include any acknowledgement of the detailed
23 information provided in response to 48 comprehensive
24 questions. The response to those question is before you.
25 It is Exhibits 28, 29 and 30 and, as I said earlier, I do

1 commend that you review those.

2 For agencies who work hard to build and
3 maintain relationships and who acknowledge the importance
4 of indigenous culture and traditions, this report was
5 frustrating, and I will address more of this in my written
6 submissions. But it is against that backdrop that I ask
7 the Commissioners to consider the efforts the Chiefs of
8 Police in Saskatchewan of the municipal police service are
9 making at building better relationships.

10 For the purposes of this submission, I'm
11 going to give you some very high points. It's limited and
12 not exclusive, but one of the most important partnerships
13 that the Regina Police Service has built is a cooperative
14 and community safety protocol signed with the File Hills
15 Qu'Appelle Tribal Council and their urban service delivery
16 arm, the Regina Treaty and Status Indian Services.

17 The goal of the protocol is to ensure
18 communication, resolution of conflict and early
19 identification of community disputes. Obviously we can't
20 speak for RTSIS or the File Hills Qu'Appelle Tribal
21 Council, but from Chief Evan Bray's perspective this
22 protocol ensures increased accountability and it creates
23 dialogue. It seeks input to ensure that police are better
24 able to serve the community.

25 Prince Albert has a similarly strong

1 relationship with the Prince Alberta Grand Council working
2 together on community initiatives. Saskatoon has a close
3 partnership with Saskatoon Tribal Council working on
4 initiatives, including as an example the unveiling of the
5 missing and murdered indigenous women and girls monument
6 before the Saskatoon Police Service headquarters.

7 Moosejaw works with the Wakama Aboriginal
8 Community Association. The services regularly utilize
9 Elders in the form of advisory committees, and culture and
10 ceremony are regularly highlighted. All members are
11 encouraged to attend and participate where possible.

12 For the SACP, relationships and
13 partnerships with the indigenous community are not in name
14 or on paper only. These are critical and valued
15 partnerships that ensure that ongoing community safety and
16 trust.

17 The next recommendation I wish to highlight
18 is the importance of culturally appropriate victim
19 services. Criminal investigations are, by their very
20 nature, challenging. The circumstances that bring victims
21 and their families into contact with the police are never
22 positive. Efforts to ensure positive interactions with
23 police during the most difficult time in people's lives
24 must always be made.

25 Historically, families of missing and

1 murdered indigenous women and girls have often reported
2 being less than satisfied with the police response, and
3 many have actively voiced dissatisfaction and
4 disappointment.

5 It is submitted in Saskatchewan police
6 services are working harder on their initial investigative
7 responses. They work collaboratively with the community
8 partners to ensure individuals are linked with wrap-around
9 support services. This is true of victims, families and
10 individuals who come into contact with the police for
11 reasons that may not be totally linked to crime.

12 In your interim report, you did acknowledge
13 and highlight that in Saskatchewan we do provide the
14 services -- indigenous services, specifically missing
15 persons liaisons, an Aboriginal liaison resource program
16 recently renamed Indigenous Resource Officers, so I won't
17 -- you've acknowledged that they exist, and in the
18 interests of time I think I might have to skip over those,
19 but I will discuss them in greater detail.

20 I will highlight, however, that the missing
21 persons liaison, which was created in 2011, exists in
22 Saskatoon, Regina, and Prince Albert. And these
23 individuals work with the police to support families of
24 missing persons.

25 They work to identify best practices, to

1 develop training materials and to provide expertise,
2 advice and training to the victim services units
3 throughout Saskatchewan.

4 It is this missing persons liaison group
5 that created the family tool kit and support guide, which
6 has been entered into evidence on several occasions during
7 the course of this inquiry and was mentioned by my friend,
8 Ms. Mysko, yesterday in her submissions on behalf of the
9 Government of Saskatchewan.

10 Contact with the family is a critical part
11 of the investigative process. I would love to stand
12 before you today and say, "We get it right all of the
13 time", but as you've heard, as often as we get it right or
14 think we get it right, we're being told that we missed the
15 mark.

16 This is not something that can be a single
17 solution, and not all families want the same thing. But
18 families should be told that they are free to contact the
19 investigators and that they can dictate the level of
20 contact they wish to have.

21 I do acknowledge, however, that it's not on
22 the families to make those efforts, that the police do
23 need to work harder at ensuring there is an open
24 relationship and communication between the parties.

25 The fifth recommendation that was

1 highlighted by you in "Our Women and Girls Are Sacred",
2 and it is endorsed by the SACP, is the importance of
3 civilian oversight.

4 Chief Weighill, in his testimony during
5 cross-examination, in Part 2, Volume 8, page 300, said
6 that you would not find any Chief of Police in Canada that
7 would argue that there's not a need for civilian
8 oversight. Although this is often a source of criticism
9 for Saskatchewan, there are three different levels of
10 civilian oversight, all of them mandated by the *Police Act*
11 *1990*.

12 First we have local Boards of Police
13 Commissioners, who are responsible for the delivery of
14 policing services within the municipalities and for
15 providing general direction, policy and priorities and
16 developing long-term plans for a police service.

17 Each Board of Police Commissioners is
18 established by a by-law, and each operates with their own
19 rules and procedures. In Regina, the by-law requires that
20 at least one member be indigenous, and in Saskatoon and
21 Prince Albert, the Chairs of the Board of Police
22 Commissioners are indigenous.

23 The second level of oversight is the Public
24 Complaints Commission. This was also discussed by Ms.
25 Mysko yesterday in her submissions.

1 But the PCC was established pursuant to
2 section 16 of the *Police Act* in 2006. The PCC maintains
3 total jurisdiction over all complaints of police
4 misconduct in Saskatchewan. They are a wholly civilian
5 body, and consist of five members, at least one of whom
6 must be of First Nations ancestry and one of whom must be
7 of Métis ancestry.

8 They are appointed by the government, and
9 upon completion of an investigation, if it is believed a
10 member of a police service has engaged in criminal
11 conduct, the matter is referred to the Crown prosecutor's
12 office, who review and make recommendations as to charges.

13 The decision of whether or not to
14 criminally charge a police officer is never left to the
15 individual police service involved.

16 The third level of oversight in
17 Saskatchewan is the Saskatchewan Police Commission, and I
18 could spend a significant amount of time talking about
19 this level of oversight.

20 They are an independent, statutory
21 corporation established pursuant to section 3 of the
22 *Police Act 1990*, and they are intended to provide
23 independent oversight of municipal and First Nations
24 police services.

25 The Commission has very broad jurisdiction,

1 including administrative, appellate, audit, inquisitorial
2 and legislative authority. The Commission develops
3 province-wide policies which are to be adopted by all
4 municipal... police services. And, in particular, the
5 Commission has a policy manual that is a two-volume
6 document. It's a very large document. It's available
7 online on the Government of Saskatchewan's website, and I
8 will be providing a link to this document in my written
9 submissions. And I also submitted yesterday, pursuant to
10 Rule 33, several policies, which I believe are related to
11 another of the pre-existing recommendations of the
12 Commissioners, which is more immediate, proactive, and
13 thorough investigations of Indigenous women and girls,
14 LGBTQ2S people's death and disappearances.

15 The policies passed by the Commission are
16 the minimum standards for policing for the whole province,
17 and each police service is expected to ensure
18 operationalization of the policies. Of note for the
19 National Inquiry are the policies related to: Intimate
20 partner violence, which is Policy 0B40; the missing
21 persons policy; child exploitation; and contact interviews
22 with the public.

23 In January of 2018, the Saskatchewan Police
24 Commission introduced an amended policy for intimate
25 partner violence. It highlights the importance of trauma-

1 informed investigations. It requires the determination of
2 a principle aggressor, and it discourages dual charges
3 requiring Crown approval before there can be dual charges.
4 This policy amendment and the steps that have been taken
5 by the SACP members in response to the policy, responses
6 directly to a concern highlighted in the Human Rights
7 Watch submission. Although the policy change is
8 relatively new, it is hoped that it will make a
9 significant change to the reporting and investigation of
10 intimate partner violence as well as the offering of wrap-
11 around support services
12 that -- because that's another part of the policy as well.

13 Missing Persons Policy 0B70, solidifies
14 policy commitment to timely investigations. The highlight
15 of this policy is that missing persons investigations must
16 be treated with priority. There is no waiting period
17 required before a person can be reported missing, and
18 victims' families should be informed of the progress and
19 provided with referrals to appropriate services.

20 The Child Exploitation Policy states
21 explicitly that children involved in the sex trade are
22 being sexually exploited and are victims of child abuse,
23 and shall be protected and supported to ensure their
24 safety.

25 In June of 2018, the Commission introduced

1 the Contact Interviews with the Public Policy. This
2 policy is in direct response to what is more commonly
3 known across the country as street-checks. In his
4 testimony in Quebec City, the Honourable Kim Beaudin
5 suggested a policy for street-checks, and it is
6 respectfully submitted that most provinces, including
7 Saskatchewan, have policies for this.

8 Strong policies are the important
9 foundation for responsible, professional, and well-trained
10 police services. There are strong policies in
11 Saskatchewan, and members are expected to adhere to these
12 policies. Any deviation from policy will be investigated
13 and where appropriate, sanctioned. These policies are the
14 standards upon which members of the public can expect
15 police officers to follow, and they're the foundation upon
16 which the public can hold police services accountable.

17 You might be wondering why, as a police
18 service, I haven't focused my submissions on
19 investigations. I didn't highlight criminal
20 investigations because my clients were not called upon to
21 provide evidence during Parts 2 and 3. But it is
22 respectfully submitted that members of the SACP are
23 actively involved in a number of the initiatives that the
24 Commissioners have heard during the course of the Inquiry,
25 including Project Northern Spotlight, as identified during

1 the human trafficking submissions in St. John's. Our Vice
2 Units work on counter exploitation strategies, and they
3 work to identify and establish relationships with the
4 women who are working in the sex trade.

5 Restorative justice is becoming more
6 important, and SACP members are working together with --
7 with the Honourable Kim Beaudin and RTSIS on anti-gang
8 strategies.

9 While police services in Saskatchewan are
10 not perfect, and there is no way to fully right the
11 historical wrongs, the individual police services who make
12 up the SACP work hard at being good community partners,
13 and they regularly educate their members on the importance
14 of Indigenous culture and teachings. This ensures more
15 responsive organizations and builds trust. The
16 Saskatchewan municipal police services are committed every
17 day to enhancing service and to being better organizations
18 overall, although, there is work to be done. The
19 Commissioners have heard during Part 1 community hearings
20 that police services in Saskatchewan are improving their
21 responses to the missing and murdered Indigenous women and
22 girls. The road may sometimes be hard, but a
23 conscientious effort is being made.

24 The SACP has been present, we've
25 participated. And all the message -- although the

1 message, as it relates to policing, has been hard to hear,
2 we've listened. We've addressed some of the short-comings
3 that have been highlighted, and we want to be part of the
4 solution. As I mentioned, I'll expand upon many of these
5 themes in my written submissions, but I'm happy to provide
6 any clarification that you may require.

7 **MS. CHRISTA BIG CANOE:** Thank you. Thank
8 you, counsel.

9 **COMMISSIONER BRIAN EYOLFSON:** Me first?
10 Thank you very much for your presentation. I think we
11 each have a -- a question or two for you.

12 **MS. KATRINA SWAN:** Okay.

13 **COMMISSIONER BRIAN EYOLFSON:** Just to begin
14 with, I have a question of clarification. You were
15 speaking about police accountability.

16 **MS. KATRINA SWAN:** M-hm.

17 **COMMISSIONER BRIAN EYOLFSON:** Near the end
18 of your presentation, you spoke about three different
19 levels, or -- or bodies. Where do complaints of police
20 misconduct that may not arise to the level of criminal get
21 dealt with? Is that with the --

22 **MS. KATRINA SWAN:** That's with the Public
23 Complaints Commission. They have jurisdiction over all of
24 the -- of public complaints, so they're the ones who
25 determine who will investigate. They can be investigated

1 through the Public Complaints Commission, or they can ask
2 the police services to investigate them as well. It's
3 all -- that is all the responsibility of the police -- or
4 Public Complaints Commission.

5 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
6 you.

7 **MS. KATRINA SWAN:** Thank you.

8 **COMMISSIONER MICHÈLE AUDETTE:** Okay, merci,
9 alors, je vais poser mes questions en français. Please
10 stop the clock, so it's fair we're not losing time while
11 she's putting - les écouteurs, please.

12 **UNIDENTIFIED SPEAKER:** It's channel 1?

13 **COMMISSIONER MICHELE AUDETTE:** I don't
14 know.

15 **MR. REGISTRAR:** Yeah.

16 **UNIDENTIFIED SPEAKER:** Okay. I've got you,
17 I think. Hang on here. Okay.

18 **COMMISSIONER MICHÈLE AUDETTE:** Merci
19 beaucoup. Alors oui, on peut recommencer, merci
20 infiniment.

21 Encore une fois, comme je l'ai dit à votre
22 collègue qui a présenté hier, c'est important de
23 reconnaître qu'il y a des lacunes, c'est important de
24 reconnaître qu'il y a des choses qu'on peut faire mieux.
25 Alors, je salue votre courage et la vérité de pour qui

1 vous représentez les intérêts, de dire qu'il y a encore de
2 l'espace pour l'amélioration.

3 Vous avez parlé aussi du rapport de Human
4 Rights Watch sur toute la question de la relation avec les
5 femmes autochtones et la relation policière. Est-ce que
6 vous êtes en mesure de nous dire qu'il va y avoir des
7 changements ou il y a une volonté - oui, il y a une
8 déception, je peux comprendre, mais qu'il va y avoir une
9 réelle volonté pour changer ce qui se passe sur le terrain
10 et ce qu'on a entendu aussi, comme commissaires?

11 **MS. KATRINA SWAN:** Thank you for that
12 question. I can tell you that there has been, where
13 possible, changes have been made. You know, for example,
14 one of the -- one of things complained about was strip
15 searches, which, for the context of that term legally,
16 included the removal of undergarments. So there -- that -
17 - that policy has been addressed and that is no longer, I
18 think, a matter of course. The problem I think with
19 respect to the searching of the opposite sex, searching is
20 in the smaller -- smaller agencies, and likely more of an
21 RCMP problem. In the larger centres, we do have females
22 that are able to do that, so that was not necessarily
23 something that needed to be addressed. But it is
24 certainly something that we have been working to address.
25 And, like I said, we -- we were upset with the

1 classification of how we treat our community partners, but
2 certainly we took the information and are working to
3 improve, for sure.

4 **COMMISSIONER MICHÈLE AUDETTE:** Et
5 brièvement, pour laisser la chance à ma collègue, la
6 commissaire Robinson, vous avez aussi mentionné, dans
7 certains endroits où il y a place à l'amélioration, la
8 formation, une personne pour la liaison autochtone et un
9 endroit où on peut surveiller le travail et la façon dont
10 les policiers font leur travail auprès des femmes
11 autochtones.

12 Est-ce que j'ai bien compris que ça peut
13 devenir aussi, de la part des commissaires, une
14 recommandation pour vous dire qu'il faut mettre en place
15 un système indépendant pour qu'on puisse, nous, ...comme
16 victimes ou comme membres d'une famille aller chercher
17 cette confiance dans cette entité indépendante pour qu'un
18 révise ou on revoit comment la police elle fait son
19 travail.

20 **MS. KATRINA SWAN:** I don't know how to
21 answer that question for you. I'm sorry, Commissioner.

22 I think that there is room for you to do
23 that. You know, how welcome would it be? You know, we're
24 12 police services of 141, plus the RCMP across Canada,
25 but certainly as I mentioned, there is a willingness for

1 civilian oversight. We want the communities to trust us.
2 We want to be responsive. And so, I think that it would
3 be within your jurisdiction to make such a recommendation.

4 **COMMISSIONER MICHÈLE AUDETTE:** So again,
5 thank you so much for being honest, that there is space
6 for improvement and for the healing process it is very
7 important and now we will be working to make sure that
8 those words become real action and I'm sure you do. So
9 thank you so much.

10 **MS. KATRINA SWAN:** Thank you.

11 **COMMISSIONER MICHÈLE AUDETTE:** Voilà,
12 Commissaire.

13 **COMMISSIONER QAJAQ ROBINSON:** I'm not done.

14 (LAUGHTER/RIRES)

15 **COMMISSIONER QAJAQ ROBINSON:** Kidding.
16 Teasing. I have a question with respect to the
17 application of the *Police Act*.

18 **MS. KATRINA SWAN:** M'hm.

19 **COMMISSIONER QAJAQ ROBINSON:** Provincial
20 police legislation, as well as the jurisdiction of the
21 Saskatchewan Police Commission and the other layers of
22 oversight.

23 First, in terms of the standards set by the
24 *Police Act* and the standards - minimum standards - set by
25 the Commission through policies, do these apply to RCMP

1 within Saskatchewan and Indigenous Police Forces
2 established under the First Nations' policing program. I
3 believe File Hills --

4 **MS. KATRINA SWAN:** File Hills.

5 **COMMISSIONER QAJAQ ROBINSON:** -- is one
6 such force within Saskatchewan. Do the policies, minimum
7 standards and *Police Act* apply to those institutions?

8 **MS KATRINA SWAN:** I know that it applies to
9 the File Hills Police Service. I'm not sure whether it
10 does apply to the RCMP. I'm sorry I can't answer that.

11 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
12 In terms of the oversight at the Board's - the PPC and
13 then the Saskatchewan Police Commission, are these the
14 same mechanisms if individuals have complaints against the
15 RCMP or File Hills?

16 **MS. KATRINA SWAN:** For File Hills it is. I
17 believe the RCMP has their own external -- I forget what
18 it's called. The civilian external review commission and
19 so complaints related to the RCMP would go to those.

20 I think that it's possible for the PCC to
21 take those complaints, but they would not have any
22 involvement in investigation.

23 **COMMISSIONER QAJAQ ROBINSON:** Okay.
24 Wonderful. Those are all my questions. Did you want to
25 say some final words?

1 **COMMISSIONER BRIAN EYOLFSON:** Sorry, just
2 want to say thank you very much for your submissions and
3 we look forward to reading your written submissions.

4 **MS. KATRINA SWAN:** Thank you very much.

5 **MS. CHRISTA BIG CANOE:** Commissioners, at
6 this time we have scheduled a break, so I would kindly ask
7 for a 20 minutes break, please.

8 **COMMISSIONER BRIAN EYOLFSON:** Okay, let's
9 take a 20 minutes break. Thank you very much, counsel.

10 **MS. CHRISTA BIG CANOE:** The previous time.
11 Just at around 10:30.

12 **COMMISSIONER BRIAN EYOLFSON:** Ten-thirty
13 (10:30), thank you.

14 --- Upon recessing at 10:08 a.m.

15 --- Upon resuming at 10:31 a.m.

16 **MS. SHELBY THOMAS:** Commission Counsel
17 would like to call Ms. Charlene Belleau, who will be
18 providing the oral closing submissions for First Nations
19 Health Council. She will have 40 minutes.

20 **--- SUBMISSIONS BY MS. CHARLENE BELLEAU:**

21 **MS. CHARLENE BELLEAU:** Good morning. I'd
22 to thank the Elders for the opening prayer this morning.
23 And the lighting of the (NATIVE LANGUAGE). Thank you.
24 And thank you to the Commissioners, to the staff.

25 I'd like to acknowledge the families that

1 are here today. The ones that have taken time to tell
2 their stories and put your trust in a process that should
3 bring change for our families and for our communities.

4 I have a power point presentation. If you
5 get the first slide up, please? This presentation is done
6 on behalf of the First Nations Health Council. It's
7 testimony to the National Enquiry on Missing and Murdered
8 Indigenous Women and Girls.

9 Next slide. I'd like to cover a brief
10 overview of the presentation that we'll go through this
11 morning. I'll share with you the shared vision and
12 overview of the B.C. First Nations' Health Governance
13 Structure, our calls to action on trauma informed care, a
14 new mental health funding agreement, our commitments to
15 take initiative, and our culture's awareness as well as
16 recommendations, and available for any questions once we
17 complete the process.

18 Next slide. I'd like to take this
19 opportunity to acknowledge the traditional people of the
20 Treaty 7 Territory. Thank you for allowing us into your
21 homelands to do this important work. The City of Calgary
22 is also home to the Métis Nation of Alberta Region Number
23 3.

