

**CANADA
PROVINCE OF PRINCE EDWARD ISLAND**

**IN THE MATTER OF THE NATIONAL INQUIRY INTO MISSING
AND MURDERED INDIGENOUS WOMEN AND GIRLS**

**Written Submissions Prepared on behalf of
the Government of Prince Edward Island
December 14, 2018**

Introduction and Background

The Government of Prince Edward Island welcomes the opportunity to provide written submissions to the National Inquiry into Missing and Murdered Indigenous Women and Girls (the “Commission”). We look forward to the receipt of the Commission’s final report in April of next year. Government hopes that the report will provide constructive recommendations for effective action to prevent and eliminate all forms of violence against Indigenous women and girls. It is also vitally important that continuing aftercare services be provided to ensure that individuals who have been impacted by the loss of a loved one and have had to re-visit the details of that loss through the Commission process are appropriately supported.

In September 2016, the Government of Prince Edward Island, in harmony with other Canadian provinces and territories, issued an Order in Council pursuant to section 2 of the *Public Inquiries Act*, R.S.P.E.I. 1988, Cap. P-31 in support of and to further the work of the Commission which was established by the Government of Canada.¹ Following the extension granted by the Government of Canada, a further Order in Council was issued to extend the deadline for the delivery of the Commission’s final report from November 1, 2018 to April 30, 2019.²

The Commission did not hold any public hearings in Prince Edward Island. However, Prince Edward Island families were provided with the opportunity to participate at the public hearings held in Moncton New Brunswick before Commissioner Audette on February 13 and 14, 2018. Several Prince Edward Island families made the trip to Moncton to provide their experiences. As well, statement takers attended in Prince Edward Island to take statements from individuals who were not able to travel to Moncton or wished to provide their statements in a private setting.

¹ EC2016-611 issued September 13, 2016

² EC2018-687 issued October 31, 2018

The Family Information Liaison Unit (FILU)
- from Susan Maynard, Provincial Manager, Office of Victims Services

In Prince Edward Island, the Office of Victims Services obtained federal funding to establish a FILU (herein, "FILU" or the "Unit") office for families in Prince Edward Island to provide a centralized, coordinated mechanism for family members of missing or murdered Indigenous women and girls to access requested information related to the loss of their loved one. The work included five key components:

- 1) The Provincial Manager, Victim Services was designated as the central contact to establish the Unit and provide a dedicated liaison function between families of missing and murdered Indigenous women and girls participating in the inquiry and other government, Indigenous and community agencies and services, including the criminal justice system, social services, and policing in PEI.
- 2) A FILU Advisory Council comprised of representation from Indigenous organizations, family, community and health supports was established to help guide the development of the FILU and the delivery of culturally responsive services.
- 3) A research, planning and development phase engaged members of the Indigenous Community to help define the needs and guide the provision of culturally responsive services. A research report, with recommendations, is being reviewed and considered by a committee of government and Indigenous community organization representatives.
- 4) Funding was received for an Indigenous Support Coordinator position within Victim Services to assist in providing outreach, direct services and aftercare for families.
- 5) The work is also supported by a Cultural Support Fund to assist with costs such as counseling or therapeutic activities.

The Unit worked closely with 11 families, comprising 18 individuals. Support was provided during the registration process, as well as direct support to 7 families (13 individuals) who participated and gave testimony at the National Inquiry hearings in Moncton, N.B. in February 2018. PEI FILU staff attended the hearings with families and provided additional health supports. Two families who registered did not attend the hearings but have received information and aftercare support through

the FILU.

Those who participated in the Inquiry hearings were pleased with the opportunity to give testimony and have their voices heard. As a result of their involvement with the PEI FILU, a number of families were able to obtain information from police reports, autopsy reports and court records to answer questions and bring closure. The process has also helped reduce further trauma to the next generation of adults and children who will now have answers. Families are at various stages of accessing and implementing their aftercare plans, supported by both the National Inquiry and the PEI FILU.

The Unit will continue to be involved with these families and others to help ensure that the information and after care needs are addressed and responded to in a coordinated and dedicated manner, and in doing so, we will complement the overall inquiry objectives.

