

Table of Authorities

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Dakota Ojibway Child and Family Services v KRF et al, 2018 MBCA 104.

First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada), 2016 CHRT 2.

Manitoba Metis Federation Inc. v. Canada (Attorney General), 2013 SCC 14, [2013] 1 SCR 623.

Secondary Sources

Basil Johnston, *Ojibway Heritage* (Toronto: McClelland & Stewart, 1976).

Gladys Rowe, “Literature Review: Violence against First Nation women in Canada” (The Assembly of Manitoba Chiefs Health and Social Secretariat, March 2014).

Letter from Eugene Eastman, Acting Grand Chief for The Assembly of Manitoba Chiefs to Minister Jody Wilson-Raybould, Minister Carolyn Bennett, Minister Patty Hadju and the Missing and Murdered Indigenous Women and Girls Pre-Inquiry Secretariat (24 February 2016).

Manitoba First Nations Education Resource Centre Inc., *First Nations Teachings and Practices* (Winnipeg: Manitoba First Nations Education Resource Centre, revised ed. 2014)

Notice of Motion of The Assembly of Manitoba Chiefs in the matter of: Application for Funding for a Party with Standing in the National Inquiry Into Missing and Murdered Women and Girls (20 April 2018).

Notice of Motion of The Assembly of Manitoba Chiefs in the matter of: Application to Compel the Inclusion of Child Welfare/Child Protection/Children in Care Into the Government Services Institutional Hearing of the National Inquiry Into Missing and Murdered Women and Girls (18 May 2018).

The Assembly of Manitoba Chiefs, “Our Circle to Protect Sacred Lives” initiative (2014), online: <<https://news.gov.mb.ca/news/index.html?item=30041&posted=2014-03-03>>.

The Assembly of Manitoba Chiefs, “NI MMWIG Institutional Hearing: Education Issues” (25 May 2018).

Women's Council, The Assembly of Manitoba Chiefs, “The Design and Delivery of Culturally Responsive, Trauma Informed Services for Families of Missing and Murdered Indigenous Women and Girls Proposal” (August 2017).

Weechi it te win Family Services & The Fort Frances Governance Team, “Traditional Childcare Practices: Raising our Children the Anishinaabe Way” (2000).

APPENDIX A: INTERIM MEASURES OF AMC
ADDRESSING MMIWG

CHILD WELFARE

The child welfare system in Manitoba and in Canada sets First Nation children up for failure. It is a continuation of the residential school system and the Sixties Scoop. First Nations never ceded jurisdiction of children, but it was “taken away from us through years of purposeful, adversarial and invasive government Indigenous child welfare policies.”¹ These systems were a direct attack on First Nation children and families.² They were rooted in “racist attitudes that considered Aboriginal families as being frequently unfit to care for their children.”³ Residential schools and Sixties Scoop have

“adversely affected parenting skills and the success of many Aboriginal families. These factors, combined with prejudicial attitudes towards Aboriginal parenting skills and a tendency to see Aboriginal poverty as a symptom of neglect, rather than a consequence of failed government policies, have resulted in grossly disproportionate rates of child apprehension among Aboriginal people.”⁴

Manitoba has been identified as experiencing a “humanitarian crisis in child welfare”.⁵ The statistics of children in the child welfare system in Manitoba are deplorable. There are over 11,000 children in care and about 90% of which are Indigenous in Manitoba.⁶ Your chances of graduating from high school if you are a child in care is only 25 %.

From 2008-2016, 546 children in care died which is approximately 68 children per year in Manitoba alone.⁷ In contrast, in the 90 year span of residential schools, approximately 6,000 children died – on average 66 children per year at the national level.⁸ If this continues in Manitoba, there will have been more First Nation children who have died in the child welfare system than in residential schools. The statistics available only account for a period of eight years, when 546 children have already died. We cannot afford to see where another eight years takes us.

First Nation children are also abused – physically, emotionally and sexually – in the “care” of the child welfare system. Most recently, a for-profit Manitoba foster care company was caught admitting that they had “dragged [their] heels big time” when they failed to prevent and immediately addressed the abuse including, finding a suitable and safe home for children who were being sexually abused in one of their foster care placements.⁹

Both Canada and Manitoba continue to perpetuate the disconnection of First Nation children from their culture through the current child welfare system. It places barriers for First Nation families and communities to continue to care for their own children including by:

- prioritizing apprehensions over preventions and supports¹⁰;
- continuing to underfund First Nation child welfare agencies despite Canadian Human Rights Tribunal Orders finding that they have discriminated against First Nation children¹¹;
- failing to recognize the direct link between cultural connectivity and the best interest of the child; and
- imposing rules relating to confidentiality which prevent transparency of information and affect the ability of families and advocates to pursue reunification.