24 I'm supported today with my colleague
25 Trevor from Communications with the First Nations Health

1 Authority. My name is Charlene Belleau. I'm the former
2 Chief of Esketemc First Nation, also known as Alkali Lake
3 in British Columbia.

4 I served as three terms as Chief of my
5 community and several other terms as a Council member.
6 I'm also a First Nation's Health Council Interior Regional
7 Representative of the interior region.

8 In some of my work with the community from
9 Alkali Lake, our community had a vision that we strived
10 for while I was the Chief of the community. The Esketemc
11 vision is that we strive to stand with dignity before our
12 Elders and our children. That we will not allow another
13 generation of our women and children to fall victim to a
14 cycle of violence and abuse.

15 Next slide. The B.C. First Nations health
16 governance structure in the small print we have where the
17 First Nations Health Governance Structure in British
18 Columbia includes four components. The First Nations
19 Health Authority is responsible for planning, management,
20 service delivery and funding of health programs previously
21 provided by Health Canada's First Nations Inuit Health
22 Branch, pacific region.

23 The First Nations Health Council advocates
24 for the First Nations health and wellness priorities,
25 supports health systems' transformation and builds

1 partnerships to make progress on the social determinants
2 of health.

3 The First Nations Health Council has made
4 significant progress on the social determinants of health
5 and recently signed a tri-partied partnership to improve
6 mental health and wellness services and make progress on
7 the social determinants of health and wellness. That was
8 signed off in July of 2018.

9 The First Nations Health Directors is a
10 part of this governance structure. It's composed of
11 health directors and managers working within First Nations
12 communities within our province.

13 It supports the professional development
14 for health directors and managers, and acts as a
15 professional development for health directors and acts as
16 a technical advisory body to the First Nations health
17 Council and the First Nations Health Authority on
18 research, policy, program, and design, as well as the
19 implementation of those health plans.

20 The tri-partied comity on First Nations'
21 health is the forum for the coordinating and aligning of
22 programming and planning efforts between the First Nations
23 Health Authority, B.C. Regional and Provincial Health
24 authorities, and the B.C. Ministry of Health and Health
25 Canada partners.

1 The First Nations Health Council, the
2 Health Authority and the Health Directors have a shared
3 vision of healthy self-determining and vibrant B.C. First
4 Nations children families and communities.

5 Next slide. Gathering Wisdom for a Shared
6 Journey IX featured several powerful calls to action,
7 compelling First Nations leaders to be the solution to
8 issues within our communities.

9 These included calls to action on the
10 opioid crisis that we're currently facing. Calling for a
11 response to many people self-medicating and at high risk
12 of dying of Fentanyl poisoning, sexual abuse, family
13 violence, incest and assaults on women and children, to be
14 self-determining and engage in healing and nation
15 building.

16 Every 18 months the First Nation Health
17 Council hosts Gathering Wisdom for a Shared Journey. This
18 coming year we'll celebrate our 10th anniversary.

19 Gathering Wisdom is an opportunity to
20 provide annual reports to our leadership and receive
21 direction on health. It's an opportunity for leaders and
22 health leads to engage in a dialog with federal,
23 provincial and health, as well as other health systems on
24 the social determinants of health, promising practices,
25 discuss the role of mental health, and healing in nation

1 building and discuss new opportunities to improve the
2 mental health and social determinants of health of our
3 people.

4 Our leadership, again, have taken
5 initiative on several calls to action through these
6 Gathering Wisdom initiatives every year.

7 Next slide. Trauma informed care. A
8 common theme throughout the calls to action is addressing
9 intergenerational trauma. Trauma causes people to self-
10 medicate with drugs and alcohol. Many leaders are dealing
11 with their own struggles and coping with their own
12 traumas.

13 Exposure to traumatic events can
14 significantly impact health outcomes later in life. At
15 our sessions, leaders have stood up and expressed a need
16 for support in dealing with trauma and to help their
17 communities heal.

18 It's been important for our leaders to
19 acknowledge their own pain and their own trauma as leaders
20 in order for them to provide leadership within their
21 families and within their communities.

22 Creating safe space for conversation about
23 trauma can open the door to a larger conversation about
24 healing at an individual, family and community level.

25 Next slide. The new mental health funding

1 that's been available to the B.C. First Nations. The
2 First Nations Health Council, Canada and B.C. signed the
3 tri-party partnership to improve mental health and
4 wellness services, and make progress on the social
5 determinants of health and wellness on July 22nd, 2018.

6 The MOU provides a \$30 million grant over 2
7 years for planning and services. Planning and service
8 delivery for mental health and wellness. The MOU also
9 commits the parties to develop a tri-party plan to build,
10 renovate, replace and expand treatment centers. The
11 funding is separate from the 30 million.

12 The First Nations Health Council and its
13 partners have three months to complete an implementation
14 plan. This implementation plan will outline the process
15 for disbursing funds to the communities and nations. As
16 part of this, the implementation plan will need the
17 mechanism for assessing community readiness and intake
18 process for onboarding new communities.

19 Again, the MOU signed between the Health
20 Council and partners outlines two major funding
21 commitments. One is a new approach to funding mental
22 health and wellness services in B.C. First Nations
23 communities.

24 In the fall we will work towards a plan to
25 renovate, replace and build treatment centers in B.C.

1 It's important I think to note that the \$30 million fund
2 is over a 2-year period. It represents an initial
3 investment for planning for long term funding and
4 demonstration sites for enhanced and mental health and
5 wellness service delivery models.

6 The implementation plan outlines how the
7 partners will operationalize the \$30 million fund
8 including the principals, criteria and mechanisms for
9 flowing funding. The First Nations Health Council and
10 B.C. will work together with B.C. First Nations to secure
11 long term planning.

12 Next slide. This Commitment Stick
13 initiative -- the Commitment Stick initiative challenge is
14 meant to end violence against women and girls. It
15 represents a personal commitment to change. It originated
16 in Esketemc and has expanded across the province. From
17 the Province of B.C. there's been an interest in expanding
18 this into Ontario.

19 The First Nations Health Council has
20 championed this work through the regional caucus sessions
21 and at Gathering Wisdom. The First Nations Health
22 Authority has begun to disburse grants to support
23 communities in tackling this issue.

24 The Commitment Sticks are a gift from the
25 Esketemc community who are honoured to have hereditary

1 Chiefs, Chiefs and frontline workers take up the
2 Commitment Sticks.

3 It's important that when they pick up the
4 Commitment Sticks - and all of you will get a copy and a
5 gift of this from us - one is to live violent free.
6 Stopping violence and abuse starts with me. It starts
7 with me as a Chief, it starts with me as a frontline
8 worker, it starts with me as a mom, it starts with me as a
9 grandma.

10 The second part is we commit ourselves that
11 we'll do whatever we can, whether it's in our families,
12 within our workplace, wherever we are, to stop violence
13 against Indigenous women and girls.

14 The First Nations Health Council and the
15 First Nations Health Authority joined together to develop
16 the Commitment Stick initiative for all communities.

17 To assist, a kit was prepared that provided
18 an overview on the initiative and an event promotion guide
19 for the families, communities and partners to help with
20 planning and raising awareness.

21 The First Nations Health Authority also
22 provided all First Nations communities in B.C. with an
23 eligible grant of \$1,000 towards hosting an event or
24 ceremony focused on committing to help eliminate violence
25 against women and girls. We all agree that the cycle of

1 intergenerational trauma and violence has to stop with us.

2 Next slide. This is Kukpi Ryan Day from
3 the Bonaparte First Nation, proudly showing his Commitment
4 Stick. He picked up a Commitment Stick at Gathering
5 Wisdom with all other Chiefs.

6 At Gathering Wisdom in 2015, over 120
7 Chiefs and leaders, along with frontline workers, held the
8 sticks high and committed to live violent free and to
9 collectively work together to stop violence against
10 Indigenous women and girls.

11 They acknowledge that honouring our women,
12 our grandmothers, our mothers, our sisters, our daughters,
13 our wives, our partners, our nieces, we will bring balance
14 into our lives and ensure healthy and strong families and
15 communities into the future.

16 This was an emotional time for the
17 Indigenous women and girls in attendance at Gathering
18 Wisdom. It was emotional for them to have their leaders
19 stand up for them and stand up to commit that they will
20 live violent free and that they will stop violence against
21 women. That support by our frontline workers, by our
22 leaders and by our hereditary Chiefs, is so critical to
23 the healing of our families and of our communities.

24 The women sang an honour song for our men
25 when they picked up the Commitment Sticks. It was a very

1 positive and empowering time for our women at that
2 gathering. The colours of the Commitment Stick represent
3 the need for the four races to work together to stop
4 violence against Indigenous women and girls, with the
5 understanding that we're all equally valuable.

6 With the red we honour and mourn our
7 murdered and missing Indigenous women and girls, with the
8 yellow we honour our breath of life, with the black we
9 honour our bodies, and with the white we honour and
10 acknowledge the wisdom of the Elders.

11 Next slide. These are two pictures of
12 taking our Commitment Sticks and putting them into action
13 within the province and more so, within the interior
14 region. As the former Kukpi or Chief of Esketemc, our...
15 ...community's very proactive on murdered and missing
16 indigenous women and girls, and believe that this is also
17 a community responsibility.

18 The police services have their roles,
19 search and rescue have their roles, but they're limited.
20 Our community's role is key to provide a sense of hope and
21 optimism, not only that we may find our indigenous women
22 and girls, but also creates awareness of violence against
23 indigenous women and girls.

24 The first poster outlines a search we did
25 for Caitlin Potts. Caitlin Potts is from Alberta.

1 Caitlin went missing within our Secwepemc territory. I
2 felt a responsibility as the Chief to be able to look for
3 her if she's in my homeland, so we organized a search for
4 her.

5 The second poster outlines the search we
6 did for Natasha Montgomery. She's one of four victims
7 convicted -- of convicted killer Cody Legebokoff in Prince
8 George. Her remains have never been found, so that family
9 is still looking for closure.

10 In neither case we were successful. We had
11 over 80 searches for Caitlin Potts. We had over 50
12 searches for Natasha Montgomery.

13 The families were engaged before the search
14 so that they knew we would be out. They joined us and
15 supported us.

16 We followed protocols within the regions
17 where we were going into another Nation's territory. Our
18 Chiefs and leaders that picked up the commitment sticks
19 came forward to assist in the search, so from picking up
20 the commitment sticks at gathering wisdom, we asked them
21 to now take their sticks and come and join us in the
22 search. The Chiefs responded.

23 So on the left side with Caitlin Potts
24 there was a schedule of activities that we went through.
25 There was a ceremony that we did in Splatsin and Enderby.

1 There's a ceremony that we do in the water,
2 and we pray to the Creator that if Caitlin or Natasha's in
3 the water that the Creator help us find them.

4 We went through a press release. We had
5 our leaders stand up, Kukpi7 Wayne Christian, Grand Chief
6 Stewart Phillip, Grand Chief Doug Kelly and other leaders
7 that were there with us to stand up with the families to
8 let them know that we're going to be here for you.

9 We went through the search. We had a plan.
10 We had maps. We had teams. We had supplies, and we were
11 well organized.

12 At the end of the day it was important for
13 us in both searches to be able to debrief, to let the
14 searchers and the families know how they felt about the
15 day's activities. It was very difficult for them, a very
16 emotional day because a lot of the searchers themselves
17 were saying, "Now we know how the families feel. Now I
18 know I would be scared, what if I found her".

19 There was so much fear, but we took time
20 through ceremony to acknowledge what they were going
21 through doing the searches.

22 Next slide.

23 This is a picture of the search for Natasha
24 Montgomery in Prince George. Again it's our commitment
25 sticks in action.

1 With the support of the RCMP and Search and
2 Rescue, all volunteers worked on the search for Natasha.
3 Again, it was important for us to, while we were going
4 through the search and were able to scan a big area of the
5 land, that if we found anything that could be from
6 Natasha, whether it was clothing or any evidence, that we
7 worked closely with the RCMP so that we could gather any
8 information and not compromise any criminal investigations
9 in either Natasha or Caitlin's case.

10 So we were well prepared, but when you look
11 at this picture, it's like looking for a needle in a
12 haystack. You know, there's been so many years that have
13 gone by. But these families still have hope for their
14 loved ones.

15 And for me, as the Chief of my community
16 and all of the leaders that picked up the commitment
17 sticks, we feel a responsibility that we can help these
18 families, that we don't have to wait for the RCMP or
19 police services or Search and Rescue, that we can do
20 things on our own and we should be doing what we can for
21 these families.

22 Next slide.

23 This is more pictures of the volunteers.
24 On the right-hand side we facilitated the ceremony with
25 tobacco and traditional foods.

1 This is the ceremony I spoke about where we
2 have traditional foods and we were taught by our Elders
3 that if we feel someone is lost in the river, take time to
4 have traditional foods, moose meat, bannock, deer meat,
5 berries. Step into the water and pray to the Creator that
6 if Caitlin's in the water, can you help us find her.

7 So we take time to do a ceremony in the
8 water during our searches. Drum songs are song
9 appropriate for the ceremony.

10 We also do a tobacco offering where we put
11 tobacco in a tree and we hold the tree back and we sing a
12 song to release the spirit of the deceased from that
13 place. It gets -- that's one of the other teachings that
14 our Elders taught us. It is very helpful for the families
15 to know that these ceremonies are helping, and it helps
16 them to heal.

17 Again, the debriefing at the end of these
18 searches is very important to all participants, including
19 the police and including Search and Rescue.

20 Next slide.

21 These are some of the families impacted by
22 the loss of their loved ones. The sad reality is that
23 there are many children left behind.

24 Each provincial child advocate office
25 should investigate like who are these children left

1 behind. Where are they? Who's caring for them, and are
2 they succeeding?

3 In many cases that I've been involved with
4 with murdered and missing women, whether it was nationally
5 or within the province, the grandmothers, the grandparents
6 end up with the children with no support or assistance
7 from government or MCFD.

8 In this picture, we have Grand Chief
9 Stewart Phillip as one of the leaders with us, and one of
10 the other Chiefs from the Alberta region. But these are
11 families that are left behind.

12 Next slide.

13 This is on the -- on the left side we have
14 Jackie Bob. She's been missing for years in the
15 Honeyquiteem(phon) area. She was mushroom picking, got
16 lost in the bush, and we've never been able to find her.

17 We went to facilitate ceremony in that area
18 in the hopes of being able to find her.

19 On the picture on the right side, this is
20 Amy Char. Esketemc organized a search for Amy Char.
21 Again, she was missing within our territory.

22 The important part of doing the work in our
23 territories, we know the roads, we know the rivers, we
24 know the creeks, and we know where we need to go quickly
25 to be able to be effective.

1 Amy was Tsilhqot'in, and in MCFD care. She
2 was left on the side of the road by her foster parents.

3 We trust that our pleas for her to come
4 home, hollering that we loved her, is what brought her
5 home. So while we were searching for her, we knew that
6 she was alongside of the roads and was left there.

7 Although we physically couldn't find here,
8 while we were walking we would just say, "Amy, wherever
9 you are, we love you. Can you please come home? Amy, we
10 love you. Can you please come home?"

11 Hopefully us hollering loud enough while we
12 were going up and down the highways and in the bush, she
13 heard us because she returned home that night, and she was
14 okay.

15 This was the second or third time that
16 she'd run away from home. Does anyone ever check why
17 she's running away from home or why she has to go back to
18 the same home?

19 It doesn't seem that we do enough to
20 prevent the runaways that we have from the children with
21 MCFD.

22 Next slide.

23 Again, this is our commitment sticks in
24 action. When we talked about the \$1,000 grant to each
25 community, it may not seem like a lot of money, but for...

1 communities that can cook up a meal and gather people,
2 drum, pray, and sing, and talk. It's like a million
3 dollars to them when communities have nothing, or families
4 have nothing.

5 So this is the Blueberry First Nations'
6 Director of Community Services, Tammy Baskin, explaining
7 the commitment stick ceremony to participants in a
8 workshop on ending violence against women. On the right
9 side, you have Youth Brenden Nosky, the young guy in the
10 grey hoodie, and Elder May Apsassin. They cut a cake
11 together after a commitment stick ceremony. These are
12 just some of the examples of what communities have done
13 once they've taken the commitment sticks.

14 There's other stories where Chiefs have
15 taken up a commitment. I think of this one male Chief
16 where he went home after the ceremony, and he called a
17 men's healing circle, and a lot of the men from his
18 community turned up. He continues to have those men's
19 healing circles today. You know, and that's from making
20 his commitment, and putting his commitment stick into
21 action. There was another Chief that I'm aware of where
22 he took the commitment stick and because the victims
23 didn't feel safe in his community from this one offender,
24 he asked that offender to leave, so that those families
25 could come home to his community. Very important for our

1 families and for our women to feel safe in our
2 communities. And our Chiefs, we're making sure that this
3 was the case.

4 Slide 15, next. The Esk'etemc community
5 celebrated 40 years of sobriety this past year. Our
6 culture is our wellness. Esk'etemc culture protocols for
7 healing. They're cultural protocols that are developed as
8 alternatives, or in conjunction, with the RCMP or Criminal
9 Justice Branch. The cultural protocols are victim-driven
10 processes for -- for healing of both victim and offender.
11 The Ministry of Children and Family Developed are involved
12 when children are impacted. Multiple circles may go for
13 one circle. Esk'etemc traditions and ceremonies are
14 created -- create safety within the healing circles.

15 The protocols that we have are signed off
16 at the highest levels within the RCMP within 'E' Division,
17 the Deputy Commissioner level, and within the Criminal
18 Justice Branch with the Deputy Attorney General, and other
19 staff within the Attorney General's office. The protocols
20 are an alternative to the criminal justice system. The
21 victims of violence feel that they lose their voice in the
22 criminal justice system. We wanted to be able to give
23 them a voice through these protocols. Through these
24 protocols, the offenders acknowledge their behaviours, so
25 where there may have been criminal investigations and they

1 totally deny that anything happened, when we have our
2 healing circles, they do acknowledge the behaviour, and
3 they do acknowledge having perpetrated those crimes.

4 At the end of healing circles that happen
5 through our protocols, there's treatment plans that are
6 signed-off by both the victim and offender, so that
7 there's on-going treatment and support services for them.
8 Again, there may be multiple circles. It's a lot of work,
9 but it's worth investing in your families, so that they
10 have a better outcome than the courts. There's a judge
11 that presided over one case, and at the end of it she
12 commented that these healing circles and this work is more
13 time consuming than court. Not her being critical of it,
14 she was complimenting the community for taking the
15 initiative, getting a better outcome, but that it was a
16 lot of work.

17 Again, those protocols that we signed off
18 with the RCMP and the Criminal Justice Branch, are outside
19 of policies. So when we look at the historical abuse
20 protocol, it allowed us an opportunity to deal with sexual
21 abuse or violence that may have happened two years ago,
22 five years ago, ten years ago. It provided that
23 opportunity. We had our own complaints against RCMP. We
24 didn't trust that they couldn't be investigated
25 themselves, so we had a protocol for that. Also, the

1 spousal assault protocol that we had, we were able to deal
2 with incidences immediately, again, outside of RCMP
3 policy. But they could see that there could be better
4 results for us with these protocols that we had in place
5 for them.

6 This picture's cute. It's a picture of
7 Tamika (phonetic) and Electra (phonetic). This is where
8 we want our children to be, able to hold each other, feel
9 safe, feel good, be proud, and for us to be always
10 protecting them.

11 Next slide, our culture is our wellness.
12 Esk'etemc has a strong connection to culture and ceremony,
13 over 40 years of sobriety. Our ceremonies provide safe
14 and secure places for healing and reconciliation.
15 Esk'etemc tradition values our children. Our matriarchs
16 were and are our leaders within our community. The women
17 are strong. We decide that -- who the Hereditary Chiefs
18 would be. We decided who the Hunting Chiefs would be, the
19 Warrior Chiefs, the Ceremonial Chiefs. We're coming back
20 to that place within our community. We have a territory,
21 we have many Secwepemctsin speakers, we're reviving our
22 laws. Our children for several generations to come will
23 know who they are, where they're from, and proud to be
24 Secwepemc.

