



wîcihitowak: Our Greatest Strength is Helping Each Other

A Report to the National Inquiry into Missing and Murdered Indigenous Women and Girls, 2018

Saskatchewan First Nations Women's Commission

Federation of Sovereign Indigenous Nations



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Cover photo: Memory Delorme-Antoine, Cowessess First Nation, at SFNWC Red Dress Special, FSIN Cultural Celebration and Powwow, October 27, 2018

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INTRODUCTION

In 1996, the Royal Commission on Aboriginal Peoples' stated succinctly,

[i]t is not surprising . . . that Aboriginal people are calling for a complete change in their relationship with federal and provincial governments to one that recognizes their inherent right of self-government as distinct peoples and as Canada's First Peoples. . . . [T]he cracks in the existing relationship are coming starkly to the fore all across the country, and it should be apparent by now that trying to preserve the status quo is futile.¹

The crisis of murdered and missing Indigenous women and girls (MMIWG) is a fissure in the very heart of this relationship. The connection between Indigenous self-governance and well-being is not as well established in research² as would be expected, and yet the demand for self-governance as a direct remedy for the health and well-being of communities is heard locally,³ nationally,⁴ and

¹Report of the Royal Commission on Aboriginal Peoples, vol. 2, *Restructuring the Relationship* (Ottawa, ON: 1996), 4.

² Kiera L. Ladner, "Understanding the Impact of Self-Determination on Communities in Crisis," *Journal of Aboriginal Health* (2009): 89-101; Mark McMillan, Faye McMillan, and Sophie Rigney, "How Indigenous Nation-Building Can Strengthen Indigenous Holistic Health Outcomes," *Journal of Northern Studies* 10, no. 2 (2016): 147-159; and Jane Enright, Halina Sepha, and Conrad Winn, "Self-Governance for First Nations Beyond the Nisg'a experience – Self-Governance and its Perceived Benefits for the Cree of Northern Quebec and the First Nations of Westbank (Kelowna), Sechelt (Sunshine Coast), and Yukon" *Frontier Centre For Public Policy* (2015).

³ JoLee Sasakamoose, Terrina Bellegarde, Wilson Sutherland, Shauneen Pete, Kim McKay-McNabb, "Miyopimatisiwin Developing Indigenous Cultural Responsiveness Theory (ICRT): Improving Indigenous Health and Well-Being," *The International Indigenous Policy Journal* 8, no. 2 (2017): <https://ir.lib.uwo.ca/iipj/vol8/iss4/1/>.

⁴ Josee G. Lavoie, Annette J. Browne, Colleen Varcoe, Sabrina Wong, Alycia Fridkin, "Missing Pathways to Self-Governance: Health Policy in British Columbia," *The International Indigenous Policy Journal* 6, no. 1 (2015): <http://ir.lib.uwo.ca/iipj/vol6/iss1/2/>; and Kristy Kirkup, "Jane Philpott looks to bring Indigenous health delivery to new department," *CBC News Canadian Press*, updated August 31 2017, <https://www.cbc.ca/news/canada/north/jane-philpott-indigenous-health-department-1.4270119>.

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internationally. The Federation of Sovereign Indigenous Nations' (FSIN) *Declaration to Honour Indigenous Women and Girls* (Appendix B) adopted in 2016, begins with:

Asserting the inalienable right of First Nations to determine our destiny, and retain inherent human rights, confirm our laws and institutions of government acknowledge our laws for regulating them, and maintain and enhance our Treaties in peace, order and good government.

This *Declaration* demonstrates the historical linkages between the role of Indigenous women in communities and the return of these roles to nurture and lead communities to self-actualization and strength. Such a solution does not end violence against women, and yet it undermines the assumptions of weakness; the reality of social, cultural, emotional, and physical isolation; and the expectation of societal marginalization, that continues to support the suppression of women's voices, experiences, and worth.

The RCAP received a report in 1993 titled, "Violence Against Aboriginal Women," which described the best interventions in addressing domestic violence against Indigenous women as holistic, community-based, and comprehensive.⁵ The report described,

Violence against women is rooted in control. And violence against women is perpetuated by the fact that women do not have power in our society. The economic, political, and social inequality of women both fuels and justifies violence against women in a society which values power and control.⁶

Researchers, communities, leaders, and front-line workers agree that the violent experiences of Indigenous women on and off-reserve will be best prevented and redressed through greater Indigenous control over and access to Indigenous approaches to Indigenous justice and health, including the wrap-around support of a rich and vibrant culture.

In addition to the need to protect and preserve the lives of Indigenous women and girls, federal and provincial governments must respect and support Indigenous governance in ways that will prevent tragedy, and uplift those that remain behind. No one understands this better than Indigenous communities ourselves. This fundamental approach to Indigenous women and girls is

⁵ Evelyn Zellerer, "Violence Against Aboriginal Women: A Report submitted to the Royal Commission on Aboriginal Peoples" 1993.

⁶ Zellerer, 16-17.

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recognized by the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP 2007), adhered to fully by the Canadian government in 2016, Article 22.2 and 23.2:

22.2 States shall take effective measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

23.2 Indigenous individuals have an equal right to the enjoyment of the highest attainable standards of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

For Indigenous women and girls, and Indigenous communities at large, lateral violence within communities and violence from “outside,” resulting in MMIWG, is tied to colonialism. The efforts of settler-Canadians to legitimate their claims on Indigenous land through the control of Indigenous women’s bodies results in a continuation of violence in private homes, public spaces, health and judicial systems⁷ – spaces that rest upon the traditional territories of Indigenous peoples.

⁷ “Those Who Take Us Away: Abusive Policing and Failures in Protection Indigenous Women and Girls in Northern British Columbia” (Canada: Human Rights Watch, 2013) https://www.hrw.org/sites/default/files/reports/canada0213webwcover_0.pdf; The Honourable Wally T. Oppal, Commissioner, “Forsaken: The Report of the Missing Women Commission of Inquiry” (British Columbia: Missing Women Commission of Inquiry, November 19, 2012) <http://www.missingwomeninquiry.ca/wp-content/uploads/2010/10/Forsaken-ES-web-RGB.pdf>; “What their Stories Tell Us: Research Findings from the Sisters in Spirit Initiative” (Native Women’s Association of Canada, 2010) <https://nwac.ca/wp-content/uploads/2015/07/2010-What-Their-Stories-Tell-Us-Research-Findings-SIS-Initiative.pdf>; A.C. Hamilton and C.M. Sinclair, “Report of the Aboriginal Justice Inquiry of Manitoba” (Winnipeg, MB: 1991) <https://www.publicsafety.gc.ca/cnt/rsrscs/lbrr/ctlg/dtls-en.aspx?d=PS&i=1446357>; Nadine Cooper Mont, “Victoria Rose Paul: Investigation Report” (Nova Scotia Department of Justice, May 15, 2012) https://novascotia.ca/just/global_docs/Victoria_Rose_Paul_Investigation_Report_20120524.pdf; Nancy Hannum, “Aboriginal Deaths and Injuries in Custody and/or with Police Involvement: An Initial Survey of Information and Incidents in British Columbia, Saskatchewan, Manitoba, and Ontario, Preliminary Report” (Report to the Native Courtworker and Counselling Association of British Columbia, September 23, 2003) http://nccabc.ca/wp-content/uploads/2015/02/nccabc_aboriginaldeathsincustody.pdf; Maryann Pearce, “An Awkward Silence: Missing and Murdered Vulnerable Women and the Canadian Justice System” (PhD diss., University of Ottawa, 2013) <https://www.collectionscanada.gc.ca/obj/thesescanada/vol2/OOU/TC-OOU-26299.pdf>, “Concluding Observations of the Committee on the Elimination of Discrimination against

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Maintaining control over land, policy, health, and law – including culture, language, and ceremony will result in a decrease in vulnerability to violence for Indigenous women and girls.

Women: Canada” (United Nations CEDAW, November 7, 2008) <http://www.equalityrights.org/cera/wp-content/uploads/2010/03/CEDAW-2008-COs1.pdf>; “FPT Justice Framework to Address Violence Against Indigenous Women and Girls” (Federal-Provincial-Territorial Ministers Responsible for Justice and Public Safety, January 21, 2016) <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/publications/fpt-justice-framework-english.pdf>; “Police Abuse of Indigenous Women in Saskatchewan and Failures to Protect Indigenous Women from Violence” (Human Rights Watch, June 2017) https://www.hrw.org/sites/default/files/supporting_resources/canada_saskatchewan_submission_june_2017.pdf; and “Nāniawig Māmawe Nīnawind: Stand With Us, Missing and Murdered Indigenous Women in Quebec” (Quebec Native Women, 2015) <https://www.faq-qnw.org/wp-content/uploads/2016/11/Naniawig-Mamawe-Ninawind-Stand-with-us-Oct-2016-engl-FINAL.pdf>.

METHODOLOGY

This submission to the National Inquiry into Missing and Murdered Indigenous Women and Girls was prepared by staff and contractors at the FSIN throughout the spring and fall of 2018. Women's Secretariat Director Kay Lerat, and staff members Camay Coghlan-Cameron, Shane Cook-Laliberte, and Milton Gamble conducted phone surveys and visited the communities of Cumberland House Cree Nation (north-east region), Onion Lake Cree Nation (north-west region), Whitebear First Nations (south-east region), and Beardy's and Okemasis First Nation (north-west region). Women's Commission staff were able to gather 50 surveys from the 70 First Nations called, or 68% of the 74 First Nations in Saskatchewan. Dr. Omeasoo Wahpasiw, University of Prince Edward Island, collaborated with the team.

Survey questions (Appendix A) reviewed community experience with murdered and missing Indigenous women and girls (MMIWG), asked respondents to describe the processes family members underwent following incidents of missing women and girls, and then also murdered women and girls. Questions focused on what supports were requested, available, used, and still required, insufficient or inaccessible. These responses will be summarized and have been analyzed for use in the recommendations section. Percentages are of the total number of communities who answered that particular question. The total number of answers per question was usually 44.

Case study questions (Appendix A) were designed to elicit more personal and full responses to community experiences. These included the overall community impact of MMIWG, long term needs and consequences, and suggestions for greater prevention and response. Cumberland House Cree Nation, Onion Lake Cree Nation, Whitebear First Nations, and Beardy's and Okemasis First Nation were chosen for their regional representation, experience with MMIWG, and cultural diversity (Whitebear includes Saulteaux, Cree, Nakota and Dakota members, Cumberland House neighbours a Métis community, and Onion Lake straddles the Alberta-Saskatchewan border). Their experiences have been summarized as "strengths" in MMIWG responses, and "needs." These will also be reflected in the recommendations.

A summary of families' views and views of First Nations women in leadership, and their recommendations to the National Inquiry are presented in Appendix C.

SURVEY RESULTS

INTRODUCTION AND INTAKE

On reserve, 76% of First Nations surveyed had families affected by the issue of missing and murdered Indigenous women and girls (MMIWG). Of the communities who reported experience of MMIWG, 90% of family members looked to their First Nation for support. Families make inquiries with health and wellness centres (31%) or directly to elected leaders, including Chiefs and Council (30%).

Family members primarily seek health supports, including mental health services (32%). This number increases to 45% if support for Elders and ceremonies are included. Families will ask leaders and community members for more informal “emotional support” (7.5%). Families also initially require help with search and rescue efforts (12%), and 10% need immediate financial support (Appendix F). Other immediate needs include awareness raising, court attendance, funeral, and investigative or police liaison support.

MISSING PERSONS RESPONSE

When community members go missing, 57% of communities are asked to support search and rescue efforts. Only 16% of these communities report expertise in this area, including active fire departments, first responders, a trained emergency response or crisis team, a search and rescue team, or experienced trappers and hunters available in the community. Communities that feel prepared in this area (6%) have trained teams or are located nearby appropriate search and rescue teams, for example, Dene Trackers Search and Rescue in La Loche, SK (Appendix D).

As expected, 88% of communities reported a greater need for capacity in this area. These communities suggested that specific training in the area of search and rescue would be useful for the individuals that provide similar emergency response services in the community, as well as funding to continue those programs. 48% of communities were able to contact outside agencies for search and rescue support, or piece together support from other organizations (Appendix C).

Although some communities (23%) felt that they had insight into what was required for search and rescue services, in their elaboration of what was required, only one comment included

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the details of “human [resources] and equipment, boats, gas, water, local people to find or look for the person.” In other responses it was clear that communities relied on trained teams to support search and rescue operations, including the Red Cross, RCMP, Fire Department, Crisis Intervention Team, police, Elders, Health Centre, and the hospital (Appendix D).

