



Ontario Native Women's Association



**Closing Submission to the National Inquiry
into Missing and Murdered Indigenous
Women and Girls**





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Introduction

Let's remember why we are doing this Inquiry. Indigenous women are dead because of violence that is rooted in a long legacy of colonialism that has diminished the value of Indigenous women in this country. The best way we can remember the women we have lost is to never repeat the conditions, attitudes, behaviours, and systems that have caused this devastating situation.

Dawn Lavall-Harvard, President of Ontario Native Women's Association

[1] The Ontario Native Women's Association (ONWA) is committed to ending violence against Indigenous women and girls. ONWA begins our final submission to the National Inquiry on Missing and Murdered Indigenous Women and Girls by acknowledging the family members and survivors who shared their stories. Our participation in this Inquiry and the recommendations in this submission come from our frontline experience with Indigenous women and from extensive research and scholarship. Most importantly, though, it is our hope to empower Indigenous women who are harmed by ongoing colonial violence and the policies that harm Indigenous women. Ending violence against Indigenous women and girls requires action at the individual and collective levels. This document will outline specific ways that we can address the violence Indigenous women face. It is vital to increase safety for Indigenous women and reduce violence in order to reclaim ourselves in our communities.

[2] Violence experienced by Indigenous women is extreme; as such, this work is urgent. The issue of violence requires gender-specific and culture-based solutions. To support the healing journeys of women, it is necessary that all programs focus on Indigenous women and must be created *by* Indigenous women *for* Indigenous women. We need to centre Indigenous women as role models and leaders.

[3] We all know that there is urgency to this work. The stories you heard across the country are the stories that we have heard in our 45 years as an organization. They are also the stories of

our lives. The women we work with in community (over 10,000 in 2017), the ONWA staff, management and board are Indigenous women. Some of us have experienced the violence first hand, some of us have lost family members, and all of us have been impacted by the violence against Indigenous women and girls. We have a deep understanding of racialized gender based violence, we understand the depth and breadth of the trauma and recognize that the strategies for change need to be deeply rooted in individual, family and community healing and systemic transformation.

[4] There are two key foundational understandings that provide the fabric of this submission and our efforts to support and protect Indigenous women. We assert that:

[a] different forms of gendered, racialized violence that Indigenous women and girls are experiencing are interrelated and interconnected; and

[b] that an intersectional approach is required when developing solutions to end gendered violence and discrimination.

[5] A critical intersectional analysis helps to clarify the changes that are needed to improve the lives of Indigenous women. This approach requires shifting analysis based on a single identity to an analysis which understands that violence can be linked to more than one ground of discrimination. In other words, there are complexities that impact oppression when gender and race intersect with one another to create dual marginalization. An Indigenous gender-based analysis also helps to address the ways in which contextual factors, including: the purpose and differential impact of legislation, regulation of policies; individual issues, as well as the social, political and legal history of the person's treatment in society are informed by one's sex (Ontario Human Rights Commission).

[6] Our submission will discuss specific examples of how Indigenous women experience the impacts of colonialism. In order to address colonialism, governments need to collaborate in addressing their commitments as described in Article 22 of the United Nations Declaration on the Rights of Indigenous Peoples, which indicates that: "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” (UNDRIP, 2007).

[7] The goal of ONWA is to restore Indigenous women’s roles and responsibilities through reclaiming and honouring Indigenous ways of knowing and being. Traditionally, Indigenous women held leadership positions, and today continue to re-claim their inherent roles as natural community caretakers, and participants in decision making as leaders.

[8] Furthermore, we must listen to communities and work together to implement actions to protect Indigenous women. Crystal Davey notes that:

...like the medicine wheel we're all connected. We need to do it together. It's a circle. It's not up and down, down and up, it's we're all people. We're all Treaty people. We're all people of mother earth, and we need to work together to do that work, and to-- not judge each other. (Crystal Davey in relation to Ruby Hardy Galloway Thunder Bay, Ontario: Hearing Part One, 2017, p.87)

[9] The following pages provide a detailed list of recommendations under these headings:

1. Restoration of Indigenous Women’s Identity - Sex Discrimination in the Indian Act
2. Restoration and Recognition of Indigenous Women’s Leadership
3. Language
4. Addressing Sexual Violence against Indigenous Women and Girls
5. Victim Services and Safety
6. Indigenous Women and the Gladue Principles
7. Addressing Human Trafficking Against Indigenous Women and Girls
8. Restoring Healthy Families and Addressing the Child Welfare System
9. Reinstatement of the Aboriginal Healing Foundation
10. Indigenous Gender Based Analysis
11. Investments in Indigenous Women’s Capacity and Leadership

Restoration of Indigenous Women's Identity - Sex Discrimination in the *Indian Act*

- [10] (a) To the Government of Canada: ONWA calls for the immediate removal of the discriminatory 1951 amendment “cut-off” and for the full section 6(1)(a) status to be extended to all First Nations women and their children. These people have been discriminated against by exclusionary provisions of the *Indian Act* since 1869.
- [11] (b) To the Government of Canada and Provincial and Territorial governments: ONWA recommends that adequate funding be provided to First Nations to accommodate the return of their community members who had been discriminatorily displaced from their First Nation community. This displacement occurred due to sex discrimination in the *Indian Act* and child welfare apprehension.
- [12] (c) To all First Nations and their Band Council governments: ONWA recommends that you openly welcome and accept community members who have lost their Indian status due to the sex-based discrimination within the *Indian Act*. As part of this welcoming, ONWA further recommends that all First Nations review their own membership policies and governance structures to ensure that there is no sex discrimination perpetuated against women and their descendants who have left home due to those discriminations perpetrated by the *Indian Act* or child welfare apprehension.
- [13] (d) To the Government of Canada and the Provincial Territorial governments: In recognition of the historic and current constructs that Indigeneity is rooted in, specifically regarding the colonial and patriarchal constructs that have consistently excluded women's voices, ONWA recommends that any discussions, consultation, engagement and/or amendments to law and policy as relate to Indigenous identity and/or citizenship/membership of any of the three Constitutionally recognized Indigenous peoples in Canada (First Nation, Inuit and Métis), must formally include Indigenous

women. This must include those women who have been displaced because of historical discrimination and racism.

Politics arise from law. To be without politics is to be lawless. To say our politics are in opposition in European politics would be correct. European law legalizes our oppression. Our law forgets it (Lee Maracle, 1996, p. 39).

[14] Canadian legislation and law has defined, regulated, and modified Indigenous women's identities. The legislation by the Government of Canada on Indigenous identity is an assimilative act which has "become the enduring justification for federal colonialism" (Milloy, 2008, p.2). From 1876 – 1951, Indigenous women have experienced tremendous loss due to "regulations intended to impose patriarchy and coerce Aboriginal women to conform to the regiments and edicts demanded by local missionaries and Indian agents" (McGrath & Stevenson, 1996, p. 40). These regulatory laws imposed against Indigenous women were known as the *Gradual Civilization Act* 1857, the *Gradual Enfranchisement Act* of 1869, and the *Indian Act*.