25 In May of 2017, all of our Esk'etemc

1 community members, children to adults, stood up together
2 to issue a declaration of title and rights to our
3 territory. We're not waiting for the Government of
4 Canada, or the Province of B.C., or anybody else, to say
5 that this is your territory or to acknowledge it.

6 (APPLAUSE)

7 **MS. CHARLENE BELLEAU:** We're doing that
8 work ourselves. There's a very big difference when you
9 take that power and you exercise that jurisdiction for
10 your people. You don't need to be victims of government,
11 police, or anybody else. We have the courage and the
12 strength to be able to change our history, and we have
13 that responsibility.

14 This is a picture of our children. Every
15 year we have a powwow where they make their own regalia,
16 they dance, and they sing. They have their own grand
17 entry. The boys bring in the girls. It's -- it's a
18 beautiful sight. We're really proud of children and the
19 work we do with our children.

20 Next slide. In terms of recommendations,
21 we need to create spaces and support for our leaders to
22 start conversations in their own communities about mental
23 -- mental health and healing. We need to support a
24 community members through mental health and substance
25 abuses -- substance use challenges. We need to support

1 the on-going call to action initiatives, such as the
2 commitment stick, to continue to support the new mental
3 health funding for B.C. First Nations.

4 Through the successful collaboration
5 efforts of the First Nations Health Council, the First
6 Nations Health Authority, and the First Nations Health
7 Directors, we're providing leadership and governance and
8 advocacy that will improve the health and wellness
9 outcomes for Indigenous women and girls.

10 Esk'etemc has had the opportunity to
11 collaborate our work on murdered and missing Indigenous
12 women and girls with the First Nations Health Council,
13 Health Authority, and the Health Directors. Together, we
14 can create healthier and safer families and communities.
15 There'll be further recommendations that will be presented
16 in a written submission to the women from the First
17 Nations Health Council.

18 In closing, I would like to take time to
19 provide a gift from the Esk'etemc and from the First
20 Nations Health Council, and to share our gift of the
21 commitment sticks. And we would ask you to be able to --
22 to make a statement with us that will help to do the work
23 that we have to stop violence against women. So I'm going
24 to ask Trevor (phonetic) to assist me to give out the
25 commitment sticks. And then we have a statement that

1 we'll make together. We'll stand together. So if you
2 could just bear with me for a minute, this will be my
3 closing. So we'll give the commitment sticks out.

4 **MS. CHRISTA BIG CANOE:** Can distribute
5 these -- that they can distribute these gifts?

6 **UNIDENTIFIED SPEAKER:** Oh, thank you so
7 much. *Migwetch.*

8 (DISTRIBUTING COMMITMENT STICKS)

9 **MS. CHARLENE BELLEAU:** I apologize if we
10 don't have enough commitment sticks. We had 70 that we
11 brought with us. We probably should have brought a
12 hundred or two hundred. But the commitment sticks are
13 very easy to make. If you look at the commitment stick,
14 it's a dowel, and the colours -- feel free to make your
15 own. The other thing that's happened with the commitment
16 sticks is where a Chief may pick it up, and when he sees
17 some work happening within the community, and he sees a
18 young man that's willing to stand up and make change, he's
19 given his stick, and then will come back for another one.
20 So feel free to make more commitment sticks for the people
21 that you need to have commitment sticks.

22 So if you could all stand with me. We're
23 just going to close with this -- with this commitment.
24 And if you could repeat after me: We will respect and
25 honour --

1 (AUDIENCE REPEATS)

2 **MS. CHARLENE BELLEAU:** -- our sacred
3 teachings --

4 (AUDIENCE REPEATS)

5 **MS. CHARLENE BELLEAU:** -- of the unique
6 role --

7 (AUDIENCE REPEATS)

8 **MS. CHARLENE BELLEAU:** -- of Indigenous
9 women and girls.

10 (AUDIENCE REPEATS)

11 **MS. CHARLENE BELLEAU:** We acknowledge that
12 lateral --

13 (AUDIENCE REPEATS)

14 **MS. CHARLENE BELLEAU:** -- domestic --

15 (AUDIENCE REPEATS)

16 **MS. CHARLENE BELLEAU:** -- or any form of
17 violence --

18 (AUDIENCE REPEATS)

19 **MS. CHARLENE BELLEAU:** -- is not
20 acceptable.

21 (AUDIENCE REPEATS)

22 **MS. CHARLENE BELLEAU:** Stopping violence
23 starts with me.

24 (AUDIENCE REPEATS)

25 **MS. CHARLENE BELLEAU:** I am strong --

1 (AUDIENCE REPEATS)

2 **MS. CHARLENE BELLEAU:** -- resilient --

3 (AUDIENCE REPEATS)

4 **MS. CHARLENE BELLEAU:** -- and courageous.

5 (AUDIENCE REPEATS)

6 **MS. CHARLENE BELLEAU:** I will heal --

7 (AUDIENCE REPEATS)

8 **MS. CHARLENE BELLEAU:** -- and lift my

9 family --

10 (AUDIENCE REPEATS)

11 **MS. CHARLENE BELLEAU:** -- and community

12 up --

13 (AUDIENCE REPEATS)

14 **MS. CHARLENE BELLEAU:** -- and be a strong

15 warrior.

16 (AUDIENCE REPEATS)

17 **MS. CHARLENE BELLEAU:** We acknowledge --

18 (AUDIENCE REPEATS)

19 **MS. CHARLENE BELLEAU:** -- that if we do not

20 stand up --

21 (AUDIENCE REPEATS)

22 **MS. CHARLENE BELLEAU:** -- against violence -

23 -

24 (AUDIENCE REPEATS)

25 **MS. CHARLENE BELLEAU:** -- we are condoning

1 **MS. CHARLENE BELLEAU:** -- and community
2 leadership --

3 (AUDIENCE REPEATS)

4 **MS. CHARLENE BELLEAU:** -- everywhere to
5 join us.

6 (AUDIENCE REPEATS)

7 **MS. CHARLENE BELLEAU:** *Kukwstsetsemc.*
8 Thank you. I'm available for questions. Thank you.

9 **UNIDENTIFIED SPEAKER:** If you could set the
10 clock for ten minutes. We do have some questions for you.
11 We'll start with Commissioner Eyolfson, as he has a
12 question.

13 **COMMISSIONER BRIAN EYOLFSON:** Thank you
14 very much for your presentation, and for the beautiful
15 gift of these sticks, and also for some of the lovely
16 images in your presentation that were up on the screen. I
17 just have one follow-up question. In your -- in your
18 presentation, you -- you suggested a -- a recommendation
19 that each provincial or territorial child advocate should
20 investigate the children who are left behind. I'm
21 wondering if you could just say a little bit more about
22 that. And I don't know whether or not that exists at all
23 in British Columbia, or -- or if that's a -- a new idea
24 and proposal.

25 **MS. CHARLENE BELLEAU:** It -- I don't -- I

1 don't know that it exists. I guess, for me, it would be a
2 recommendation. There are existing child advocate offices
3 within every province, or the -- the majority of
4 provinces, where it seems that it would be helpful to even
5 know whether any of them have done that work. And if they
6 have not, that they could because there are many children
7 -- I just remember looking at the number of children that
8 were left behind in -- in some of the cases that I was
9 involved in across the country, or within the province,
10 and it's sad because a lot of them were two years old,
11 five years old, and The Ministry, or nobody was around to
12 even care. Who's going to care for that child that was
13 left behind? So it would be, you know, beneficial for
14 them. I would think that some of them are nine, ten,
15 fifteen, twenty years old now, you know. That we don't
16 have a repeat that they go missing, you know. So to be
17 good to -- to do whatever we can to find out where they
18 are, what's happening with them, and what do we do to
19 support them. Thank you.

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

21 **COMMISSIONER MICHÈLE AUDETTE:** Bonjour.

22 Merci. I'll ask my question in English. First of all,
23 thank you very much. The first question, is it possible
24 that I translate this declaration in French and -- and
25 Inuit?

1 **MS. CHARLENE BELLEAU:** Yes.

2 **COMMISSIONER MICHÈLE AUDETTE:** Parfait.

3 Merci beaucoup. And we will do this ceremony, or this
4 incredible commitment, in our meeting that we will have
5 next week in Quebec City. (*Speaking Native Language*).

6 You mention also, yes, the power of this
7 commitment stick initiative as an example of the
8 application of this initiative in action. You mention
9 also that the search and rescue that was conducted in the
10 case of Natasha Montgomery, it was done with the -- the
11 collaboration or coordination with the RCMP. Am I --
12 that's what I understood?

13 **MS. CHARLENE BELLEAU:** Yes.

14 **COMMISSIONER MICHÈLE AUDETTE:** So can you
15 tell us how it happened, that coordination and
16 collaboration? This partnership, I would say.

17 **MS. CHARLENE BELLEAU:** Yes. For the most
18 part, it means us reaching out to the RCMP. And in both
19 cases, whether it was Caitlin Potts in Enderby or with
20 Natasha Montgomery in Prince George, we do make a phone
21 call to contact them to let them know that we're going to
22 do a search. And we let them know what they were going to
23 go and search, and that they can work with us if they
24 want. And they do. I -- I -- I'm not sure what their
25 feelings are about the searches, but what's more important

1 is what we're doing as a community, and as leaders to
2 search for our loved ones.

3 We know that the limited timeframes that
4 the RCMP, or police services, or search and rescue have
5 for searches is not helpful to a murdered or missing
6 Indigenous woman or girl. There's specific timeframes
7 that they'll do searches. There's -- search and rescue
8 has only so many hours that they would be out on a search.
9 For us, the people will look for their loved ones and
10 hopefully find them. They'll keep searching and searching
11 and searching until they find them. So, yes, we make
12 contact with them. We can coordinate with them, we can
13 maybe receive basic information about last known location,
14 et cetera, et cetera, but all of the rest of the work is
15 up to us to lay out a map of the area that we're going to
16 search, the roads, creeks, ceremonies, make up the teams.

17 Each is really good because each team like
18 had a Chief that was actually leading a group of five that
19 went this way, another Chief with a group of five that
20 went this way, another Chief with a group of five that
21 went this way, and then we search an area.

22 So we did reach out to them, and I think
23 we'll -- you know, we'll need to do so in the future
24 because, again, the possibility of finding evidence or
25 finding information that may be helpful to a criminal

1 investigation, we feel it's important to include them,
2 again, whether they're there or not. The important part
3 is our leaders are there, our families are there and the
4 community's there helping these families.

5 **COMMISSIONER MICHÈLE AUDETTE:** In 30
6 seconds, if you can, let's say I'm a family member from
7 B.C. but not -- my community don't have all the initiative
8 that you do and I don't live in my community, but we know
9 that my sister and my family are somewhere out there for
10 so many years, but I have information and RCMP, it seems
11 like they don't do something. What would you recommend to
12 that family or to those families that feel that the
13 community has no human resource or -- like you do and
14 there's no response from the RCMP?

15 **MS. CHARLENE BELLEAU:** Yeah. I think that
16 there needs to be strong advocacy on behalf of those
17 families, so whether that's a role that I end up playing
18 during any of these incidents, it is helpful to the
19 families.

20 Like when the families do meet with the
21 RCMP, if they would like me to be there, then I will be
22 there with them and get the same information that they do.
23 And I think that it's important.

24 In the case with Caitlin Potts, when the
25 family came out and they were at the search, the RCMP

1 asked to meet with them. And it was on the day that they
2 met with the RCMP there that they knew that this wasn't
3 just a missing persons case. This was a criminal
4 investigation.

5 So why is it that the family has to learn
6 on that day that this is a criminal investigation? They
7 perhaps should have known earlier.

8 I'm not sure whether, again, the search and
9 the publicity of it and the media attention is what
10 brought the information forward, but I would hope not.
11 But again, we need to advocate for those families. They
12 need somebody to stand with them to make sure that they
13 are being treated with the respect that they should.

14 Thank you.

15 **COMMISSIONER QAJAQ ROBINSON:** Thank you so
16 much for your presentation and for having us take this
17 oath with you. It's so powerful, and I think important
18 that we be a part of it as well as the country a part of
19 it today with you.

20 I also want to thank you for sharing with
21 us the governance structure of the health -- of the Health
22 Council.

23 And we've heard across the country the
24 importance of self-determination, especially in health and
25 wellness. And I agree with you completely that you have

1 the inherent right and jurisdiction as a leader and your
2 people to do this.

3 And we've heard about a lot of legal
4 obstacles to that within the country, whether it's a lack
5 of recognition of rights or there being existing agencies
6 and bodies that take up that space that's rightfully
7 yours.

8 Can you share with us your thoughts on this
9 model, the governance model that you've provided, as a
10 mechanism for the assertion of self-determination in
11 health and wellness? Is it meeting your desired -- is it
12 giving you your desired space for self-determination?

13 **MS. CHARLENE BELLEAU:** Good. Thank you.

14 I believe that it is. I think that instead
15 of having a government agency operating out of Ottawa or
16 British Columbia in the B.C. region the First Nations
17 Health Authority, the Health Council, the Health Directors
18 working together to make our own plans and priorities for
19 the funding that we receive to improve the health and
20 wellness of our communities is what should be happening.

21 We have that opportunity to decide our
22 priorities, and if we know that violence against women or
23 dealing with sexual abuse or dealing with opioid crisis is
24 critical, then we can make those calls to action, we can
25 make sure that resources are available and provide support

1 to our families and communities to make those actions
2 happen.

3 I don't think that these things would
4 happen if we were still operating with programs and
5 services that were delivered out of Ottawa or out of the
6 B.C. region as it were back then, so it provides us a lot
7 of opportunities, I think, to be proactive, but also to
8 determine, you know, where and how our communities will
9 engage with us within our different regions within the
10 province and how we work collectively on something like
11 the commitment stick initiative on the opioid crisis, on
12 dealing with sexual abuse.

13 To me, that is really important. We're
14 going to -- it just feels good to have -- to have the
15 ability to make those decisions ourselves instead of
16 anyone else making them for us.

17 Thank you.

18 Just in closing, I just want to thank you
19 again for the opportunity to be before you. I know that
20 we had wanted to do these commitment sticks at the
21 Assembly of First Nations assembly in July, and they never
22 made time on the agenda.

23 We won't stop. We will make sure that
24 somehow our leaders at that level make those commitments
25 with our families and communities.

1 Thank you.

2 **COMMISSIONER BRIAN EYOLFSON:** Thank you as
3 well for your presentation, and we look forward to
4 receiving your written submissions.

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

6 At this point we would request that we
7 break for lunch until 12:30, and we're on track.

8 **COMMISSIONER BRIAN EYOLFSON:** Great.

9 Okay. Let's break for lunch and we'll be
10 back at 12:30.

11 --- Upon recessing at 11:23

12 --- Upon resuming at 12:32

13 **MS. CHRISTA BIG CANOE:** Okay. Good
14 afternoon, Commissioners. Good afternoon, Commissioners.
15 We're going to get started now. Good afternoon,
16 Commissioners. Commission counsel would like to invite up
17 next the Vancouver Rape Relief and Women's Shelter. On
18 behalf of Vancouver Rape Relief and Women's Shelter is
19 Hilla Kerner and Mackenzie Jordan (phonetic).

20 **--- SUBMISSIONS BY MS. HILLA KERNER:**

21 **MS. HILLA KERNER:** Good afternoon,
22 everyone. In 1983 ANDREA DORKING gave a speak where she
23 said: And it is happening for a simple reason. There is
24 nothing complex and difficult about the reason. Men are
25 doing it because of the kind of power the -- that men have

1 over women. That power is real, concrete, exercised from
2 one body to another body. Exercised by someone who feels
3 he has the right to exercise it. Exercise in public and
4 exercise in private. It is a common substance of women's
5 oppression. She also said:

6 It is an extraordinary thing to try to
7 understand and confront why it is that men
8 believe, and men do believe that they have
9 the right to rape. Men believe they have
10 the right to force sex, which they don't
11 call rape. And it is an extraordinary
12 thing to try to understand that men really
13 believe that they have the right to hit and
14 to hurt. And it is an equally
15 extraordinary thing to try to understand
16 that men really believe that they have the
17 right to buy a woman's body for the purpose
18 of having sex. That that is a right.

19 Vancouver Rape Relief and Women's Shelter is the longest
20 standing rape crisis centre in Canada. Since opening in
21 1973, our group responded to 45,285 women seeking our
22 support in their escape of male violence. The
23 accumulation of stories told to us by thousands of women,
24 told us how men use their relative power as men and often
25 the relative power of their race and their class to attack

1 women. They also told us how girls and women survive,
2 escape, and resist male violence. The members of our
3 collective, historically and currently, have been of
4 different race and different class background, yet our
5 shared life experiences as girls and women, in particular,
6 our common experience of men violence, matches what we
7 learned from our frontline work.

8 Applying feminist analysis means a critical
9 examination of the power imbalance between men and women,
10 between white people and Aboriginal people, and between
11 the wealthy and the poor. When it comes to violence
12 against Aboriginal women, all forms of oppression, sex,
13 race, and class, are in play. In the mid '80s an
14 Indigenous member of our collective wrote in an article
15 titled, The Truth as We Know It:

16 That there is overwhelming evidence that
17 men rape within the same class or race and
18 down.

19 Thirty-five years later, this statement is still very much
20 the truth as we know it. Here in Canada, Aboriginal women
21 who are at the bottom of the race and class hierarchy are
22 victims to all men's violence.

23 In preparation for this submission, we
24 looked at more than 1,000 cases of Indigenous women who
25 called us in the last five years. Five hundred and

1 seventy-seven Indigenous women were assaulted by their
2 husbands, boyfriends, or lovers. And another 83
3 Indigenous women were attacked by their ex-male partner
4 after they left him. A hundred and seventy-nine
5 Indigenous women were sexually assaulted by someone they
6 knew superficially, often through social circumstances,
7 like party or mutual friends. A hundred and fifty-one
8 Indigenous women were raped by their own fathers or other
9 family members when they were young. Fifty-eight women
10 were raped by men who were complete stranger to them. Out
11 of the 1,000 Indigenous women who called us, 408 women
12 were attacked by Indigenous men, and 3, 51 women were
13 attacked -- 351 women were attacked by white men.

14 Indigenous women are raped and beaten by
15 their fathers, or domestic partners, and other men in
16 their Aboriginal communities. Outside of their
17 communities, they are raped, beaten, prostituted, and
18 killed by men from every race. Everywhere they go,
19 Aboriginal women are subjected to horrifying and sometimes
20 deadly attack by all men, frequently, by white men.

21 Since the '70s, transition houses, rape
22 crisis centres, and women's centres have been providing
23 women with immediate protection for themselves and their
24 children. In 1981, Vancouver Rape Relief and Women's
25 Shelter opened their own transition house, and since then

1 we housed 2,897 women and 2,570 children. The women who
2 have been staying in house are battered women who are
3 leaving abusive male partners, women who are exiting
4 prostitution, and sometimes women who were raped by a man
5 that is no longer -- have access to them, so they are safe
6 from him, but they still want to stay in a place where
7 they have the comforting company of other women.

8 Safety, of course, is the key reason women
9 are turning to transition houses. But what they get is
10 even more than that. Grouping women in our transition
11 house is countering the abuser's tactics of keeping women
12 silent and isolated. Women in feminist transition house
13 get to be part of a community of women who encourage and
14 reinforce each other in their decision to leave abusive
15 men. They get to be part of a community of women who
16 offer concrete advise and practical mutual aid of cooking,
17 childcare, and search for future housing. They get to
18 speak about their own experience and be heard. And they
19 get to hear other women's experience and realize that they
20 have been beaten and raped by men not because they did
21 something wrong or made bad choices, but because they are
22 women and because we are living in world that men are
23 entitled to harm women including, and very often
24 especially, women who they claim they love.

25 The women who live in our transition house

1 are escaping one particular man. Usually, it's their
2 domestic male partner. But as we build our relationships,
3 many will tell us about other men and other attacks. This
4 is particularly true to Indigenous women. Most of the
5 Indigenous women who are living in our transition house
6 have experienced male violence from a verly (phonetic) --
7 very early age. The men they are currently escaping is
8 the last one to attack them, but in no way, he is the
9 first.

10 Feminist transition houses and rape crisis
11 centre have been tactics that developed for women by
12 women, offering women immediate safety and a place to
13 group, analyze, strategize, and involving women to demand
14 from the state the protections they deserve. Based on the
15 examples and practices, we are calling for the women's --
16 sorry, we are calling for women's services for Indigenous
17 women that are designed and controlled by Indigenous
18 women. The services need to be funded by the state, but
19 independent -- being independent from government, social
20 services, law enforcement, professionals, institutions,
21 and bed -- band councils.