MURDERED INDIGENOUS WOMEN AND GIRLS COMMUNITY RESPONSE

From their experiences, communities identified areas where they could provide support for families of MMIWG. Only 18% of communities had a person trained to intake families of MMIWG. These were largely mental health professionals. As several respondents noted, “the demands and expectations of programs don’t necessarily coincide.” Overwhelmingly, families require mental health and emotional supports. Ideally these would be located in a health or wellness center, and hire Indigenous staff with appropriate cultural background and language capabilities. The terminology used in the area of mental health includes supports for addictions, ambiguous loss, bullying, grief, inter-generational trauma, lateral violence, residential school, trauma, and wellness. Other suggestions included a whole-family or community approach that includes respite care, support for mental health workers, community leaders, front line workers, and volunteers.

Another segment of families specifically require cultural support and the work of Elders. In the Indigenous understanding of holistic wellness, preventive and wrap-around supports were also suggested, including equitable funding for education, youth camps, parenting programs, family and community retreats, ongoing support groups, healing gatherings, and women warrior’s groups.

Other families require financial support for travel for legal support and court attendance, advocacy, search and rescue, and memorial round dances or other memorial events. Although families almost always (95%) request support for funerals, most communities (84 %) feel equipped to respond to these needs, acknowledging the piecemeal approach to providing support for community burials, the key work of fundraising done by families, and the high cost of culturally appropriate burial practices (Appendix F).

MURDERED INDIGENOUS WOMEN AND GIRLS: A LIFE-TIME COMMUNITY RESPONSE

Families and communities have acknowledged that the loss of a loved one is an ongoing experience. Comments suggest that grief and trauma do not occur on a linear emotional timeline. Again, by far communities suggested that ongoing emotional and mental health support is required.

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These may include individual, or group counselling, and cultural or Elder support. One community recommended that non-Western forms of counselling, and in-home support maybe needed by some individuals. Others suggested the needs for weekly check-ins, a minimum one-year aftercare plan, and periodic reconnection of the families of MMIWG to kinship and community through specific gatherings or events. Only 14% of communities have a person available to do this work, and only 9% have specific programming.

COSTS

In the media there was much discussion about the cost of the National Inquiry into MMIWG. In Manitoba the Canadian Centre for Policy Alternatives (CCPA) in 2017 reviewed the “Cost of Doing Nothing,” to prevent MMIWG.⁸ Acknowledging the difficulty of putting numerical value on human experience, the researchers suggested a total of \$ 7,198,300 in Manitoba *in one year* (2014).⁹ For First Nations communities in Saskatchewan, respondents’ estimates of costs to the community per missing person range from \$750 to \$200,000. The most common response was \$10,000 (33%), and the average was \$28,225. The cost per murdered person is estimated between \$1,000 and \$200,000, depending on travel and lawyer’s fees. The most common estimates were \$5,000 and \$10,000 (23%), and the average estimate was \$32, 962. With 18 currently reported missing Indigenous women in Saskatchewan,¹⁰ the average estimated cost to all Indigenous communities for missing Indigenous women and girls is \$5,188,050, per year. This does not include the intangible costs of loss of life, or police costs for searches as calculated by the Manitoba CCPA. Ultimately, Manitoba’s calculations are reflected in Saskatchewan, although the researchers acknowledge the cost, if it included intangibles and follow-up care, would be ten times as high. The cost of prevention in Saskatchewan communities would dwarf the economic and personal costs of losing Indigenous Women and Girls to violence and disappearance.

⁸ Marina Puzyreva and John Loxley, “The Cost of Doing Nothing: Missing and Murdered Indigenous Girls” (The Canadian Centre for Policy Alternatives, Winnipeg, MB, 2017)

⁹ Puzyreva and Loxley, 31.

¹⁰ This number is from the Saskatchewan Association of Chiefs of Police, <http://www.sacp.ca/missing/>, but does not reflect the self-reported numbers collected by the FSIN. This incomplete list includes 147 missing or murdered Indigenous women.

ABOUT POLICING IN SASKATCHEWAN

Respondents were asked, “Do you believe the police and justice system deal adequately with murders of Indigenous women?” 11% of communities responded “Yes.” 9% responded “other,” including “sometimes,” “on a case by case basis,” “depends on the RCMP,” “I cannot speak to that.” Another 7% felt unsure. Finally, 73% answered, “No.”

In response to this alarming distrust in the police and justice system, 60% of communities use staff available to support families navigate the process following the murder of a loved one (Appendix E). 29% of communities were unable to provide to their members police or justice system navigation support. These communities cited outside programs or the lack of funding, including funding cuts.

Communities had many suggestions for how police services could improve their services. 16% felt that police were conducting inadequate investigations, 23% believed that police should improve their communication and take Indigenous families more seriously, providing consistent follow up with families and responding immediately when individuals go missing. Often communities pinpointed a slow response time, and one indicated that more policing should be done on reserve, and another that detachments were too thinly spread geographically. Underlying these issues, communities suggested that sensitivity and cross-cultural training would benefit police officers who may come across as insensitive, un-empathetic, prejudiced or dismissive. Further comments indicated that police may escalate situations violently, and would benefit from a more representative workforce including Indigenous people and languages.

CASE STUDY: CUMBERLAND HOUSE CREE NATION

Cumberland House is an amalgamation of five Cree reserves that abut the historic Métis settlement of Cumberland House on the rich Saskatchewan River delta. There are just over 900 registered members living on-reserve, and 785 live off-reserve. Cumberland House Cree Nation is a signatory to Treaty 5 (1875).

STRENGTHS

As a community of five separate reserves, Cumberland House has many strengths. At first glance is its physical beauty – a place where the north begins in Saskatchewan; the trees immediately remind the visitor of their closeness to the land, water, sky, and air. It is Cree country. The community has identified as one of its strengths, *wícihitowak*, helping each other. It is nearly the first comment of our interview:

I feel we, as Native people always excel, on that support. As you may well know we are on an island. The road you came in that's our only way out. . . . [O]r boat. We are unique because we live with the Métis and non-status and about 60% of our members live in Cumberland village itself. So either side, when things happen to us, the community always comes together to support. . . . We help each another, always.

People in Cumberland House seek to practice their traditional ways. Their vision statement reflects this, “We are building a healthy, unified Cree Nation by preserving our language, culture, and traditions.” An interviewee said: “We are doing our best ourselves as leaders to help bridge the gaps between the other world and the traditional world. I have seen the outcomes of living both ways.”

The community held four cultural camps in the summer of 2018. Members drew a deep connection between the issues of missing and murdered Indigenous people, the legacy of residential schools, and the strength of their nation culturally and spiritually, now:

We have a large number here, of people that have attended residential schools. I attended residential school and I think that's where [violent behaviours were learnt]. Many of us women, sometimes you feel you don't deserve the respect. So awareness that you matter, your life matters just like everybody else's. Violence against violence isn't the answer, so you have to pick away at it. Have programs for both men and women. We had culture

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camps and we had our youth, our men and women, attend all summer. We had four camps, so that's a start you have to get your people involved. . .

You have to build them up. Bring them up. . . . [I]f you are not happy, that's where bad things happen and when you are happy, happy things happen. As leaders, you're there to lead them. You have to try and help them with [the] limited resources you have.

Interviewees acknowledged support with MMIWG previously from FSIN Special Investigations Unit. Currently, Cumberland House makes use of a mental health therapist provided through Jordan's Principle funding, as well as mental health support provided by the Prince Albert Grand Council (PAGC). A Justice worker is useful to the community, ensuring that families are provided with updated information and ongoing support from the nearest RCMP, Victim Services in Melfort (260 km) or Tisdale (225 km).

When it comes to young people, Cumberland House is able to provide the mental health supports needed. An interviewee noted:

When we lose young people, Oh, the young people really feel it. When they lose one of their own, they are the ones that really need [support] the most. . .

We have the trained people, so that is one thing that we definitely are able to assist with.

Confidence and success in youth support is fundamental not only to the individuals affected, but to the future of the Nation. Cumberland House has identified its strengths, and is moving toward them despite the many tragedies they have met, and obstacles that stand in the way of that vision.

NEEDS

Interviewees at Cumberland House were clear that *wîcîhitowak*, and their cultural traditions were fundamental to prevention and responses to the needs of missing and murdered Indigenous people. They also acknowledge a need for greater financial support and parity in the availability of response. Throughout the interview, this included RCMP response, access to Victim Services, and other support for families. For example, a respondent highlighted the different reactions non-Indigenous families in Canada experience following tragedy:

You want to help as much as you can but you're always limited. And it bothers me a lot of times that we don't have the same [resources to draw from.] That big accident that

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happened, the Broncos. They raised \$15 million dollars for the families. I know it was very tragic, but we [don't] have the same opportunities when it comes to First Nations people, we don't have that GoFundMe to help us. So a lot of times our families end up with the costs. . . . That is a reality

And you do get angry. . . .

It's like it's different for us, it's like we don't really matter.

In addition to an ability to draw upon extended Canadian support, Cumberland House families do not have nearby RCMP detachments to provide appropriate investigations. Victim Services in Melfort or Tisdale are both over three hours away by car. When the RCMP do provide investigations, they are not seen as thorough or responsive to Cumberland House members. Likewise, because there is travel involved in Victim Services, individuals in Cumberland House are not receiving the level of support they need. A member explained:

The RCMP don't look at it as a murder. A lot of times they are brushed off as an accident or they died of natural causes. I'm not trying to put them down or anything but they are always so sloppily investigated.

We are semi-isolated over here. We have a RCMP but it's in the village, we don't have our own here on the reserve. So when we do have this kind of thing happen to us, we don't get the same [treatment]. For example we just lost a young man. A member of our reserve, in Nipawin. It was a hit and run about two weeks ago. We haven't heard anything. They did an autopsy. They have Victim Services for the family. We don't have one here, we have Melfort and Tisdale. They used to have an office here, but I believe they don't, and that's where you have to [access services]. . .

The community, in a situation of reeling from tragedy, has the additional burden of financial costs, and the physical and material isolation from Canadian services, like the RCMP and Victim Services. When these services are provided, they are not in line with what Cumberland House sees as thorough, well-resourced, serious investigations and response.

Another critical need that Cumberland House members require is long-term counselling support.

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You never get over a great loss. We do have the resources, but grief has different stages, sometimes we get stuck in one place, like there is denial, or anger. We all go through the stages.

You get angry, you're angry, you're angry at the world, you're angry at everybody. And when there are supports you sometimes don't go for what's there. We have the trained staff, but you may not go right away, it might take you a little while, you might be stuck. You might be denying it, you might be in anger. But [the supports] definitely are required because when the time comes, when you finally accept it, those supports are there for you.

Cumberland House interviewees recognized that grief cycles through families of MMIWG in unpredictable, yet life-long ways. When an individual falters, the community needs to be able to provide the appropriate response.

CASE STUDY: ONION LAKE CREE NATION

Onion Lake is an amalgamation (1914) of two signatory bands to Treaty 6 (1876). Onion Lake has urban offices in Saskatoon and Edmonton, recognizing that a significant portion of their members live in urban areas (1,595). The reserve straddles the Saskatchewan-Alberta border, north of Lloydminster and the North Saskatchewan River, in a mixture of grassland and boreal forest.

STRENGTHS

Throughout the interview with Onion Lake members, the need for continued emotional support for families from the entire community came through in many ways – the demand is very great. Where Onion Lake is succeeding is in the area of ceremony. The current Chief of Onion Lake is himself a pipe carrier and Sundance Lodge Keeper. The community members and Elders of Onion Lake and the FSIN are able to provide support through sweats, feasts, and prayers, and these have a lasting impact:

Support is here in the sweat, support is out there after the sweat, then we had that feast. I'm glad you brought that moose! We had a feast because of that hearing here. They were talking about past ones that have moved on. The spirits are unsettled because they're being talked about, so we had a feast two weeks after that. That whole feast was for all families, all families were included in prayer. . .

Sometimes they don't want to do [therapy], they do their own thing their own way. But then for grounding they just come in here, get that brush[ed] off and they can be grounded. We use our ceremonies and we have people here that are trained by Elders how to ground them. Sometimes you're kind of unbalanced when you're going through your own emotions.