[15] In 1857, the *Gradual Civilization Act* was established to assimilate the Indigenous populations and remove all "legal distinctions between them and her Majesty's other Canadian Subjects". Under the *Gradual Civilization Act*, the *Gradual Enfranchisement Act* of 1869, ensured that Indigenous women were under jurisdiction of their fathers, male partners, and husbands, thereby replacing matriarchal societies with patriarchal ideologies and systems. This resulted in the undermining of Indigenous women social and legal rights. Under this legislation, any marriage between an Indigenous woman and a non-Indigenous man would result in forced enfranchisement such that the woman (and her children) "shall cease to be an Indian within the meaning of this Act" (Enfranchisement, Section 6). Furthermore, the section included that "any Indian woman marrying an Indian of any other tribe, band or body" would result in the forced enfranchisement of her identity, community, and rights to access ancestral lands/territory, to that of her husband. In these laws, she became "a member of the tribe, band or body of which her husband is a member" (Section, 6). In sum, because of the imposition of patriarchal colonial law, Indigenous women were left with less rights, based on their gender, compared to their Indigenous male counterparts.

[16] Unsurprisingly, the laws created a system of oppression for Indigenous peoples. However, Indigenous women experienced heightened oppression due to the gendered discrimination of the early legislation. That said, the *Indian Act* is rooted within patriarchal ideologies, and its approaches toward defining Indigenous women's identities were correlated with Indigenous male relations - parental or marital. Anderson (2016) argues that the "*Indian Act* not only dispossessed women of communities/communal authority, it very severely dismantled their authority within the family" (p.83) that was in place prior to first contact. The disruption of family units and the fracturing of Indigenous women, and their children's identities, forced them into displacement and dispossession from their communities, families, culture, safety and wellbeing.

[17] In 1981, Sandra Lovelace argued for a repeal of the *Indian Act*, to the United Nations Human Rights Committee, on the premise that gender discrimination was a violation of the *Canadian Bill of Rights* against Indigenous women and girls resulting to the development of Bill-C 31. Many generations of Indigenous women and their children "drifted in and out of the Indian status over the generations until Bill C-31 amended the Indian Act in 1985, ostensibly, but not successfully, eliminating the inherent sexism it contained" (Episkew, 2009, p.32). Despite the changes mobilized by Bill-C 31, the federal government continued to monopolize the status of indigeneity by denying rights to status when applicants have "unknown or unstated paternity" which only honours paternal lineage without considering maternal side (Episkew, 2009). Therefore, Bill-C 31 established "different classes of status" on First Nations peoples where women who lost their status were given full status, but not granted to their children or grandchildren. Additionally, the determination of Band membership, Indigenous community rights, was given to the Bands who continued to deny women their community membership, resulting in women having status without community rights and membership.

[18] Mary Two Axe Early and Philomena Ross, in presenting to the Standing Committee on Indian Affairs and Northern Development, stated:

The consequences for the Indian woman of the application of Section 12 (1) (b) of the Indian Act extend from marriage to the grave – and even beyond that. The woman, on marriage, must leave her parents' home and her reserve. She may not own property on the reserve and must dispose of any property she does hold. She may be prevented from inheriting property left to her by her parents. She cannot take any further part in band business. Her children are not recognized as Indian and therefore denied access to cultural and social amenities of the Indian community. And, most punitive of all, she may be prevented from returning to live with her family on the reserve, even if she is in dire need, very ill, a widow, divorced or separated. Finally, her body may not be buried on the reserve with those of her forebears¹.(Ibid)

[19] The importance of being in the world with others, the need to partake in dialogue with those around you in a way that allows one to find their place and locate themselves within relationships is essential to knowing oneself. Oster, Grier, Lightning, Mayan, & Toth (2014) share the importance of identity reinforcing a sense of belonging that attribute to self- love, self-esteem and positive self-perceptions:

Everybody has to have a sense of belonging. Everybody has to feel like they're part of something. And if you don't, where are you going to end up? Probably on the street and homeless because you think nobody cares. And that's not just Aboriginal people, that's all people. They NEED to have a sense of belonging... You have a sense of pride because you have a sense of belonging. That is the value in our culture and in an individualistic world you don't have that. (Oster, Grier, Lightning, Mayan and Toth, 2014)

In 2015, the decision in the *Descheneaux c. Canada* (Procureur général) rendered by the Superior Court of Quebec, recognized that sex discrimination continues in the Indian Act. Again, the proposed amendments to the Indian Act did not provide a complete redress for Indigenous women and girls despite the support of the Senate.

[20] The disconnection of identity within the context of family and community has severely impacted Indigenous women. Without identity, without place in community, Indigenous women's

¹ Mary Two Axe Early and Sandra Lovelace describe their struggles to regain lost status in an interview with CBC, "Our Native Land: Native Women Fight for Equal Rights," 1975, CBC Digital Archives, <http://www.cbc.ca/archives/discover/programs/o/our-native-land-1/native-women-fight-for-equal-rights.html>, (accessed December, 13, 2018); Patricia Monture-Angus, *Thunder in my Soul: A Mohawk Woman Speaks* (Halifax: Fernwood Publishing, 1995).

integral roles to the community's survival were impacted, leaving Indigenous women vulnerable to the many outside forces. Indigenous women's roles were critical to community wellbeing. Strong Indigenous women who participated in community as equals were necessary to the success of the community. While Indigenous women had multiple roles in community, they also played a critical role in politically shaping their society.

Restoration and Recognition of Indigenous Women's Leadership

[21] (a) To the Government of Canada, First Nation Governments, Provincial, Territorial and Municipal governments: ONWA recommends that all levels of government recognize and negotiate with Traditional Indigenous Governance Structures that recognize Indigenous women's leadership roles as they are restored throughout the Nations.

[22] (b) To the Government of Canada, First Nation Governments, Provincial and Territorial governments: ONWA recommends that Indigenous women and girls, as well as any autonomous Indigenous women's organizations, be formally and meaningfully engaged in the conversations beyond the three national recognized Indigenous organizations.

We are all doing all we can: as mothers and grandmothers; as family members and tribal members; as professionals, workers, artists, shamans, leaders, chiefs, speakers, writers, and organizers, we daily demonstrate that we have no intention of disappearing, of being silent, or of quietly acquiescing in our extinction (Allen Gunn, 1986, p. 189).

[23] Indigenous women are not all the same. We each have complex and unique identities based on our different lived experiences and the social constructs that have shaped our experience. The level and combination of systemic, institutional, historical and individual aspects of a person's identity is complex and confers levels of power, privilege and social oppression as part of their lived experience. Historically, Indigenous women were leaders, knowledge carriers, and medicine people that cared for their family and community.