22 Even though Indigenous women are only two
23 percent of the women in the lower mainland, they
24 compromise more than 30 percent of the women who are
25 calling us looking for a safe shelter for themselves and

1 their children. Since the beginning of the year, 466
2 women called our crisis line looking for a shelter. A
3 hundred and thirty were Indigenous women. Approximately
4 two-third of the Indigenous women who call us are on
5 income assistance. This basically means, that they are
6 poor. It has been well established that poverty increases
7 the vulnerability of women to being attacked in their
8 homes, on the job on public transit and on the street. It
9 has also been well established that poverty prevents women
10 from leaving abusive relationships, that poverty forces
11 women to stay in poorly paid jobs, where they are
12 objectified, exploited and harassed, and that poverty is a
13 key factor for women resorting to prostitution.

14 Poverty means that women have very few
15 options, sometimes none. There are plenty of researchers
16 that show the price of poverty in monetary value, the
17 financial burden it creates on the healthcare and criminal
18 justice system is actually higher than the cost of
19 elevating people from poverty. But even if this was not
20 the case, poverty is an unacceptable reality.

21 We live in a wealthy country and equal
22 share of its wealth would have meant that no one has to go
23 without nutritious food, adequate housing and all the
24 other basic needs one is entitled to by virtue of being a
25 human being.

1 We support the demand for a dramatic
2 increase of income-assisted rates as a temporary measure
3 of financial support for those in need. But in the long
4 run, we believe we are better off with a profoundly
5 different mechanism that will provide people with their
6 economic needs.

7 Johnny Tillman, who was a black welfare
8 rights activist in the States wrote in 1972:

9 "Welfare is like a super sexist
10 marriage. You trade in a man for the
11 man, but you can't divorce him if he
12 treats you bad. He can divorce you,
13 of course, cut you off anytime he
14 wants. The man, the welfare system
15 controls your money. It tells you
16 what to buy, what not to buy, where to
17 buy it and how much things cost. If
18 things, rent for instance, really cost
19 more than he says they do, it's just
20 too bad for you. He's always right."

21 The welfare system across Canada has not
22 only kept people entrenched in poverty, but also has
23 stripped them from their dignity. The premise of the
24 welfare system is to provide as little as possible to as
25 few people as possible.

1 We support the demand for a liveable wage,
2 but we reject the idea that a paid job should be a
3 condition for adequate income. We believe and many
4 researches show that when people have unconditional
5 secured livable income, they use their time to do good by
6 their families and by their communities. The economic
7 model that we support is guaranteed livable income.

8 In his book Where Do We Go From Here: Chaos
9 or Community?, Martin Luther King wrote:

10 "I am now convinced that the simplest
11 approach will prove to be the most
12 effective. The solution to poverty is
13 to abolish it directly by a now widely
14 discussed measure: the guarantee
15 income. The dignity of the individual
16 will flourish when the decision
17 concerning his life are in his own
18 hands, when he has the assurance that
19 his income is stable and certain and
20 when he knows that he has the means to
21 seek self-improvement."

22 Although Martin Luther King spoke about a
23 male, surely it's true for women.

24 As feminists, the model of guaranteed
25 livable income that we support has a few key principles:

1 Livable, which means that it needs to be high enough to
2 meet adequate standards of living; guaranteed, which means
3 that it needs to be given unconditionally, without a means
4 test, without a job search requirement and without
5 limitations and expenditure. It must be given to all
6 individual adults in household regardless of marital
7 status and must be enough to provide for a child that an
8 adult has guardianship over.

9 We believe that the application of this
10 concept will ensure that no one, let alone women, and in
11 this context indigenous women, will be suffering from
12 economic hardship and poverty.

13 We believe men can change. Men are not
14 inherently violent. Men are violent because of the social
15 construction of masculinity and manhood. We believe men
16 can change. Men can stop raping and beating women and
17 children, and men can stop killing women. We believe men
18 can change, but as a whole, they don't. And until we will
19 hold men accountable, they are not going to change.
20 Otherwise, we wouldn't have been here today.

21 There is a great promise in communities
22 holding men accountable. So far, there are too few
23 examples for it. Too few communities in the world have
24 come together to make a collective agreement that the men
25 in their communities will not harm women and children.

1 Too few communities have sanctioned men for
2 harming women and children. Men everywhere know that they
3 can rape and beat women and children with impunity.

4 At the moment, we must rely on the state,
5 on the Canadian state, to uphold its obligation to protect
6 women and children, though so far it has failed, not to
7 say refused to do so.

8 When women are calling on the police about
9 rape, they know it is going to be an excruciating journey,
10 but they are willing to go through it because they want to
11 protect other women. Alas, more often than not, they will
12 realize that the criminal justice system doesn't share
13 their commitment to hold rapists accountable.

14 The high rate of unfounded sexual assault
15 complaints got a lot of attention in the last two years.
16 Statistics Canada is now collecting and publishing the
17 number of unfounded sexual assault cases, and according to
18 recent media reports, police forces in 62 jurisdictions
19 have been reducing the number of sexual assault reports
20 classified as unfounded since the Globe and Mail exposé.

21 For us, this is not reassuring at all. In
22 all likelihood, the reduced rate means that police forces
23 are now simply cataloguing cases under a different code
24 and not that they are conducting better investigations.

25 Last year in British Columbia, out of 4,279

1 complaints about sexual assault and rape that were made to
2 the police, only a third resulted with police recommending
3 charges. The problem starts with the initial statement.
4 The police will not dare to do it in our presence, but
5 when a woman is going without an advocate, they, from the
6 get-go, will discourage her by saying that the case is not
7 going to go anywhere because it's a "she-says/he-says"
8 situation, and they're saying it without even having the
9 "he-says" version, without even interviewing the accused.

10 Sometimes when the woman comes with a
11 feminist advocate, the officers will not let the advocate
12 to be present while the victim gives her statement.

13 When I conducted the cross-examination of
14 Deputy Commissioner Brenda Butterworth-Carr, Commanding
15 Officer for "E" Division, British Columbia in this
16 Inquiry, she assured me that the RCMP policy is to enable
17 a victim of sexual assault to have someone of her choice
18 with her while she is giving her statement.

19 Only two weeks ago, my fellow Collective
20 member, Maria, was not allowed to sit with her caller
21 while she was giving her video statement, even though the
22 victim explicitly asked the detective to have her advocate
23 with her.

24 Usually after the initial statement it will
25 take months until the women hear back from the police. It

1 will take multiple phone calls with weeks in between to
2 the constable, to the sergeant, to the staff sergeant, for
3 the women or for us, their advocates, to get any response.
4 When they do come back, they will say "We are still
5 investigating" or "The case is still open", and
6 eventually, after many more months, they will say that
7 they are not going to recommend charges because there is
8 not enough evidence.

9 However, in many cases that we are familiar
10 with, they don't have enough evidence because they didn't
11 conduct a proper investigation.

12 We just got the content of one file after
13 the determined woman that we are working with made a
14 Freedom of Information Request. In her case, again, after
15 months and months of doing nothing, the police closed her
16 file. It turns out that they closed the file without
17 collecting the result of the medical exam she had after
18 the rape, without interviewing the first person whom she
19 told about the rape, and without interviewing the man she
20 accused. And this is not a rare exception.

21 When it comes to the police, we are calling
22 for a civilian oversight that will include frontline
23 feminist advocates. We are calling for an open and
24 ongoing review that will not result with sexual assaults
25 simply being catalogued under a different code but with

1 thorough investigation and appropriate charges. Out of the
2 cases that police is recommending charges, the Crown will
3 prosecute only half, which means that approximately
4 15 percent of the rapes reported to police in British
5 Columbia will go to trial. This is only an estimate based
6 on national data because information on Crown's decision
7 in sexual assault cases in British Columbia is not easily
8 accessible.

9 My fellow collective member, Louisa
10 Russell, who has been instrumental in gathering the data
11 for frontline work for this submission wrote in an article
12 that published in Canadian women's studies 10-years ago:

13 "Crown decision to prosecute or not
14 should be recorded and made publicly
15 available. Public confidence in the
16 administration of justice would be
17 bolstered by a system where Crown
18 counsel routinely made strong and
19 public arguments to prosecute sexual
20 violence. By the same token, if the
21 decisions by the Crown not to proceed
22 were made available to the public
23 there would be room for protest and
24 possibly legal action." (As read)

25 We are still calling for that.

1 We know from major reports on trial on
2 sexual assault cases across the country, the judges
3 contaminating sexual assault trial with sexual stereotype
4 and victim blaming myths about girls and women who
5 experience sexual assault. Judges are clearly ignorant on
6 sexual assault law, about Parliament intention behind the
7 laws, and the Supreme Court of Canada's applications of
8 the law.

9 Some pivotal judgements that come --
10 pivotal judgements that came from the Alberta Court of
11 Appeal ordering the new trial for Bradley Barton, the man
12 who admitted causing the terrible death of Cindy Gladue,
13 offer the sharp observation. They say:

14 "Despite efforts to thwart them, myths
15 and stereotypes continue to stalk the
16 halls of justice in cases involving
17 sexual offences..."

18 These persistent presumptions, reducing
19 entitlement of individuals to the equal recognition and
20 protection of the law. This inequality falls most heavily
21 on women since sexual assault has been, and continues to
22 be, largely a gender-based crime. The vast majority of
23 victims are female, and the vast majority of perpetrators
24 are male.

25 We are calling for a genuine application of

1 the open court principle, a fundamental concept in a
2 democratic society as they allow the public to hold judges
3 accountable. In British Columbia, both in provincial
4 court and the supreme courts, only written judgements are
5 available to the public.

6 When judges give their judgement and
7 reasoning orally, which is often the case, judgements are
8 recorded, but not automatically transcribed. One can
9 order the transcription of a particular judgement, but
10 they usually costs hundreds or thousands of dollars
11 depending on the lengths of the transcription. This means
12 that in reality the public doesn't have access to oral
13 judgement and reason for convictions and acquittals in
14 sexual assault trials.

15 This is a case in relation to British
16 Columbia, but I believe the situation is similar in other
17 provinces.

18 On this issue, we are calling on the
19 Attorney General of British Columbia and the attorney
20 generals in other provinces to create a transparent
21 justice system and to ensure that all judgements in sexual
22 assault trials, oral and written, are transcribed and
23 posted online available for public scrutiny.

24 Only transparency and accountability will
25 transform how the criminal justice system, the police,

1 Crown, and judges deal with violence against women in
2 general, and violence against Indigenous women, in
3 particular.

4 It is a tragic irony that the criminal
5 justice system that have been failing to protect
6 Indigenous women has been extremely diligent in
7 criminalizing and imprisoning them. Although Indigenous
8 women are 4 percent of the women in Canada, they account
9 to 43 percent of female admissions to provincial
10 territorial sentence custody.

11 99 Federal Steps...Towards an END to
12 Violence Against Women that was adapted by the National
13 Action Committee on the Status of Women in 1993, Lee
14 Lakeman wrote:

15 "The disproportionate representation
16 of Aboriginal women and women of
17 colour in Canadian jails and
18 courtrooms must be understood to
19 reflect enforced poverty and violence
20 heaped on these women. There must be
21 release and core deferment programs.
22 Even in circumstances of gross
23 inequality, these women hardly pose a
24 threat to the Canadian public." (As
25 read)

1 We are still calling for that. We want
2 Indigenous women out of prison.

3 Our collective historically and currently
4 includes women who have exited the sex industry. Our
5 authoritarian understanding of prostitution as sexual
6 exploitation and male violence against women is informed
7 by our own members and by our frontline work with women in
8 prostitution who are calling on us in their effort to
9 escape individual johns and pimps or prostitution all
10 together.

11 What Indigenous women tell us about the
12 road to prostitution is that it is paved with sexual
13 assault in their childhood, with devastating poverty, with
14 terrible losses, including the apprehension of their
15 children, and with such grief and pain that sometimes can
16 only be subdued with drugs or alcohol. They resorted to
17 prostitution; they didn't choose it.

18 Achieving safety to women in prostitution
19 is inherently impossible. Men who buy women, and
20 sometimes not even that. Sometimes they will refuse to
21 give her the money or forcefully will take it back. Men
22 who buy women in prostitution are the source of the harm
23 to women.

24 Screening will not protect women. Women
25 are constantly attacked and harmed by women they knew and

1 trust. Indoors will not protect women. Most violent acts
2 against women are committed indoors.

3 The murder of Cindy Gladue refutes the myth
4 that indoor prostitution is safe and that screening will
5 provide security to women in the sex trade. The fact that
6 Cindy Gladue was recruited in a hotel and not on the
7 street, the presence of security camera in the hotel, the
8 fact that Barton was a returning guest at the hotel, or
9 the fact that Cindy Gladue's boyfriend arranged, screened,
10 and negotiated the price for her, did not protect her from
11 violence of death.

12 I know of course it's our women who define
13 themselves as sex workers, women who say that they choose
14 it. But their individual choice cannot be on the expense
15 of the collective of women, on the expense of the
16 collective of Indigenous women. Legitimizing and
17 legalized prostitution, allowing a man to buy the sexual
18 use of women's bodies normalizes men's entitlement to our
19 bodies, the same entitlement that allows men to rape and
20 beat or kill women.

21 We do not accept murder, rape, wife
22 battering and incest as inevitable, and we do not accept
23 prostitution as -- I will have to choose another word,
24 even though when I practice, I could say it. Inevitable.
25 Okay. I will say it again for the records properly.

1 MiKenzie Jordan, a collect member at Vancouver Rape Relief
2 and Women's Shelter. It is a privilege for me to be here
3 today. Attending these hearings has made me think deeper
4 about the work I do as an anti-violence advocate and
5 transition house worker.

6 As an indigenous woman working with women
7 for a long time, I know that when women are in crisis and
8 transitioning, we may not always speak about what we know,
9 what our opinions and truth are, and I wanted to capture
10 this moment and use this opportunity today to share with
11 you the things I hear in the transition house every single
12 day.

13 So as we are preparing our closing
14 submissions for the National Inquiry into the Missing and
15 Murdered Indigenous Women, I met with them and asked the
16 indigenous women who are currently staying in our
17 transition house to think about what they would want to
18 recommend to the Commissioners, what they would like to
19 say and what would be their demands at this date.

20 I hoped for rich conversation about who we
21 are as women, who we are as indigenous women, and what do
22 we see as the important messages to share. I was not
23 disappointed. It was definitely a moment of consciousness
24 raising.

25 It was so clear that even though these

1 women may not have been following the inquiry process,
2 they were not watching online and they did not participate
3 in the hearings in Richmond, they did not need to be doing
4 these things in order to understand the topics of the
5 institutional hearings.

6 Being indigenous women gives us the
7 firsthand experience of being affected by racism, the
8 child welfare system, prostitution, poverty, police
9 discrimination and sexism, lack of services and health
10 care in parts of the provinces and territories.

11 It led us to talking about the lack of
12 medical care that we receive in hospitals. It allowed the
13 women to share about their families and the experiences
14 that they have had in the health care system.

15 We heard about the lack of medical care and
16 misdiagnosis which led to the death of their loved on the
17 same day, the prolonging of a prognosis which did not
18 allow her aunt to receive the treatment plan that could
19 have at least added more time to her life expectancy.

20 A woman shared about having to move a
21 family member to another city hospital where there she
22 received the care she needed to recover that was not
23 initially offered at the hospital in Edmonton.

24 We know far too well that when women from
25 the downtown east side of Vancouver -- when they're taken

1 to St. Paul's Hospital, they do not receive a level of
2 care that would be expected and given to most others. As
3 a shelter worker, far too often women come back to us in a
4 few hours saying that nothing was offered except a cab
5 back, and sometimes not even that.

6 One resident shared that her sister is one
7 of the missing women and had not been heard from for 10
8 years. There have been no answers, no justice for her.

9 We know that we need to hold the police to
10 account to do investigations, to arrest the men, to listen
11 to what women's groups are saying.

12 She shared about her sister-daughters and a
13 bit about their lives after their mother disappeared, and
14 it was a tragic end, as they ended up on the downtown east
15 side and both overdosed. One of these nieces had a
16 daughter who was put into the child welfare system, and
17 they do not know where she is or how to find her. They
18 grieve this loss.

19 A few of us women were part of the child
20 welfare system in the seventies and were wards of the
21 state. We were foster children and adopted sixties scoop
22 children.

23 Each of us found ourselves struggling with
24 self identity, disconnection, racism, addiction,
25 prostitution, poverty, self-harm and a knowledge and

1 acceptance that it was just the way life was for us.

2 A woman spoke about the correlation between
3 the residential school system of the past and how child
4 welfare today is no different. She asked, "What about the
5 perpetrators, the men and the women who ran these schools?
6 What happened to them?"

7 The results of these schools have been
8 devastating, and children are still being taken from their
9 families and are experiencing high rates of violence and
10 mistreatment in foster homes and adopted families.

11 We make up such a small population of
12 Canada, yet in so many provinces the number of indigenous
13 children in care is still high. It is the continuation of
14 the practice of the residential school systems alive and
15 well today, just in a different form.

16 As indigenous women, we all know how we
17 have been affected by colonialism. It is too often a
18 daily struggle. But we all agree that we need to still
19 have hope, the belief that we can change things even
20 though we may struggle to find the solution most days, but
21 it is the reason we will continue to fight, to fight for
22 our children, our sisters, our mothers, our aunties and
23 nieces.

24 I know that our conversation is not the
25 last, and each of us in our own way show a resilience and

1 strength to fight against the patriarchal ways of the
2 government, and that as we continue to gather as strong
3 indigenous warrior women that we can only gain momentum
4 and find the courage to move forward to end the violence
5 against us that may show in subtle ways, but has had
6 lasting effects.

7 I am truly grateful for all the
8 opportunities that I have to sit down with women. They
9 are truly an inspiration.

10 I want to thank them for trusting me. They
11 give me the strength and motivation to do this work.

12 All my relations.

13 **MS. CHRISTA BIG CANOE:** Do the
14 Commissioners have any questions?

15 **COMMISSIONER MICHÈLE AUDETTE:** I wrote it
16 in English, so I'm going to read, okay, because I was
17 going to ask in French, but because I know my friend from
18 B.C. over there, she isn't wearing the translation device.

19 You know you. Je t'aime beaucoup. So now
20 all Canada knows.

21 Before I ask my question, I have to say
22 thank you. I don't see you, MiKenzie, but it's also to
23 you. Thank you so much for the work that you do every day
24 for our sisters, for the women, and for reminding us that
25 there is so many voices that needs to be heard or needs to

1 be here in this important journey.

2 So I was able to visit informally and
3 formally the community of the downtown east side since day
4 one when we started in 2016, and of course when we met --
5 and some of the women are here in this room.

6 When we met with the women, they often
7 mention the community, two-spirit community, and LGBTQQIA.

8 Do you have any -- propose any initiative
9 in place to further the right of all the women, including
10 our sister from that community?

11 **MS. HILLA KERNER:** So I think explicitly
12 you mean transgender women?

13 **COMMISSIONER MICHÈLE AUDETTE:** Oui. Merci.

14 **MS. HILLA KERNER:** Okay. So I think there
15 is no debate that transgender women, in particular women
16 in the downtown east side, are suffering terrible level of
17 violence and they deserve safety, security and life free
18 from violence and services and there should not be
19 competition of services. There should be more services
20 for everybody.

21 Some transition houses and rape crisis
22 centre offering models that works for all women, women who
23 were born female and transgender women, and some -- like
24 ours who based on consciousness raising, some of the
25 services and processes that we do were not fit for people

1 who were not born and have the experience of being girls
2 and adult -- growing to be adult women. But rape relief
3 and I believe any other service will never let anybody be
4 unsafe, so of course anybody who calls the crisis line
5 some time our women will -- our team will stay up all
6 night until we're making sure that people get safety.

7 For transgender people who are interested
8 in our model of offering peer counseling, we are happy to
9 teach how we develop those services and how they can be
10 used because our model means that probably services for
11 transgender people are better designed and control and
12 delivered to transgender people by transgender people.