The Unit also complements and works collaboratively with other existing mechanisms that assists families. Follow-up on the research report will continue in partnership with government and Indigenous organizations. Project ideas are currently being developed, including work on a PEI specific tool kit to assist in responding in a case of a missing or murdered Indigenous person. This work intends to bring together youth, families, community and policing to help break down any barriers to reporting and responding in an appropriate and timely manner.

As the National Inquiry process winds down and the final report is submitted, there will be work with families to process the findings and recommendations and plan for any gatherings, commemorations or memories that might be requested by families.

Prince Edward Island Initiatives

While no system is perfect, and improvement is always possible, Government would like to highlight some of the changes and initiatives undertaken to provide improved engagement with and input from the Indigenous community in Prince Edward Island, primarily through the two First Nations on Prince Edward Island, namely the Abegweit First Nation and the Lennox Island First Nation. The following are just some examples:

1) Child Protection

Under the Prince Edward Island *Child Protection Act*, R.S.P.E.I. 1988, Cap. C-5.1, the “best interests of the child” must take into consideration the cultural, racial, linguistic and religious heritage of a child and, in the case of an aboriginal child, the importance of preserving the cultural identity of the child must also be considered.³ Further, when an investigation involving a child believed to be an aboriginal child and a registered member of a band, or entitled to be so registered, is opened, notice of the investigation is to be provided to a designated representative (designated by a band council) of the band.⁴ Similar notice provisions apply in the case of planned apprehensions and apprehensions of children believed to be aboriginal. The involvement of a designated representative is intended to encourage a culturally sensitive approach to individual, family and community interests as part of the process.

As well, a publication was produced, in consultation with the Mi’kmaq Confederacy of Prince Edward Island as a resource guide for use in child protection matters to enhance awareness of aboriginal culture and services available for aboriginal families in Prince Edward Island.⁵

³ s. 2(2)(i), (j)

⁴ ss. 12(3.1),(3.2)

⁵<https://www.princeedwardisland.ca/en/publication/aboriginal-cultural-connections-child-protection-resource-guide.pdf>

Further, under s. 58(1) of the *Child Protection Act*, every five years, the Minister responsible must establish an advisory committee which is tasked with the job of reviewing the Act and reporting back to the Minister regarding the operation and administration of the Act and whether or not the principles and purposes of the Act are being achieved.

2) Poverty Reduction Action Plan

In November 2017, Government committed to developing a collaborative poverty reduction action plan for the province.⁶ In February 2018, a Poverty Reduction Advisory Council, which includes a representative from the Mi'kmaq Confederacy, was established to guide the work. The province has now committed approximately \$68 million over the next five years to the further development and implementation of the plan with several initiatives aimed at vulnerable and at-risk populations such as women and youth.

The initiatives include support for the establishment of a women's shelter, more affordable housing, minimum wage increases, and identifying vulnerable populations and the factors that influence their health status and relationship with the health system. Further, in recognition of the recommendations of the Truth and Reconciliation Commission, the action plan includes increased access and retention of Indigenous students to health care training, increasing health care providers' awareness of Indigenous health issues, traditional medicines and cultural supports to enhance treatments and interventions, and incorporating reconciliation into the school and post-secondary curriculum by understanding and learning about the history of Indigenous peoples in Canada.

3) Mi'kmaq Cultural Awareness Training

With the support and assistance of the First Nations and the Mi'kmaq Confederacy, Government offers cultural awareness training for public servants, particularly promoted for those who deal with

⁶https://www.princeedwardisland.ca/sites/default/files/publications/pei-poverty-reduction-action-plan_web.pdf

matters involving First Nations. The sessions, held over a number of weeks, seek to educate public servants about historical and contemporary Mi'kmaq society, Mi'kmaq identity, and the history and legacy of residential schools.

Conclusion

The Government of Prince Edward Island thanks the Commission for its efforts in taking on this difficult inquiry. As noted above, we look forward to receiving and reviewing the Commission's final report and its recommendations.

RESPECTFULLY SUBMITTED THIS 14th DAY OF DECEMBER, 2018



Ruth M. DeMone
Legal and Policy Services Division
Department of Justice and Public Safety
Charlottetown, Prince Edward Island