First Nation children in care are removed from their families and communities and often placed in non-Indigenous placements. It should be noted that placements are done in manner that prioritizes non-Indigenous families. In far too many cases, First Nation babies are apprehended from their mothers at birth – disconnecting them from their families and communities within hours of birth.

There is a direct link between children in care and MMIWG –children in care continue to go missing or be murdered because they are running away from their foster placement and trying to return home. In 2016, of the over 9,700 missing persons in Manitoba, approximately 87% of them were children in care, 70% were girls.

Interim Measures

UNDRIP Article 7.2

Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

UNDRIP Article 22(2)

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.

- 1. That the federal government engage in conversations with First Nation representative organizations in each region to identify whether they require First Nation children advocates. If it is required, that the federal government support and fund in each region - First Nations Family and Children Advocates accountable to First Nations and created**

through First Nations' inherent jurisdiction, working outside and beyond the colonial government (provincial and federal systems).

- In Manitoba, the First Nations Family Advocates Office of AMC should be meaningfully supported and funded in order for them to provide daily support services to individuals, ongoing gathering of statistical information and monitoring of data, offer an independent mechanism for individuals involved in the child welfare system experiencing racism and other challenges.¹²
- These First Nation Children Advocate Offices should be provided sufficient funding to act as an oversight mechanism of third-party providers of child welfare services with the power of holding them accountable when they are found to place children at risk.¹³

2. That all levels of government implement the TRC Calls to Action.

3. That the federal and provincial governments fund and meaningfully support the creation and continued operations of Family Support Centres in all First Nations and urban centres.

- The purpose of the Family Support Centres would be to ensure that parents who require assistance would be surrounded by circles of support in order for them to flourish and stay together as a family.¹⁴¹⁵ This is an important step in implementing a child welfare model that focuses on prevention and not apprehensions.

4. That all levels of government (federal, provincial, and municipal) support and fund opportunities for First Nation children, youth and parents – including those in care- to attend ceremonies and learn about the culture and languages.¹⁶

5. That the funding model be reversed to provide more funding to prevention services, including but not limited to health (including mental health) supports for parents and children, counselling for families, including once reunification happens.¹⁷

- This should also include parenting courses based on First Nation ways of being and knowing.¹⁸¹⁹

6. That child welfare agencies in Manitoba work with the First Nation Family Advocate Office of the Assembly of Manitoba Chiefs to give families more access to each other.

7. That the Province of Manitoba keep the Children's Special Allowance in trust for children in care until they “age out”.²⁰

8. That the practice of “birth alerts” end immediately in Manitoba.²¹

9. That victims of domestic violence stop being penalized and further victimized by western systems with the apprehension of their children.²²

10. That the practice of requiring families to enter into Voluntary Placement Agreements (“VPAs”) to access health supports for children end immediately in Manitoba.²³

11. That the practice of forced sterilization of First Nation women and girls end

immediately.²⁴

12. That a National Registry for First Nation children be created to share information about birth alerts, apprehensions and placement with the home First Nation.²⁵²⁶
13. That 24 hour support centres that offer a range of services which are culturally and spiritually diverse be funded throughout Manitoba both on and off-reserve.²⁷
14. That children in care are provided with meaningful access to mental health supports, which includes but is not limited to reducing the stigma surrounding mental health, strategies for providing and monitoring access to supports, and training of CFS staff to identify mental health challenges and requests for assistance²⁸
15. That Indigenous culture and language programming be re-instituted and revitalized in schools in Manitoba.²⁹
16. That courts consider meaningful access to culture and language as integral parts of the safety and security of First Nation children when considering the best interest of the child.³⁰
17. That mechanisms for kinship care in all First Nations be established including Grandmother Councils.³¹
18. Create an “Adopt-a-Grandparent” program to work with parent and families in caring for children and youth³²
19. That more support and services be provided for children aging out and, extending past the age of 25.³³
20. That additional opportunities for mentorship of youth are meaningfully supported and funded by all levels of government.³⁴

HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND RESOURCE EXTRACTION INTERIM MEASURES

Canada has an international reputation as a source, destination and transit country for human trafficking.³⁵ In Manitoba, those trafficking recruitments efforts are rampant.

