

# **Kwanlin Dün First Nation**



**Written Submission**

**to the**

**National Inquiry into Missing and Murdered  
Indigenous Women and Girls**

**December 14, 2018**

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## **1.0 Introduction**

1 Kwanlin Dün First Nation is grateful to have been provided an opportunity to contribute to the important work of the National Inquiry into Missing and Murdered Indigenous Women and Girls. Chief Doris Bill made an oral presentation to the National Inquiry in Calgary, Alberta on November 26, 2018. This written submission is based on her oral presentation and the recommendations are the same as those submitted at that time. We live with the reality of community members lost to violence. We know the truth will be told by the National Inquiry and the many submissions made by family members and others. Therefore, we have taken a positive, solutions-oriented approach in sharing our community experience and wisdom, rather than focussing solely on the multiple losses of our history.

2 In making this submission, we pay tribute to family members who have lost loved ones. We also honour all those working to reveal the truth of past tragedies in order to create a better, safer society in the future. This is very hard work but important to our healing. As we come together to share the truth of our history, we have the opportunity to come together to write a future story that is much better than our past.

## **2.0 Our Nation**

3 Kwanlin Dün First Nation, located in Whitehorse, is one of the largest of the Yukon First Nations. We have been implementing our comprehensive land claim and self-government agreements for 13 years. The most recent KDFN Strategic Plan 2018 – 2022 outlines seven strategic priorities:

- Supporting our Citizens through Programs and Services
- Our Families, Our Children and Youth
- Our Indigenous Culture, Heritage and Language
- Responsible Economic Development
- Protecting our Natural Environment
- Implementing the Truth and Reconciliation Commission and Intergovernmental Relations
- A Strong and Effective KDFN Government

4 In the KDFN Strategic Plan 2018-2022, Chief Doris Bill is quoted as saying:

“Our community has gone through a lot. But that is part of the progression of moving forward. There will be challenges, we’ll have differences of opinion on how things are to be or not to be. Our discussions must be open, honest and transparent because those are the principles of governance based on our traditions, on how our people were in terms of caring and sharing.”

5 We live with both the benefits and risks of our urban location. Our history of colonization and resulting intergenerational impacts is shared with other Indigenous Nations in Canada and throughout the world. Our most vulnerable families are navigating lives affected by violence, trauma, addictions, mental health issues, poverty, absence of safe housing and other problems. Within this context they demonstrate amazing strength and resilience in navigating their daily lives.

6 Between December 2014 and February of this year, there have been six murders in our community – 4 women and 2 men. Two of these cases remain unsolved. In the other four cases, arrests have been made or convictions obtained. In all four cases, the accused were connected to KDFN or another Yukon First Nation community. Each of these tragic losses has had devastating effects on our community and other connected communities.

### **3.0 Self-government and Administration of Justice Agreements**

7 We know that self-determination for Indigenous communities is a powerful protective factor in preventing suicide and other self-destructive behaviors. Using the freedom to act from their own wisdom, Nations have always created communities that are safe, strong and vibrant. Our communities had methods of dealing with disruptions in the balance and harmony between people. Self-determination in all relevant local governance matters is the most powerful foundation for prevention of further loss of citizens to violence and murder.

8 Section 13.6.0 of the KDFN Self Government Agreement provides for the negotiation of an agreement between the Parties to encompass such matters as adjudication, civil remedies, punitive sanctions including fine, penalty and imprisonment for enforcing KDFN laws, prosecution, corrections, law enforcement, the relations of KDFN courts to other courts and any other matter related to Aboriginal justice to which the Parties agree. Kwanlin Dün First Nation has taken a very broad view of what is encompassed by this provision. A very comprehensive vision to guide negotiations has been developed by a citizens' committee under the leadership of Chief and Council. The vision includes crime prevention, enforcement, courts, corrections and reintegration. The completed Administration of Justice Agreement currently under negotiation will be comprehensive and require significant ongoing funding to implement.

#### **4.0 Innovative Programming**

9 Our best solutions for healing are found in our communities. We are strengthened through hearing the voices of our people. In this written submission, we outline some of our community initiatives that give us hope and light the way forward. In developing these ideas and implementing innovative programming, we work with service providers involved in community safety, community justice, child welfare, culturally founded land-based healing, health, housing, education and other sectors within our First Nation. We also reach out to other governments involved in policing, corrections, health, social development and other areas to find collaborative partnerships.

10 The departments across KDFN have worked together to develop a coordinated approach to serving individuals, families and the community as a whole. A Circle of Care case management approach provides a system for identifying a lead department and worker to coordinate multi-department support in complex situations. In addition, the departments have worked together in defining methods for responding to community crisis and larger scale emergencies in concert with other governments as needed.