[24] Leanne Betasamosake Simpson (2014) explains:

Nishnaabeg women hunted, trapped, fished, held leadership positions, and participated in warfare, as well as engaged in domestic affairs and looked after children, and they were encouraged to show a broad range of emotions and to express their gender and sexuality in a way that was true to their own being. This practice was a matter of both principle and survival (as cited Anderson, Campbell & Belcourt, 2018, p.220).

These important roles and responsibilities, however, came into question as legislation was imposed by government and state.

[25] Today, Indigenous women need to be centered within community by a traditional approach to governance that supports their voice and vision. First Nations governance structures that are rooted in the *Indian Act*, however, have continued the practice of exclusion. They do not protect women and do not support families in the way that is reflective of an Indigenous worldview within a contemporary framework. Traditional governance structures that were inclusive of Indigenous women's rights are in need of restoration. Maracle (2018) explains that traditionally Indigenous women are known to carry "healthy vision, possess knowledge, are passionately committed and have the personal leadership style that promotes action" (p.375). The impact of colonial structures that denigrate First Nations women's rights are not a part of Indigenous governance structures and should no longer be used to marginalize families that are connected to communities.

[26] Article 33 of UNDRIP states:

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures. (UNDRIP, 2007)

[27] Historically, negotiations around membership have always taken place between government and existing Indigenous male dominated organizations such as the National Indian

Brotherhood, and the Assembly of First Nations, without the voice of Indigenous women. The recent federal government approach of recognizing “Nation to Nation relationships” and then turning to the Assembly of First Nations (an organization made up of Chiefs created out of the Indian Act) as the representative for the “Nation,” continues to reinforce colonial and patriarchal relationships. Indigenous women’s voices need to be spoken *for* her, *by* her. When Indigenous women speak, it is never to take away from men, but only to add to the dialogue to create a more fulsome discussion. In closing, Maracle (2018) asserts that Indigenous women who are leading the way to “recovering our health as peoples, implementing the prophecies, recreating communities and birthing new dreams. We are now living these responsibilities as formal and natural leaders” (p.379). It is the time of Indigenous women rising, and taking up leadership roles within their families and communities.

Language

[28] (a) To the Government of Canada, Provincial and Territorial governments: ONWA recommends that Indigenous language programs be permanently and adequately invested in as an act of reconciliation and to recognize that language restores identity, place, and belonging. Such action would also be an acknowledgement of the significant role Indigenous language has in healing, since language also embodies Indigenous worldview and knowledge. The use of Indigenous language reminds community members of their roles and responsibilities, including specific roles of Indigenous women and girls.

[29] Accessing and practicing traditional language ensures that Indigenous women can confidently redefine and reassert their own identity and their place in society in a positive way. In 1994, the Assembly of First Nations shared research on the impact of the Canadian Residential Schools and Indigenous languages. Their report states that:

Language is necessary to define and maintain a worldview. For this reason, some First Nation elders to this day will say that knowing or learning the native language is basic to any deep understanding of a First Nation way of life, to being a First Nation person. For them, a First Nation world is quite simply not possible without its own language. For

them, the impact of the residential school silencing their language is equivalent to a residential school silencing their world. (Assembly of First Nations, 1994, p. 25-26)

[30] Language is the foundation of reclaiming identity, culture, leadership and spirituality. The Truth and Reconciliation Commission of Canada (TRC, 2015) Calls to Action numbers 13-17 emphasizes the importance of strengthening Indigenous languages through preservation, education, revitalization, and valuing Indigenous culture. Bear (2000) explains that “language embodies the way a society thinks. Through learning and speaking a particular language, an individual absorbs the collective thought processes of a people” (p.78). Oster, Grier, Lightning, Mayan, & Toth (2014) share how language is the blueprint to our wellbeing, social survival, culture lineages, and identity mapping:

Elders always speak of the importance of our language. Who we are is determined through our language. We speak our language and that determines where you come from, what your culture is, and even how we used to go with the different seasons in terms of following those traditional paths. Regardless of where you go, if you have that language our culture is in there... So once you lose that, what do you have left? Because our beliefs come from that in terms of how we govern ourselves. It comes in terms of how we eat, and in terms of how we educate ourselves and conduct ourselves in that full circle. (p.11)

Language helps to determine social location within community that recognizes and honours women's roles within family, community, ancestral lands, and future generations. Knowing the language is a gift that keeps giving to Indigenous woman's family, community, land and spirit.

Addressing Sexual Violence against Indigenous Women and Girls

[31] (a) To the Government of Canada and all Provincial and Territorial governments: ONWA recommends that, in working with Indigenous women and girls and autonomous Indigenous women's organizations, a comprehensive National Sexual Violence Action Plan be developed and adequately funded. The Action Plan will address the root causes of sexual violence against Indigenous Women and Girls and provide ongoing healing, as well as trauma-informed and culturally grounded justice supports for women and girls who are survivors of sexual violence.

When a Native woman suffers [sexual] abuse, this abuse is an attack on her identity as a woman and an attack on her identity as a Native (Smith, 2014, p.1).

[32] Sexual violence against Indigenous women is an unfortunate reality in communities across Canada. Gendered and sexualized violence is occurring in public, private, and institutional settings. The historical root causes are critical cornerstones of sexual violence and MMIWG. Without exploring and learning the historical root causes society will be unlikely to properly understand the crisis of MMIWG and why sexual violence is perpetuated against Indigenous women and girls at higher rates compared to non-Indigenous peoples. Research corroborates that Indigenous women experience sexual violence at rates higher than non-Indigenous people: “Aboriginal identity significantly impacted the risk of sexual assault after controlling for other factors. Individuals who identified as Aboriginal were over two times more likely to be sexually assaulted than those who were non-Indigenous” (Conroy and Adam, p. 10, 2014).

[33] The MMIWG Inquiry Data Hearings illustrate that Indigenous women face substantial intersectional issues when they experience sexual violence. One of the primary concerns was that communities and community leaders ignore or reinforce sexual violence to the point that Indigenous women have to leave communities. “Sometimes the community turns against you because they’re small communities, “Why did you -- why did you help her? Why did the police come and he was in trouble?” So, smaller communities are difficult in that way” (Evic-Carleton, Baker-Anderson, Arnatuk, Thomassie, Aloupa & Jones, 2018, p.15). This statement illustrates that Indigenous women and girls are exposed to sexual violence disproportionately and are subjected to intersectional violence from gender, race, and discrimination by the justice system. It also expresses how such violence can be an overarching continuum that will leave Indigenous women in severely vulnerable spaces both in their lifetimes and inter-generationally.