Ceremonies are made available to families and individuals who want them, and the First Nation is able to provide a tailored, eight-session "edu-therapy" program. Family members have also sought solace and support in their local churches.

NEEDS

The Justice worker at Onion Lake carries much of the burden of coordinating, providing emotional support, and liaising with Victim Services. This position requires knowledge and time, as well as physical and spiritual health:

A lot of administrative [work]. People that are going through the process of court services [require] a lot of coordinating of meetings with the family to talk about some of their concerns or questions they might have for upcoming court or the investigations. I'm the lead to make connection to the investigator or for the lawyer to meet with the Crown. Making posters, a lot of the ground work where, if the family have any concerns, then I find the answers. I'm in contact with the outside services because they're there to help the family. I'm the go between as a liaison.

This person's work is wide-ranging, exhausting, and endless.

With a devastating amount of experience in the needs of MMIW, Onion Lake representatives were quick to acknowledge that their members often needed both emotional support from individuals, and from the entire community. Two factors complicated this lack of support for families: first of all, when offenders and victims are from the community, and secondly, the expectation that a few people will be able to provide all of the support for families. Respondents described these situations:

The greatest needs [are] that there's support from the community as a whole. Including not only the services and the programs but including our leadership and the community. Depending on who the perpetrator is, or the offender, sometimes they're someone not from the community and it's a little bit easier for a family to deal with that and the community to deal with that - but when it becomes someone that is from the community as well then it makes it a little bit harder to go through searching for families because you're . . . bringing up something that hits home for everyone.

[W]hen we're in a community, it's the whole community that should be involved because no matter what, we provide services to all our community members one way or another whether it's from CFS or Social Assistance, Wellness, Justice, Education, we're all part of the community. Everybody should just come together and support them. [At] Edmonton court [recently], I thought there could have been more people out there because this is dealing

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with two families, two large families that are going through this whole ordeal. There was only 3-4 from us here that went. It was very emotional it was very heavy. I felt that heaviness and I tried to put myself in their shoes sitting in that courtroom and going through the whole process. It was really tough for them and I felt there could have been more support.

Interviewees recognized that the holistic demands of support cannot be met in one person alone. Implicit in this discussion are the needs for funders to recognize that programming for families of MMIWG does not belong in neat categories. Furthermore, Onion Lake requires financial support to send community members to attend distant events, such as court proceedings.

Although the RCMP did provide families with Victim Services support, there remained confusion in the community. The interviewee suggested more frequent visits, “[N]ot once every 6 months or year, it has to be quarterly. If there’s no new information it doesn’t matter, come and meet the family.” Furthermore, community members found that being affiliated with the RCMP made Victim Services inappropriate in an advocacy role. The RCMP Victim Services office is also inadequate as an emotional support.

The people that I think would be the best support are the people from the community because they are the ones that are with the families 24/7, seven days a week. They know these families and they can provide the support anytime - not just from 8-4:30. How we deal with our emotions, that’s very important. Something should have been done when she was expressing her emotions, [a] compassionate ear, understanding ear. “I hear what you’re saying, thank you for sharing that, so what can we do with how you’re feeling?”
Being that support.

The need for additional emotional support was driven through every part of the interview. In this quotation, a band member describes the emotional difficulty involved in every aspect of MMIWG response, including the need for someone outside the justice system who would be able to explain the process and provide emotional support:

[A]fter listening to both sides of the families going through, the different meetings that they had - I would’ve liked to be involved or somebody from my staff when they were having their meetings, so that somebody could be there to hear them expressing their emotions of frustration and anger, be able to help them or give them some awareness and

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understanding [of] what they can do so that those emotions don't affect them in the long term.

The trauma that families experience and continue to suffer throughout the aftermath of losing their loved one is much more than one staff, or even a few staff people can bear alone. Onion Lake recognizes the need for additional staff support as well as whole-community response to lift up family members of MMIWG. This response needs to be long-term: "when those family members are ready, if it's 5 years from now 10 years from now, there's someone there, and that's not just their job, they're there and it's going to take a while for people to heal after finishing this."

Specific legal support, including a lawyer and investigator for the families was also mentioned:

So when I'm trying to explain to my family, "this is what the publication ban means and what we can and can't do" but when they tried to make a poster . . . then the other family would say, "there's a publication ban." So there was a lot of miscommunication; not blaming anyone, just, that's what happened. The families really need to be supported by good lawyers. We're relying on a court system that is there for the best interests of the community at large, not Onion Lake. The lawyers need to be there, we need to have investigators that are there, present and available.

Providing lawyers for the families is something that has been done in some instances of high-profile Indigenous family contacts with the justice system. However, the need for representation for women and their families involved in violence is recognized as one of several solutions following the #metoo movement.¹¹ Lawyers representing the families of MMIWG would more appropriately support their movement through and understanding of, the judicial system.

Onion Lake members felt that emotional and therapeutic support for their members would act as a preventive measure in addition to the pressing needs of the families of MMIWG. Individuals dealing with drugs, alcohol, gang activity, sexual assault, and incest due to legacies of colonialism, needed a way to break cycles of abuse and dysfunction. One suggestion was for an after-hours

¹¹ Rose Mary Lynn Ubell, "Myths and Misogyny: The Legal Response to Sexual Assault" (Master of Studies in Law Research Papers Repository, 2018):

<https://ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1005&context=mslp>.

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community outreach centre, with extended programming offered by Justice, Wellness, Child and Family Services, and Peacekeepers, including an outreach van and overnight sleeping facilities:

An outreach centre, someplace where people can go and feel okay. Just to go have tea or maybe have a hot meal. Sometimes people can't even have a good night sleep because they're dealing with their family members that are partying all night. They're trying to change but they can't, so they're stuck there and they eventually end up drinking themselves. . . .

[Also the centre should] have emergency cots, 24 hours, just in case something happens. Sometimes we're not able to do transports after hours to interval homes when there is something happening in their homes.

The families of MMIWG in Onion Lake are not the only people affected by the tragedy – burn out rates amongst directors, front-line, and support workers are high. They require emotional and therapeutic supports, and just as importantly, the time and supportive environment to make use of them. A workplace environment of caring for mental health, where directors, support, and front-line workers are asked how they are doing, and encouraged to make use of both time and supports, is a high need. Ultimately the care that these workers give to families of MMIWG is needed for all people in the community, transforming a culture of isolation, hard work, and silence, into one of acknowledgement, support, and togetherness.

Finally, Onion Lake members took issue with the lack of parity, equality, and fundamentally alien system of justice that was supposed to address issues of MMIWG. Included in their discussion was the dismissive demeanor of the presiding judge, the method of sentencing non-Indigenous offenders, and the optics of care given to the offender and not the families:

When the sentencing was over the Crown just walked right by us, didn't even stop to talk to the family and ask us how we felt about what decision was rendered that day. That's our court system, too, [but the Crown and Defense] work together, and they shouldn't. They should be independent too. There should never be any type of friendship or contact. I realize they have to share some information but at the same time I think they need to be independent of each other because then for sure families will get a fair trial. Right now it's the best interests of the general public, Canadian citizens, not the Chief family, not the Heathen family but everybody, what's the best decision for everybody. . . .

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I don't know much about law, I know about human beings. That's my background in the field that I work in. I saw the discrepancies [in] how they treated the man that took these lives because I sat right in front close to him. They catered to him. I thought, "Why are they doing this?" I'm sitting there and I'm sitting with one of our Elders ... They go get a glass of water and they put it in front of him, and the RCMP sitting in front of him every now and then will ask him something, just like they're taking care of him. He's the one that took lives! What about these families here? These are the ones that need to be taken care of.

I wanted to get up in that courtroom but I didn't know if it was allowed. We have different values, we follow different customs here. We're there to support, and that's what I really wanted do, I wanted to go up to make sure that they're all doing ok. But I just didn't feel right in the court, this is the Queen's Bench, it's their rules.

I saw that and then the other thing I noticed when they were bringing him out he wasn't even handcuffed, he wasn't even shackled. When we have First Nations people that are incarcerated and their family member passes away and they're brought home to come and be a part of the funeral, the final farewell, guess how they walk in? They're shackled here they are walking like this handcuffed.

In this passage it is very clear that the processes of the judicial system are not responsive to the the families of MMIWG. In fact they demonstrate how unlikely it is for Indigenous women and their families to find justice, and to be treated according to Indigenous ethics and understandings of respect, relationship, and reciprocity. The damage of this system goes beyond the victim, to their family, and community at large. This lack of parity cannot be overstated and strikes at the legitimacy of the judicial system.¹²

¹² David Butt, "How the Justice system let race taint the Stanley verdict," *Globe and Mail* February 11, 2018, <https://www.theglobeandmail.com/opinion/how-the-justice-system-let-race-taint-the-stanley-verdict/article37931748/>.

CASE STUDY: BEARDY'S AND OKEMASIS CREE NATION

Beardy's and Okemasis Cree Nation's population is one of the largest in Saskatchewan with 3000 members. Physically it is situated on the edge of Duck Lake, near to the historical sites of Fort Carlton and Batoche.

STRENGTHS

The great strength inside the community of Beardy's and Okemasis is creativity and resourcefulness with limited resources. Greater therapeutic support is needed for the families of MMIWG, but the respondent noted, that with two part-time therapists, "I think that we are doing the best we can do with the issue, and with the limited resources that we have." In 2015, Beardy's and Okemasis acknowledged that they were unable to change anything historically related to the issue of MMIWG in their own community, so devised a strategy of prevention aimed at young women. This included an eight-week self-defense course. When the leaders and support workers of Beardy's and Okemasis Cree Nation are given a resource, they use it to its full extent and in unique ways to meet the needs of the community. An interviewee described this teamwork:

Back in 2015 we had started our own 'Murdered and Missing Women's Committee,' formulated with directors and councillors within the community. We couldn't do anything for what was already past. We had no jurisdiction. So, our main concern was prevention.

There is nothing right now but we have to be protective of the girls that we have in our community. So that is what we have been able to provide so far. But we have done that on our own without any financial resources, just as time and commitment [allows] and the group that were there.

NEEDS

Beardy's and Okemasis Cree Nation members were direct and unequivocal in their assessment of needs. Firstly, they need to be taken seriously by local police. In Beardy's and Okemasis, family members are still being told that their missing person is out partying and will return. Related to this point is the need for financial resources to support searches, "But they don't have money for gas, they don't have money to feed themselves let alone anybody helping to support

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them, that need is out there and required for them. Just to start the search because 9 out of 10 times the police don't do that." Beardy's and Okemasis members found they are not prioritized by any police agencies.

Processes of Health Canada are a significant challenge in responses to issues of MMIWG in the community. There are no efficient ways to respond to families' needs financially as situations arise:

[W]e would only be able to provide what Health Canada approves, and it's a long process. We would have to make an application, it's not like we can help you, "Here is a thousand dollars, go help find your child." No we can't. We have to go through stumbling blocks and road blocks and get approval before any cent [that] leaves our Health Center.

The expectation that Victim Services might be able to provide navigational support to families, from the time someone went missing and beyond, was non-existent. Victim Services were not being offered to members unless they travelled to Saskatoon, an hour away. Within their community, asking for support to make that trip would move families between program departments, each suggesting the other was responsible. Respondents identified that this issue was based on a lack of funds for research on MMIWG, which could have been used to justify funding agreements with the federal government. The interviewees identified the need for multiple-agency response to MMIWG, including Health, Justice, Child and Family Services, and so on:

And what you need is communication between Health, Justice, ICFS [Indian Child and Family Services], and the Band. All [of] those have to keep [in] communication. I wish that they would have more case management on a family member, once they go into the social services and ask for social services they should be informed to all the other departments. Or if they are having any issues, so everybody is aware, all the people the organizations that could help support this individual . . . so that it's not one person, [working to support families] in silos.

A multi-agency response also would include an individual, or several people, be hired to do this work specifically for MMIWG.

Beardy's and Okemasis families have needs for ongoing counselling support beginning at the time of the incident, throughout the court process, and beyond. Beardy's and Okemasis Cree Nation members acknowledge a need for further therapeutic supports for the families of MMIWG. "I

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have noticed more and more that families that have had past dealing with murdered and missing are now seeking Mental Health, like professional help to deal with the issue.”