According to the Government of Manitoba, “[i]t is estimated that hundreds of children, youth, and adults are victimized in the visible sex trade on the streets of Winnipeg and other cities each year.”³⁶

The Government also estimates that “thousands are victimized in the invisible sex trade that takes place in hidden venues such as private homes and drug houses located throughout the province.”³⁷ The average age for sexual exploitation in Manitoba is 14 years old and sometimes as young as 9.³⁸ At

times, these children are becoming sexually exploited in exchange for “basic necessities of life such as food and shelter.”³⁹

The majority of those victimized by sexual exploitation and sex trafficking are First Nation girls, many of whom are involved in the child welfare system and experiencing homelessness.⁴⁰ First Nations women and girls who have been involved with the child welfare system are vulnerable to the risk of homelessness. Of the people experiencing homelessness, 51.5% of them had been in care at one point in their lives, and 62.4% of them experienced homelessness within one year of leaving care.⁴¹

Poverty is inextricably tied to the risk of sexual trafficking and exploitation among First Nations women and girls. The riding of Churchill Keewatinook Aski in Manitoba has the highest rate of poverty in Canada.⁴² Poverty creates situations for women and girls where they are forced into modes of survival. Often times, the situations become cyclical in nature, with intergenerational effects and consequences.

And in some of these cases, in this report and other reports I did, I would actually look at intergenerational. Like there would be four generations where mom -- like great grandma, grandma, mom, child were all involved in survival sex work to some extent to survive, and all of whom were -- experienced sexual abuse and violence across the generations, not only stranger violence, but familial violence. So really looking at who's vulnerable, what are their circumstances, why. Statistics only tell you one big number, that inside it, you come down and you actually see the lived experience and you begin to understand that supports should be very targeted to those that most need them.”⁴³

First Nations women and girls are particularly vulnerable to sexual exploitation and human trafficking when they are transitioning to urban spaces to access necessary services. Due to a lack of services in First Nations, First Nations women and girls are often forced to leave their First Nations in search for a better life. Children as young as 5 must move to cities in order to attend elementary school.⁴⁴

First Nations women and girls who are travelling from their First Nations are often approached by predators within minutes of entering the city. This is a vulnerability and point of risk of exploitation for First Nation women and girls.⁴⁵

[O]ur recruiters are very organized. They know what to look for. They know how to identify kids that may be coming from the North. They use some of the things that we cherish and value as Indigenous people, such as our language. You know, they will stand around, and when they see them in shopping malls or in drop-in centres or libraries to

hear if they have a certain slang or how they're speaking, if they're talking to their peers within their language. Because not a lot of our kids that have been raised in the system or raised in the urban setting have their language or have been taught their language. So they use those things as indicators that this is a child coming from the North who is probably isolated, who probably doesn't have a lot of family, that may be here for school, and that are craving friendship.⁴⁶

The hope in moving to urban areas is that those services will be provided. The reality is that services are often lacking, inaccessible, and culturally unsuitable.⁴⁷ If and when First Nation women and girls are able to access basic necessities such as housing, they are isolated from their Nations and ways of life.

"The thing is, if you shove someone into a tiny little apartment, and be like, there you go, now you're housed, they're not going to stay because there's no support for them, so basically it's almost like a little jail. So we noticed that people will still leave their housing – their housing to go back and have a community and spend time out there, and whatever underlying issue they have that's not resolved, whether it be drugs or alcohol or whatever, they're going to end up losing their housing again."⁴⁸

The systemic and societal devaluation of First Nation women and girls contributes to their vulnerability and lack of self-worth. This is felt by girls at alarmingly young ages:

My 12-year old daughter said to me just not even a year ago, "Mom, I have brown skin. Does that mean that some day I might be missing or murdered?" How do you respond to that. This how I respond. "No, that brown skin is making you resilient. That brown skin is your shield and that brown skin is your protection, and that brown skin shows the whole world that you're going to be okay. And, don't let that brown skin define that you're going to be a victim and that you are a victim." We're not victims. And, we have to stop pretending that we're victims of Canada. I don't want to believe that."⁴⁹

In the Fall of 2018, a Report was released by the Clean Environment Commission which highlighted racism, discrimination and sexual abuse at Manitoba Hydro's work sites in the 1960s and 70s. The Report concluded that the arrival of the largely male construction work force led to the sexual abuse of First Nation women and girls and that their complaints to the RCMP were ignored.⁵⁰

Based on what AMC has heard and observed, the primary factors leading to human trafficking, sexual exploitation, and violence relating to resource extraction projects against First Nations women and girls are the impacts of colonization on: the devaluation of the lives of First Nation women and girls; the circumstances of poverty among First Nations; and the service delivery model in First Nations which

leads to a lack of or inadequate social services (including but not limited to education, health, and housing).