[34] The impact of dispossession reinforces displacement of Indigenous woman and their children,

What we heard clearly throughout the Inquiry is that, in order for women to be safe, their communities must be healthy. The circumstances that lead to violence against Indigenous women and girls are complex, and the solutions need to be holistic. To this end, there needs to be community support and healing opportunities that are directed not just towards women, but also towards Indigenous men who are struggling with the same legacy of residential schools, the child welfare system, and other racist laws and policies. (Genier, 2018, p.84)

Indigenous women shared that cultural learning has been vital for their healing journey in order to reclaim their identity, womanhood, and roles within family/community. Pauktuutit (2016) identified two main contributors for increased violent activity: “(1) loss of culture and tradition; (2) loss of control over individual and collective destiny” (p.3) and that the cycle of sexual abuse is a continuum with families, communities, and systems. Inuk Elder (2016) shares the root causes of abuse stem from the legacy of Residential schools, systemic and colonial oppressions:

It is all about your upbringing. If a child was abused at a very early age, sexuality or physically, then that's all they know and they will continue to abuse. And it's up to the community to stop that abuse with education and awareness. The root causes comes from shame, guilt and what you've learned from a young age (as cited in Pauktuutit, 2016, p. 3).

[35] ONWA consistently offers guidance and direction regarding services and programs. This social construction of “helping services” built out of a colonial framework does not and cannot ensure Indigenous women and girls are safe, and are not increasingly vulnerable to violence. Further, these systems do not address the systemic cause of the violence. In the Indigenous Sexual Violence Action Plan a number of foundational understandings were established. This Action Plan was developed in 2011 by ONWA and our partners and states:

- Sexual violence for Indigenous women is rooted in the legacy of residential schools, colonization and systemic discrimination that resulted in the loss of culture, roles, family and community structure.
- Sexual violence has been normalized in Indigenous communities as a direct result of residential schools and other colonization policies.
- There are “hot spots” where sexual violence is concentrated, including in resource

development communities where non-Indigenous women are living alone.

- In some communities, the incidence of sexual violence is 9 out of 10 women, much higher than the reported incidence of 1 in 10 in the non-Indigenous community.
- Sexual violence against Indigenous women happens in both Indigenous communities and in non- Indigenous communities.
- Many of the Indigenous men who are perpetrators of sexual violence have also been victims of childhood sexual abuse.
- Indigenous women and children are targets for all forms sexual violence and other forms of violence and exploitation, including human trafficking.
- The majority of Indigenous women who have experienced family violence have also experienced sexual violence.
- The perpetrators of sexual violence are primarily men, both Indigenous and non-Indigenous.
- The incidence of women being perpetrators of sexual violence is rare.
- Alcohol, religion, and the loss of culture actively undermines and directly impacts on the incidences of sexual violence.
- Sexual violence is intergenerational unless healing happens.
- The unequal and violent relationships being built between Indigenous people today are directly rooted on the historical legacy. (OFIFC, ONWA, MNO, 2007)

Victim Services and Safety

[36] (a) To all Federal, Provincial, Territorial and Municipal governments: ONWA recommends that immediate and permanent core funding of shelters and safe spaces for Indigenous women and children experiencing violence be implemented for all communities, including remote and rural communities. This funding must account for regional discrepancies in cost, notably the higher cost of transportation, resource materials, and food in remote northern communities.

[37] (b) To all Federal, Provincial, Territorial and Municipal governments: ONWA recommends that all emergency health services, medical services, sexual assault prevention and sexual assault response services be funded adequately to provide appropriate holistic health services, in a respectfully and culturally appropriate manner to Indigenous women and girls.

[38] (c) To the Federal, Provincial, Territorial and Municipal governments: ONWA recommends that all nursing stations located in First Nations communities be equipped to safely operate sexual assault evidence kits in a respectful, trauma informed, and culturally appropriate manner.

[39] Violence resulting from colonization and intergenerational trauma is a complex issue and solutions must incorporate a cultural, gender relevant, and trauma informed lens, as a result. In order for Indigenous women and girls to access much needed victim services and to experience safety, a viable community response that addresses the gaps in services must be provided.

[40] Holistic health services must advocate, educate, and provide materials and guidance for Indigenous survivors of violence and families navigating the criminal justice system. When dealing with the criminal justice system, Indigenous women require effective services to be culturally competent and trauma informed. We must also consider the financial strain on victims of violence and we must support Indigenous women and families to help cover basic emergency needs and expenses. Victim programs and services need ongoing commitments to their training and education for crisis and post-crisis response, the collection of evidence and stories, and to competently provide traditional counselling, ceremony, and overall balanced health and wellness to families and community. The United Nations Declaration on the Rights of Indigenous Peoples globally affirms these Indigenous rights to maintain and strengthen social and cultural institutions in both Article 5 and Article 12.

[41] A realistic response to the domestic violence that Indigenous women experience must consider the rural and remote locales in which they may reside, and where they may lack adequately funded services. The implementation of shelters and safe spaces in every community

would mean that there are adequate supports immediately available to women fleeing violence and that a woman who is not ready to leave her partner has somewhere to go. For example, in relation to her mother Annie Mae Pictou Aquash shares that:

Our women deserve to have a safe place to run so they don't leave our communities. I recommend having safe houses in every one of our communities before another gymnasium or before another ice rink is built. That we build a safe house for our families to run to. And, I say families because I'm not going to be gender specific. The violence infiltrates and comes from every person in our community. The opportunity that they can go and not lose their children to family services because they have to call 911 for help, that they can go to a safe zone, let their partner, significant other cool down, let the law deal with them, and they have a safe zone where their families aren't being taken out of their schools and away from their communities, away from their medicine, away from their supports. (Maloney, 2017, P. 51-52).

Indigenous Women and the Gladue Principles

- [42] (a) To the Government of Canada and all Provincial and Territorial governments responsible for justice, corrections and public safety: ONWA recommends that a national standard for Gladue Reports be established. This national standard must be culturally grounded, and trauma informed. Such a standard must be developed and implemented by Indigenous people. An integral part of this standard must include a strength-based lens for Indigenous women that also acknowledges the intersections of gender and racial discrimination. Therefore, the aforementioned governments must fund Indigenous led, not-for-profit organizations, on a permanent and equal basis as that which is given to the government institutions responsible for preparing Pre-Sentence Reports, at a minimum
- [43] (b) To the Government of Canada and all Provincial and Territorial governments responsible for justice, corrections and public safety: ONWA recommends that adequate and permanent funding be provided to Indigenous led, not-for-profit organizations, to provide Gladue support services that work in a manner that is culturally grounded, trauma informed, and which fulfill the intended remedial purpose of the Gladue principles. Further, autonomous Indigenous women's organizations should be given priority funding for

Gladue Report Writing and Gladue support services programming concerning Indigenous women.

[44] In 2015, the Truth and Reconciliation Commission of Canada, released the final report and the Calls to Action. Calls to Action #30 and #38, directs all levels of governments to commit to eliminating the over representation of incarcerated Indigenous peoples within 10 years (by 2025); and that the progress of such decline should be monitored and evaluated annually and publically reported. Three years post call, this has not happened.