13 And we're offering support and empathy. We
14 fight for a world that nobody will be discriminated,
15 harmed, and be unsafe. And, of course, it's true for all
16 people, including people who were not born female but
17 choose to be women.

18 **COMMISSIONER MICHÈLE AUDETTE:** And, again,
19 my other question. You mentioned about -- I was listening
20 in French, of course. I guess in English we say unfunded?
21 Unfounded?

22 You mention about 4,000 women in B.C. but
23 when you have the entire numbers across Canada it's very
24 concerning. And because I saw those numbers, I started to
25 read about what exists around the world. And one that

1 really "Huh?" It was the Philadelphia model. Is it
2 something that you think Canada should have also or
3 something similar to that?

4 **MS. HILLA KERNER:** So the principle of the
5 Philadelphia model are very much worth following but,
6 unfortunately, it's not a good enough model because even
7 though the women in Philadelphia got access and input
8 about files and investigations, they did not increase
9 charges.

10 And of course we want victims to be treated
11 better with more respect, but at the end of the day when
12 women going to the police, they want the man who raped
13 them to be held accountable, so that will be the test of
14 genuine transformation and improvement of police work.
15 There are a lot of good principles to import from
16 Philadelphia but they raise the bar not high enough. We
17 want to see also more men being held accountable.

18 **COMMISSIONER MICHÈLE AUDETTE:** Do you have,
19 like, in your final submission very clear recommendation
20 of how we can achieve that?

21 **MS. HILLA KERNER:** Yes.

22 **COMMISSIONER MICHÈLE AUDETTE:** Okay.

23 **MS. HILLA KERNER:** We're going to submit a
24 written submission with some concrete steps. And a few
25 times they said, "Research show; research show," all those

1 research will be in our written submissions.

2 **COMMISSIONER MICHÈLE AUDETTE:** Merci
3 beaucoup. Merci beaucoup. And we have here the youngest
4 Commissioner. Maybe she has a question to you.

5 The two of them are young, you know.

6 (LAUGHTER/RIRES)

7 **COMMISSIONER MICHÈLE AUDETTE:** I hate that.
8 And they're cute. I hate that.

9 You too, Bryan.

10 **COMMISSIONER QAJAQ ROBINSON:** She was
11 definitely paying attention.

12 I guess to build on a couple of Michèle's
13 questions, in relation to unfounded -- the stats on cases
14 that are deemed unfounded. And I know different criminal
15 law and legal -- lawyers' organizations have looked at
16 just the adversarial criminal law system, the burden of
17 proof within it, being just fundamentally flawed. And
18 there's been some discussion about looking at perhaps the
19 civil model more where the burden of proof is different.

20 Having prosecuted sex assault cases,
21 particularly those involving children, I appreciate the
22 difficulty of the burden of proof beyond a reasonable
23 doubt. So I'm wondering if you have thoughts on an
24 alternative model to the criminal justice system.

25 **MS. HILLA KERNER:** So surely there are

1 benefits for civil process that is funded by the state
2 where women can take men to court, to civil court. But I
3 think that we should be very careful for allowing the
4 state and the criminal justice system to get away with not
5 doing their job.

6 We have few cases where but existing we had
7 diligent police officers who conducted really thorough
8 investigations, really motivated Crowns, and we've seen
9 convictions in court.

10 A woman I worked with who was raped seven
11 years ago and went to the police two years ago, and we
12 just had the trial. She got a conviction. Three sisters
13 from Williams Lake who went to the police in 2011, the
14 police only recommended charges in 2013; pre-trial, 2015;
15 trial in 2017. Finally we got conviction. But those
16 convictions were possible because of really committed
17 police officers, Crown, and informed judges.

18 So we have few examples that prove to us
19 that police, Crown, and judges can do better. And where
20 there is a will, there is a way.

21 **COMMISSIONER QAJAQ ROBINSON:** So no (off
22 mic) ---

23 **MS. HILLA KERNER:** No.

24 **COMMISSIONER QAJAQ ROBINSON:** --- (off
25 mic).

1 **MS. HILLA KERNER:** Just force it. Force it
2 through, transparency and accountability to do better by
3 women.

4 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
5 One final question. You spoke about the
6 road to sexual exploitation and human trafficking and you
7 had identified a number of factors. Mikenzie also
8 identified some factors that we've heard from other
9 witnesses that I think are part of the pavement for that
10 road, and that being denial of cultural rights and the
11 denial of sufficient, adequate services, particularly in
12 northern regions.

13 Would that be something you'd agree that
14 those are part of the path that are paved towards sexual
15 exploitation?

16 **MS. HILLA KERNER:** Absolutely, absolutely.
17 Autonomy and safety and security; genuine services that
18 provide women protection and real means to leave will
19 protect women from prostitution, from trafficking, from
20 being exploited by abusive men, absolutely.

21 And I think this Inquiry did a great
22 service to Canadian by exposing the terrible plight of the
23 women of the north, and there has just been so much need
24 that immediate, immediate reforms and services need to be
25 happening right now. There is no time to wait.

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

2 And I also want to thank Mikenzie and you, Hilla, for
3 asking the tough questions during the hearings. I know
4 the nerves that were playing, not being lawyers, you
5 always said, "I'm not sure what the rules are, how to ask
6 the question, I'm not a lawyer." But you brought your
7 knowledge and your wisdom and your heart into this.

8 (APPLAUSE/APPLAUDISSEMENTS)

9 **COMMISSIONER QAJAQ ROBINSON:** And we needed
10 that. Canada needed that. And we needed it to make sure
11 this wasn't just another legal process.

12 So I raise my hands to you both and express
13 my gratitude for helping to bring out truth that we all
14 needed to hear, and I say that on the behalf of my
15 colleagues and this little one, too.

16 Thank you.

17 **MS. CHRISTA BIG CANOE:** And, sorry,
18 Commissioners, if I might? I just would like to ask Ms.
19 Kerner or Ms. Jordan one clarifying question.

20 You had provided us a document?

21 **UNIDENTIFIED SPEAKER:** (off mic)

22 (inaudible)

23 **MS. CHRISTA BIG CANOE:** Okay. I just
24 wanted to make sure that we hadn't missed something,
25 putting something on the record.

1 **MS. HILLA KERNER:** Okay, you saw me at
2 midnight, still writing, so...

3 **MS. CHRISTA BIG CANOE:** Yeah.

4 **MS. HILLA KERNER:** But we will provide 40
5 pages of our recommendation. I might left a draft
6 somewhere in some room but ---

7 **MS. CHRISTA BIG CANOE:** Okay.

8 **MS. HILLA KERNER:** --- not formal
9 submission.

10 (LAUGHTER/RIRES)

11 **MS. CHRISTA BIG CANOE:** Thank you for
12 clarifying.

13 **COMMISSIONER QAJAQ ROBINSON:** (off mic)
14 submissions, or are we filing it today? Is this the
15 question?

16 **MS. CHRISTA BIG CANOE:** No, no. And that's
17 what I want to clarify ---

18 **COMMISSIONER QAJAQ ROBINSON:** Okay.

19 **MS. CHRISTA BIG CANOE:** --- with counsel,
20 and so there will be nothing filed on today. But that did
21 actually remind me that we did not file the slide
22 presentation from the First Nation Health Council, and so
23 I would request that we please put that presentation into
24 exhibit.

25 **COMMISSIONER ROBINSON:** That will be -- the

1 Powerpoint presentation by the First Nations Health
2 Council will be Exhibit 4 in these hearings. Correct, 4.

3 **---EXHIBIT 4:** Powerpoint presentation: "First
4 Nations Health Council—Testimony to
5 the National Inquiry on the Missing
6 and Murdered Indigenous Women and
7 Girls" (19 slides)
8 Submitted by: Chief Charlene Belleau,
9 Representative for First Nations
10 Health Council

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

12 And with that bit of housekeeping done, I
13 kindly request that we take a 20-minute break and return
14 back here at 1:40.

15 --- Upon recessing at 1:20 p.m.

16 --- Upon resuming at 1:45 p.m.

17 **COMMISSIONER ROBINSON:** Hi. I'd just like
18 to ask everybody to take a seat. I believe the next party
19 is almost ready to begin.

20 **MS. CHRISTA BIG CANOE:** Thank you,
21 Commissioners. Next, Commission counsel will be inviting
22 the Downtown Eastside Women's Centre. First speaking will
23 be Reta Blind and then Carol Martin will be speaking as
24 well.

25 **MS. RETA BLIND:** (Speaking in native

1 language) I would like to give thanks for me being here
2 and having the privilege to say a few words.

3 First of all, I'd like to thank the Treaty
4 7, and the Blackfoot, and the Métis, and also the sacred
5 people that come and pray for us here. My name is Reta
6 Blind, Kinach (Phonetic). I'm from Saskatchewan and I
7 will let my -- one of my leaders here to take over. I
8 just wanted to introduce -- I mean, I just wanted to give
9 thanks, you know, for being here.

10 Thank you.

11 **--- SUBMISSIONS BY MS. CAROL MARTIN**

12 **MS. CAROL MARTIN:** Hello, my name is Carol
13 Martin. I'm from the Downtown Eastside Women's Centre.
14 And the women behind me who will be also getting up and
15 reading out some of the recommendations are Louisa Starr,
16 Veronica -- oh no, not Veronica. Theresa, Tia Maria
17 Perrault, Elaine Durocher, Marlene Jack, Janice Brown,
18 Sophia Merasty, Robyn Raweater, and Priscilla Tait.

19 I'm really happy to be here and honoured to
20 be here. I have gotten up and spoken before. The
21 Downtown Eastside Women's Centre, as you know, is located
22 in the heart of the Vancouver downtown eastside since
23 1978. The women's center provides and supports -- oh
24 sorry. Let me rethink that again.

25 **UNIDENTIFIED SPEAKER:** Do you want some

1 water?

2 **MS. CAROL MARTIN:** Yes, please. I don't
3 know why I feel really nervous today, but I'm just going
4 to breathe.

5 Since 1978 the women's center has provided
6 support to women and children through a drop in and low-
7 barrier emergency night shelter for self identified women
8 who are homeless, at risk of homeless, or at risk of
9 violence. The women's centre provides basic necessities
10 such as hot meals, laundry, phone -- access to phone,
11 which is set up as long distance for women so that they
12 can make long-distance calls to their families and loved
13 ones. A safe place to take a shower. We have legal
14 advocacy as well as long-term skills development and
15 political advancement.

16 As you can see behind me, the women have
17 found their voices and they're able to come through and be
18 part of this. I'm really happy to be part of that.

19 We also have an Elder's council, a healing
20 circle, and a social justice group. DEWC has been named
21 by 54 percent of the women in the downtown eastside as a
22 safe place to be. When you think about that, there are
23 about 250 service providers in the downtown eastside and
24 there are only three women only spaces. So 70 percent of
25 the women who access the DEWC identify as Indigenous

1 women.

2 As a result, DEWC is a space that has a
3 vast majority of missing and murdered Indigenous women who
4 used to access the women's centre as far back at 1980. I
5 get really emotional about this because I know a lot of
6 the women who are there, and I worked at the old women's
7 centre.

8 Indigenous women and girls in Canada have
9 been murdered or gone missing at a rate of four times
10 higher than the rate of representation of Indigenous women
11 in the population in Canada. I'm praying for guidance as
12 I read this because it's difficult, because I'm right in
13 the middle of it all, you know? And so many of the women
14 have died and so many in the last two years.

15 When they weren't dying and going missing,
16 you know, we were left with so many unspoken and
17 unanswered questions and now in the last two years the
18 fentanyl crisis has taken so many lives down there. So
19 they're just -- they're familiar faces that we used to see
20 coming into the womens centre are now on our memorial
21 table. I hold them very close to my heart.

22 The gruesome murder -- this -- we started
23 the Feb 14 memorial march in 1992 to honour a woman who
24 lost her life in the downtown eastside. And I'm sure that
25 there were a lot of lost lives way before that, but it was

1 just how this young girl -- how she was found. And the
2 community pulled together and formed the Feb 14 memorial
3 march.

4 And you know, and we still have women who
5 have disappeared who have been members of the DEWC, such
6 as Lise Arlene Francis, Angeline Peat, Ashley Machiskinic,
7 and Bruna Simard. And there are more other women who were
8 part of our membership who have died over the years. I
9 find this really difficult to do because it's
10 heartbreaking.

11 Understanding the causes of institutional
12 responses to violence against Indigenous women in the
13 downtown eastside requires disrupting the pattern of
14 talking about Indigenous women from the downtown eastside
15 without their expertise and leadership. DEWC's submission
16 to the National Inquiry on Missing and Murdered Indigenous
17 Women and Girls use a -- English words -- participatory
18 approach where Indigenous women in the downtown eastside
19 are treated as experts of their lives.

20 I need to reread that again. Okay.
21 Indigenous women in the downtown eastside require
22 disrupting the pattern of talking about Indigenous women
23 in the downtown eastside without their expertise and
24 leadership. DEWC's submission to the National Inquiry on
25 Missing and Murdered Indigenous Women and Girls use a

1 participatory approach, where Indigenous women in the
2 downtown eastside are treated as experts of their own
3 lives. Our full submission and 195 recommendations are
4 based on direct collaboration and input from 112
5 Indigenous women and in-depth narratives from 30
6 Indigenous women. Indigenous women in the Downtown
7 Eastside are stigmatized for high -- high-risk lifestyle
8 and blamed for violence committed against them when, in
9 fact, colonial poverty and patriarchy are -- patriarchy
10 are the highest risk factors in -- in the Indigenous
11 women's lives. I don't know why this is so hard for me to
12 do. Probably because I'm reading from a transcript. I'm
13 usually talking from my heart.

14 I understand a lot of what has contributed
15 to our Indigenous women, and we talk about, you know,
16 Indigenous women's poverty in the Downtown Eastside as one
17 of the main factors magnifying vulnerability to abusive
18 relationships, sexual assault, child apprehension,
19 exploitation, work conditions on safe housing, food
20 insecurity, poor health, and social isolation. We also
21 talked about the social assistance and disability benefits
22 in the -- in the B.C. where it's very low. And what the -
23 - the increase of rent and how women are having to make
24 decisions about rent or food. And those are very
25 difficult choices that people -- that women need to --

1 the Women's Centre have had interaction with the Ministry
2 due to their children being taken away. And I think a
3 high part of that place on -- living in poverty-stricken
4 areas, housing -- poor -- poor housing, not enough money
5 to get food. The different -- the connection between
6 child welfare system and violence against Indigenous --
7 Indigenous is stark. Indigenous women in B.C. childcare -
8 - child welfare system are four times likely to be victims
9 of sexual violence than non-Indigenous girls. So over 60
10 percent of child and youth who report sexual violence in
11 government care are -- are Indigenous girls.

12 I'm sure what your hearing echoes all
13 across Canada in, you know, in the similarities that First
14 Nations women and girls are having to deal with. And
15 downtown
16 in -- in the Downtown Eastside, it seems to be -- there's
17 a huge stigma on how they deal with the women from the
18 Downtown Eastside, in having to deal with violence and
19 poverty.

20 And another barrier to ending violence
21 against Indigenous women and girls is the failure of the
22 entire criminal justice system. To take violence against
23 Indigenous women seriously. So many women enter the
24 criminal justice system because of their experience as
25 survivors of violence. And then, as reported in the final

1 report of the Missing Women's -- I'm not reading it all
2 because I'm trying -- I'm aware of time and I have a lot
3 of women who want to share. The Vancouver Police
4 Department failed to prevent and protect Indigenous women
5 from violence and failed to diligently investigate
6 violence when it occur.

7 Indigenous women and girls are not only
8 denied support from the police, Indigenous women are also
9 subjected to police harassment and brutality. Once women
10 are arrested, they are most likely to be charged, held in
11 pre-trial detention, racked up -- with racked up further
12 charges from violations, where they have to plead guilty
13 and sentenced to prison. Discrimination against
14 Indigenous women in the prison system is a serious of
15 compounding discrimination, where the Indigenous women are
16 severely disproportionate (phonetic) -- oh, this English
17 word.

18 **UNIDENTIFIED SPEAKER:** Disproportionate.

19 **MS. CAROL MARTIN:** Disproportionately -- my
20 grandfather used to speak only his language to me when I
21 was a little girl, so -- where were -- where was I? Stop
22 the clock. No, just kidding.

23 (LAUGHTER)

24 **MS. CAROL MARTIN:** Indigenous women served
25 as disproportionately more of their sentence behind bars

1 before a first release. We can go on and on about all
2 this stuff here, you know, but I -- you guys will get a
3 report of this. And you -- I did send that in. I'm just
4 trying to scan this.

5 Indigenous women health in the Downtown
6 Eastside is inseparable from the intergenerational trauma
7 of colonization, overlapping the specific health
8 challenges that are concentrated in the Downtown Eastside.
9 And I'm going to say this, and I've said it before, that
10 Downtown Eastside seems to be, like, this -- it's like a
11 lab set-up for many different diseases. And cancer is on
12 the rise. It was on the rise with women. It is on the
13 rise with men now. Different forms of diseases that women
14 are -- health issues that our women are constantly having
15 to deal with.

16 Indigenous women -- we are the Indigenous
17 women from the Downtown Eastside. So in conclusion,
18 Indigenous women's overrepresentation in statistic on
19 poverty, homelessness, child apprehension, police checks,
20 incarceration, opioid overdose -- over -- opioid overdose
21 fatalities, and health inequities is connected to the --
22 oh, here I go again, disproportionate (phonetic) --

23 **UNIDENTIFIED SPEAKER:** Disproportionate.

24 **MS. CAROL MARTIN:** -- violence. Can you
25 say that for me?

1 **UNIDENTIFIED SPEAKER:** Disproportionate.

2 **MS. CAROL MARTIN:** Violence that Indigenous
3 women face. I don't know why. I've been in this English
4 world for 58 years. I'm still having trouble saying their
5 English words.

6 (LAUGHTER)

7 **MS. CAROL MARTIN:** Settler colonial state
8 practice. See, I -- it doesn't work with me reading off
9 something. I can say it from my heart, like, you know.
10 I've lived -- I worked in that for 30 years, you know.
11 This is a good one. Settler colonial state practices
12 target Indigenous women for removal from an Indigenous
13 land, tear Indigenous children from their families, and
14 force impoverishment and create the conditions for
15 Indigenous people de-humanization.

16 So our recommendations are based on women's
17 leadership, lived experience, and expert use -- sounds
18 like me now. Lived experience and expertise of our
19 membership, who struggle and survive in the Downtown
20 Eastside. They struggle and survive in the Downtown
21 Eastside. So we had, like, 105 or more membership from
22 the community who contributed to this final submission.
23 These are words from the women from downtown. And
24 developed the nine -- a 195 recommendation in this report.
25 So it'll look -- at the end, it'll include all those who

1 contributed and where they're from.

2 So over a period of three months and a
3 hundred -- hundreds of hours, it felt like that too,
4 Indigenous women peer facilitator, who we brought here, we
5 hired them to run the groups, so because, you know,
6 they've survived so much. They're survivors of violence.
7 Many are a family members, including families of the
8 heart, missing and murdered Indigenous women and girls of
9 -- from the -- they're families of the heart, and they're
10 also family members from missing and murdered Indigenous
11 women and girls. We also have gathered from 15 women who
12 were families of the heart, of -- like, from the Downtown
13 Eastside, who knew the women and, you know, knew their
14 stories, or women who had overdosed and died in the
15 Downtown Eastside.

16 So the recommendations are based on three
17 core principles. Violence against Indigenous women and
18 girls is a violence of inherent constitutional and
19 internationally protected Indigenous rights.
20 Implementation of the United -- United Nations Declaration
21 ...on the rights of indigenous people at all levels of
22 government. Assertion of indigenous title over lands and
23 jurisdictions over law making and restoration of
24 collective indigenous women's rights and governance is the
25 only meaningful way to end violence against indigenous

1 recommendations to end violence against indigenous women
2 in the Downtown East Side.

3 One, adopt a national-level integrated
4 action plan to eliminate violence against indigenous women
5 and girls that incorporates the specific needs of
6 extremely marginalized communities like the Downtown East
7 Side.

8 Set public timelines for implementation of
9 existing recommendations from CIDA, Inter-American
10 Commission on Human Rights, UN Human Rights Committee,
11 Assembly of First Nations, B.C. Missing Women's Commission
12 of Inquiry, Amnesty International, Human Rights Watch,
13 Highway of Tears Symposium and Native Women's Association
14 of Canada.