Interim Measures

UNDRIP Article 7.1

Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

UNDRIP Article 10

Indigenous people shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of indigenous peoples concerning and after agreement on just and fair compensation and, where possible, with the option of return.

- 21. That the Federal Government abolish the Indian Act.⁵¹**
- 22. That a Regional Inquiry be called in Manitoba relating to gangs, safety, human trafficking and sexual exploitation due to the fact Manitoba is a hub for human trafficking and sexual exploitation. This was not meaningfully addressed in the National Inquiry into MMIWG.⁵²**
- 23. That all levels of government conduct an independent review of the language used in all policies, statutes, regulations and forms to ensure they do not perpetuate negative stereotypes and stigma against First Nation women and girls.**
- 24. That a critical review of child welfare policies be undertaken in collaboration with First Nation representative organizations to ensure that policies favour the best interest of First Nation children rather than organizational interests of CFS agencies.⁵³⁵⁴**
- 25. That the federal Government fund and support the work of First Nation organizations in collecting data, including the stories and lived experiences of First Nation women and girls who have been trafficked, exploited or sexually assaulted to inform First Nation led responses to these issues and identify risk factors.⁵⁵**
- 26. That federal, provincial and municipal governments support and fund First Nation organizations and initiatives working directly with First Nation women and girls who are being or have been exploited and/or trafficked, including but not limited to:**
 - support women and girls who are involved in and would like to exit the survival sex trade⁵⁶;
 - expand or provide safe houses and counselling programs run by First Nation women and girls for First Nation women and girls which can operate 24 hours per day on and off reserves⁵⁷;
- 27. That all levels of government expand, meaningfully support and fund adequate and affordable housing for First Nations on and off reserve.**
- 28. That the Federal Government create and fund a National Action Plan on Human Trafficking based on the engagement of regional First Nation perspectives, including from**

Manitoba First Nations.⁵⁸

- 29. That all levels of government in collaboration with regional First Nation organizations and governments, establish and fund shuttle bus transportation systems in key places where First Nation women and girls rely heavily on hitchhiking.⁵⁹**
- 30. That Federal and Provincial governments fund First Nation organizations and governments to provide supports for First Nation children and adults transitioning from First Nations to urban centres, including but not limited to:**
 - supports for First Nation students having to leave their First Nation to attend schools in urban centres; and
 - access to necessary health care.⁶⁰
- 31. That the Federal Government establish a basic income guarantee as an important step to achieving socio-economic equality.**
- 32. That the Federal Government and Manitoba support and fund a First Nation-led Truth Process into the historical assaults linked to hydro-electric and other resource extraction projects in Manitoba as well as related legal and health supports for First Nation women and girls involved in the Inquiry.^{61,62}**
- 33. That the Provincial Government and RCMP put in abeyance the Ontario Provincial Police and Independent Investigation Unit of Manitoba investigations relating to the historical assaults linked to hydro-electric projects in Northern Manitoba until such time that affected individuals be offered funded and trauma-informed mental health and legal supports.**
- 34. Recognizing that there are ongoing resource extraction projects affecting entire First Nation communities on an ongoing basis, that the federal and provincial governments as well as the responsible extractive industry immediately meaningfully support and fund:**
 - health and trauma supports as well as preventative measures for First Nation women and girls impacted by violence linked to resource extraction;⁶³
 - other First Nation led initiatives such as Worker Interaction Committees which monitor the interactions between community members and resource company workers and are able to offer solutions for impactful practices;
 - the solutions proposed from the First Nation led initiatives.
 - collection of data by First Nation organizations and governments relating to the violence against First Nation women and girls by resource extraction companies to inform First Nation led responses to these issues;⁶⁴
 - Annual healing gatherings throughout Manitoba for the First Nation women and girls who were/are victims of sexual assault and violence by resource extraction companies.⁶⁵

Policing and Justice Interim Measures

In 1988, the Aboriginal Justice Inquiry stated that “the justice system has failed Manitoba’s Aboriginal people on a massive scale” by being “insensitive and inaccessible, and has arrested and imprisoned Aboriginal people in grossly disproportionate numbers.”⁶⁶ The AJI further stated that