[45] It is well-known that Indigenous women experience racism as well as gender discrimination, including within the criminal justice system. Indigenous women and girls are more likely to be victimized and experience higher rates of violent victimization. Although, men are more likely to be perpetrators of crimes than women across Canada, “the representation of Indigenous people in custody is even greater for women than men” (Hotton, 2011). While Indigenous people are overrepresented in the criminal justice system, this is even more pronounced for Indigenous women and girls. Indigenous women account for 40 per cent of the federal inmate population and Indigenous girls account for 60 per cent of those held in youth custody (Zinger, 2018).

[46] Based on their incarceration, their children often end up in the child welfare system. Additionally, there has been a decrease in the number of Indigenous women being referred to Gladue programs which is an issue that needs to be addressed (Legal Services of Canada, 2017). A gender-based approach should ensure that sentencing for men does not compromise the safety, protection, and well-being of Indigenous women and girls. In addition, to ensure that Gladue principles are effectively and equitably implemented, adequate resources need to be provided to non-profit, community-based organizations, which includes providing comparable funding as that which is given to government programs that develop pre-sentencing reports. This will enable an equitable process, which will lead to more effective and successful outcomes.

[47] Finally, ONWA is the first Indigenous women's organization to develop a Gladue program, which includes writing reports, support services, and a Gladue Researcher/Policy Analyst. Part of the researcher/analyst role of this position is to identify, investigate and advise on socio-economic trends and opportunities that have the potential to impact Indigenous women and girls. The findings from this researcher may contribute to the development of national standards which incorporates an Indigenous strength-based lens that also acknowledges the intersections of gender and racial discrimination.

Addressing Human Trafficking Against Indigenous Women and Girls

[48] (a) To the Government of Canada and all Provinces and Territorial governments:

ONWA recommends that all levels of government work collaboratively with Indigenous women, Indigenous women's organizations, and anti-human trafficking stakeholders to develop and adequately fund a comprehensive National Plan. This plan should work to address and eliminate the high incidents of Indigenous women and girls being targeted by human trafficking.

I really wish my life had turned out differently, but I had few options back then. There are things that can be done so that no one else has to go through what I had to go through. I believe there should be housing for young girls so they do not end up homeless or in an unsafe housing situation. If I had a younger sister, I would do everything possible to prevent her from entering the sex trade. I believe it is important for young girls to know that the street is disappointing and dangerous. (Leo, 2018, p. 7)

So I phoned the RCMPs there, and they said because of her lifestyle, which is -- she was taught to survive, and the only way of her survival was hooking, and she was, you know, hooking and stealing and things like that to survive, and that was -- she was taught that by her adopted dad, that was a way to make money to sell her body. (Lilley, Washpan, O'Brien, Kuster, O'Brien, 2017, p. 88)

[49] In order to address the issue of MMIWG, Canada must also address the problem of Human Trafficking of Indigenous women and girls. ONWA therefore recommends that Canada implement a national plan to specifically address the human trafficking of Indigenous people.

The plan must include commitment to gathering concrete disaggregated statistics on human trafficking. There are numerous challenges in terms of tracking and reporting on human trafficking provincially and nationally. Assistant Commissioner Joanne Crampton, upon being asked about whether the existing RCMP statistics on human trafficking represent a true picture of the situation in Canada reported:

No, not at all. I think it's a huge underreported number. We know that we have gaps in that, those statistics, but as well the incidence of human trafficking is a very clandestine nature and, therefore, victims do not come forward and report. There's a lot of underreporting of this particular type of crime. So, we're very confident that those stats are not anywhere near what the real picture would be. (Crampton, 2018, p. 42)

There are many ways in which the data being gathered is limited: "we're not receiving data from the victim. We're receiving the offender data. So, although we're seeing who's being charged and who's being convicted, we're not necessarily seeing the ongoing investigation and we don't see investigations that aren't human trafficking specific" (Crampton, 2018, p.42).

[50] Racism, marginalization and ongoing colonialism are the root causes of the high rates of Indigenous women and girls being trafficked in Canada (Bourgeois, 2015, p.8). A 2014 research report points out that Indigenous women are more vulnerable to trafficking because they are "disproportionately affected by poverty, racism and marginalization, leaving them increasingly vulnerable" (PACT Ottawa, 2014). Tina Chalk, in her testimony to the National Inquiry, emphasizes similar themes: "So, some of the vulnerabilities that exist, and I'm sure everyone here will agree with me, to a high propensity for those Indigenous women and girls for sure...So, one is poverty. So, as I just explained, if you're living in poverty when a trafficker offers you all these great things, it's such an amazing lure, and it is a vulnerability" (Chalk, 2018, p. 100). She continues:

Isolation is another one. So, if you have to leave your community to go to a medical appointment, or to school, or other reasons, and you get into a community that you're not used to, and I remember a survivor at one of our investigation, she had said when she got to Toronto, she sat on a curb and within minutes, two or three traffickers had approached her. And then, of course, it became a sad investigation from there...So, when you're leaving that isolation to somewhere else, you become vulnerable (Chalk, 2018, p. 100).

For Indigenous women and girls in Canada, a racist and patriarchal society too often means a lack of access to social services and supports which are often their only means of survival:

...simple survival needs, having a roof over your head, having food, being able to feed your children. Those are issues. People, unfortunately, are more vulnerable when they have those issues. Mental health issues, what we're talking about this week, past sexual abuse issues, make you more vulnerable to that. When this has happened to you in your life in maybe a different way, you become more vulnerable to it. (Chalk, 2018, p. 101)

[51] Since 2012, ONWA has engaged with Indigenous people who shared their lived experiences of human trafficking. We provided safe spaces for the women by honouring their voices and recognizing their expertise, and as such, we have built a knowledge base of survivor experiences and needs. ONWA's formative work in addressing the trafficking of Indigenous women and girls points to the profound strength and resilience of survivors. Our key recommendations and advocacy around human trafficking is that Indigenous women have a fundamental human right to safety and that systems in our society must assist in ensuring the safety of Indigenous women and girls. From 2017 to 2018 ONWA's Indigenous Anti-Human Trafficking Liaison (IAHTL) Project engaged with 3360 community participants. Of these community members over 250 people self-identified as survivors of human trafficking. Recommendations from this process include the need to ensure the safety of Indigenous women and girls, and meeting survivor needs through culture-based and trauma-informed practices (ONWA, 2018). The IAHT Liaison Project's environmental scan of services found that 80% of all existing services available to human trafficking survivors in Ontario are temporary crisis services (ONWA, 2018). While these crisis services are needed, there is also a need for longer term supports. Community engagements also revealed the key pathways into human trafficking exacerbated by involvement in the child welfare system, where Indigenous women are consistently put in situations of exploitation which can work to normalize trafficking scenarios. Foster homes and group homes are places where girls can be recruited into sexual exploitation (ONWA, 2018).