15 Establish a national database on murdered
16 and missing indigenous women with accurate data collection
17 on rates of violence against indigenous women and girls.

18 Prioritize a public education campaign in
19 schools, transit systems, media outlets and community
20 centres on indigenous rights and systemic racism that
21 amplifies indigenous women's voices.

22 Immediately establish a bus transportation
23 system between each town and city located along the entire
24 length of Highway 16, with a number of safe homes and
25 emergency phone booths along the length of the highway.

1 Ensure adequate human, technical and
2 financial resources allocated for implementation,
3 monitoring and assessment of such a plan.

4 All policies at all levels of government
5 impacting indigenous women must meet the requirements set
6 out in the United Nations Declaration on the Rights of
7 Indigenous People. This includes full implementation of
8 indigenous jurisdiction over indigenous lands, justice
9 systems and all areas of law making.

10 Strengthen and support solutions that
11 restore the roles of indigenous women, girls and two-
12 spirited people as title holders of their lands,
13 traditional knowledge keepers, sacred life givers and
14 matriarchs within extended kinship networks.

15 All levels of Canadian government,
16 national, Aboriginal organizations and non-profit agencies
17 must ensure the active leadership of indigenous women in
18 the design, implementation and review of programs and
19 policies that are directed to increase the safety of
20 indigenous women.

21 Remove discrimination from the *Indian Act*
22 by making women and men equal in the ability to pass on
23 status, repair situations where discrimination against
24 women has disadvantaged those claiming status through the
25 mother's line, and remove the two-parent rule for

1 transmitting status and the 6:2 cut-off that withholds
2 status from the children of many women who are unable or
3 unwilling to provide the father's name.

4 This is on antiviolence services in the
5 Downtown East Side. At least one multipurpose indigenous
6 women's centre in the Downtown East Side that is run by
7 and for indigenous women with long-term funding and
8 wraparound supports, including healing support, communal
9 kitchen, childcare facility, Elder accompaniment, artisan
10 training and vending and 24/7 educational, cultural,
11 recreational and empowerment based programming to bring
12 indigenous women together collectively. This would also
13 serve as a single point of access for indigenous women in
14 the Downtown East Side to connect to integrated services.

15 Fund more 24/7 low-barrier emergency
16 shelters, transition homes and drop-ins for women with
17 long-term funding and full wraparound supports, including
18 culturally, centred in holistic victim services, healing
19 supports, counselling, legal assistance, programming and
20 recreational activities for indigenous survivors of
21 violence.

22 Fund an indigenous street intervention team
23 that is staffed with counsellors and emergency services
24 and available 24/7 for indigenous women in the Downtown
25 East Side.

1 And there's more, but you'll get a written
2 submission. Thank you.

3 **MS. MARLENE JACK:** Hi. My name is Marlene
4 Jack. I'm just going to read recommendations to end
5 indigenous women's displacement from land.

6 All levels of Canadian government must
7 fully implement the United Nations Declaration on the
8 Rights of Indigenous People and apply its principles,
9 norms and standards, including the right of self-
10 determination and the right to exercise free, prior and
11 informed consent.

12 Change federal, provincial and municipal
13 policies to uphold Aboriginal title on indigenous
14 jurisdiction over all areas of law making that impact on-
15 reserve and off-reserve nations.

16 All levels of government must respect and
17 honour historic treaty relationships. All Canadian and
18 Aboriginal governments must ensure that indigenous women
19 are engaged fully and have equitable access to decision
20 making on issues of governance, land, culture, language,
21 housing, childcare, income security, employment,
22 education, health and other areas impacting indigenous
23 women.

24 Compensation for the disenfranchisement and
25 lack of protections for women and their descendants as a

1 result of the discriminatory *Indian Act* and matrimonial
2 real property laws.

3 Safe, affordable and living housing for
4 every indigenous woman on reserve that is independent of
5 her matrimonial status.

6 Affordable childcare and licensed daycare
7 options on every reserve.

8 Cultural sensitivity training for all first
9 responders such as police, healthcare professionals and
10 social workers who directly assist indigenous survivors of
11 violence on reserve.

12 Implementation of overarching substantive
13 federal legislation to protect the rights of women and
14 children living on reserve in the interim, until First
15 Nation communities can develop their own laws to replace
16 matrimonial property laws. This legislation should
17 include opt-out clauses.

18 The rest is in the report. Thank you.

19 **MS. TIA MARIA PERRAULT:** I'm Tia Maria.

20 Recommendations for indigenous womens'
21 economic security in the Downtown East Side.

22 Number one, implementing a United Nations
23 Declaration on the Rights of Indigenous Peoples and the
24 Truth and Reconciliation Commission's 94 calls to action.

25 Number two, implement a human rights,

1 indigenous rights and gender-based analysis in the
2 consumption and implementation of all poverty reduction
3 strategies, policies legislation, and decision-making.

4 Number 3, all levels of government must
5 coordinate an Indigenous-specific poverty reduction plan
6 within a de-colonizing lens complete with specific goals,
7 targets, timelines, and accountabilities.

8 Number 4, I'll slow down. Increase the
9 federal Old Age Security, the Guaranteed Income
10 Supplement, Canadian Pension Plan, and B.C. Senior
11 Supplement.

12 Number 5, provide all residential school
13 survivors with an annual guaranteed livable income.

14 Number 6, we support existing
15 recommendations from the B.C. Poverty Reduction Coalition
16 for a whole of government poverty reduction strategy. And
17 there's three subtitles. There's a Provincial Income
18 Assistance, I'll read some.

19 Seven (7), increase income and disability
20 rates to the market base measure.

21 Eight (8), provide grandparents raising
22 grandchildren and all kinship care providers with incomes
23 and benefits comparable to foster parents. This includes
24 a living wage and a full access to childcare --

25 (APPLAUSE/APPLAUDISSEMENTS)

1 **MS. TIA MARIA PERRAULT:** -- right clap --
2 respite support.

3 Nine (9), eliminate barriers to accessing
4 income and disability assistance by reducing unnecessary
5 eligibility criteria and simplifying the application
6 process.

7 Number 10, restructure the Ministry of
8 Social Development and Poverty Reduction.

9 Eleven (11), end claw backs on income and
10 disability assistance.

11 Twelve (12), increase earnings exemptions
12 for those on provincial income and disability assistance.
13 And any claw backs must be incrementally tied to income.

14 Twelve (12) [sic]. Okay. A few more.
15 Raise all asset limitations for those on income assistance

16 Fourteen (14), amend income and disability.

17 Well -- and the other subtitles are going
18 to be in the submitted report. They include universal
19 public services, because we want our security, and
20 legislative protections.

21 Thank you for your attention.

22 **MS. PRISCILLA TAIT:** (Speaking Indigenous
23 language). I am Priscilla, a devoted Gitxsan Wet'suwet'en
24 mother. Just -- I'll do the same thing, just summarize.

25 Recommendation for safe and affordable

1 housing in the Downtown East Side for Indigenous women. I
2 co-facilitated twice in an evening, and what really got to
3 me is when I met an Aboriginal woman with her suitcase,
4 and she was homeless and she cannot leave her belongings
5 at the shelter because she has to bring them with her at
6 all times.

7 And the other night, I met another
8 Aboriginal lady, who has a room in a SRO, which is a
9 single room occupancy, and she felt that a shelter was
10 more safer than the SRO because of the violence that
11 occurs and the drug use.

12 And it's all in the package. And I think
13 what the women want is housing, which is a human right
14 across Canada, especially for Indigenous women.

15 In Vancouver, especially because of the
16 high rent, and now that -- the Vancouver Native Housing
17 Society and Lu'ma Native Housing Society are now taking
18 over B.C. housing, and they are now allowing
19 non-Aboriginal families to move in. And I'm just 1 of 5
20 because there is so many of our people homeless.

21 So the rest are in the package. And marsi.

22 (APPLAUSE/APPLAUDISSEMENTS)

23 **MS. JANICE BROWN:** Hi. My name is Janice
24 Brown. I'm Haida Tsimshian. Recommendations to keep
25 Indigenous families together in the Downtown East Side.

1 Implementation of federal Indigenous child welfare
2 legislation with full funding to ensure that Indigenous
3 nations resume sole jurisdiction and not simply service
4 delivery over child welfare for child members of the
5 nation who are on reserve and off reserve. This is in
6 accordance with the United Declaration on the Rights of
7 Indigenous People.

8 In full partnership with First Nations,
9 Indigenous and Northern Affairs Canada must immediately
10 fully redress the inequities and the structural problems
11 of funding for First Nations children. Support other
12 funding and policy options proposed by First Nations for a
13 First Nations' child and family services. Ensure that
14 formal compliance and reporting program be established,
15 specifically for a First Nations' child and families
16 services program.

17 We applaud the work of Dr. Cindy Blackstock
18 and the the First Nations Child and Family Caring Society,
19 and call on all federal government to comply with the
20 legality binding Order of the Canadian Human Rights
21 Tribunal to immediately and fully apply Jordan's Principle
22 to all First Nations children living on and off reserve,
23 apply Jordan's Principle based on the need of the child
24 and not limited to a normative standard of care; ensure
25 that administrative delays do not delay service provision

1 to respond to most cases within 48-hours.

2 In order to redress the legacy of the
3 residential school and advance the progress of genuine
4 reconciliation, we reiterate the Truth and Reconciliation
5 Commission's Call To Action on child welfare
6 recommendations, Indigenous resilience, connectedness, and
7 reunification from root causes to root solutions by a
8 special advisor, Grand Chief Ed John, and recommendations
9 in calling forth our future options for exercise of
10 Indigenous people's authority in child welfare by the
11 Union of B.C. Indian Chiefs.

12 Ending child apprehensions. Establish
13 normal standards of child apprehensions and custody cases
14 and includes principles that affirm the right of
15 Aboriginal governments to establish and maintain their own
16 child welfare agencies; require all welfare agencies and
17 courts to take the residential school legacy into account
18 in their decision-making; establish as an important
19 priority and requirement that placements of Indigenous
20 children into temporary and permanent care be culturally
21 appropriate.

22 And the rest is in the written submission.

23 (APPLAUSE/APPLAUDISSEMENTS)

24 **MS. ROBIN RAWEATER:** Okay. My name is
25 Robin Raweater. I grew up in Vancouver, B.C. I am

1 honoured to be here on my traditional territory.

2 I am here on the Downtown East Centre
3 speaking on behalf of the child welfare system. I have a
4 few recommendations that I would like to put forward to
5 you guys.

6 Number 1, decision-makers, caregivers, and
7 social workers must be held accountable when children
8 experience abuse in the foster care system.

9 (APPLAUSE/APPLAUDISSEMENTS)

10 **MS. ROBIN RAWEATER:** Number 2, children
11 under the age of 12 should not be in a group home setting.

12 Number 3, there should be no locks on
13 fridges in foster homes. When they are locked, they are
14 holding food against the children.

15 Number 4, children are placed in foster --
16 when children are placed in foster care, they do not
17 receive the love and the emotional care that children
18 need. When children are with family members and/or
19 community members, they will get the love and the nurture
20 that they need and want.

21 Number 5, children should be given a voice
22 and should have their voice heard. Children in care
23 should know the process that they are going through. They
24 should not be kept in the dark and not know what is
25 happening to them.

1 Number 6, children in foster care should be
2 able to live with whom they choose.

3 Number 7, we need to have a model in place,
4 the Circle of the Child, where children receive the unique
5 need and strength that they -- are exclusive to the child
6 without the workers ripping the children away from their
7 parents.

8 Number 8, children need to be given legal
9 representation when they are in foster care. They need a
10 personal lawyer.

11 Number 9, we need and want a national
12 inquiry for Aboriginal children in foster care that are
13 dying and are being abused. Thank you.

14 (APPLAUSE/APPLAUDISSEMENTS)

15 **MS. CAROL MARTIN:** The last two
16 recommendations we won't have time to read parts of it,
17 but it is part of the packets that Myrna will be handing
18 to you. And I think we've sent you guys a copy of it.

19 So I want to call up one of our Elders,
20 Louisa Starr. She's - volunteers in the Downtown
21 Eastside. Feeds women in the Downtown Eastside, does
22 workshops, beadings, she does all -- she takes care of us.

23 (LAUGHTER/RIRES)

24 **MS. LOUISA STARR:** Good afternoon,
25 everyone. My name is Louisa Starr and I am here today to

1 honour my sisters ---

2 To honour my sisters -- where am I?

3 **MS. CAROL MARTIN:** You're in Calgary.

4 (LAUGHTER/RIRES)

5 **MS. CAROL MARTIN:** My sisters and special
6 coordinator.

7 **MS. LOUISA STARR:** And especially to our
8 coordinator Hersa(Ph) P-O-W. I'm from Kitasoo Nation and
9 I have been living in Vancouver for 43 years. Since I
10 survived that for 30 years on my own will-power I have
11 seen a lot what has been happening with --

12 **MS. CAROL MARTIN:** With First Nations.

13 **MS. LOUISA STARR:** -- with First Nations.

14 **MS. CAROL MARTIN:** And how they're being
15 treated.

16 **MS. LOUISA STARR:** And how they're being
17 treated. Why do the police treat our people so bad? They
18 push them off the street, out of parks. White people on
19 the streets setup their tents when our people being pushed
20 through.

21 **MS. CAROL MARTIN:** Okay. That was a
22 question she wanted to ask. Where are our people being
23 pushed to when they're being targeted on the streets or
24 pushed out of parks? They're homeless, they have no home
25 to go to, they can't go back to the reserves, so where are

1 they being pushed to? What are we gonna -- what can be
2 done about it?

3 Oh, I'm sorry.

4 **MS. ELAINE DUROCHER:** Hi, everybody. I
5 didn't realize how time flies. My name is Elaine
6 Durocher. I'm a Métis from Saskatchewan. I resided in
7 Vancouver for the last 40 years.

8 I'm going to do -- there's four subtitles
9 and one of them I'm just going to say: "Recommendations to
10 end criminalization of Indigenous women in the downtown
11 east side".

12 All levels of government must recognize the
13 inherited and constitutionally protected right of
14 Indigenous people to establish and control Indigenous
15 justice systems.

16 All levels of government must also fund and
17 establish of -- Indigenous law institutes to support the
18 restoration and advancement of Indigenous legal systems.

19 I'm just going to go to the next; policing.
20 In our -- in other -- oh my words.

21 (LAUGHTER/RIRES)

22 **MS. ELAINE DUROCHER:** I can't even read
23 this. Anyways, I'm going to just keep on -- my heart -- I
24 wish I could speak from my heart and I think I'm just
25 going to.

1 **MS. CAROL MARTIN:** Yeah.

2 **MS. ELAINE DUROCHER:** I've lived enough in
3 the downtown east side to know that Native people are
4 treated worse than other -- oh, my heart. My heart. Hang
5 on.

6 I just want people to understand that we
7 need -- we have a right to live. Our rights to human --
8 to homes, to food, to proper clothing, for our children to
9 be taken care of when in care. My passion is that the
10 government will just help us Native people.

11 We're not the ones laying on the beach
12 slathering ourselves with sunscreen to look my colour, so
13 something's gotta be good about us. You guys want to be
14 spiritual and know how to smudge, how to handle our sweet
15 grass, and I think that if it's so good that you're going
16 to tan to look like us and you want to learn about our
17 medicines and our -- I think that maybe you should put us
18 at the top of the ladder.

19 (APPLAUSE/APPLAUDISSEMENTS)

20 **MS. ELAINE DUROCHER:** And I don't know --
21 and I also -- thanks. And I also don't know why you call
22 us First Nations if we're always last in line. That is my
23 late cousin Edna Brass' saying.

24 (LAUGHTER/RIRES)

25 **MS. ELAINE DUROCHER:** So I just want you to

1 know that. And I want to raise my hands to all of you
2 Commissioners and everybody for listening to us and I love
3 you, all my relations.

4 (APPLAUSE/APPLAUDISSEMENTS)

5 **MS. CAROL MARTIN:** I just want to -- just
6 to remind people about who we are as First Nations women
7 and I'm going to call -- I want Canada to pay really close
8 attention, because we are red women rising. We have found
9 our voices. We've created a platform that is stable
10 enough to hold us.

11 So I want to call up Reta Blind. She's
12 Cree from Saskatchewan; Louisa Starr from Kitasoo;
13 Veronica Butler, a Nishnawbe from Ontario; Tia Maria from
14 Garden River, a Nishnawbe; Mirna Kramer(Ph) who's being
15 shy in the corner over there; Elaine Durocher, Métis from
16 Saskatchewan; Marlene Jack from Cheslatta Carrier; Janice
17 Brown, Haida Gwaii; Sophie Merasty from ---

18 **MS. SOPHIE MERASTY:** Northlands in Treaty
19 10.

20 **MS. CAROL MARTIN:** Sorry, can you come say
21 that, please? I'm sorry. I'm ---

22 **MS. SOPHIE MERASTY:** I'm from Treaty 10,
23 Denesuline and Cree.

24 **MS. CAROL MARTIN:** Robin Raweater,
25 Blackfoot, Siksika. That's -- in Native I kind of have a

1 hard time. And Priscillia Tait, Gitsxan and Wet'suwet'en.

2 Canada, I want you to pay attention to
3 these women. They are First Nations women. They are
4 mothers, grandmothers, daughters, sisters, aunties,
5 nieces. We belong somewhere.

6 We have a mason. We have a house clan. We
7 are connected to uncles and brothers, sisters, relatives.
8 And I want all the Native women to rise, because Canada
9 has done so much damage to our image as First Nations
10 women. We want them to correct it. We -- this smear
11 campaign against our First Nation women has to stop.

12 These are our First Nations women of
13 Canada. This occupied land they call Canada. We have
14 names. I want everybody to yell out your names because I
15 want Canada to remember we are human beings. We have a
16 name. We are from somewhere. We have family, we have
17 children, we have grandmothers, we are family. Do not sit
18 down. I want you to all say your name.

19 (LAUGHTER/RIRES)

20 **MS. CAROL MARTIN:** And Canada needs to pay
21 attention to us, because we are human beings. We are
22 individuals. We like cooking, we like eating, we like our
23 men. We love our men, we love our land.

24 (LAUGHTER/RIRES)

25 **MS. CAROL MARTIN:** We're connected to the

1 land. We have so many things about us and who we are and
2 the media has to watch how they portray us in the
3 communities.

4 You know, even Hollywood. Hollywood get
5 out of our cities, because you know what? Our lives
6 matter. We're not Hollywood stars. We are human beings.

7 We are First Nations women. We come from
8 all across Turtle Island and that's how I want to be
9 presented. We are not prostitutes. I don't want to be --
10 us to be labelled as that. We are -- I am First Nations.
11 My name is Carol Martin. I am Gitanyow-Nisgaa. My father
12 is -- comes from Alaska. I have family. This is my
13 family of the heart and I want you all to say your name as
14 loud as you can because this is who we are Canada. One,
15 two, three. Carol Martin!

16 (AUDIENCE YELLS)

17 **UNKNOWN:** Now women (inaudible) warrior
18 song. Everybody, go. Here we go.

19 (SINGING)

20 **MS. CAROL MARTIN:** So, the attitude and the
21 beliefs has to change effective today. Now. How you talk
22 to us, how you respect us, how you honour us, how you
23 protect us. We all took an oath to end violence.

24 **MS. CHRISTA BIG CANOE:** Thank you, Carol.
25 Carol, actually, if you could maybe wait one moment? The

1 Commissioners may have questions. But, if I can just
2 clarify, you've referred throughout your presentation
3 about a package that is before the Commissioners. Can we
4 please put that as an exhibit on the record?

5 **MS. CAROL MARTIN:** Okay. It's going
6 around.

7 **MS. CHRISTA BIG CANOE:** Can we make sure
8 that that gets put right on the record so other people can
9 see it? Wonderful. I kindly ask the Commissioners if we
10 could please exhibit the Downtown Eastside Women's Centre
11 Executive Summary and Recommendations for the Downtown
12 Eastside Women's Centre?

13 **COMMISSIONER QAJAQ ROBINSON:** We received
14 two documents. One was a, I think, three-page executive
15 summary, and then a second one was an executive summary
16 with the recommendations. Are we just going to file the
17 comprehensive 40-page one?

18 **MS. CHRISTA BIG CANOE:** Yes, please.