*Aboriginal women and their children suffer tremendously as victims in contemporary Canadian society. They are the victims of racism, of sexism and of unconscionable levels of domestic violence. The justice system has done little to protect them from any of these assaults. At the same time, Aboriginal women have an even higher rate of over-representation in the prison system than Aboriginal men. [...] We believe the plight of Aboriginal women and their children must be a priority for any changes in the justice system.*⁶⁷

Thirty years later, First Nations women and girls remain over-policed and under-protected. First Nation women and girls continue to interact with the justice systems because of survival – whether through the use or selling of illicit drugs, theft, or sexual exploitation.⁶⁸ In many respects, the justice system continues to be used as a way to deal with the “Indian problem” by locking First Nations persons in institutions, away from their families and culture. Ironically, for many, incarceration may be the first time they are exposed to their Indigenous traditions and culture.⁶⁹

The disproportionate number of First Nation people stuck in the justice system is a clear indication that this system is not working for First Nation people, it is working against them. Policing and justice institutions are foreign systems that have been imposed upon First Nation people.

There is a historic and current lack of trust between First Nation people and policing agencies.⁷⁰ The relationship between police and families of MMIWG and survivors is damaged. A history of racism, mistreatment towards victims and families, and a failure by law enforcement to effectively and meaningfully deal with reports of violence and share information with families, have all contributed to the broken relationship. In certain cases, it has been found that racism and stereotyping by the police force has led to the perpetration of violence against First Nation women and girls.⁷¹

Based on what we heard, it is clear that more frequent, 'gentle and quicker' communication and responses are needed by policing and justice agencies. It is also clear that more information is needed about the roles and responsibilities of Policing agencies. During our engagement with families we heard many questions and doubts about the (in)actions of policing agencies. Better

communication about these roles and responsibilities are needed to improve the relationship between the policing agencies and families of MMIWG.⁷²

Police have been known to become perpetrators of violence themselves, which in effect deepens the mistrust of First Nation women and girls in police agencies.⁷³ There is an overall fear of retaliation if someone comes forward with any form of complaint against police officers.⁷⁴

It's really important to know that any incidence of police abuse against an Indigenous woman doesn't only affect that individual woman in question who suffers from the abuse but it creates a really chilling environment for everybody[.]⁷⁵

There is an overall lack of oversight and accountability into the interactions between First Nations women and girls and law enforcement. Police forces must be more transparent in their investigations and in providing information to First Nations people and to the victims and families of MMIWG.

Interim Measures

UNDRIP 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 Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

- 35. That, in each region, the federal government support and fund - First Nations Justice Advocates accountable to First Nations and created through First Nations' inherent jurisdiction, working outside and beyond the colonial government (provincial and federal systems).**
- The First Nations Justice Advocates should be meaningfully supported, including financially in order for them to provide ongoing daily support services to individuals, ongoing gathering of statistical information and monitoring of data, offer a transparent complaints mechanism for individuals involved in the justice system experiencing racism and other challenges.
- 36. That all levels of government reverse the funding model that currently prioritizes apprehension instead of prevention and make meaningful and ongoing funding investments in prevention services and supports which decrease recidivism through a First Nation worldview (such as Onashewewin)⁷⁶.**

- 37. That the Canadian Association of Chiefs of Police work together with regional First Nation organizations, including the Assembly of Manitoba, to develop a national strategy to ensure consistency in reporting mechanisms for missing persons.⁷⁷**
- 38. That national, provincial, municipal and First Nation policing agencies create formal collaboration agreements, including as a means of efficiently sharing data and engaging in community outreach.⁷⁸**
- 39. That all “independent” police boards include representation of at least one First Nation woman and/or elder/grandmother.⁷⁹**
- 40. That all police forces meaningfully support First Nation women to enter police forces, including but not limited to creating recruitment initiatives and educational bursaries.⁸⁰**
- 41. That all police forces receive regular and ongoing cultural sensitivity training (including but not limited to experiential and interactive training) by First Nation organizations to foster cultural understanding, sensitivity and better relationships.⁸¹**
- 42. That all police forces receive regular and ongoing training relating to:**
 - what constitutes human trafficking and sexual exploitation in order for them to be more familiar with the characteristics and signs to watch for;⁸² and
 - mental health concerns that are specific to First Nation people.
- 43. That any police officer displaying racist and/or sexist attitudes be screened out of training and police officers who display such conduct after joining the force should be required to immediately take training or, if necessary, be formally disciplined or dismissed.⁸³**
- 44. That clear policies and practices be established relating to the timely provision of information, including autopsy results and coroner reports to the families of MMIWG.⁸⁴**
- 45. That the federal and provincial governments provide additional and meaningful financial support for programs which are based on First Nation worldviews for First Nation offenders involved at all stages of the system.⁸⁵**
- 46. That all policing agencies create dedicated staff positions to facilitate contact with police services by First Nation women and girls, families of MMIWG and survivors of violence. This work should be done in a culturally and trauma-informed manner.⁸⁶**
- 47. That all levels of government in Manitoba meaningfully financially support Bear Clan Patrols across Manitoba, including in First Nations.⁸⁷**
- 48. That policing agencies establish a protocol with First Nation representative organizations to meet on a regular basis to establish priority areas and build relationships.**
- 49. That all levels of government meaningfully support and fund adequate and free legal**