Well another thing too, is that they need counselling. You know they need to have that support whether it either be Elders, [or] therapists, there has to be that. There is always a shortfall. There [are] not enough therapists for them. People need to talk about it, get it off their chests, someone to believe in them. [Counsellors are needed to help] them to deal with grief and the things that they will have to endure through this whole time. If it eventually becomes a murder they have to go through trial, so they are going to need support through all of that. And who is going to be providing that support? There is not enough money within our health center to be providing that support for the families, although we want to. So we help them as much as we can but the human and financial is the very shortfall on both of those things.

Beardy and Okemasis requires mental health supports that respond to both crisis and on-going issues. Although the Nation provides their members with the best of what they have, they recognize that the need is beyond their current capacity.

The respondents kept their attention to preventive measures, and believed education on lateral violence and abusive relationships would help young people avoid dangerous situations. They also suggested that a safe women’s shelter, located outside of the community, could be a site for education including services that offer support to women in their time of danger. A continuously devoted worker for MMIWG could also ensure that research and preventive programming was ongoing:

The first [need] would be education and not only to the women, but to prevent violence, lateral violence, any kind of violence. People don’t even know that they are being violated and they are just allowing it to happen, because they were never educated that that is wrong. Also to teach them that there is a place to turn and that you don’t have to be stuck in the situation that you have gotten yourself into and most people don’t go out looking [for help or education]. They end up, they fall into that situation and don’t know how to get out.

The scenario described includes both counselling and education recognizing that individuals who experience trauma from a young age are often unable to recognize the danger signs of another potentially traumatizing situation. Education, a safe space, and counselling could certainly work together as wrap-around supports in Beardy’s and Okemasis.

CASE STUDY: WHITEBEAR FIRST NATIONS

Whitebear First Nations is an international hub; it is home to Saulteux, Cree, Nakota, and Dakota families. In hilly Aspen Parkland, 2598 members are registered, descendants of 24 families who signed Treaty 4 (1875).

STRENGTHS

The respondent in Whitebear demonstrated clearly that the language and spirituality of the community is a major strength for many who live there. The strength of her culture and spirituality helped, and may have saved, a Whitebear woman who was kidnapped and assaulted:

But when she went and did the victim impact statement, she actually talked to him and she told him that he needs to get help. Even what he did to her wasn't enough to make her have that hate in her. That's how spiritually connected she is.

The respondent described a generation gap in spiritual and cultural knowledge that skipped people in their 20s to late 30s, but finds an expectant home in the children of Whitebear:

They know the lodges they know the ceremonies. A lot of the things our people don't like talking about. And it's because they haven't experienced it sometimes. People are afraid of what they don't know, or understand. In this community, as soon as you say "medicine" to the older ones they say "eeeh," [and] think "bad medicine" right away. But for the younger ones, the kids in this community, [they] will show you [where] different medicines on the ground [are].

To teach these little ones, Whitebear held cultural camps for two summers in a row, focusing on medicines and the four languages of the Nations. The strength of these Nations is in their traditions, as the interviewee said,

You know you are a sacred woman even with the man. The man is a sacred man, he is the provider. Some of our old teachings we have to bring back. In the last week in August we have Traditional Lifeskills, [with] "Traditional Parenting," it has the "Rites of Passage," it has "Smudging," and it has all these teachings.

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The children and leadership in Whitebear are in lockstep, appreciating, celebrating, and engaging their culture and spirituality to strengthen their many Nations.

The cultural diversity of the community also makes it outward-looking. The respondent suggested that all 70 First Nations in Saskatchewan could effectively work together to prevent violence and support survivors. They also mentioned the needs of off-reserve families and survivors, continually acknowledging the kinship that extends beyond Whitebear's boundaries.

NEEDS

While Whitebear community representatives referenced many ceremonies and Elders that could be made accessible to family members of MMIWG, they also suggested that families may self-isolate and could greatly benefit from crisis and/or trauma counselling. Elders could be officially empowered to offer outreach to families. Respondents suggested that offering both Western and Indigenous healing opportunities was the best method for Whitebear families, and that all of these be considered healthcare under Treaty provisions:

So we can just jump in our vehicle and go and see a spiritualist for our own, but [for] the family that is not as fortunate – don't have a vehicle, don't have a job, there is no support for them. Until they are able to get on their feet again and able to continue on that spiritual path. If we want back what was taken from us, we have to help each other. And for the families of the missing and murdered, a lot of them resort to that, the spiritual help. It helps some of them, if not a majority of them deal with [their experiences.] I know counselling is good, I know talking to somebody else in the *môniyas* [white] way is good too. [If you go] see a doctor, they prescribe you stuff, you still have to pay for it, but that is what is missing in the Treaty right, our Indian way.

Supporting Indigenous medicinal methods that are holistic and recognized by the community, is also enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (24.1 and 24.2), and represents true parity in the realm of healthcare.

Community representatives also suggested that a lot of MMIWG families' needs take place outside of the local community. Firstly, searches may take place across borders in other provinces; secondly, awareness raising walks may occur in other jurisdictions; thirdly, family members of MMIWG may seek specific ceremonial experiences only available out of province, and sometimes outside of Canada.

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The interviewee for Whitebear explained clearly how damaging, difficult, and re-traumatizing the court process, and sometimes, non-Indigenous counselling can be for Indigenous survivors of violence. The young woman she describes went through three horrific episodes in her young life, including the loss of her sixteen year-old cousin:

Spill it all out to the Crown, she spilled it all out to the cops, she spilled it all out to the counsellors, to the *môniás* counsellors even though she wasn't comfortable with talking with guys anymore. And the second one, same things, spilled it all out in the courts and everything. And now the third thing happens and she is already at fault in their eyes, right. So everything just hurt. Just hurt, hurt, hurt. To the point where we had to watch her, we had to put all sharp objects away. All pills away. Anything that could hurt her. The cords away, the extension cords, everything like that. She did not want to live anymore. And before this all happened she had a bright future, she was well known in the community. She still is, she still is, she gets along with everybody and whatever. She is athletic, she coaches, and she is involved with the youth. Even though all of this happened she was still involved and the community still trusted her.

For this re-traumatized person, there was nothing healing or retributive about her multiple court cases and experiences with mainstream counselling. Instead, it is her connection to her spirituality, the fact that “through lodges and ceremonies, they keep telling us that she’s going to help people . . . [That is] with her, [it is her] stor[y].”

CONCLUSION

This report is painful. The submission of this report is an acknowledgement that Indigenous women and girls have gone missing or been murdered, systemically and nationwide. It acknowledges that we expect this unacceptable tragedy to continue. The tragedy and trauma of MMIWG demands that nations, especially Canada, address and redress the destructiveness of ongoing colonialism that marginalizes Indigenous women, turning us from the strength of our Indigenous Nations to the collateral damage of the national project.

Many words have been written, marches marched, trials held, and tears shed, that teach us that there is a way forward. Through this survey and case studies, Indigenous Nations have clearly and unequivocally demonstrated that Indigenous nationhood, including control over holistic approaches to justice, medicine, and mental health; in addition to the expertise of the best of Western therapies, search and rescue, and justice; will build strong peoples over this northern portion of the continent, one family at a time.

Not one person builds a nation, and yet one person can end the life of another. How our nations choose to respond to this, individual by individual, family by family, illustrates what kind of nation we are. Currently Indigenous Nations in Saskatchewan provide the best of their cultural and spiritual practices to families of MMIWG, with what limited human and therapeutic support they have, and piece together a community response of awareness and mourning. Each survey and case study demonstrates this human excellence. What they also demonstrate, is how far-reaching the implications of each MMIWG experience is; as family members, volunteers, first-responders, front-line workers, and leaders find their own mental health depleted while they struggle to support their relatives, friends, and citizens.

When Indigenous Nations in Saskatchewan encounter Canada, the support provided is not responsive to the holistic and relationship-based understanding that we hold of mental health and justice. The Royal Commission on Aboriginal Peoples and the United Nations Declaration on the Rights of Indigenous Peoples, as well as the United Nations Committee on the Elimination of Discrimination Against Women, have all suggested the responsibilities of Canada as a nation-state in regards to Indigenous people, and in particular, Indigenous women. Let it not be the next Indigenous woman to be missing or murdered, to demonstrate what kind of Nation-State Canada is.

RECOMMENDATIONS

The following recommendations represent a compilation of the strengths and needs as identified by the survey and case studies conducted. Nations have diverse histories, cultures, geographies, languages, and therefore, needs. These recommendations are meant to be broad enough to encompass the ability of Nations to modify and shape their responses individually within a broader context of colonialism, self-determination, decolonization, and the central role of cultural revitalization in community wellness.

1. Recognize the sovereignty of Indigenous Nations as Nation to Nation Treaty partners.

Indigenous sovereignty means that we, as Indigenous Nations, are in control of our own destinies and reaffirm the appropriate roles that support men, women, transgendered and intersex individuals, and implement the holistic understandings of community well-being that ensure the self-actualization of citizens.

2. Support the development of wrap-around emotional support for the entire community.

Providing support for families of MMIWG is not the work of one individual, in one department. Other family members, Elders, front-line workers in several departments, and volunteers, are all involved in offering necessary support to families of MMIWG. These individuals deserve to be acknowledged, recognition given that their work is never-ending, and fundamentally requires respite for their own mental, emotional, physical, and spiritual well-being alongside family and community services in these areas. This entails transforming work-place cultures to recognize mental health needs; the provision of ceremonies, Elders, and therapists with time specifically for those who offer support to MMIWG; and addressing the irregular timelines of MMIWG family needs, with built in time for workers' (including leaders, Elders, search and rescue specialists, etc.) emotional, mental, physical, and spiritual recuperation.

3. Empower departments to be financially flexible and responsive.

The jurisdictional shuffle between departments can create stress and uncertainty for families of MMIWG. Nations are forced to take a piece-meal approach to covering as many of the immediate expenses as possible to support their members due to restrictions in funding criteria and often use their own source revenue. Nations require flexibility to use funds to support

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MMIWG with impunity throughout the life-long process of healing, including for long-distance travel for community members to support events.

4. Facilitate, train, and sustain search and rescue teams, privileging local expertise and knowledge.

Develop search and rescue teams, implement sustained funding for existing teams, and offer ongoing training opportunities. These teams will recognize and utilize local expertise and knowledge, including local hunters and trappers.

5. Ensure capacity exists within Health and Wellness Centres and that Indigenous personnel are available with knowledge of both Indigenous and western therapeutic methods. Empower mental health teams to make innovations in response to community needs.

For appropriate care, many families of MMIWG access mental health supports in health and wellness centres. Their needs are specific as well as long-lasting. Mental health supports must be sustainable far into the future, available to all community members, and include Indigenous people trained in both western and non-western methods, as well as people who speak local languages. Capacity is needed to ensure professionals are available with expertise in addictions, ambiguous loss, bullying, grief, inter-generational trauma, trauma, lateral violence, and residential school traumas. Mental Health teams include Elders and are empowered to conduct long-lasting group work and home visits as necessary. Their irregular work hours are recognized and they are compensated appropriately.

6. Promote cultural revitalization for all citizens.

Equitable funding is required to acknowledge the elemental role that cultural revitalization has in community wellness. Children and adults of all ages and genders benefit from multiple opportunities to participate in, learn about, and lead cultural and spiritual activities. The fundamental role of culture in the development and sustenance of a Nation is nurtured and upheld by all.

7. All Nations have their own Canadian judicial system navigator.

Every facet of the current judicial system provides opportunities to fail Indigenous individuals and families; from first response, amidst critical incidents, investigations, within penal institutions, and throughout court processes. To explain this confusing and foreign justice

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system, each Nation's navigator maintains contact between families of MMIWG and current justice system processes.

8. Nations complete their own judicial processes.

Nations process Indigenous offenders and victims through Indigenous systems of justice, including Indigenous protective services.

9. The Canadian judicial system embraces decolonization.

The Canadian judicial system develops processes in partnership with Indigenous peoples to respond appropriately to First Nations' aspirations and concerns. Police forces are representative of the communities they serve, and include personnel fluent in Indigenous languages, where necessary. Police services undergo anti-bias and empathy training. Indigenous victims or families are represented by their own lawyers. A third party oversight committee of Indigenous and non-Indigenous people reviews and reports on police and court processes, including the conduct of Crown prosecutors, where Indigenous offenders and victims are involved.

10. Respite centres offer short-term and emergency support.

Nations acknowledge ongoing cycles of abuse and dysfunction while families continue to grapple with the long-term effects of colonialism. To offer respite from situations, Nations offer nearby safe sites for overnight stays where citizens access educational information, cultural, emotional, physical, and optional spiritual supports. These respite centres offer overnight facilities and supports that provide a local response and fill a crucial need. Community respite centres also provide respite for overburdened staff who need time to rest and replenish after work hours as is available to all other employees.