19 **COMMISSIONER QAJAQ ROBINSON:** Okay.

20 **MS. CHRISTA BIG CANOE:** The comprehensive,
21 and yes, it's 44 pages.

22 **COMMISSIONER QAJAQ ROBINSON:** Okay.

23 **MS. CHRISTA BIG CANOE:** It includes the
24 list of the women who contributed to the recommendations.

25 **COMMISSIONER QAJAQ ROBINSON:** Perfect. So,

1 for the record, the executive summary and recommendations
2 for the Downtown Eastside Women's Centre presented here
3 today is filed as Exhibit 5. Thank you.

4 **---EXHIBIT 5:** "Executive summary & Recommendations
5 for the Downtown Eastside Women's
6 Centre" (45 pages)
7 Submitted by: Carol Martin,
8 Representative for Downtown Eastside
9 Women's Centre

10 **COMMISSIONER QAJAQ ROBINSON:** I don't have
11 any questions. I was happy to put our time to finish
12 hearing from you and to hear that song. It woke her up.
13 I hope it woke up Canada.

14 I want to thank you all very much for the
15 teachings you've provided us today, but also along this
16 journey. We've met before, and I am grateful for what
17 you've taught me and what you've taught all of us. And, I
18 know that when people weren't listening, you were looking
19 in dark alleys. You were looking in dumpsters. You were
20 doing what others wouldn't. You were doing and believing
21 what others wouldn't, and I want to raise my hands to you
22 and acknowledge that.

23 You and many other women that we've met in
24 Vancouver, in B.C. and across this country. And, Reta and
25 Louise, what you've done as well as elders to your

1 community, transferring and sharing teachings throughout
2 when others tried to deny your ability to do that. That
3 has been powerful even for me to receive, and I want to
4 acknowledge that and thank you. Thank you.

5 **COMMISSIONER BRIAN EYOLFSON:** I also would
6 like to just take a moment to thank each and every one of
7 you for this beautiful presentation this afternoon. The
8 document that you referred to with all the recommendations
9 was in front of it, and I had been reviewing it last night
10 and this morning. And, Carol, I think you said there were
11 something like 112 women that contributed, you know, and I
12 imagine a lot of these women have so many other things
13 they're dealing with in their lives. Yet, they took the
14 time to contribute to this document and it's, you know,
15 195 recommendations. So, I just want to thank you for
16 that, all of the women for that beautiful gift of sharing
17 that, not just with us but with everyone. So, thank you.
18 Chi migwetch.

19 **MS. CAROL MARTIN:** I want to thank the
20 National Inquiry for the opportunity for the women from
21 the Downtown Eastside to put their voices forward. It was
22 on behalf of you and what you offered us. Thank you.

23 Can I just say two things or a couple of
24 things?

25 **MS. CHRISTA BIG CANOE:** Sorry ---

1 **MS. CAROL MARTIN:** We have incredible,
2 grassroots women from the Elders Council and from our
3 community. When we almost lost the Women's Centre, we
4 were the ones that took over the Women's Centre and we
5 saved the Women's Centre, and that's why it's still
6 existing to this day. And, when our women were dying and
7 going missing, and they couldn't get into shelters because
8 of stigmatization and stereotypes, we, again, took over
9 the Women's Centre and now we have a shelter. Now they're
10 just building it. Now it's going to become -- they're
11 renovating and it's going to become a 24/7.

12 And, again, when the police -- a lot of
13 inaction from the police from the Feb. 14 memorial march
14 and the First Nations women from the community, we tried
15 to take over the police station, but then we got this
16 thing called Sister Watch where we sit at the table with
17 the Chief of Police.

18 So, you know when Indigenous women rise, I
19 say "watch out". We can do things where we don't have to
20 rely on being told what to do. We have to move outside
21 that box. Like I say, we work as a circle, the Circle of
22 Life. The white system works within the square system.
23 We can't fit into that. So, we can make a difference.
24 So, give yourself a hand.

25 **MS. CHRISTA BIG CANOE:** Thank you, Carol.

1 **MS. CAROL MARTIN:** Thank you.

2 **MS. CHRISTA BIG CANOE:** Thank you, Carol.

3 If everyone can just patiently wait? Thank you. And, you
4 guys, you are free to please sit down. I'm going to call
5 up the next party, thanks, because we have another party
6 that will be making submissions today, but I'm going to
7 ask everyone just to be patient for about two minutes
8 while we set up the space for the next party to come up,
9 and then I will be inviting Mr. Darrin Blain on behalf of
10 Awo Taan Healing Lodge Society here in Calgary. So, just
11 bear with us for a couple of minutes.

12 --- Upon recessing at 14:41

13 --- Upon resuming at 14:46

14 **MS. CHRISTA BIG CANOE:** Commissioners, I
15 would like to introduce the next party that will be making
16 closing submissions. Awo Taan Healing Lodge Society will
17 be actually coming in, and they have special guests with
18 them that I'm sure Mr. Blain will tell us about.

19 --- Group enters

20 **MR. DARRIN BLAIN:** Ladies and gentlemen,
21 from the Siksika Nation, may I introduce to you Alex
22 Scalplock.

23 **MR. ALEX SCALPLOCK:** Good afternoon, ladies
24 and gentlemen. It's a great honour for Darrin Blain to
25 invite us to come and showcase our dancers from

1 Chief Crowfoot School. We're here to sing some healing
2 songs, and we're going to sing some songs for the dancers
3 here that -- we have Fancy Dancers, and of course, the
4 Ojibwe Jingle Dress, that's the healing component of this
5 -- that's how we're going to end this -- the performance
6 here.

7 Also too, I want to introduce our
8 ambassador, our princess, Ms. Letitia Youngman from
9 Chief Crowfoot School. She's going to start off with a
10 prayer, the blessing of this powerful gathering we're
11 having here today. So if everybody rise at this time, and
12 if you have hats, please remove them.

13 **MS. LETITIA YOUNGMAN:** This is our prayer
14 we say each and every morning.

15 (PRAYER)

16 **MR. ALEX SCALPLOCK:** Everybody touch your
17 heart.

18 Thank you very much, Letitia. You can have
19 a -- stand over here.

20 Okay. At this time, ladies and gentlemen,
21 I just want to introduce our drummers. This is the
22 Chief Crowfoot School Warriors. This is our drum group
23 that's going to be singing for our dancers.

24 So we're going to call upon our first
25 dancers, which are going to be the Fancy Dancers. This

1 dance originated with the Southern Tribes of North America
2 around the Oklahoma area. So we're going to give them two
3 starts to a straight song.

4 The second song, we're going to give them a
5 crow hop. A crow hop has come from -- it comes from the
6 Crow Tribe around Southern Montana in the United States.

7 So enjoy.

8 (DRUMMING AND DANCING)

9 **MR. ALEX SCALPLOCK:** Thank you very much
10 there, dancers.

11 Okay. At this time, we're going to be
12 calling up on the Jingle Dress Dancers. We're going to
13 give them two starts to a straight song. Come out there
14 Jingle Dress Dancers. This is Harmony Drunken Chief, and
15 Tia Calf Robe. I'll introduce the other dancers. Sorry
16 about that.

17 (DRUMMING AND DANCING)

18 **MR. ALEX SCALPLOCK:** This next song that my
19 dancers are going to perform to you is a side step. It's
20 actually from -- it comes from a tribe, the Ojibwe Tribe.
21 This is the Healing Dance. So is the special dance that
22 is going out to all the Indigenous women, murdered and
23 missing women and girls, and this is the song that's going
24 to -- that's for the healing and the dancing.

25 (DRUMMING AND DANCING)

1 **MR. DARRIN BLAIN:** Alex, thank you. And
2 what about another round of applause for the people of the
3 Siksika Nation and these beautiful children.

4 (APPLAUSE/APPLAUDISSEMENTS)

5 **MR. DARRIN BLAIN:** I'm just going to give
6 it a second or two here for Alex and the kids to get back
7 to their bus. Today is parent/teacher interviews. So
8 thank you very much.

9 (APPLAUSE/APPLAUDISSEMENTS)

10 **COMMISSIONER QAJAQ ROBINSON:** I just want
11 to thank the kids. I know they don't hear us, but thank
12 you so much. As you walk out the door, you're amazing.
13 Thank you.

14 (APPLAUSE/APPLAUDISSEMENTS)

15 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DARRIN BLAIN:**

16 **MR. DARRIN BLAIN:** And those are my
17 submissions.

18 (LAUGHTER/RIRES)

19 (APPLAUSE/APPLAUDISSEMENTS)

20 **MR. DARRIN BLAIN:** And they are from
21 Siksika Nation, part of Treaty 7 Territory, upon which we
22 stand, of course, the signatories to Treaty 7 being the
23 Siksika Nation, Kanai, Piikani Nation, Tsuu T'ina Nation,
24 and the people of the Stoney-Nakoda Nations, of course
25 Treaty 7 being signed about an hour east of here at

1 Siksika Nation, the great Chief Crowfoot -- the colourful
2 Chief Crowfoot buried there at the Blackfoot Crossing.
3 We're honoured to be here.

4 And I'm honoured to be representing Awo
5 Taan Healing Lodge Society. We have our board members
6 here. We have our staff members here. Notably, you've
7 heard from Josie Nepinak. She's here. Where are you,
8 Josie? Good afternoon, Josie. She's here along with our
9 board members. Victoria and Christine are here as well,
10 and a number of staff members and people who work their
11 magic every day at Awo Taan.

12 Parties with standing, Commission counsel,
13 Commissioners, staff, health supports, and for the
14 Commissioners that aren't here today, I start my
15 submissions by offering condolences to the murdered and
16 missing in this country. I'm reminded that just recently
17 there was another young lady murdered along the Highway of
18 Tears that we've heard about that you good folks have been
19 to. Her family very recently taking the painful drive up
20 that highway to take her remains to her final resting
21 place in Smithers, B.C.

22 I wonder, before I launch into some brief
23 submissions, if the room would join me in a moment of
24 silence so that we can prepare our spirits for what I'm
25 about to say and for what you're about to hear. I wonder

1 if we could take 30 seconds or so of my time just to quiet
2 our hearts. You can remain seated. Would you take 30
3 seconds to quiet your heart and prepare yourself and in
4 honour of those that are murdered and missing.

5 **(MOMENT OF SILENCE/MOMENT DE SILENCE)**

6 **MR. DARRIN BLAIN:** What I would like to do
7 today is speak briefly and sometimes quickly about
8 sheltering in this country. I'll talk about, I hope, the
9 police, the justice system, the implementation that you
10 Commissioners need to put your signatures to, and I'll
11 talk about child welfare. Although with the time
12 remaining, I may just get into some recommendations of
13 ours on some of those topics.

14 We will be submitting, by way of
15 housekeeping, our final report. Our goal is to have it in
16 by December 7th. We have not submitted recommendations
17 yet. We haven't submitted any of the preliminaries yet.
18 Everything will be submitted in our final report. We've
19 got some of the best lawyers in the country helping us
20 pull that together, all female lawyers, incidentally. Not
21 a hard thing to get lawyers to help on this file.

22 When a woman leaves her house to go to a
23 shelter, in the words of Josie Nepinak, "Someone is about
24 to get killed." We've heard Josie give sworn testimony in
25 this room about people showing up at her shelter with

1 broken bones, showing up at that fortified steel door,
2 looking around, going, "Oh my God, how many of my kids did
3 I manage to grab? Thank God they're all with me. I've
4 got them all." She probably fought for transportation to
5 this city. She probably fought for a ride or hitched a
6 ride. When she gets to the shelter -- and this is the
7 story that we hear from my client -- this is also the
8 story that we hear from Sandra Montour, a lady named
9 Nakuset, and other professionals, and the heart-wrenching
10 story of Tracy Denniston about life in the north for women
11 in this very situation.

12 When a woman goes to a shelter, an
13 Indigenous-run shelter, all of a sudden she is essentially
14 triaged, and what happens is they assess her needs. Is
15 there an immediate physical need? What are her
16 psychological needs? What are her spiritual needs?
17 Where's her kids? What have we got for kids? You can
18 imagine what happens in the lobby of these places.

19 And if Amy Bombay was standing beside me,
20 Dr. Bombay would say this, that the psychological,
21 spiritual, cultural needs of that woman and her kids are
22 acute and they're significant. They are remarkable. We
23 are talking about some of the most significant trauma and
24 PTSD. This woman is worried. She's scared. She may even
25 be feeling shameful for leaving the reserve, leaving her

1 family. She may be feeling guilty for what she's done to
2 the kids, even though she's done nothing to the kids but
3 protect them. And in any event, what happens is you've
4 got a great need of services, and as her time goes on in
5 the shelter, you need Elder services, psychological
6 services, court services. You might need a child
7 psychologist. You need all these experts to come in and
8 help. So beyond the nice warm meal, the nice hot tea, the
9 new fresh clothing, you need all these services for women
10 that have made the decision to leave him to seek shelter.

11 The sad part of the story among Awo Taan
12 operations and those like it is that there's no funding.
13 I want to tell you some things today that I hope -- I
14 believe will make you squirm and say, "You must be kidding
15 me, Darrin?" Things like there's no funding for Elder
16 services. There's no funding for fresh clothing for this
17 woman. There's no funding for the things that a woman
18 would want in a situation like that that would make her
19 feel comfortable and that would make her feel dignified.

20 Can you believe Josie has been fundraising
21 with her people for 25 years for the basic necessities of
22 life? And when was the last time anybody in this room
23 went into a government office and they said, "I'm sorry
24 about the desks, we're fundraising for new desks. We have
25 a taco sale downstairs for our new computers." And I'm

1 not trying to be sassy by asking the whole room that
2 because I know it's never happened, but it's day to day to
3 day at Awo Taan.

4 And we're here to say that enough is
5 enough. We're here to say that women deserve dignity that
6 go to an Indigenous women's shelter, and they deserve the
7 dignity now and so do those kids deserve that dignity.

8 **(APPLAUSE/APPLAUDISSEMENTS)**

9 **MR. DARRIN BLAIN:** You know what an
10 Indigenous woman needs when she goes into a shelter? She
11 needs a beading room. She needs to go and speak to an
12 Elder. She needs to know that she made the right choice.
13 She doesn't need to be processed by an outdated risk
14 assessment. She doesn't need forms. She needs to be
15 loved and cherished, told that she's wanted, respected and
16 important. Will she get that in a non-Indigenous setting?
17 Probably not. I can tell you she sure won't get any
18 cultural work.

19 We need wraparound services for these dear
20 women and we need them right now.

21 **(APPLAUSE/APPLAUDISSEMENTS)**

22 **MR. DARRIN BLAIN:** If you go on Awo Taan's
23 website, something else will shock you. That they're
24 doing fund raising and taking donations for clothes. Are
25 you kidding me? Clothing. Think about this.

1 This woman is running for her life,
2 literally, like my mother did when I got thrown into the
3 back of a police car as a five years old boy. Running for
4 her life, and the people at the shelter have to tell these
5 women, "Sorry, maybe one of our staff could take you to
6 the courthouse, but we don't have a court worker. Yeah,
7 maybe the receptionist can be your court worker." "Maybe,
8 yeah, we've got leaky plumbing, maybe the receptionist's
9 husband can come in and help us with the leaky plumbing."
10 Goodness gracious. Commissioner Robinson, really?

11 And then they leave the shelter and they
12 say enough is enough, is enough, like my mum did. "I need
13 to go into transitional housing. I want to start my new
14 life. I'm going to leave him on his own, he's going to
15 get his programming or he's going to go in -- he'll be in
16 prison for while" whatever the case may be. And I need
17 transitional housing.

18 Guess what, Commissioner Eyolfson? There
19 is no money. These women have been saying that,
20 Commissioner Eyolfson, for 25 years. There's no money.
21 Will money solve Indigenous issues in this country?
22 Absolutely not. Will UNDRIP solve it? No. Will UNDRIP
23 be the guiding star that marches us to Bethlehem?
24 Absolutely not.

25 What we need to do is we need to break down

1 the veil that separates provincial governments and federal
2 governments. And I'm going to get into our specific
3 recommendations now. These are the most important
4 recommendations that you're going to hear out of my
5 presentation. They're the actual recommendations that
6 you'll find in our final report.

7 Indigenous women's shelter recommendations
8 on behalf of Awo Taan Healing Lodge Society and the women
9 that go there and the children that go with the women.

10 That Indigenous women's shelters funding
11 models, those are the two key words, funding models -- be
12 reconceived to bring funding levels into parity with non-
13 Indigenous women's shelter's level of funding. Because
14 one of the things the Province of Alberta likes to do is
15 they like to say, "This is a federal responsibility and
16 you, blanketly-blank, get everything free from the federal
17 government." That's got to stop.

18 The federal government says this is a
19 homeless issue, you can get your money from the homeless
20 division of the -- or a pot of the provincial government
21 coffers. We're fine, you're in the city in this case, or
22 you're on reserve, your funding is taken care of
23 elsewhere. So you've got two entities looking at each
24 other trying to manage what they conceive is a hot potato.
25 Enough is enough. We need to fix this.

1 That is our overarching, number one
2 recommendation in our entire representation at this
3 Commission. We've got to fix this funding issue. We're
4 not talking about installing gold taps in the bathrooms.
5 We're talking about giving a woman integrity, dignity.

6 And you know what? Sometimes that woman is
7 going to say, Ms. Big Canoe, sometimes that woman is going
8 to say, "I need a break from these kids because they're
9 driving me up the freaking wall." They're going to say,
10 "I need a break." And Josie has said, "Well, we might
11 have a babysitter." We need proper funding. We need
12 proper management of this, because she does need a break
13 from her kids, because she's got her trauma. They've got
14 their trauma, and the federal -- pardon me, the provincial
15 government -- and it's not just the NDPs, it's the
16 provincial government. "We've got no money for that."

17 And I'm going to ask you and everyone else
18 in the room, Commissioner Robinson, are these dancers
19 important to you? Because they're important to me.
20 Commissioner Eyolfson, what about these handsome little
21 drummers? Man to man, I can tell you that I'm pretty sure
22 we'd both agree they're a pretty awesome group of kids,
23 and they're both important to you and to me. And enough
24 is enough. And I'm sick of hearing these stories and so
25 is Josie.

1 And here's what else happens at shelters,
2 because Alberta government has an apprehend first policy
3 in Child Welfare, folks, the kids have gotten apprehended.
4 The woman comes to Josie and says, "Oh, I don't have my
5 kids. I guess I'll just kill myself." Last night on the
6 phone Josie told me that. I said, "Josie, what happened
7 to her?" Silence. "Darrin, she killed herself." Right?
8 Why is the President of ITK here yesterday, Commissioner
9 Robinson? Because he's sick and tired of putting women in
10 caskets. So am I. So is Josie.

11 And when I asked about whether women fall
12 through the cracks because of the absence of funding, I
13 said, "Let's get real, are women dying because of this?"
14 Well, they fall through the cracks. They don't get the
15 services. They don't get the support despite the valiant
16 efforts of these good women. They get into trouble, they
17 get into something, and next thing you know we're planning
18 a funeral. That's why ITK -- that's why he's here
19 yesterday. He's sick and tired of burying women in the
20 north. And Josie is sick and tired of it too. Awo Taan
21 is sick and tired of it.

22 So we need to resolve this and we need to
23 resolve this right now. And we're asking for your
24 signatures on these submissions and these recommendations.

25 That the current funding framework for

1 Indigenous women's shelters be revisited completely to
2 eliminate jurisdictional barriers. That's that curtain I
3 was talking about between the feds and the province, which
4 have prevented adequate funding and thus, needed services
5 from reaching Indigenous women's shelters.

6 And that the danger assessment tools being
7 used by police, shelters, medical and social services, be
8 modified where needed to reflect the historical, and
9 contemporary lived experiences by Indigenous women,
10 developed in consultation with Indigenous women's shelter
11 professionals, provincial government, and territorial
12 governments. We're tired of you telling us what our
13 policies are and we want a place in the policy because
14 Nakuset said it best, we are the experts.

15 That Indigenous Elders be recognized as
16 essential services, and I'm speaking to the row behind the
17 Commissioners, and you are essential. The Elder's
18 advisory committee, you are essential with the qulliq.
19 Thank you. That Elders be recognized as essential service
20 providers in the sheltering context, and that funding be
21 provided for their services such as a mainstream health
22 professional would. There's an idea. That a national
23 Indigenous women's shelter advocacy organization be struck
24 and be Indigenous led.