advice and representation for victims of sexual violence.⁸⁸

50. That police agencies meaningfully participate in any independent review process.

HEALTH AND EDUCATION SYSTEMS

The health and education systems are foreign systems imposed upon First Nation people that do not reflect their needs, their culture or their identity. When First Nation people enter the health care system, they enter in stereotypes.⁸⁹

There is significant racism in the delivery of health and education services – structural racism with intergenerational impacts.⁹⁰ As we heard during the Inquiry - racism kills.⁹¹

Systemic racism, compounded by a lack of health support and services in First Nations and for First Nations people, contributes to the violence against First Nation women and girls.

First Nation women and girls are placed at risk when they transition from rural areas and First Nations to cities and urban spaces. In order to receive health and education services, First Nation people must put themselves at risk of sexual exploitation and violence. The fact that First Nations children must leave their communities and families for access to education is a continuation of residential schools.⁹²

First Nation children and adults living both on and off reserve continue to experience denials, delays and disruptions in the provision of basic health care. There is a lack of supports for First Nation adults and children with disabilities. Support services for addictions and substance abuse is also lacking, placing First Nations women and girls at risk of exploitation and violence when they consume alcohol as a way of drowning pain. First Nation people have lower levels of education and lower health indicators due under funding by the Federal Government. There are systemic barriers to accessing funding for services, including the time and energy it takes to apply for funding,⁹³

There is racism and under-representation of First Nation people in the health and education professions – the need for more First Nation health professionals and educators is great.⁹⁴ The education system is contributing to negative stereotypes of First Nation women and girls – curriculum reform is needed. A return to First Nation languages is key for reform and healing.

Interim Measures

UNDRIP Article 14

1. Indigenous peoples have the right to establish and control their education systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

UNDRIP 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social development programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

UNDRIP Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
2. Indigenous individuals have an equal right to enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

50. That the federal government support and fund in each region - First Nations Health and Education Advocates accountable to First Nations and created through First Nations' inherent jurisdiction, working outside and beyond the colonial government (provincial and federal systems).⁹⁵

- In Manitoba, the First Nations Health and Social Secretariat of Manitoba (“FNHSSM”) (Nanaandawewigamig) should be meaningfully supported and funded in order for them to support their existing projects and provide daily support services to individuals, ongoing gathering of statistical information and monitoring of data, offer a complaints mechanism for individuals involved in the health system experiencing racism and other challenges.
- In Manitoba, the Manitoba First Nations Education Resource Centre (“MFNERC”) should be meaningfully supported and funded in order for them to provide daily support services to individuals, ongoing gathering of statistical information and monitoring of data, offer a complaints mechanism for individuals involved in the education system experiencing racism and other challenges.

51. That the federal government provide funding for and meaningfully support projects which bring wellness and pride back to First Nations, including but not limited to:

- Traditional knowledge and healers in all public health environments;

- Traditional medicines; and
- Birthing projects as well as initiatives that foster pride and self-esteem.⁹⁶