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APPENDIX A: SFNWC RESEARCH PROPOSAL IN PREPARATION FOR STANDING TO THE NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

INTRODUCTION

In April 2017, the FSIN Women's Secretariat submitted an Application for Standing, on behalf of the Saskatchewan First Nations Women's Commission, to the National Inquiry into Missing and Murdered Indigenous Women and Girls. In July 2017, the National Inquiry granted standing in Part II, for the Region of Saskatchewan, to the SFNWC and FSIN. According to the National Inquiry,

Part II will hear from individuals, and representatives, from institutions and organizations, Indigenous and non-Indigenous, including governments, and government agencies such as police authorities, and other institutions such as child welfare agencies in what will be called the "Institutional Fact Gathering Hearings".

<http://mmiwg-ffada.ca/en/legal-notice-and-documents/>

The Women's Secretariat is proposing that the presentation highlight key findings from previous reports and studies, including the role of governments and government agencies in perpetuating violence against Indigenous women, in a literature review; then focus on the roles, responsibilities and jurisdiction of First Nations governments in meeting the needs of their citizens. To gather the data required for the presentation, a survey of First Nations governments will be conducted followed by more in-depth case studies with First Nations who have assisted members searching for a family member who was missing or who was murdered.

This research project will support appropriate policy development for families of MMIWG in Saskatchewan, and help to advocate for appropriate cultural, mental health and financial supports through standing at the National Inquiry in Missing and Murdered Indigenous Women and Girls. Research is needed to have a thorough understanding of exactly how families of MMIWG are receiving support, and what support is still needed throughout the search or loss of their family member.

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ROLE OF THE SFNWC

The SFNWC firmly believes that First Nations governments have a critical role to play in alleviating violence against women. When a woman or girl is missing or murdered, family members contact their leadership seeking support. First Nations governments have limited capacity but support their citizens to the greatest extent possible. It is the responsibility of governments to develop the programs and services that their citizens require. In its presentation to the National Inquiry, the SFNWC will provide First Nation community-based perspectives on the kinds of supports that are requested and available to families of missing and murdered Indigenous women and girls. Gaps in services that must be alleviated will also be identified.

BACKGROUND

In 2015, the United Nations' *Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women* (the CEDAW Report) determined that in Canada, the State is responsible for acts of violence against Indigenous women and girls. The State is acknowledged to have created ongoing structural and systemic gender inequality and discrimination: "The Committee also notes that the root causes of such violence may be traced back to colonial and post colonial policies and practices and to the long-lasting socioeconomic marginalization of aboriginal peoples, which has not been sufficiently addressed." The United Nations Declaration on the Rights of Indigenous People (UNDRIP), article 22.2, states: States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination." In May 2016, Canada officially adopted UNDRIP, "without qualification." The United Nations continues to hold Canada to account for its continued marginalization of Indigenous women.

There is recognition in the international legal community that Canada has failed in its obligations to protect the human rights of Indigenous women. Thus together, Canada and First Nations governments must address the ways that policy, practice, and socio-economics continue to result in high levels of violence against Indigenous women.

The Royal Commission on Aboriginal Peoples (RCAP, 1996) preceded the CEDAW Report stating that the healthy operation of Indigenous families has been challenged through inappropriate government interventions, and "today's government have an obligation to make amends."

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Furthermore, RCAP states that reinstating the sacredness of women and children in family, community, and leadership is the most important step in ending the cycle of family violence.

It is clear that Canada has an international and national precedent to respond to the needs of Indigenous policy makers and governments to end violence against Indigenous women.

In Saskatchewan, some programs are available that are relevant and necessary to the families of missing and murdered Indigenous women and girls (MMIWG). However, the extent to which families are utilizing these programs is unclear. This research will identify the programs available and their use for the purposes of MMIWG. It will also determine what gaps continue to exist for the families of MMIWG. Additionally, it will help support policy development on what levels of governance are being accessed by families of MMIWG.

RESEARCH METHODOLOGY

This research will utilize primary and secondary sources of information as well as both quantitative and qualitative research methodologies. Secondary sources, in the form of research reports and studies on missing and murdered Indigenous women and girls will be reviewed and summarized in a literature review. The literature review is important in providing a description, summary, and critical evaluation of these works in relation to the research problem being investigated.

Primary data collection will involve conducting surveys with First Nations governments in Saskatchewan and following up with more in-depth case studies with select First Nations. The survey portion of data collection will involve telephone interviews beginning with leadership, possible a Councillor/Headman/ Headwoman. These initial contacts may suggest other participants including support workers, who will be able to provide additional detail to the First Nations survey. These contacts will be limited to three persons in each community to ensure the timeliness of this research, while ensuring the survey questions are answered to the fullest extent possible. The province-wide survey will provide quantitative data that will identify the extent to which First Nations communities are impacted by missing and murdered Indigenous women and girls.

Based on the initial survey, up to six First Nations will be identified and contacted by the Women's Secretariat for their interest and availability in participating in the case study portion of the research. The case studies will provide qualitative data and more detailed information on the type of services families of MMIWG request and receive from their Nations. Gaps in services will also be identified, which will provide the information that the National Inquiry needs to make appropriate

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recommendations in their report to governments. For the case studies, in person interviews will be conducted with staff members in these communities.

For both surveys, it is important that questions are not leading, and that the interviewer ensures that their voice is used minimally. This allows for interpretation and narrative to flow from the participant. The greatest breadth of story comes from the participant, and provides more information from their perspective.

The interviewer will describe the purpose of the research to the participant and request permission to record them. The interviewer will also assure participants that they will be able to review their words before use in submission. The interviewer will ask for permission to use names and, if not, for permission use their words anonymously.

OUTCOMES

This research project, including survey results and case studies, will be compiled into a research report, including qualitative and quantitative analysis. These will be used by SFNWC representatives to inform their presentations to the National Inquiry on Missing and Murdered Indigenous Women and Girls, and for future policy decisions of the SFNWC.

FIRST NATION SURVEY QUESTIONS

INTRODUCTION

1. How many families are you aware of in your community who are affected by the issue of MMIWG?
2. Are you able to share their names?

INTAKE

3. When a family experiences the tragedy of a murdered or missing family member, who do they contact for support in the community?
4. What kind of support are they seeking initially?

MISSING

5. Have you been asked to support search and rescue efforts?
6. Do you have expertise in this area?
 - a. If yes, what type of expertise?
 - b. If no, do you believe you need greater capacity in this area?

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7. Are you able to refer individuals to other search and rescue programs?
8. Do you know what is required to provide search and rescue services?
 - a. If yes, please elaborate

MURDERED

9. Do you believe the police and justice system deal adequately with murders of Indigenous women?
 - a. If no, what would a more appropriate response look like?
10. Do you have staff who can support families dealing with the justice system?
11. Do families go to you for support when their family member is murdered?
12. What kind of support is needed?
13. Do you know if families can access support from other organizations?
14. What kinds of support would you like to be able to provide if you could?

FUNERAL

15. Do families request support for funerals?
16. What specific needs do they have?
17. Is this specific to MMIWG or is it the same for all families?
18. Are you able to fulfill these requests? Why or why not? (Which program do the dollars come from, and if not, what program could work for these requests).
19. Can families access other support for funerals?
20. Do you have dedicated program dollars for funeral expenses?

PERSONNEL

21. Do you have a dedicated person to receive family members' requests?
 - a. If yes, what program or area does this person work in?
 - b. If no, who are these requests referred to?
22. Do you have any staff with specific training to work with families of MMIWG?
 - a. If yes, what type of training do they have?
 - b. If no, what type of training do you think would benefit them?

PROGRAMMING COSTS

23. Are you aware of any provincial or federal programs that support families?
 - a. If yes, do families have needs that fall outside the scope of these programs? What are they specifically?

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24. Which program area do you draw from for financial support?
25. Which program area do you draw from for personal, emotional, cultural support?
26. Can you give an approximate amount of the cost to support one family looking for a missing family member?
27. And for a family dealing with the murder of a family member?

FOLLOW UP

28. If/when families require ongoing support, what kind of support do they need?
29. Do you have dedicated personnel for ongoing support for families of MMIWG?
30. Do you have a dedicated program for ongoing support for families of MMIWG?
31. Do you have dedicated funding for ongoing support for families of MMIWG?
 - a. If not, what dollar amount would be needed annually?
32. Who do you think should be responsible for providing ongoing support?

CASE STUDY FOLLOW UP QUESTIONS

Interviewer will encourage participants to tell their story from their own perspective, instead of focusing on the questions. Questions are a jumping-off point into the experience of supporting families of MMIWG.

1. What have your experiences with families of MMIWG been like?
2. How were you able to support the families?
3. What impact did this experience have on you?
4. How do you think your support affected the families' experience?
5. What would you have liked to do for the family, but could not?
6. What are the greatest needs for families who have been searching for a family member for several months or years?
7. What are the greatest needs for families who are dealing with a murder?
8. Are long-term mental health, cultural or other supports required?
9. What do you think is needed to prevent violence against women in your community?
10. What do you think is needed to respond to violence against women in your community?

APPENDIX B: FSIN DECLARATION TO HONOUR INDIGENOUS WOMEN AND GIRLS

The Federation of Sovereign Indigenous Nations,

Guided by the principles of the Federation of Saskatchewan Indian Nations Convention Act, asserting the inalienable right of First Nations to determine our destiny, and retain inherent human rights, confirm our laws and institutions of government acknowledge our laws for regulating them, and maintain and enhance our Treaties in peace, order and good government,

Welcoming the United Nations Declaration on the Rights of Indigenous Peoples that affirms the right of Indigenous peoples to maintain our cultures free from prejudice and discrimination, particularly for women and children,

Also reaffirming the United Nations Declaration on the Rights of Indigenous Peoples recognition that Indigenous peoples' rights include the right to develop our own institutions with appreciation for universal human rights, and the guarantee that all rights and freedoms apply to male and female persons equally,

Endorsing the United Nations Convention on the Elimination of All Forms of Discrimination against Women requiring that States and organizations end discrimination against women; do not allow any action or deed to discriminate against women; achieve equality in social and political life between men and women through active measures and through changing social patterns of behaviour,

Acknowledging the Truth and Reconciliation Commission Calls to Action that requests the government of Canada to appoint a national inquiry into the victimization of Indigenous women and girls, and acknowledges that Treaty relationships are based on principles of mutual recognition, mutual respect, and shared responsibility,

Recognizing that Indigenous women hold important roles in our families and Nations, and in the governance of our people,

Reaffirming that Indigenous women and girls have participated in all areas of Indigenous life including ceremonial practices, child rearing, education, health, recreation, resource stewardship, economic development, livelihood and land protection,

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Acknowledging that Indigenous women and girls, as all people, continue through life stages at expected rates, with room for individual variation; and that life stages are often marked through specific ceremonies and rites,

Acknowledging further that, in Indigenous societies, women and girls are protected, honoured, and cherished throughout their life cycles in age and stage-appropriate ways,

Affirming and respecting the natural laws and protocols that guide relations between Indigenous men and women and honour the responsibilities of Indigenous men as protectors and enforcers of conduct appropriate to their honoured roles,

Therefore, the Federation of Sovereign Indigenous Nations Chiefs-in-Assembly

Solemnly proclaim that this **Declaration to Honour Indigenous Women and Girls** guides the Federation of Sovereign Indigenous Nations actions, activities, and attitudes towards Indigenous women and girls:

Article 1

The Federation of Sovereign Indigenous Nations and its governing and organizational structures will take responsibility and action to address the disproportionate victimization of Indigenous women and girls.

Article 2

In matters of governance and politics, Indigenous women have the right to participate at all levels of governance, including the Nation, tribal council, provincial and national levels, free from discrimination, physical, verbal, or emotional harassment; and with respect for both individual autonomy and democracy.

Article 3

Indigenous women and girls have the right to partake in ceremonial practices, childcare, education, health, recreation, resource stewardship, economic development, land protection and livelihood activities with full consideration for their important roles and responsibilities as life-givers of our Nations, free from disparagement, racism, sexual innuendo, harassment or assault; and with a reasonable expectation of physical and emotional safety.

Article 4

Indigenous women and girls have the right to physical, mental, emotional and spiritual protection. It is incumbent upon all others to ensure the safety of all women and girls.