25 That funding be provided for the creation

1 and maintenance of a national database that would provide
2 statistical analysis on the women and children accessing
3 the services of an Indigenous women's shelter. And that
4 they can share information like the police do,
5 intelligence, and ideas, and have a voice, and be
6 intervenors on lawsuits, and be intervenors and have a say
7 in class action proceedings. And just have some muscle
8 and some horsepower here.

9 That -- Commissioner Robinson, this will
10 interest you, I am certain -- funding be provided for the
11 construction and operation across this land in the north,
12 of new Indigenous women's shelters in urban and rural
13 Indigenous communities across Canada that represent the
14 greatest urgent need. That's why ITK stood right here
15 yesterday, looked you in the eye and talked about this
16 because women are dying in the North too, because they
17 can't get to a shelter. And I don't want to steal the
18 thunder of another great lawyer by the name of Elizabeth
19 Zarpa, but I'll tell you that we need help in the North
20 too. We hear that.

21 And Awo Taan is not saying the only place
22 that help is needed is in the City of Calgary, that's not
23 true. It's on reserves, it's across this land, from sea
24 to shining sea to shining sea to the 49th Parallel, and
25 everywhere in-between, and into the North. We're tired of

1 putting women in caskets.

2 (APPLAUSE/APPLAUDISSEMENTS)

3 **MR. DARRIN BLAIN:** Those are our
4 recommendations in Indigenous women shelters.

5 I am going to just summarize by saying we
6 need wraparound services. Commissioner Eyolfson, if you
7 go to the emergency room sometime or you've been there,
8 you've seen what happens. It's a triage, and it's fancy
9 equipment, and it's a total wraparound system. X-rays,
10 MRIs, and specialists.

11 We're not asking for gold taps in the
12 bathrooms. We're asking for our women, like my mom, to
13 have some dignity. Can we do something for these women
14 shelters in this country? All we want to do is be
15 operating at the same level as the Non-Indigenous women
16 shelters, and our funding issue to be resolved.

17 (APPLAUSE/APPLAUDISSEMENTS)

18 **MR. DARRIN BLAIN:** All we want is for these
19 places to not have to fundraise for the basics. That's
20 the most insulting racist thing I've ever heard of in the
21 context of an Indigenous women's shelter. And I wonder if
22 we might hear from the Province of Alberta in that regard.

23 Where is Rachel Notley, I've heard.

24 I want to -- if you've ever taken a smooth
25 rock and thrown it across a glassy lake to see how far it

1 would skip -- Commissioner Eyolfson, I see you smiling.
2 You could probably throw one further than me, but your
3 smile tells me that we've both done it. It's so much fun
4 to do that.

5 That's what I'm going to do now with the
6 rest of my submissions. I'm just going to -- along the
7 rest of my submissions.

8 Child welfare. Our number one submission
9 is that the test for best interests of the child needs to
10 reformed, and that child welfare needs to be given back to
11 Indigenous communities across this land.

12 (APPLAUSE/APPLAUDISSEMENTS)

13 **MR. DARRIN BLAIN:** Professor Mary Ellen
14 Turpel looked at you in Winnipeg and said to you and your
15 two sisters that this is a humanitarian crisis. You say,
16 oh, Professor Turpel, she spent too much time working in
17 B.C. on this. Well, how about the rapporteur to the
18 United Nations, Canada's representative there? This is a
19 humanitarian crisis.

20 And Dr. Cindy Blackstock. You could spend
21 a day analyzing her evidence. Her evidence is fulsome and
22 great. And I don't know about you, Ms. Big Canoe, but I
23 remember when she said this:

24 "If we don't fix this child welfare
25 issue, we're going to be having

1 another inquiry." (As read)

2 And we don't want another -- we don't want
3 an inquiry on child welfare. We need to fix this right
4 now. The homes are overflowing. Ten thousand kids a
5 province. Are you honestly kidding me?

6 The police. Our number one recommendation
7 with respect to the police and comment is they are racist
8 and dismissive in relation to Indigenous women across this
9 country. You may recall, when I stood here in May, I got
10 a phone call on my cell phone. A Calgary police officer
11 had shot and killed an Indigenous women, shooting her
12 seven times in front of her boy in May. And that family
13 phoned me.

14 The police are racist and the police are
15 dismissive in regards to Indigenous women. I won't stand
16 here and say all police are bad, and I won't stand here
17 and say that this is the entire police force because we've
18 heard some great evidence from Winnipeg Police Force,
19 Nishnawbe-Aski Police Force up in Northern Ontario. Some
20 great police work being done in this country.

21 But we need to do something about the bad
22 apples. And by bad apples, I mean the bad police forces.
23 In our case, we need to start with the Calgary Police
24 Force.

25 So all police need to have cultural

1 sensitivity training. And I'm not talking about going
2 home and watching a YouTube video in your pajamas. I am
3 talking about meeting with an Elder who can look a police
4 officer in the eye and talk about the issues that our
5 people are having and have had. And let's talk about the
6 last 150-years. And let's talk about the police's role in
7 residential schools, and how the policeman stood at the
8 door when the woman had to give her kids up. Let's talk
9 about some history, Mr. Officer, or Mrs. Officer.

10 (APPLAUSE/APPLAUDISSEMENTS)

11 **MR. DARRIN BLAIN:** That's the kind of
12 cultural sensitivity training we need.

13 The justice system. Our overarching
14 recommendation with regard to the justice system -- just
15 bear with me. Pardon me. You'll recall I had a
16 conversation with Prosecutor Phelps, Ms. Thomas. John
17 Phelps and I were talking. I don't know if you remembered
18 that. But he's a big prosecutor in the North. I know
19 that some of my Northern colleagues would remember him.

20 But every question I asked him, he said yes
21 to, and this is a person that cross-examines people for a
22 living. Very senior prosecutor.

23 Do we need more Indigenous judges? Yes.
24 Do we need more Indigenous lawyers? Yes. Do we need more
25 Indigenous child welfare? Yes. Do we need more

1 Indigenous legal aid? Yes. Do we need more Indigenous
2 courts? Yes. Do we need to redo the legal aid system in
3 this country? Yes. Do we need to redo the legal system
4 in this country? Yes. Do we need to start our new courts
5 on our own? Yes. Do we need to make peacemaker courts?
6 Yes. Do we need to have diversionary programs? Yes, we
7 do.

8 (APPLAUSE/APPLAUDISSEMENTS)

9 **MR. DARRIN BLAIN:** And we call on the
10 Canadian Judicial Council to start appointing Indigenous
11 judges. And we call upon the provinces of this country
12 and the territories of this country to start putting
13 Indigenous people in positions of power, including judges,
14 clerks of the court, probation officers, people who can
15 and will make a difference to the litigant standing in
16 front of them, whether they be First Nation or not.

17 Are we asking for a handout and are we
18 asking for special treatment? Absolutely not. We're just
19 asking to be treated for what we are and who we are, and
20 to be treated fairly, and to have somebody on the bench,
21 like Commissioner Robinson, looking at me, saying, yes,
22 Your Honour, yes, Your Honour.

23 And I'm happy to report the last three
24 Indigenous judge appointments that I've heard about have
25 been Indigenous women.

1 (APPLAUSE/APPLAUDISSEMENTS)

2 **MR. DARRIN BLAIN:** Matter of fact, I called
3 Michelle Brass on the weekend, and there was party music
4 in the background.

5 (LAUGHTER/RIRES)

6 **MR. DARRIN BLAIN:** I said, Your Honour.
7 Oh, it's a great day when an Indigenous judge -- person
8 gets appointed to be an Indigenous judge. We need more of
9 that.

10 Let's talk finally in the last minute-
11 and-a-half about implementation. There's been a lot of
12 talk about this Inquiry as to a waste of time, waste of
13 money, waste of resources because we've got 233 pages of
14 previous commissioner -- Commission recommendations in the
15 country, not a lot of which have been acted on.

16 So people have asked me, Darrin, what's
17 different now? Commissioner Eyolfson, I'll tell you
18 what's different now. We've got UNDRIP in our back
19 pocket. We've got *Mikisew 1* in our back pocket, these are
20 Supreme Court cases. We've got *Ewert* in our back pocket,
21 and we've got some nice litigation coming out of the
22 courts and our back pocket. So, I would suggest that
23 Indigenous issues and folks are on a roll when it comes to
24 some major litigation.

25 UNDRIP is something that you've heard a lot

1 about here, and 262. Will it be the guiding star that
2 leads us to Bethlehem, Ms. Big Canoe? I don't know,
3 because there's going to be a lot of talk about it, and I
4 hope that we hear from lawyers like you and Ms. Thomas
5 when UNDRIP hits the ground here in the spring-ish. Who
6 knows when.

7 But, with regard to implementation, these
8 are my final comments, that an Indigenous-led oversight
9 body be formed to track and monitor the implementation of
10 the recommendations of this Inquiry, and to report on
11 compliance and implementation. You say, "Darrin, you're
12 being too hopeful." Well, that's me and Dr. Turpel-Lafond
13 talking. That's not just me, and that's Josie's wish as
14 well.

15 We can't make a report and say, here you
16 go, Canadians. Here you go, Mr. and Mrs. Government, and
17 hope it all goes well. We've been doing that for 150
18 years. We've been hoping that things have gone well, and
19 things haven't been going great, have they? So, we need
20 to track and monitor and we're thinking about Indigenous
21 bigwigs on top of this thing. That's what we're talking
22 about.

23 I am respectful of time, always. I will
24 hear from you as to questions.

25 **COMMISSIONER BRIAN EYOLFSON:** First of all,

1 Mr. Blain, thank you very much.

2 **MR. DARRIN BLAIN:** You're very welcome,
3 sir.

4 **COMMISSIONER BRIAN EYOLFSON:** I really
5 appreciate you giving us some of the highlights, a taste
6 of what your final submissions will contain, and I really
7 look forward to reading the complete final submissions
8 that you have, that you will be providing.

9 I'm really interested, in particular, in
10 the last topic that you addressed, and that's the
11 implementation of the recommendations that we put forward,
12 because we have so many wonderful recommendations
13 suggested to us, and you've told us one idea for
14 implementation, but I'm just wondering if you could
15 perhaps talk a little bit more about implementation or any
16 ideas you may have around implementation recommendations
17 with the limited time we have remaining with our question?
18 That's the only question we have.

19 **MR. DARRIN BLAIN:** Yes, sir, and yes,
20 ma'am. I started out by talking about how women are
21 falling through the cracks, and we've heard a lot of
22 evidence about how women are getting murdered in this
23 country and going missing. And, I think -- and Cindy
24 Blackstock is in my back pocket when I say this, that we
25 need to really prioritize the recommendations. I can't

1 imagine being in your shoes as to recommendations. There
2 are so many recommendations along so many parts of this
3 country.

4 I would encourage you to prioritize, and
5 I'm not trying to be in any manner insulting, but I would
6 encourage you to prioritize your recommendations as to
7 those that will have the greatest value, and those that
8 will have the greatest impact on the lives of our people,
9 and those that would have the least roadblock and cost to
10 getting into place, such as amending legislation where
11 there might be an in-road already, that sort of thing.

12 Building Indigenous women's shelters all
13 across the country, we won't see that by summertime. We'd
14 love to, but some things would just logistically have a
15 precedence and a priority to others. I might say that my
16 client's recommendations are more important. You might
17 hear from Carly Teillet, another great lawyer in this
18 process, say, well, her clients, or so-and-so's clients.
19 We all think that we have really important issues.

20 If I might draw your attention to what
21 other countries are doing? I don't have any concrete
22 examples off the top of my head, but the one thing I can
23 offer in that regard is what's happening with the Truth
24 and Reconciliation Commission. I talked about Indigenous
25 people with some real horsepower. I think that you have

1 to have the right people doing the implementation, and I
2 really think you've got to lean on your legal team as to
3 researching what kind of implementation has worked best on
4 some of this, not necessarily just in Canada but around
5 the world there's been inquiries. You might look at the
6 United Nations and what they might have to say about
7 implementation.

8 But, at that same time, you've had the best
9 lawyers in the country stand in front of you and say what
10 I just said about tracking and monitoring and I don't
11 think there's any magic to what we're trying to do here.
12 There's a priority sequence and then there's having the
13 right horsepower.

14 Now, the other thing is politics. Every
15 time I talk to people, they're talking about a change in
16 government, change in provincial government. This is all
17 fine and dandy. What if the government changes and goes
18 like this? Oh, nice report. We're not going to -- we're
19 not worried about that because we're worried about
20 marijuana and pipelines.

21 What I would suggest -- what I would
22 suggest to try and make it political-proof in that regard
23 is to get as much public buy-in as you can. We've heard
24 about public buy-in, and I think you need that. So, using
25 a very strong media presence when the report is released.

1 You need Jo and Jane Public to latch onto this so that it
2 can be party proof, would be another suggestion, sir.

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

4 On the point of an oversight body, we heard from a party
5 yesterday, I believe it was West Coast LEAF, their
6 proposal when it comes to oversight, and of implementation
7 and reporting was seeking, I believe, Orders-in-Councils
8 from all the provinces and territories, and the federal
9 government empowering this body.

10 Would that be, from a legal perspective,
11 something that you would -- and you don't need to answer
12 this now. If you wish to see their submissions and the
13 details they give, it was an interesting discourse we had
14 with them, and that multi-jurisdictional force that this
15 body would have was something that they identified as
16 being key, and I'm wondering if you share that view?

17 **MR. DARRIN BLAIN:** Yes, ma'am. We wouldn't
18 say that that would be a bad idea. The only thing that
19 comes to mind is the somewhat cumbersome nature of that,
20 and we wouldn't want this to be held up if the process for
21 doing that were cumbersome. And, if parties are changing
22 in provinces, we wouldn't see that, I don't think, as an
23 ideal way to do it. But, certainly one that you and your
24 staff and lawyers can consider. I don't think it's the
25 most ideal, streamlined way to do it, and that's the other

1 thing. We need to get going on some of this. So, the
2 more streamlining we can do, the better, and if that would
3 be cumbersome, it might not be a good idea. If it can be
4 done in a streamlined fashion, well, then, let's do it.

5 **COMMISSIONER QAJAQ ROBINSON:** I don't have
6 any more questions. I and Commissioner Eyolfson want to
7 thank you for your submissions today. I look forward to
8 reading your final submissions. I want to thank you for
9 your questions and engagement throughout the hearings, and
10 I really hope I get to call you, "Your Honour", one day.

11 **MR. DARRIN BLAIN:** Yes, ma'am. Thank you
12 very much.

13 **MS. CHRISTA BIG CANOE:** Commissioners, that
14 concludes the submissions that will be made by parties
15 today. The schedule for tomorrow shows a 9:00 a.m. start
16 for opening remarks, and we will -- if we can start
17 immediately after opening remarks, we would suggest that
18 we do that. So, if we could adjourn until tomorrow
19 morning at 9:00 a.m., we would appreciate it.

20 **COMMISSIONER BRIAN EYOLFSON:** Let's adjourn
21 until 9:00 a.m. tomorrow morning. Thank you.

22 **MS. CHRISTA BIG CANOE:** Thank you. And, we
23 will have -- I understand we will have a closing prayer
24 and the closing of the qulliq.

25 I understand that my good colleague

1 Christine, who has been an amazing emcee this week so far,
2 is in the middle of assisting some individuals, as often
3 our community health teams will do. So, I'm just going to
4 step in temporarily for today and I'm sure I can't replace
5 her wonderful emcee skills, but one of the things we've
6 been doing all week is we -- just if you will ask them up
7 first for the honour, and then we'll have you do the
8 prayer, Alvine?

9 Okay. So, what we've been doing all week
10 long is we have been inviting up the parties with standing
11 to -- for the purposes of an Honour Song, and the Honour
12 Song is actually to honour the parties with standing for
13 their participation and for the submissions they've made.
14 We've been doing this every day, because parties are
15 coming and going, and because each day we're having a
16 number of parties make submissions.

17 But, we invite all parties up to please
18 join the circle, or anyone who also wants to honour along
19 with, you know, whether it's public, or staff, please come
20 join the circle so that we can take the time to honour the
21 parties that have made their submissions today or in the
22 last few days, and for their participation.

23 And, following the song, we will have
24 Alvine and her husband do our closing prayer, as well as
25 the elders to close the qulliq.

1 --- Closing Song and Prayer

2 **MS. ALVINE WOLFLEG:** I just want to remind
3 you that all these three days I've been here, I never
4 heard anybody say, "ogi" in Blackfoot. Three letter word,
5 not four. Three. And, I haven't heard anybody greet in
6 Blackfoot, and this is my territory. So, I would
7 appreciate it that you start saying "ogi" not "oki". The
8 "K" is a "G" sound. Ogi. You look at somebody else's
9 mouth when you say "ogi", they smile automatically.
10 That's why it's just a three-letter word.

11 I'm very, very moved, because I, too, went
12 to a shelter with my children for safety. I was denied.
13 When I did go again, I had to be moved from my room
14 because the non-Native woman needed a room. So, I slept
15 with my children in the hallway. So, I know how it feels
16 to be disrespected in my homeland. So, I do feel for a
17 lot of women here.

18 But, I worked up to where I am today, and
19 you know what? The biggest thing I used, the most
20 important thing I used is prayer and elders. Those are
21 what got me to where I am today. I'm not healed. I'm
22 also a residential school survivor. At six-years-old I
23 was taken away. So, I just want to say that -- my husband
24 asked me to pray. He said, "These are women. They need
25 your prayers. They need your prayers today."

1 I sit there, and I listen, and I hurt. I
2 am in pain, too. Just like every one of you. Even my
3 husband is in pain of what has happened to the most
4 beautiful creatures on the face of the earth, which is the
5 women. We bring life into this world, into this circle.
6 And how we're treated, I don't know. I don't know where
7 that came from.

8 So I'm going to say my prayer in Blackfoot,
9 and I hope you all have a restful sleep. I have society
10 members back home that I have asked to pray for us every
11 day. Every morning, as soon as the sun comes up, they've
12 lit their smudge and their prayers. Before we go to sleep
13 today, they'll do the same. That's why I know I have a
14 lot of backup with my prayers.

15 (Speaking in Aboriginal language).

16 **MS. CHRISTA BIG CANOE:** And also, if we can
17 just wait a moment so that we can also close out the
18 quliq.

19 **MS. MYNA MANNIAPIK:** Thank you. It's that
20 time of the day again. It's been an incredible day again.

21 It is so important that women are treated
22 fairly. As she said, we give life to the men of any race,
23 just like she said. Why? Because before we were moved to
24 a bigger camp, bigger community, I had never seen any
25 abuse when I was a child. Where did that come from? It's

1 from greed. That's where it comes from.

2 I have also been taken to a shelter. Of
3 course, I felt ashamed. They made me feel like it was my
4 fault, and I was ashamed to tell people. But like
5 everybody says, there should be a better system, just like
6 it should be in our own traditional and cultural way.

7 Western style of running things doesn't
8 work on us. It hasn't and it will never work on us.

9 I am grateful to be here because I have
10 been given chances in this life over and over. I've gone
11 through two cancers, and I survived them. I'm six years
12 cancer free.

13 I saw the beginning of genocide. I saw our
14 dogs being shot when the federal government started moving
15 us from our traditional ways and culture. I saw it all,
16 but I'm still here. So are you.

17 Have a good night.

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

19 **MS. MYNA MANNIAPIK:** Now I smell like burnt
20 oil.

21 **MS. CHRISTA BIG CANOE:** Until 9:00 a.m.
22 tomorrow. Good night.

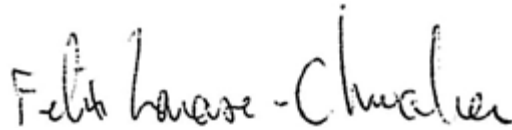
23 --- Upon adjourning at 3:54 p.m./L'audience est levée à
24 15h54

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LEGAL DICTA-TYPIST'S CERTIFICATE

I, Félix Larose-Chevalier, Court Transcriber, hereby
certify that I have transcribed the foregoing and it is a
true and accurate transcript of the digital audio provided
in this matter.

A handwritten signature in black ink, reading "Félix Larose-Chevalier", is written over a horizontal line.

Félix Larose-Chevalier

Nov 28, 2018