- 52. That all levels of government fund and meaningfully support healing centres and healing lodges under First Nation control throughout Manitoba for First Nation people.⁹⁷**
- 53. That the federal government provide funding to First Nations for the establishment on reserves of recreational and cultural centres which have specific youth components, including but not limited to sports and art.⁹⁸**
- 54. That the federal and provincial governments collaborate with the Assembly of Manitoba Chiefs and the First Nations Health and Social Secretariat to create and expand supports based on First Nation worldviews for persons with substance addictions.**
- Including 24-hour support centres
- 55. That First Nation midwifery programs be meaningfully supported throughout Canada and that First Nation women be financially supported to attend and complete their program.**
- 56. That the Federal Government provide funding to FNHSSM for the expansion of the “Youth Leaders of Tomorrow” program focusing on health and wellness.**
- 57. That in collaboration with First Nation representative organizations, all Education and Health related faculties create mandatory education about the history of First Nation peoples in Canada, the legacy of residential schools, the Sixties Scoop, UNDRIP, treaties, and Indigenous teachings and practices.⁹⁹**
- 58. That those in the Canadian health-care system work with First Nation representative organizations to take concrete steps to recognize the value in First Nation healing practices.¹⁰⁰**
- 59. That any individual working in the health and education professions displaying racist and/or sexist attitudes be screened out of training and that individuals who display such conduct after working in the medical and educational professions should be required to immediately take training or, if necessary, be formally disciplined or dismissed.¹⁰¹**
- 60. That there be funding for the ongoing and meaningful implementation of Jordan's Principle throughout Canada.¹⁰²**
- 61. That the Province of Manitoba immediately adopt a human rights compliant definition of Jordan's Principle.**
- 62. That Jordan's Principle be expanded to include First Nation adults.¹⁰³**
- 63. That Jordan Principle Resource Centres be established and meaningfully funded on an ongoing basis in each First Nation in Manitoba.¹⁰⁴**

- 64. That the federal and provincial governments meaningfully support and fund initiatives that teach First Nation languages.¹⁰⁵**
- 65. That the federal and provincial governments meaningfully support and fund land-based and cultural education, including in First Nation teaching spaces such as sacred lodges.¹⁰⁶**
- 66. That all levels of government work to ensure and fund accessible and affordable childcare in Manitoba.¹⁰⁷**

EDUCATION, AWARENESS, HONOURING LOVED ONES

There are too few Manitobans and Canadians that know about the history of First Nations people in Canada and the crisis of MMIWG.

Colonization has had negative impacts on the image of First Nation women and girls in the general public. Education and awareness are needed about MMIWG, healthy relationships, and the strengths of First Nation women and girls. This is also needed in First Nations to ensure that women and girls are safe, both in their communities and when they travel to cities.

Implementing education strategies such as disseminating facts and informational pamphlets will assist in education and awareness building. Education on traditional practices and ways of knowing and being are just as important as facts and basic information on MMIWG. Elders, knowledge keepers and grandmothers have a key role to play as teachers and stewards of traditional teachings. They can assist in bringing healing for victims, families and communities.

There is an overall lack of supports and services available to help survivors and families of MMIWG in their healing and in searches for family members. One of the most common areas in which families need support is in acquiring information from police agencies. There is a great need for ongoing, permanent supports. Families must be able to access funding for such supports so that they can honour their loved ones in a variety of ways.

Opportunities for healing and supports that are rooted in First Nation ways of being and knowing are integral. This may include, but is not limited to, land-based healing. Knowledge keepers will assist in this type of healing.

Interim Measures

Articles 11-13 of UNDRIP

11.1 Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. [...]

12. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies [...].

13. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures [...]

Article 15 of UNDRIP

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2. States shall take effective measures, in consultation and cooperation with indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

68. That the federal government in collaboration with regional First Nation organizations, including the including AMC, The Women, Children and Family Unit, fund and meaningfully support a national public awareness and prevention campaign focusing on violence against First Nation women and girls, including facts about the history of the objectification of First Nation women.

69. That the federal government collaborate with the Manitoba First Nations Education Centre to identify priority areas requiring educational training for First Nations in Manitoba.

- That the Federal Government fund and meaningfully support the ongoing implementation of training initiatives, scholarships, paid leaves and other incentives identified and flowing from collaboration and engagement with the Manitoba First Nations Education Centre. ¹⁰⁸

70. That the federal government provide funding to the Families First Foundation for their work to educate the public on the needs of families of MMIWG which includes the provision, coordination and delivery of:

- religious, spiritual, emotional, cultural and financial support to families;
- translation services, media liaison services and independent legal advice to families;
- community-based mentorship and child-minding services to families;
- Provide communication services for the delivery of information to families; and
- Undertake activities ancillary and incidental to the above-mentioned purposes.