11 The programming outlined has proven effective because it was initiated by the community and has maintained full community engagement into implementation. The “group genius” of the community led to practical solutions that, when implemented with community support, have made a significant difference in day to day life.

12 Principles we build innovative programming on include:

- Community engagement in defining problems and guiding action;
- Research and analysis including using traditional and community knowledge as evidence;
- Community designed and driven solutions geared to long-term prevention and improvement in the lives of members;
- Focus on relationship building, prevention and early intervention;
- Inclusive of all stages and ages throughout life;
- Working with individuals in context of family and community;
- Founded in culture and language revitalization; and
- Including land-based options to build connection to land and strong cultural identity.

## **5.0 Lifelong Health and Learning**

13 From traditional knowledge and emerging mainstream evidence, we know that both risk and resilience begin to develop very early in life. Patterns that can lead to lives marred by violence begin in early childhood. Investment in the support of families with young children is crucial. School age children develop stronger identities when they are founded in pride of culture and language. Those who suffer in the child welfare system, often followed by the criminal justice system, may never recover their identities or connections to culture and community.

14 KDFN is fortunate in having control of its Health Centre. The Centre operations were transferred to KDFN and then the administrative transfer was rolled into the self-government arrangements and the funding is part of the Financial Transfer Agreement (FTA). The arrangement provides the First Nation with a maximum degree of flexibility in aligning programming to the needs of pregnant women, their families and young children within the community. The programming includes prenatal support, infant and early learning programming which provides for a good start.

15 The KDFN Department of Education operates the Dusk'a Headstart Family Learning Centre which successfully integrates the language and cultural programming of Headstart with full day childcare. The unique model has parent and community outreach elements and is very highly rated by parents and extended family members. The program needs to be expanded as there is currently no programming for infants under 18 months and a lengthy waiting list. Education also offers support to school age children up to Grade 12 followed by post-secondary education options including trades and university support.

16 KDFN Education is in the process of developing case plans focused on support for all children and youth and career planning for young citizens. Lack of support for children, youth and their families in the past has resulted in a high drop-out rate and long-term dependency on social programs. The Nation would like to see more social workers in schools to assist and support children, youth and their families. We would like our young citizens to be on a path toward a self-sustaining livelihood that align with their dreams.

17 The development of peaceful and loving relationships with family and community members was taught well by traditional Indigenous parents. The disruption of colonization caused that intergenerational transmission of wisdom to be severed. Cultural continuity must be rebuilt on the foundation of our powerful stories, language, teachings and the practices of our ancestors.

## **6.0 Community Safety Officer (CSO) Program**

18 Safety is the ground on which healing and well-being is built. A person cannot invest in their own well-being and that of others if they are in constant fear of harm. A comprehensive approach to violence and crime prevention, community safety, policing, corrections and reintegration requires that a range of program options be available to the community. The Community Safety Officer or CSO program helps to prevent further trauma in our community. We have found that the best solutions are found in collaboration with the City of Whitehorse, Yukon Government, the RCMP and Canada.

19 The vision for the CSO program is to provide prevention and safety liaison services for our citizens. The CSOs operate without legislated authority, wear uniforms and have their own highly visible vehicles. The CSOs mediate disputes between citizens and provide rides to safe

places for people in risky situations. They call law enforcement back-up or connect people to other service providers when needed.

20 The CSO program is implemented by a small team of 4 CSOs and 1 Coordinator, all of whom are citizens or have a connection to the community. The team has made a tremendous impact on improving the safety of the community. CSOs have a special focus on the safety of Elders. The CSOs have made 131 Elder visits during the 3 month period ending September 30, 2018. In one case, an older woman was struggling with addiction issues which made her vulnerable to abuse. Monitoring by the CSOs has been very effective in improving her safety and decreasing her contacts with the RCMP. The relationship is now well-established and the CSOs are a primary point of contact when her safety is threatened.

21 Prostitution, illegal drug activity and bootlegging have been reduced due to the trust citizens have in the CSOs and their ability to directly observe illegal activity and intervene. CSOs work actively with partners in the RCMP and Whitehorse City Bylaw. Reducing the risk for self-harm is also an important area of activity. Recently, the CSO's engaged a young man who was going to visit a friend in hospital who had attempted suicide. The young man was identified as at risk for suicide and a referral was made. When the CSOs followed up later, the young man confirmed that he had been suicidal and the talk with the CSOs changed the possible outcome.

22 For example, recently, the CSOs spotted a young women under the influence of alcohol being "pulled into a residence" by a known male predator. As the marked CSO vehicle approached them, the girl immediately recognized the trusted CSO and got into the safe vehicle. CSOs were able to drive the woman home to safety. The CSOs then shared their observations with the RCMP for follow-up. The CSOs knowledge of the community and their respectful and consistent approach has earned the trust of the community.