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APPENDIX C: SFNWC PRESENTATION TO THE NATIONAL INQUIRY ON MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

This briefing provides a general overview of comments provided by women in leadership and women who have been on the front lines searching for missing loved ones and supporting families whose loved ones were victims of foul play. It addresses the needs of families when a loved one is missing or has been murdered.

FSIN met with women's organizations and councils in Saskatchewan to obtain their views and recommendations on missing and murdered Indigenous women and girls. These included the Iskwewak E-wichiwitochik, File Hills Qu'Appelle Tribal Council Women's Council, Prince Albert Grand Council Women's Commission Executive, and a family gathering hosted by FSIN. The women spoke about the overall and immediate need to support families, communities and frontline workers; the centrality of ceremony to community-building; the role of police in better communicating with families; what an Inquiry should accomplish; and anticipated outcomes all of which is summarized below. Highlights from participants appear in quotation marks.

The SFNWC believes that First Nations governments have a critical role to play in alleviating violence against women. When a women or girl is missing or murdered, family members contact their leadership seeking support. First Nations governments have limited capacity, and yet support their citizens to the greatest extent possible. It is the responsibility of governments to develop the programs and services that their citizens require. The United Nations Declaration on the Rights of Indigenous Peoples acknowledges the right of Indigenous peoples to participate in decision-making as well as the right of Indigenous peoples to self-determination and self-governance. First Nations governments, the federal and provincial governments, and First Nations citizens must all be involved in implementing initiatives and recommendations resulting from the National Inquiry.

Support Needed Now

Practical, Long Term and Community-driven Support

Families and individuals need support now and should not have to wait until the National Inquiry completes its work. Programs are needed for addictions, like drug and alcohol abuse, which are

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major causes of violence and spousal abuse. Additional women's shelters are needed, both rural and urban. A women's helpline should be established. Continuous networks of support for families are needed to ensure ongoing wrap-around support. This should include post-traumatic stress support and victim services specific to First Nations.

"Funding for this work should be implemented in the long term, from 15 to 50 years."

Ongoing Family Support and Community-based Opportunities

Provide opportunities for families to support each other. Some provincial and territorial governments provide funding for families to come together to support each other. There should be annual gatherings that provide peer support, healing through counselling and ceremony, and activities for families.

"We need to have a family forum in Saskatchewan. Moms, Dads, and siblings should be able to come together to support each other; and children and youth should be included."

Healing and Financial Support through Court Processes

The court process can re-traumatize families. Additional counselling support is needed during this time as well as advocates for families. Financial support is needed for families who have to travel to attend court.

"We should have our own victim services customized to our needs."

Search Support

A missing persons' office should be created for MMIWG to assist families and guide them throughout the search for a missing loved one. Funds are needed for searchers, to bring in search and rescue teams, to feed volunteers, for accommodation for extended family members and other volunteers who help conduct searches. Funds are needed to offer rewards to anyone who provides information that leads to solving a case.

"Some First Nations have search and rescue teams that can help families. We have to coordinate searches and we have to be able to pay their expenses."

Ceremonial Healing

Women see traditional ceremonies that support the personal growth of Indigenous women as central to moving forward as nations. These include rites of passage and the role of women as matriarchs. These important teachings can be balanced with Christian teachings, depending on the community.

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Reinforcements: Financial Support for Support Workers

Family support workers, such as counsellors, family violence workers and other wellness workers do not respond to family needs in 9 to 5 time frames. Funding for these positions should provide for overtime work done in prevention support of families. Support workers also travel, and should be funded for this commitment they make to families.

“We submitted proposals for a women’s shelter and family violence initiative but were denied. Perhaps with the new government we will be more successful.”

“We have domestic violence programs but no money, so it’s all volunteer.”

Beyond Trauma: Building Communities for the Future

In addition to ongoing support for ceremonies that remind women they are the centre of matriarchal societies, resources should be developed that lead to decolonization and healthy communities. This grassroots programming will support cultural education and cultural values revitalization, support land-based sovereignty, support language revitalization, and buttress healthy families. Workshops and education will also focus on self-awareness, lateral violence, and self-esteem.

“Our languages are very important. Our languages are our sovereignty.”

“There should be something in the schools. Our kids don’t know their culture. We have to be able to develop cultural programs and work with Elders.”

Better Communication between Police and Families:

Families said there is a need for quicker action and response time and that family members’ suggestions should be taken seriously. There should be a liaison person to keep families updated consistently throughout searches and investigations and to share information about following up on leads. In cases of missing persons, updates should be given to families, leadership and communities on progress being made or lack of progress. Police forces should increase cultural awareness and understand First Nations’ concerns relating to their investigations of MMIWG. Women also noted that some homicides are wrongly ruled suicides or accidents. This lack of investigation diminishes community confidence in police services.

“Why didn’t the police listen when they were called? We started searching ourselves, found some clues and only then they got involved. They didn’t seem to care, we don’t know if they searched where we indicated.”

“The RCMP conducted searches on Thursday and Friday and kept the family away. They

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left on Saturday with no word to the family.”

“There are so many in our community who have been murdered and nothing has been done. These murders remain unsolved.”

Holding Families Gently at the Centre

Because families are central to the Inquiry, their health and healing needs should be considered before, during, and after the Inquiry. Support systems and aftercare are important to ensure families receive the psychological and emotional support they need. Children who lost their mothers need to access counselling and healing programs and processes beginning with assessment services. Family members who are raising the children of the women who are missing and murdered also need additional support both financial and psychological. There should be a foundation for children left behind for healing programs and to provide financial support directly to families for children’s needs.

“How are we going to heal the children of missing and murdered Indigenous women? What supports are there?”

Create a report card system; create an action plan and implementation plan:

Research has been done already and resources should start flowing to communities for programs focussed on rebuilding families and dealing with violence. Recommendations from all previous reports should be compiled, reviewed and rated on implementation. An outcome of the National Inquiry should include a report card system that is subsequently and frequently reviewed. Public updates should be provided at five year intervals. An Action Plan that is First Nations-driven is needed.

“Develop an implementation plan that is monitored and evaluated.” “We have to keep focused. We need something to measure outcomes.” “Families need to be reassured this will result in action.”

Research

Examine male offenders and their motivation in order to enhance prevention efforts. Young men are getting involved in gangs at high rates in both urban areas and on reserves and First Nations are developing their own ways of intervening. Successful programs should be identified. The lack of services on-reserve must be addressed as well as the unique needs of individuals in urban areas including homelessness, lack of affordable housing, racism and discrimination.

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“An inquiry also has to focus on these men. Why are they doing this?”

“We have a Justice Council and people are asking us to call in different men so we can talk to them. They trust us. We make them aware of their actions, talk to them about their families and their ancestors so they know where they come from. We teach them respect, compassion and our values.”

“There are issues related to being an urban Native – the price of housing and unable to find jobs.”

Police Complicity

Investigate police complicity. Racism is evident and inherent in police practices as evidenced, in part, by police brutality towards First Nations peoples.

“I think the police are a big issue with missing and murdered Indigenous women.”

“They’re not the people we can go to for help.”

“When a police officer builds a good relationship with the community, they transfer them away.”

Anticipated Outcomes

Resources are required to support the development of programming both on and off-reserve in the following areas. These kinds of initiatives would not only reconcile Canadians but also protect Indigenous women and girls.

Prevention, Awareness and Education

Amongst Women

- Support women experiencing addictions and in the sex trade
- Provide workshops on self-defence and protection

“We had workshops in Regina with urban women including self-defence training.”

Amongst all Canadians

- Create a culture of respect for Indigenous peoples amongst new immigrants to Canada

“They bring their views from their country where they don’t respect women.”

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Amongst boys and men

- Conduct prevention work with boys and men
- Provide cultural opportunities and workshops focusing on respect for women
- Ensure men address their own issues

“We need someone to work with men who were abused.” “We have to help the men.”

Amongst youth

- Teach cultural values
- Enhance empathy, self-efficacy, and self-esteem
- Teach male and female roles
- Teach our ceremonies

“Teach children so they have something to be proud of.” “Young people go outside and there are predators there.”

Societal change

- Stigmatize violence
- Policy and legislative change
- Address homelessness and societal racism
- The justice system must be reviewed and “re-created”

“A lot of people accept violence and a lot of our people live in poverty. Ten, twelve-year-olds re homeless.”

“Invest energy and support Senator Lillian Dyck’s Bill S-215”

Programming in schools

- Provide Elder support
- Need land-based education
- Re-immersion in culture, learn from the Elders

“Ceremonies are so important to teach respect.”

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“There is nothing in the education curriculum that validates the sacredness of Indigenous women.”

Policing

- Address police racism
- Create education on police brutality or provide services to protect against police brutality
- Support development of Indigenous justice systems including personnel and victim services on reserve

“What if police beat me up and leave me there dead? What if they cover it up? I don’t trust the police.”

Media

- Address stereotypes reinforced by the media; protect the children of the missing and murdered “There’s a problem with the media and how they portray why Indigenous women are missing and murdered.”

Concluding Comments

“You can tell which of those young people listen to Elders. They have that listening, respect, love, and nurturing.”

“It will take a long time but we have to start someplace. We have to start in community settings.”

“Start at the community level. Solutions have to come from within.”

“It takes money to do this and it takes people who care.”

“We do not want this inquiry to sit on a shelf; something has to be done about this.”

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**APPENDIX D: ORGANIZATIONS OFFERING SUPPORT TO FAMILIES OF MISSING
AND MURDERED INDIGENOUS WOMEN IDENTIFIED BY SURVEY RESULTS**

Police Programs

Royal Canadian Mounted Police Victim Services

Local/Specific Programs

Meadow Lake School Division

Provincial Agencies

Child and Family Services

Religious Organizations

Catholic Family Services

Health Services

All Nations Healing Lodge

Regional Health Authorities

Battle River Treaty 6 Health Centre

Mental Health Services

Mental Health Services (Meadow Lake)

Mental Health and Addictions Services (Saskatoon)

National Organizations

Red Cross

Indigenous Regional Organizations

Battlefords Tribal Council

Battlefords Tribal Council – Justice Department

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File Hills Qu'Appelle Tribal Council

Meadow Lake Tribal Council

Prince Albert Grand Council

Prince Albert Grand Council – Health Program

Prince Albert Grand Council – Social Program

Saskatoon Tribal Council – Critical Incident Stress Management Team

Indigenous Provincial Organizations

Federation of Sovereign Indigenous Nations (FSIN)

fSIN – Women's Commission

Indigenous National Organizations

Native Women's Association of Canada

Non-Affiliated Supports

Elders

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APPENDIX E: SEARCH AND RESCUE SUPPORTS IDENTIFIED BY SURVEY
RESULTS

Search and Rescue Teams

La Ronge

First Nations Programs

Peacekeepers

First Nations Police

Fire and Rescue teams

Local Emergency Response Services

Emergency Services (Maple Creek)

RCMP

Canadian Army

Rangers (4th Canadian Ranger Patrol Group)

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APPENDIX F: COMMUNITY JUSTICE SYSTEM NAVIGATORS IDENTIFIED BY
SURVEY RESULTS

Nation

Elders

Health Clinic

Justice Worker

Wellness Worker

Mental Health Worker

Prevention Worker

Tribal Council

Battlefords Agency Tribal Council Justice Coordinator

Prince Albert Grand Council Justice Program

RCMP

Victims' Services

Provincial

Saskatchewan Justice Indigenous Resource Officer Program

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APPENDIX G: FINANCIAL NEEDS OF FAMILIES OF MMIWG IDENTIFIED BY
SURVEY RESULTS

Travel Needs

Ceremonial leaders travel to support funerals

Court appearances

Family travel to funerals and memorials

Legal advice/advocacy

Transportation of body

Awareness and Communication

Conference attendance

Flyers

Media

Funerals

Casket

Clothing for deceased

Cultural costs including ceremonial items (tobacco, etc., Elders, honoraria)

Flowers

Food

Grave digging

Memorial cards

Services

Venues

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Liaising with the Justice System

Indigenous, non-affiliated Justice worker (akin to Justice worker, court worker, Victims Services, Offender mediation)

Mental Health Supports

24-hour crisis line

Addictions awareness

Addictions Treatment

Counselling (culturally relevant with emphasis on trauma, grief and loss)

Group Therapy programs

Search and Rescue

Training

Personnel

On-going funding

Ongoing Cultural Support

Elders

Healing Gatherings

Memorial Feasts

Memorial Round dances

Community and Prevention

Community retreats

Education (equitable funding for K-12 education)