[52] The family hearings for the Inquiry also affirmed the reality that girls experience abuse in foster homes: “The foster home was not a good foster home. They’d lock us in downstairs...But they hurt us there. There are other memories that are coming to me of the same thing – the sexual abuse, the violence, strapping, hearing my brother cry...” (Julian and Julian p. 10-11). After leaving the foster care system, Indigenous women often end up in urban communities to access social assistance, where unfortunately they may be more vulnerable: “When we went to Vancouver, my mom befriended a white, French man. He took us in, and he would buy us anything that we wanted. Cookies, ice cream, he fed us, and he housed us. I was a little girl...bad things started to happen to us... (Julian and Julian, p, 12). Issues such as poverty, housing, safety and lack of access to basic necessities intersect with the ongoing marginalization and hyper-sexualization of Indigenous women, creating situations in which girls and women are sexually exploited.

[53] Canada developed a National Action Plan to Combat Human Trafficking in 2012, and at the time education and awareness about human trafficking were the key priorities. In the years following, provinces have developed additional strategies to address not only prevention, but services and supports that can help survivors. It is now time for a national action plan to be renewed. In order to respond to the trafficking of Indigenous people, particularly women and girls, a national plan must honour the unique voices and expertise of Indigenous women who have experienced human trafficking and allow ways for survivors to inform the development of responses and supports to address human trafficking.

[54] Beyond only the renewal of a national plan to combat human trafficking, the Ontario Native Women’s Association calls for an Indigenous-specific national plan to respond to the trafficking of Indigenous people, particularly women and girls, which must pay attention to the ways that colonialism creates the context in which Indigenous people are disproportionately targeted by traffickers. The national plan must also honour the voices and expertise of Indigenous women who have experienced human trafficking, and allow for ways that survivors can inform the development of responses and supports to address human trafficking.

Restoring Healthy Families and Addressing the Child Welfare System

[55] At the True-Gathering Process – Closing Oral Submissions in Eau Claire, Calgary Alberta (2018), Chief Doris Bill stated that:

Traditional Indigenous parents knew how to develop and nurture peaceful and loving relationships with family and community members. 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 (p.140).

We recommend that these key issues be addressed within the child welfare system in order to restore health to Indigenous women, children and families:

[56] (a) To the Government of Canada and all Provincial and Territorial governments: As part of the transformed Child Welfare system proposed by the Federal government, Indigenous women are actively involved in the development and implementation of the plan. The plan:

- Builds on Dr. Cindy Blackstocks' materials where the focus of child welfare is on ensuring that the Indigenous family and all family members are healthy;
- Is a “do no harm” approach that will not re-victimize Indigenous women but supports them and empowers them in their role as mothers; and
- Recognizes the role of Indigenous mothers, ensuring it is honoured, and supported.

[57] (b) To each Provincial and Territorial ministry responsible for Child Welfare Services: ONWA recommends the immediate implementation of Indigenous led programs and supports that encourage and empower Indigenous identity reclamation for both Indigenous children in care and for those children who have already aged-out or left care.

[58] The tragedy of MMIWG is deep-seeded with complex historical and current barriers that continue to place Indigenous mothers and children amongst the most vulnerable peoples in Canada. This ongoing practice of undermining and re-victimizing Indigenous mothers in their fundamental role has taken many shapes: from residential schools to the 60's Scoop and the current child welfare system; which continues to remove Indigenous children and youth from their mothers and homes both on and off reserve. The crisis of child welfare involvement in Indigenous families and apprehension is rooted in systemic poverty, a lack of access to the basic social determinants of health, and discriminatory policies that have disrupted healthy Indigenous families. On average, Indigenous women earn 30 percent less than non-Indigenous women. (Amnesty International, 2009, p.7). From an economic standpoint, financial inequity leads to poverty that increases the risk of perceived neglect by the Child Welfare system. Neglect is the biggest justification for apprehending children from their Indigenous mothers. Therefore, to understand the complexities of their lives, Indigenous mothers require specific culturally competent supports to truly serve them.

[59] As a result of poverty, many Indigenous women report that they are forced to remain in dangerous situations as they are reluctant to seek help from the police or government due to their fear of experiencing the violent act of having their children taken away. (Amnesty, 2009, p.17). Indigenous women must never be placed in a position where they must choose between losing their children and accessing safety. Instead, Indigenous mothers must be supported when they seek safety and. To break the cycle of violence, space must be created to support Indigenous people who wish to reconnect with their culture. (Sala, Williams, 2015, p.40). When that space is created, healing can happen and Indigenous women can take up their familial roles and responsibilities. Indigenous woman must take a central role in the development of solutions within a circles-of-care model that they design. This approach ensures the voice of woman is heard within the continuum from family to community to government.

“I don't want to spend any time working on how to find foster parents, how to find adopting parents; they belong with their family, their homes.” And I find there's a lot of work around 'how can we find services', but they're not looking at 'how can we keep the family together'” (Sevigny, 2018, pp 40-41).

[60] Recommendations to support the necessary changes that will empower Indigenous women and children are stated in The Truth and Reconciliation Commission of Canada; Calls to Action: Child Welfare, Section (5) which states that;

We call upon the federal, provincial, territorial, and Indigenous government to develop culturally appropriate parenting programs for Indigenous families (TRC, 2012, p.1).

Women need help to reclaim their voice, this practice will reinforce the opportunity raise their children in a good way, and community needs to support them on this healing journey. We all have that wisdom given by our relatives, ancestors, they showed us the foundation of how we can raise good families; we are all aware of what happened but need to help families to strengthen them; we need to teach and include the principals of customary law when helping families (Elder Maytwayashing, 2015, p. 29).

When we continue to acknowledge and reclaim the role of women, we also reclaim all of the roles in the community. A healthy mother improves family, community, and the nation. (Ontario Native Women's Association, 2018, p.7). We can do this by taking up the role of leadership for the children and address the child welfare system. We will build a child welfare system that is transformed and recognizes that the shattered and hurt parent needs love, care, and attention, just as her children do. In the process, we can create new ways of healing for families that is based on cultural teachings. (ONWA, 2018, p.6). There are many Indigenous teachings that offer us the understanding that women's roles are to maintain connection and continuity in communities and families. When we start with acknowledging women's responsibilities in our communities, we immediately acknowledge the responsibilities of men to protect and honour women and children's roles in the community. (ONWA, 2018, p.7).

Reinstatement of the Aboriginal Healing Foundation

[61] (a) To the Government of Canada: ONWA recommends the immediate reinstatement of the Aboriginal Healing Foundation. Such reinstatement must prioritize that the work be trauma informed and culturally grounded within an Indigenous gender-based approach. The work of the Aboriginal Healing Foundation must also directly engage with Indigenous women, autonomous Indigenous women's organizations, and members of the Indigenous community, in the creation and evaluation of the programs and services.

[62] (b) To the Government of Canada: ONWA recommends that the healing work of the Aboriginal Healing Foundation be offered and be made accessible to all Indigenous women, including Indigenous women incarcerated in federal prisons, and provincial correctional institutions, and women living in remote communities.