23 The CSO program was developed in direct response to community members stating, in public meetings, that they were feeling unsafe in their homes and in the community. At that time, in 2016, there had been several murders, assaults and house fires. As a result, the Chief and Council initiated a community-based research project to identify priorities for action. The "Community



Needs Assessment” was developed from a review of documents from the last ten years that identified relevant community issues, needs and problems. The Chief and Council, Elders and community members also provided input and ideas.

24 The next stage was a “Community Safety through Environmental Design” report that outlined a plan for improving community safety through changes in the community physical environment and infrastructure. As well, the report recommended launching the CSO program. In addition to the CSO program, other actions were taken to implement the recommendations including a large scale community clean-up, improved lighting, trail clearing to improve sight lines and measures to slow vehicle traffic through the community.

The CSO program has been operating since August 2017. It has tremendous support and appreciation from the community. The results are dramatic. The CSO work has significantly reduced citizen calls to the RCMP in the last year. Calls have decreased particularly in the areas of assaults, thefts, city by-law infractions and reports of suspicious persons or vehicles.

25 In the most recent six month period ending September 30, 2018 there were 1566 citizen contacts with the CSOs, most of which were proactive by the CSOs. The relationships developed between the program in a non-legislated enforcement role and the community members has contributing to re-building trust with community safety and policing services. The partnership between the KDFN department of Justice and the RCMP has also become stronger. They have prevented crime, helped solve crimes and established a new standard of safety for the community. Yukon Government Department of Justice has funded the 3 year pilot with an end date of March 31, 2019. The community is working actively to complete an evaluation and secure ongoing funding for this important program.

## **7.0 Jackson Lake Wellness Team (JLWT) Programs**

26 The Jackson Lake Wellness Team programming in the community and on the land also addresses trauma and works together with the CSO program. In developing and implementing these programs, we work with many service providers within our First Nation and other collaborative partners.

27 The Jackson Lake Wellness Team offers the “Building a Path to Wellness” four week treatment program on the land. The camp, 30 minutes outside of Whitehorse has been upgraded by KDFN to better accommodate programming. It is a wonderful site for the 4 week land-based program, shorter programs and larger events.

28 The land-based program brings together a group of men or women to address challenges with trauma, addictions, and/or mental health. Last year, we had one woman attend the women’s program and her spouse attend the men’s program. With the support of the program and care of the team before and after the program, the couple has maintained sobriety and have repatriated their children from the care of the child welfare system.

In addition, the team carries out other land-based activities such as working with extended families from a few hours to a few days to address issues and improve relationships. In one case, the land-based work resulted in two female teenagers being able to stay in the care of their grandmother as an alternative to foster care.

29 Multi-day youth events at Jackson Lake have involved up to 200 youth from across Yukon. Shorter, 3 to 5 day programs for youth, have also been very well received. Community members of all ages engage in culture camps involving traditional activities and re-learning lost skills. The cultural programming has outdoor recreational, cultural and healing elements, often supported by professional clinical services when needed. The engagement of the KDFN community as the “host” and offering Elders and other cultural resource people, cooks and camp attendants is key to the success of all programming.

30 KDFN has been active in offering land-based and community-based healing options to First Nation people and non-First Nation people for more than 25 years. Funding had been accessed from the Yukon Government, Canada, Aboriginal Healing Foundation and other sources. In the past, the funding provided for short-term programs on the land or in the community lacked the continuity and comprehensiveness to support lasting change. Intergenerational trauma requires long term funding commitments to support comprehensive, relevant and effective programming.

31 In 2011, we were able to access funding to support a 4 person community-based team. The team includes a Coordinator, a Cultural Counsellor and two Outreach Aftercare Workers. Clinical counselling is made available through the KDFN Health Department. In the following year, the Yukon government began funding two, four week on the land treatment programs per year. The treatment programs are open to all 14 Yukon First Nations and others. More than 220 people have completed the program with significant success.

32 Experiential, body centered clinical work augments individual and group work led by the cultural and clinical program leads working together in groups and individual sessions. Ceremonies include prayer, smudge, circle, letting go and sweat lodge. Complementary or alternative elements include equine therapy, yoga, meditation, breathing and others.

33 The most recent October 31 “welcome home” event held on the last day of the men’s four week program celebrated the success of the men who completed the program. The pride and stories of change were remarkable. As one observer said: “the men began with their heads down and bodies slumped, unwilling to meet my eyes and now I see proud men standing up with their drums and songs demonstrated pride in themselves and their success.”