Family retreats

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Family support programs

Healing Circles

Parenting programs

Youth cultural camps

**APPENDIX H: SFNWC FSIN FOURTH VICE CHIEF HEATHER BEAR
PRESENTATION TO THE NATIONAL INQUIRY INTO MISSING AND MURDERED
INDIGENOUS WOMEN AND GIRLS**

December 12, 2018

- Good afternoon Commissioner Buller and Commissioners of the National Inquiry.
- I give thanks to the Elders who blessed us with prayer to start our day.
- I am honoured to be here on behalf of the Federation of Sovereign Indigenous Nations and the Saskatchewan First Nations Women's Commission.
- The FSIN represents 74 First Nations in Saskatchewan and is committed to honouring the spirit and intent of Treaties entered into more than a century ago between First Nations and the British Crown.
- The Women's Commission exists within the FSIN governance structure and is the recognized political voice for the advancement of First Nations women's and children's rights in Saskatchewan.
- The Women's Commission is comprised of women who are Chiefs, Tribal Chiefs, and members of the FSIN Senate.
- If we know and understand our traditional values, we know that Indigenous women have special roles as life-givers and keepers of our cultures and traditions.
- Women are also instrumental in providing guidance to their respective Nations, which they did at the time of Treaty negotiations.
- The Crown entered into Treaties 4, 5, 6, 8 and 10 with the Cree, Saulteaux, Dene and Nakota Nations in the territories that the FSIN and the Women's Commission represent.
- The oral and written text of Treaties are foundational to the Canadian State and must be implemented in a way that honours their true spirit and intent, which includes the principle that Indigenous women and families would continue their ways of life and prosper.
- However, as you've heard, and as you presented in your interim report, the impacts of colonization and euro-centric attitudes expressed in Indian policies have worked to denigrate and displace Indigenous women from their esteemed positions.

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- The ongoing effects of colonization and Indian policy must be directly addressed by the Canadian State working in concert with Indigenous peoples.
- Indigenous women must be afforded security and protection as promised in Treaty and stated in International Conventions.
- Measures must be taken to implement the United Nations CSW57 for the elimination and prevention of all forms of violence against women and girls.
- It provides an action plan and breaks it down into four P's:
 - Protection of human rights;
 - Prosecution of offenders;
 - Prevention of violence; and
 - Provision of services to victims and survivors.

PROTECTION OF HUMAN RIGHTS

- The first pillar is protection of human rights. Women's rights are human rights.
- The Canadian State is absolutely obligated to uphold the civil liberties and fundamental human rights of Indigenous women as they do for all Canadians.
- According to the International Centre for Research on Women, violence against women and girls is among the most universal and pervasive human rights violations, affecting at least a billion women across the globe.
- Indigenous women are 7 times more likely to be murdered than non-Indigenous Canadian women.
- As Indigenous peoples we feel the effects of this rampant violence against women in our homes, in our schools and in urban areas.
- We see the negative effects and outcomes in the child welfare system, in safe shelters, in youth detention facilities, in prisons, and in the high number of our women and girls who are missing or who have been murdered.
- At this time, I would like to thank the families who have had the strength and courage to stand up to this injustice despite their tremendous loss and grief.

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- It is the families that have been at the front lines organizing searches, marches and vigils year after year.
- Collectively, they have been the conscience of the Canadian public, and the federal and provincial governments.
- Their efforts and those of the hundreds of volunteers across the country have been the heart and soul of this movement that acknowledges, honours and respects the memories of the mothers, daughters, sisters, aunties and relatives who left us far too soon and those they are still searching for.
- Their efforts brought about this Inquiry. We lift up, honour, and thank the families for that.
- Men have left us too, as well as LGBTQ2S individuals, and we mourn their loss as well.
- We hope for a better future where every human being is respected and honoured, and does not live in fear of their fellow citizens.
- In order to effect change, we must empower women and girls, men and boys, to challenge – and change – the norms where gender stereotypes, everyday sexism and rape culture are commonplace.
- Where violence against women is accepted.
- Where Indigenous women are viewed as expendable and are targeted by predators because they are Indigenous and because, in Canadian society, the lives of Indigenous women are valued less than other women.
- But violation of our women doesn't take place only at the individual level.
- It is also perpetrated by police agencies and the State of Canada.
- In 2015, Human Rights Watch responded to calls from Indigenous women and non-government organizations in Saskatchewan for an investigation into police brutality towards Indigenous women.
- They undertook research and released a submission to the Government of Canada in June 2017 on Police Abuse of Indigenous Women in Saskatchewan and Failures to Protect Indigenous Women from Violence.

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- They documented dozens of accounts of police neglect when domestic violence was reported, as well as inappropriate and invasive body and strip searches, sexual harassment, and physical assault.
- Indigenous women reported a deep mistrust of law enforcement and fear that they would face retaliation if they filed a complaint against a police officer.
- The FSIN and the Women's Commission endorsed the findings and recommendations and formally presented the report to you, Chief Commissioner, in July 2017.
- We noted that it was referenced in your interim report and we thank you for that acknowledgement.
- Today, we call on you collectively, as Commissioners of the National Inquiry, to go beyond acknowledgement and ensure your final report includes recommendations directed towards police violence and abuse towards Indigenous women.
- We support Human Rights Watch in calling for the implementation of all recommendations made to Canada in 2015 under the UN Convention on the Elimination of all Forms of Discrimination against Women.
- This endorsement includes all recommendations that directly implicate the police, including recommendations dealing with:
 - data collection;
 - inter-agency and inter-jurisdictional cooperation;
 - increasing the number of female and Indigenous police officers;
 - strengthening police complaints mechanisms;
 - improving access to the justice system;
 - improving victim services; and
 - taking measures to eliminate institutional stereotyping of Indigenous women.
- We endorse all other recommendations made by Human Rights Watch including:
 - establishing an independent special investigation unit at the provincial level for reported incidents of serious police misconduct;
 - establishing detox facilities and alcohol management programs, where medical and social services personnel can provide appropriate care in a culturally sensitive way;
 - ensuring that complainants are protected from police retaliation;

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- ensuring that police forces have knowledge about Indigenous history, the legacy of colonial abuses, including policing abuses, and human rights policing standards;
 - improving police training on de-escalation;
 - ensuring prompt, thorough, and respectful police response to allegations of violence against Indigenous women;
 - ending body searches of women and girls by male police officers and ensuring that any searches are fully documented and reviewed by supervisors and commanders;
 - prohibiting all strip searches of women and girls by male police officers;
 - ensuring that women in custody are ordered to remove their bras only in exceptional circumstances;
 - ensuring that there is a sufficient number of female officers to conduct searches and ensure the safety and security of female detainees;
 - in situations of intimate partner violence, ensuring charges are laid against the dominant aggressor and avoid dual charges against both the victim and perpetrator of violence; and
 - with the guidance of Indigenous women leaders, and in cooperation with Indigenous organizations, establishing ethically appropriate data collection protocols to make available to the public accurate and comprehensive race- and gender-disaggregated data that includes an ethnicity variable on violence against Indigenous women, as well as on use of force, police stops, and searches.
- As noted earlier, violation of our women is also perpetrated by government agencies.
 - In 2015, several Indigenous women in Saskatchewan publicly revealed they had been forced into having a tubal ligation immediately after childbirth.
 - In 2017, FSIN was invited to participate in a focus group led by Dr. Yvonne Boyer, who is a Canadian lawyer recently named to the Senate of Canada.
 - At that time Dr. Boyer, along with Dr. Judith Bartlett, was completing an external review on the forced sterilization of Indigenous women in Saskatchewan and called upon representatives from the Indigenous community to participate in the data analysis and guide the findings to be included in their report.
 - It was clear that the women experienced not only racism and discrimination but also abuse of power, psychological intimidation, and physical violence leading to coerced sterilization.

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- The Saskatchewan First Nations Women's Commission met with one of the victims and her legal counsel and brought a resolution to the FSIN Chiefs Legislative Assembly in May, 2018, which passed unanimously.
- The resolution states, in part, that the Chiefs-in-Assembly support efforts to work in concert with survivors and their legal representatives to put a stop to the forced sterilization of Indigenous women.
- The Women's Commission subsequently brought a similar resolution to the Assembly of First Nations, which was also passed unanimously by Chiefs across Canada.
- The forced sterilization of Indigenous women by medical professionals breaches the free, prior and informed consent standards contained in the United Nations Declaration on the Rights of Indigenous Peoples.
- The forced sterilization of Indigenous women falls under the internationally accepted definition of genocide.
- It violates the right and sovereignty of women over their own bodies.
- The FSIN and the Women's Commission supported the survivors and their legal counsel in bringing this egregious act to the attention of the United Nations Committee Against Torture just last month.
- Last week, the Committee made the following recommendations:
 - that all allegations of forced or coerced sterilization are impartially investigated;
 - that the persons responsible are held accountable;
 - that adequate redress is provided to the victims; and
 - that legislative and policy measures are adopted to prevent and criminalize the forced or coerced sterilization of women.
- These conclusions confirm that Canada is torturing Indigenous women through forced sterilization.
- Violence against Indigenous women is particularly heinous when it falls within the parameters of institutional violence and violence committed by the State.

PROSECUTION OF OFFENDERS

- A second pillar in the United Nations CSW57 for the elimination and prevention of all forms of violence against women and girls is prosecution of offenders.
- We have two recommendations in this regard.
- We call on the Commissioners of the National Inquiry to support Indigenous peoples, the FSIN, the AFN and other Indigenous organizations in calling for changes to the *Criminal Code* to make the forced sterilization of women a crime.
- The State of Canada and its public officials must be held accountable.
- Two years ago, I stood before the Standing Senate Committee on Legal and Constitutional Affairs to express support for Senator Lillian Dyck's Bill S-215, An Act to amend the Criminal Code for sentencing for violent offences against Aboriginal women.
- In 2016, the Saskatchewan First Nations Women's Commission brought resolutions to the FSIN and AFN Chiefs Legislative Assemblies and gained support for the Bill, which is now before the House of Commons.
- If passed by Parliament, the Criminal Code would be amended and the Courts will be required to consider the fact that when the victim of an assault, sexual assault, or murder is an Aboriginal female, this constitutes an aggravating circumstance for the purpose of sentencing the perpetrator.
- We agree with Senator Dyck that this change will send a clear signal that the lives of all women and girls are valued and precious, whether or not they are Indigenous.
- In my presentation to the Standing Senate Committee, I spoke briefly about the relationship between the *Criminal Code* amendments proposed in Bill S-215 and *Gladue* factors.
- Some might argue that Bill S-215 works against the Supreme Court of Canada's directive in *Gladue* but I believe it balances the rights and interests of Indigenous women and men by ensuring that the courts take both into consideration.
- When Indigenous women are victims of crime and only *Gladue* factors are taken into consideration in sentencing, the rights of Indigenous women to the full protection of the law are dismissed.

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- Amending the *Criminal Code* through Bill S-215 and requiring a court to take Aboriginal female identity into account during sentencing will help to ensure there is no bias against the victim that makes her case less serious in nature compared to any other female.
- With the passage of Bill S-215, when *Gladue* factors are taken into consideration by a court, the impacts on both the victim and the perpetrator will have to be considered equally.
- We cannot expect anything less from the justice system.

PREVENTION OF VIOLENCE

- A third pillar in UN CSW57 is prevention of violence.
- Much of the prevention and awareness begins with educating both Indigenous and non-Indigenous people, which requires a long-term commitment from governments at all levels.
- In particular, fostering caring communities from young person to young person is the most sustainable and meaningful work that each individual and community can take to move forward in a supported, positive environment where violence is no longer a part of values of masculinity.
- We need to work on revitalizing our special roles as Indigenous women.
- Prevention and awareness also begins with acknowledging there is a problem and showing that Indigenous women matter.
- We need to focus on community safety. Communities cannot be expected to deal with crises on their own without any added capacity.
- Resources need to be adequate and the focus must be on community wellness.
- All community members should be afforded the opportunity to heal.
- Decolonizing our Nations needs to take place by supporting the infusion of cultural teachings and language.
- The protective roles of men and boys need to be re-taught and enhanced.
- I reiterate support for the call to implement all recommendations made to Canada in 2015 under the UN Convention on the Elimination of all Forms of Discrimination against Women

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- Recommendations from the CEDAW report, that must be addressed, include the following areas:
 - measures to significantly improve socio-economic conditions;
 - national strategies dealing with anti-poverty, food security, housing, education and employment;
 - measures to increase access to mental health services and treatment for addictions;
 - addressing the excessively high number of Indigenous children in the child welfare system;
 - developing a National Action Plan, in concert with Indigenous peoples, to address all forms of violence against Indigenous women;
 - ensuring there is sufficient human and financial resources to effectively implement the Plan; and
 - establishing a mechanism to monitor and evaluate implementation of the Plan.