[63] Indigenous women experience violence every day because systems that are supposed to keep them safe continue to fail. The only way to move forward is to restore what has been lost through healing. Because Indigenous women are the center of our families, communities and nations, investing in Indigenous women through the reestablishment of the Aboriginal Healing Foundation (AHF) is an investment in our nations. When Indigenous women live in balance and their bond with their own children is kept intact, then their healing journey can truly begin and they will be able to take up their roles as leaders in society. Only then will our young boys, girls, families, communities and nations be healthy.

[64] As such, a reinstated AHF must prioritize the healing of Indigenous women through a community development approach that recognizes the devastating effects of intergenerational and residential school trauma. Collective and intergenerational healing can only occur once women are given their own voice to speak on their own behalf. Moreover, each woman must be respected as the expert in her own healing journey, and she must be given the right to pass along her own identity and culture to her children. Additionally, all programs, services and actions must be based on the safety of Indigenous women through a trauma-informed approach.

[65] During its 16-year operation, the AHF was successful in achieving its mission of addressing the healing needs of Indigenous People affected by the legacy of residential schools and its intergenerational impacts. The AHF supported holistic and community-based healing to address needs of individuals, families and communities (INAC, 2009, p. 10). Rigorous evaluation of the AHF provides evidence that its community-level healing programs were effective in facilitating healing at the individual level, and healing at the family and community

level were just starting to be seen in 2009, 1 year before AHF funding ceased (p. 54). AHF research has shown that it takes approximately ten years of continuous healing efforts before a community is securely established in healing from past traumatic experiences of the residential schools (p. 4). Expert testimonials of the AHF note that there is presently no equivalent alternative to the AHF that could achieve the desired outcomes with the rate of success the AHF had achieved (INAC, 2009, p 5).

Indigenous Gender Based Analysis

[66] (a) To the Government of Canada, Indigenous governments and all Provincial and Territorial Governments: ONWA recommends that an Indigenous Gender Based Analysis be developed, with the full participation of Indigenous women, to be adopted by all governments within Canada. Such Indigenous Gender Based Analysis should be applied to all decision-making that will impact Indigenous women and girls including the drafting/revising of laws and policies, development of government budgets, and frameworks, as well as any engagement strategies, partnerships with Indigenous community and people, and all forms of government investments.

[67] Every day Indigenous women are impacted by policies, laws, and decisions that do not consider the impact on Indigenous women, were not made by Indigenous women, nor informed by Indigenous women. These decisions are based on a colonial worldview which have embedded intersectional forms of discrimination within them. To meaningfully put an end to violence against Indigenous Women and Girls we have to approach all decision making and policy making with an Indigenous Gender Based Analysis that recognizes the imbedded biases in existing decision-making structures and processes. Even when governments work to address an issue, they still apply a colonized framework that does not address Indigenous women's reality.

Government policy frameworks around violence against women are based on a number of assumptions and work from statistical norms. Statistics Canada estimates that one in five women will experience violence in their lives. For Indigenous women in Ontario, the estimate is 75% (*Breaking Free, 1989*) and in a report done by Equay-wuk in Northern Ontario, (1995) the estimate is 98% of all

women will be impacted by violence. (Catalyst Research and Communications, 2018)

[68] ONWA has been developing an Indigenous Gendered Based Analysis that offers approaches and tools to redirect our thinking toward mitigating the multiple issues that Indigenous women and girls are facing. The medicine wheel which guides us starts in the east with the most investments in building a society that supports the actualization of fundamental human rights, including the right to safety. Police and justice costs are higher than dealing with issues that lead to the violence against Indigenous women: advocacy, healing, addiction services and mental health supports. For example, in relation to Verna Patricia Sturgeon-Gliddy:

So back during the time before my sister Patricia was murdered, there really wasn't much in place on the reserve, as far as supports. For example, there was no family drop-in places where she could take her kids. At the time, there was no sexual assault workers. They had no advocates to go with them during meetings with Child and Family Services, which in our area is Tikinagan. (Murray, 2017, P. 101)

[69] An Indigenous Gender Based Analysis would require governments to have meaningful engagement with Indigenous women instead of creating bodies of representation that are based on colonial structures. Part of the restoration of Indigenous women's roles and responsibilities is the return of Indigenous women who speak with their own voices and through their own recognized institutions. The application of Articles 18 and 19 of the UNDRIP would ensure that Indigenous women and girls are meaningfully engaged in decisions that impact their lives.

Article 18:

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 19:

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them. (UNDRIP, 2017)

Investments in Indigenous Women's Capacity and Leadership

[70] (a)To the Federal, Provincial, Territorial and Municipal governments: ONWA recommends that autonomous Indigenous women's organizations be provided with permanent core funding to develop, build, and sustain their capacity and leadership.

[71] (b)To the Federal, Provincial, Territorial and Municipal governments: ONWA recommends that funding requirements and political interests do not interfere with the vital independence and decision-making autonomy of Indigenous women's organizations.

[72] Indigenous women must have the leading role in creating, administering and monitoring women-specific programming. Autonomous Indigenous women's organizations allow Indigenous women to have this leading role. Such organizations, big and small, bring together the experiences of women to create workable solutions to the specific violence they experience. Autonomous Indigenous women's organizations do this by paying exclusive attention to the experiences and needs of women and their families.

Concluding Words

[73] In addressing the issue of missing and murdered Indigenous women and girls and creating solutions to address violence perpetrated against them, there needs to be a direct increase in responsibility and accountability at all levels of community agencies and government. It is time for leaders and policy makers to actively listen and empower the voices of Indigenous women and girls. As Indigenous women, we must take up our roles and responsibilities as leaders of communities. We must work collaboratively in order to develop effective solutions for change to occur. The Inquiry Commissioners need to be brave in carrying out their commitments to recommend actions that ensure the safety and security of Indigenous women and girls, now and in generations to come.

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Appendix: A List of Recommendations

1. Restoration of Indigenous Women's Identity - Sex Discrimination in the *Indian Act*

(a) To the Government of Canada: ONWA calls for the immediate removal of the discriminatory 1951 amendment “cut-off” and for the full section 6(1)(a) status to be extended to all First Nations women and their children. These people have been discriminated against by exclusionary provisions of the *Indian Act* since 1869.

(b) To the Government of Canada and Provincial and Territorial governments: ONWA recommends that adequate funding be provided to First Nations to accommodate the return of their community members who had been discriminatorily displaced from their First Nation community. This displacement occurred due to sex discrimination in the *Indian Act* and child welfare apprehension.

(c) To all First Nations and their Band Council governments: ONWA recommends that you openly welcome and accept community members who have lost their Indian status due to the sex-based discrimination within the *Indian Act*. As part of this welcoming, ONWA further recommends that all First Nations review their own membership policies and governance structures to ensure that there is no sex discrimination perpetuated against women and their descendants who have left home due to those discriminations perpetrated by the *Indian Act* or child welfare apprehension.