34 The Jackson Lake Wellness team also provides Whitehorse based services to people before and after the 4 week programs. Outreach to all Yukon communities is done on request for crisis response and the provision of cultural and other supports. People of all ages access the programs. The participants share in the direct and intergenerational effects of residential school and colonization. Many have experienced the child welfare system and in some cases, have been incarcerated or on probation. Culturally founded and land-based programming has proven to be very effective for them.

35 Increased levels of long-term funding are needed to expand on programs offered year round, provide more programs on the land for youth, families and Elders and continue programming beyond March 2019.

## **8.0 Child Welfare**

36 Elders tell us that, traditionally, conflict, including crime, was mostly prevented. It was prevented by the way children were raised and the values they were taught. Families were strong and community members were well connected with each other, their traditional territories and larger linguistic groups. Supporting and protecting our infants, children, youth and their families is vitally important.

37 In 2011, following a crisis in child welfare and our relationship with the Yukon Government, KDFN and Yukon Government entered into negotiations toward an agreement for collaborative service delivery. The Memorandum of Agreement or MOA took more than a year to negotiate. During the negotiations, as relationships were developed and discussions held, child welfare practices in the community began to change.

38 The 2012 MOA is a unique agreement as it does not involve the delegation of authority from Yukon or the drawing down of self-government powers by KDFN. Implementation relies on collaboration, respectful working relationships, joint action, a focus on prevention and commitment to keeping extended families together.

39 A recent review of the MOA documented success in reducing the number of children in care and increasing the use of Extended Family Care Agreements in place of foster care or group home care for out-of-home placements. KDFN and Yukon Government meet with families together and have developed good working relationships.

40 KDFN has recently succeeded in negotiating parity between Foster Parents and Extended Family Care Agreement providers for basic fees and additional support services. In addition, more social workers from the Yukon Government have been assigned to the community. An additional supervisor position and two additional Child and family Liaison Workers (in addition to the current two positions) are being added through accessing federal funding. A new research and development position will focus on foster care home recruitment, coordination of respite services, a family support care program model and other work. KDFN Justice has also negotiated the assignment of a Youth Probation Officer position to work out of KDFN offices. The

approach to programming is founded on respect and uses cultural approaches. Maintaining connections for children and youth with extended family, community and cultural is a shared priority.

## **9.0 Strengths and Challenges**

41 KDFN and many other Indigenous governments and agencies have demonstrated many strengths including:

- Comprehensive understanding of community needs and priorities;
- Capacity for collaboration with other governments and agencies in designing and implementing programming;
- Proven ability to design, implement and evaluate programs and services that are highly effective in meeting community needs including use of culturally-appropriate community and land-based program activities;
- Ability to address urgent problems and crisis with people while continuing to focus upstream on long-term prevention and earlier intervention; and
- Governance and management capacity for implementing comprehensive land claim and self-government agreements including the negotiation of Administration of Justice Agreements.

42 The challenges are not new and include:

- Continual pressures to secure funding through competitive proposal-driven processes often resulting in short term agreements;
- Short term funding agreements limit First Nation capacity to retain qualified staff members and interrupt the process of building capacity through training and development;
- Administrative burden of reporting to multiple sources of funding outside of the Financial Transfer Agreement (FTA) operated by other governments, all with misaligned and burdensome requirements;
- Uncertainty in accessing funding renewals including continuation of the CSO and JLWT programming beyond March 2019, regardless of proven success;

- Developing program interfaces between programs within the First Nation and those operating outside of the First Nation that allow for smooth transitions between service providers and effective care;
- Challenges in developing mutual understanding of inclusion of men and boys along with women, girls and the LGBTQ2S people in building inclusive and sustained community action; and
- Ensuring to culturally competent care for individuals and families by all agencies serving them.

43 KDFN is committed to working with government and non-government partners to build from strengths and addressing challenges in the most productive way possible.

## **10.0 Recommendations**

44 Our recommendations to this National Inquiry are:

**Community Safety Officer Programs** – Provide long term funding to Indigenous governments for CSO programs in communities that are interested. Continue to evaluate and improve the program for implementation in communities of all sizes.

**Wellness Teams** – Provide long-term funding to be directed by Indigenous governments for Wellness Teams that have the capacity for land-based and community based program delivery using cultural, clinical and complementary approaches to address trauma, addictions and mental health issues.

**Indigenous Child Welfare** – In a spirit of collaboration, design, implement and evaluate community-based and culturally founded child welfare programs for prevention, early intervention, outreach and support, out of home care and family reintegration including cultural planning and agreements.

**Agreements for Self-determination** – Canada, provinces and territories to participate in negotiating and funding the implementation of land claim, self-government and administration of justice agreements to support Indigenous self-determination.

**Indigenous Research** – Fund and support research led by Indigenous academic and community researchers into risk factors and protective factors to contribute to building safer physical and public policy environments and better programming for Indigenous people.