PROVISION OF SERVICES TO VICTIMS AND SURVIVORS

- A fourth pillar deals with provision of services to victims and survivors.
- You have heard first hand from families across the country and very likely heard what I am about to present as recommendations from family members.
- Nevertheless, I feel I would do an injustice to them if I don't include their views in my presentation.
- Families need practical, long-term and community-driven support focussing on capacity:
 - Programs for addictions, which are major causes of violence and spousal abuse.
 - Additional women's shelters are needed, both rural and urban.
 - A women's helpline should be established.
 - Continuous networks of support for families are needed to ensure ongoing and wrap-around support.
 - This might include post-traumatic stress support and victim services specific to First Nations.
- Ongoing family support and community-based opportunities are needed:
 - There should be annual gatherings that provide peer support, healing through counselling and ceremony, and activities for families.

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- In their words, “We need to have a family forum in Saskatchewan. Moms, Dads, and siblings should be able to come together to support each other; and children and youth should be included.”
- Healing and Financial Support through Court Processes
 - The court process can re-traumatize families.
 - Additional counselling support is needed during this time as well as advocates for families.
 - Financial support is needed for families who have to travel to attend court.
 - In their words, “We should have our own victim services customized to our needs.”
- Search Support
 - Create a missing persons office for MMIWG to assist and guide families throughout the search for a missing loved one.
 - Funds are needed to bring in search and rescue teams and for accommodation, food and supplies for volunteers who help conduct searches.
 - In their words, “We have to coordinate searches and we have to be able to pay expenses.”
- Ceremonial Healing
 - Traditional ceremonies that support the personal growth of Indigenous women is central to moving forward as nations.
 - These include rites of passage and the role of women as matriarchs.
 - These important teachings can be balanced with Christian teachings, depending on the community.
- Building Communities for the Future
 - Resources should be developed that lead to decolonization and healthy communities.
 - This grassroots programming supports cultural education, revitalization of cultural values, land-based sovereignty, language revitalization, and strengthen healthy families.
 - Workshops and education focus on self-awareness, lateral violence, and self-esteem.
 - In their words, “Our languages are very important. Our languages are our sovereignty.”
 - “Our kids don’t know their culture. We have to be able to develop cultural programs and work with Elders.”

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- Better Communication between Police and Families:
 - Families said there is a need for quicker action and response time and that family members' suggestions should be taken seriously.
 - There should be a liaison person to keep families updated throughout searches and investigations and to share information with families.
 - In cases of missing persons, updates should be given to families and leadership on progress being made or lack of progress.
 - Police forces should increase cultural awareness and understand First Nations' concerns relating to their investigations of MMIWG.
 - Families also noted that some homicides are wrongly ruled suicides or accidents.
 - This lack of investigation diminishes community confidence in police services.
 - In their words, "Why didn't the police listen when they were called? We started searching ourselves, found some clues and only then they got involved. They didn't seem to care, we don't know if they searched where we indicated."
 - "The RCMP conducted searches ... [and] left with no word to the family."
 - "There are so many in our community who have been murdered and nothing has been done. These murders remain unsolved."
- Holding Families Gently at the Centre
 - Support systems and aftercare are important to ensure families receive the psychological and emotional support they need.
 - Children who lost their mothers need to access counselling and healing programs.
 - Family members who are raising the children of the women who are missing and murdered need additional support both financial and psychological.
 - There should be a foundation for the children left behind.
 - In their words, "How are we going to heal the children of missing and murdered Indigenous women? What supports are there?"
- Create a report card system, an action plan and an implementation plan:
 - Research has been done and resources should start flowing to communities for programs focused on rebuilding families and dealing with violence.
 - An outcome of the National Inquiry should include a report card system that is frequently reviewed.

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- Public updates should be provided at five year intervals.
 - An Action Plan that is First Nations-driven is needed.
 - In their words, “Develop an implementation plan that is monitored and evaluated.”
 - “We have to keep focused. We need something to measure outcomes.”
 - “Families need to be reassured this will result in action.”
- Resources are required to support the development of programming both on and off-reserve in all of these areas.
 - One recommendation we received as recently as two weeks ago is a request from a family member that the National Inquiry hold a family gathering before your final report is released to seek input from family members on the recommendations that you’ll be presenting. We support this request and encourage you to seek additional resources from Canada for such a gathering.
 - In this part of my presentation, I also bring to your attention the results of research undertaken by the FSIN and the Saskatchewan First Nations Women’s Commission.
 - The full report will be submitted later this week, but today, I present highlights and recommendations.
 - The Women’s Commission firmly believes that First Nations governments have a critical role to play in alleviating violence against women.
 - To gather the data required for the report, a survey of First Nations governments was conducted followed by more in-depth case studies with First Nations who have assisted members searching for a family member who was missing or who was murdered.
 - Our staff gathered 50 surveys from 74 First Nations or 68% of the First Nations in Saskatchewan.
 - Case studies were conducted with 4 First Nations.
 - 76% of the First Nations surveyed had families affected by the issue of missing and murdered Indigenous women and girls.
 - 90% of the families affected looked to their First Nation for support.
 - When contacting their First Nation governments, inquiries were directed to health and wellness centres or directly to elected leaders, including Chief and Council.

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- The supports they were seeking mirror what we heard from families including:
 - mental health services and emotional support;
 - support from Elders and for ceremonies;
 - help with search and rescue efforts;
 - immediate financial support; and
 - other supports such as awareness raising, court attendance, funeral arrangements and expenses, and investigative or police liaison support.
- When community members go missing, 57% of Nations are asked to support search and rescue efforts.
- Only 16% of these report expertise in this area, including active fire departments, first responders, a trained emergency response or crisis team, a search and rescue team, or experienced trappers and hunters available in the community.
- As expected, 88% of Nations reported a greater need for capacity in this area.
- Only 18% had a person trained to intake families of MMIWG. These were largely mental health professionals.
- Families require mental health and emotional supports provided by Indigenous staff with appropriate cultural background and language capabilities.
- The terminology used in the area of mental health includes supports for addictions, ambiguous loss, bullying, grief, inter-generational trauma, lateral violence, residential school trauma, and wellness.
- Other suggestions included a whole-family or community approach that includes respite care, support for mental health workers, community leaders, front line workers, and volunteers.
- Another segment of families specifically require cultural support and support from Elders. In the Indigenous understanding of holistic wellness, preventative and wrap-around supports were also suggested, including funding for youth camps, parenting programs, family and community retreats, ongoing support groups, healing gatherings, and women warriors groups.
- The tragedy and trauma of MMIWG demands that Nation-States, like Canada, address and redress the destructiveness of ongoing colonialism that marginalizes Indigenous women.

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- Through the survey and case studies, Indigenous Nations have clearly and unequivocally demonstrated that Indigenous nationhood, including control over holistic approaches to justice, medicine, and mental health; in addition to the expertise of the best of Western therapies, search and rescue, and justice, will build strong peoples.
- First Nations in Saskatchewan provide the best of their cultural and spiritual practices to families of MMIWG, with what limited human and therapeutic support they have, and piece together a community response of awareness and mourning.
- Each survey and case study demonstrates this human excellence.
- What they also demonstrate, is how far-reaching the implications of each MMIWG experience is; as family members, volunteers, first-responders, front-line workers, and leaders find their own mental health depleted while they support their relatives, friends, and citizens.
- I conclude my presentation with the following recommendations on behalf of our Peoples and Nations.

1. Recognize the sovereignty of Indigenous Nations as Nation to Nation Treaty partners

- Indigenous sovereignty means that we, as Indigenous Nations, are in control of our own destinies and reaffirm the appropriate roles that support men, women, transgendered and intersex individuals, and implement the holistic understandings of community well-being that ensure the self-actualization of citizens.

2. Support the development of wrap-around emotional support for the entire community

- Providing support for families of MMIWG is not the work of one individual, in one department.
- Other family members, Elders, front-line workers in several departments, and volunteers, are all involved in offering support.
- All these individuals deserve to be acknowledged, that their work is never-ending, and fundamentally requires respite for their own mental, emotional, physical and spiritual well-being alongside family and community services in these areas.
- This entails transforming work-place cultures to recognize mental health needs; the provision of ceremonies and Elders for those who offer support to families; and addressing the irregular timeframes need to support families, with time for workers to access emotional, mental, physical, and spiritual recuperation.

3. Empower departments to be financially flexible and responsive

- The jurisdictional shuffle between departments can create stress and uncertainty for families of MMIWG.
- Nations are forced to take a piece-meal approach to covering as many of the immediate expenses as possible to support their members due to restrictions in funding criteria and often using their own source revenue.
- Nations require flexibility to use funds to support MMIWG with impunity throughout the life-long process of healing, including for long-distance travel for community members to support events.

4. Facilitate, train, and sustain search and rescue teams, privileging local expertise and knowledge

- Develop search and rescue teams, implement sustained funding for existing teams, and offer ongoing training opportunities.
- These teams will recognize and utilize local expertise and knowledge, including local hunters and trappers.

5. Ensure capacity exists within Health and Wellness Centres and that Indigenous personnel are available with knowledge of both Indigenous and western therapeutic methods

- For appropriate care, many families of MMIWG access mental health supports in health and wellness centres. Their needs are specific as well as long-lasting.
- Mental health supports must be sustainable far into the future, available to all community members, and include Indigenous people trained in both western and non-western methods, as well as people who speak local languages.
- Capacity is needed to ensure professionals are available with expertise in addictions, ambiguous loss, bullying, grief, inter-generational trauma, lateral violence, and residential school trauma.
- Mental Health teams include Elders and are empowered to conduct long-lasting group work and home visits as necessary.
- Their irregular work hours are recognized and they are compensated appropriately.

6. Promote cultural revitalization for all citizens

- Equitable funding is required to acknowledge the elemental role that cultural revitalization plays in community wellness.
- Children and adults of all ages and genders benefit from multiple opportunities to participate, learn about, and lead cultural and spiritual activities.
- The fundamental role of culture in the development and sustenance of a Nation is nurtured and upheld by all.

7. All Nations have their own Canadian judicial system navigator

- Every facet of the current judicial system provides opportunities to fail Indigenous individuals and families; from first response, amidst critical incidents, investigations, within penal institutions, and throughout court processes.
- To explain this confusing and foreign justice system, each Nation's navigator maintains contact between families of MMIWG and current justice system processes.

8. Nations complete their own judicial processes

- Nations process Indigenous offenders and victims through Indigenous systems of justice, including Indigenous protective services.

9. The Canadian judicial system embraces decolonization

- The Canadian judicial system develops processes in partnership with Indigenous Peoples to respond appropriately to First Nations' aspirations and concerns.
- Police forces are representative of the communities they serve, and include personnel fluent in Indigenous languages, where necessary.
- Police services undergo anti-bias and empathy training.
- A third party oversight committee of Indigenous and non-Indigenous people reviews and reports on police and court processes, including the conduct of Crown prosecutors, where Indigenous offenders and victims are involved.

10. Respite centres offer short-term and emergency support

- Nations acknowledge ongoing cycles of abuse and dysfunction while families continue to grapple with the long-term effects of colonialism.
- To offer respite from situations, Nations offer nearby safe sites for overnight stays where citizens access educational information, cultural, emotional, physical, and optional spiritual supports.

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- Researchers, communities, leaders, and front-line workers agree that the violent experiences of Indigenous women on and off-reserve will be best prevented and redressed through greater control over and access to Indigenous approaches to Indigenous justice and health, including the wrap-around support of a rich and vibrant culture.
- In addition to the need to protect and preserve the lives of Indigenous women and girls, federal and provincial governments must respect and support Indigenous governance in ways that will prevent tragedy, and uplift those that remain behind.
- No one understands this better than Indigenous Peoples.
- Our fundamental belief is that maintaining control over land, policy, health, and law – including culture, language, and ceremony – will result in a decrease in vulnerability to violence for Indigenous women and girls.
- Thank you for this opportunity to share.



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