(d) To the Government of Canada and the Provincial Territorial governments: In recognition of the historic and current constructs that Indigeneity is rooted in, specifically regarding the colonial and patriarchal constructs that have consistently excluded women's voices, ONWA recommends that any discussions, consultation, engagement and/or amendments to law and policy as relate to Indigenous identity and/or citizenship/membership of any of the three Constitutionally recognized Indigenous peoples in Canada (First Nation, Inuit and Métis), must formally include Indigenous

women. This must include those women who have been displaced because of historical discrimination and racism.

2. Restoration and Recognition of Indigenous Women's Leadership

(a) To the Government of Canada, First Nation Governments, Provincial, Territorial and Municipal governments: ONWA recommends that all levels of government recognize and negotiate with Traditional Indigenous Governance Structures that recognize Indigenous women's leadership roles as they are restored throughout the Nations.

(b) To the Government of Canada, First Nation Governments, Provincial and Territorial governments: ONWA recommends that Indigenous women and girls, as well as any autonomous Indigenous women's organizations, be formally and meaningfully engaged in the conversations beyond the three national recognized Indigenous organizations.

3. Language

(a) To the Government of Canada, Provincial and Territorial governments: ONWA recommends that Indigenous language programs be permanently and adequately invested in as an act of reconciliation and to recognize that language restores identity, place, and belonging. Such action would also be an acknowledgement of the significant role Indigenous language has in healing, since language also embodies Indigenous worldview and knowledge. The use of Indigenous language reminds community members of their roles and responsibilities, including specific roles of Indigenous women and girls.

4. Addressing Sexual Violence against Indigenous Women and Girls

(a) To the Government of Canada and all Provincial and Territorial governments: ONWA recommends that, in working with Indigenous women and girls and autonomous Indigenous women's organizations, a comprehensive National Sexual Violence Action Plan be developed and adequately funded. The Action Plan will address the root causes of sexual violence against Indigenous Women and Girls and provide ongoing healing, as

well as trauma-informed and culturally grounded justice supports for women and girls who are survivors of sexual violence.

5. Victim Services and Safety

(a) To all Federal, Provincial, Territorial and Municipal governments: ONWA recommends that immediate and permanent core funding of shelters and safe spaces for Indigenous women and children experiencing violence be implemented for all communities, including remote and rural communities. This funding must account for regional discrepancies in cost, notably the higher cost of transportation, resource materials, and food in remote northern communities.

(b) To all Federal, Provincial, Territorial and Municipal governments: ONWA recommends that all emergency health services, medical services, sexual assault prevention and sexual assault response services be funded adequately to provide appropriate holistic health services, in a respectfully and culturally appropriate manner to Indigenous women and girls.

(c) To the Federal, Provincial, Territorial and Municipal governments: ONWA recommends that all nursing stations located in First Nations communities be equipped to safely operate sexual assault evidence kits in a respectful, trauma informed, and culturally appropriate manner.

6. Indigenous Women and the Gladue Principles

(a) To the Government of Canada and all Provincial and Territorial governments responsible for justice, corrections and public safety: ONWA recommends that a national standard for Gladue Reports be established. This national standard must be culturally grounded, and trauma informed. Such a standard must be developed and implemented by Indigenous people. An integral part of this standard must include a strength-based lens for Indigenous women that also acknowledges the intersections of gender and racial

discrimination. Therefore, the aforementioned governments must fund Indigenous led, not-for-profit organizations, on a permanent and equal basis as that which is given to the government institutions responsible for preparing Pre-Sentence Reports, at a minimum

(b) To the Government of Canada and all Provincial and Territorial governments responsible for justice, corrections and public safety: ONWA recommends that adequate and permanent funding be provided to Indigenous led, not-for-profit organizations, to provide Gladue support services that work in a manner that is culturally grounded, trauma informed, and which fulfill the intended remedial purpose of the Gladue principles. Further, autonomous Indigenous women's organizations should be given priority funding for Gladue Report Writing and Gladue support services programming concerning Indigenous women.

7. Addressing Human Trafficking Against Indigenous Women and Girls

(a) To the Government of Canada and all Provinces and Territorial governments:

ONWA recommends that all levels of government work collaboratively with Indigenous women, Indigenous women's organizations, and anti-human trafficking stakeholders to develop and adequately fund a comprehensive National Plan. This plan should work to address and eliminate the high incidents of Indigenous women and girls being targeted by human trafficking.

8. Restoring Healthy Families and Addressing the Child Welfare System

(a) To the Government of Canada and all Provincial and Territorial governments: As part of the transformed Child Welfare system proposed by the Federal government, Indigenous women are actively involved in the development and implementation of the plan. The plan:

- Builds on Dr. Cindy Blackstocks' materials where the focus of child welfare is on ensuring that the Indigenous family and all family members are healthy;

- Is a “do no harm” approach that will not re-victimize Indigenous women but supports them and empowers them in their role as mothers; and
- Recognizes the role of Indigenous mothers, ensuring it is honoured, and supported.

(b) To each Provincial and Territorial ministry responsible for Child Welfare Services: ONWA recommends the immediate implementation of Indigenous led programs and supports that encourage and empower Indigenous identity reclamation for both Indigenous children in care and for those children who have already aged-out or left care.

9. Reinstatement of the Aboriginal Healing Foundation

(a) To the Government of Canada: ONWA recommends the immediate reinstatement of the Aboriginal Healing Foundation. Such reinstatement must prioritize that the work be trauma informed and culturally grounded within an Indigenous gender-based approach. The work of the Aboriginal Healing Foundation must also directly engage with Indigenous women, autonomous Indigenous women’s organizations, and members of the Indigenous community, in the creation and evaluation of the programs and services.

(b) To the Government of Canada: ONWA recommends that the healing work of the Aboriginal Healing Foundation be offered and be made accessible to all Indigenous women, including Indigenous women incarcerated in federal prisons, and provincial correctional institutions, and women living in remote communities.

10. Indigenous Gender Based Analysis

(a) To the Government of Canada, Indigenous governments and all Provincial and Territorial Governments: ONWA recommends that an Indigenous Gender Based Analysis be developed, with the full participation of Indigenous women, to be adopted by all governments within Canada. Such Indigenous Gender Based Analysis should be applied to all decision-making that will impact Indigenous women and girls including the drafting/revising of laws and policies, development of government budgets, and

frameworks, as well as any engagement strategies, partnerships with Indigenous community and people, and all forms of government investments.

11. Investments in Indigenous Women's Capacity and Leadership

(a) To the Federal, Provincial, Territorial and Municipal governments: ONWA recommends that autonomous Indigenous women's organizations be provided with permanent core funding to develop, build, and sustain their capacity and leadership.

(b) To the Federal, Provincial, Territorial and Municipal governments: ONWA recommends that funding requirements and political interests do not interfere with the vital independence and decision-making autonomy of Indigenous women's organizations.