71. That all levels of government fund and meaningfully support ongoing educational initiatives, including from the Manitoba First Nations Education Centre relating to MMIWG (developed in partnership with First Nation organizations) including but not limited to:

- posters, brochures, community workshops and multi-media awareness referencing well known cases of MMIWG and some of the potential vulnerabilities to First Nation women and girls to ensure their safety and security;
- anti-racism and anti-bullying strategies;
- self-defence training for junior and senior highschool students

72. That all levels of government acknowledge the important role of Elders, Grandmothers and Knowledge Keepers by funding initiatives at regional levels which include but are not limited to :

- bringing Elders, Grandmothers and Knowledge Keepers together to conceptualize self-determination and self-governance;
- compensating Elders, Grandmothers and Knowledge Keepers in a manner that respects protocols and recognizes their expertise;
- bringing Elders, Grandmothers and Knowledge Keepers together to share knowledge and expertise.¹⁰⁹

73. That all levels of government fund and meaningfully support annual community events to commemorate MMIWG and survivors¹¹⁰

MEDIA

Media often perpetuates negative stereotypes about First Nation women and girls as well as of MMIWG, contributing to the loss of value for life of First Nation women.¹¹¹

The devaluation of life of First Nation women and girls is perpetuated through film – starting at a very young age, including in Disney movies – and in popular media.

There is a lack of visibility of First Nation people in mainstream media – if you do not see yourself depicted in the media, you are invisible to the larger culture.

While social media can be used as a tool for social change, it can also be used as a tool for recruiting young First Nation girls into human trafficking and sexual exploitation.

Interim Measures

Article 16 of UNDRIP

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity

- 74. That, in each region, the federal government support and fund a media watchdog group that focuses specifically on Indigenous coverage by the mainstream media. This group would be made up of Indigenous journalist and communications specialist to help inform language and stories and headlines, coverage communities across Canada, creation of language guide and resource centre to help journalist answer questions that they may have when covering stories about Indigenous peoples and Nations.**
- 75. That universities and colleges teaching media, creative communication, film, and journalism implement mandatory courses relating to the history and current circumstances of First Nation people. Courses must be developed in collaboration with First Nation representative organizations.**
- 76. That Universities and colleges create meaningful scholarships for First Nation students interested in the media, film and journalism fields of study.**
- 77. That all media organization offer culturally appropriate and trauma-formed training in collaboration with First Nations organizations to all staff.¹¹²**
- 78. That all levels of government implement TRC Calls to Action 84 to 86 relating to supporting reconciliation within the media.**
- 79. That the Canadian Radio-television and Telecommunications Commission be directed to work with First Nations to address systemic discrimination in telecommunication and broadcasting.**

¹October 4 2018 at p 220.

² Cite the Prime Minister's apology from 2008 on Indian Residential Schools

³ TRC Executive Summary at p 137

(http://www.myrobust.com/websites/trcinstitution/File/Reports/Executive_Summary_English_Web.pdf)

⁴ TRC Executive summary at p 138.

⁵ Government of Manitoba, "Review of Child Welfare Legislation in Manitoba: Discussion Guide" (Winnipeg: December 2017) at 4, online <https://www.gov.mb.ca/fs/child_welfare_reform/pubs/discussion_guide.pdf>

⁶ The exact number of children in care in Manitoba is unknown because the Province of Manitoba does not include children between the ages of 18 and 21 years old in their statistics. Cora Morgan, October 1 2018 at pp34-35.

⁷ CITE

⁸ CITE

⁹ Katie Nicholson & Joanne Levasseur, "We dragged our heels' after sexual abuse allegations, foster care service director says in secret recording" *CBC News* (22 November 2018) online: <<https://www.cbc.ca/news/canada/manitoba/b-and-l-foster-care-sexual-abuse-allegations-1.491506>>

¹⁰ According to Cora Morgan, "I think the breakdown is about 90 percent of the \$514 million annually is invested in the protection of children, and there is 10 percent that is identified for prevention services." See: Transcript evidence Cora Morgan, Winnipeg, Panel 1, Public Transcript Part II, Volume X, Exhibit Code: P02-03P03P010 at p. 56 at lines 1-4. See also: Camerson MacLean, "NDP Bill Aims to Prevent Child Apprehensions Due to Poverty" *CBC News* (9 May 2018) online: <<https://www.cbc.ca/news/canada/manitoba/child-apprehension-bill-poverty-1.4655402>>; Government of Manitoba, Review of Child Welfare Legislation in Manitoba: Discussion Guide" (Winnipeg: 2017) online: https://www.gov.mb.ca/fs/child_welfare_reform/pubs/discussion_guide.pdf

¹¹ *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 2 at para 446. Cindy Blackstock states that the Canadian Human Rights Tribunal's decision ... "actually binds Canada. But, in my view, Canada has a duty to ensure that the needs of First Nations children are met underneath that decision. In fact it is not just my view, it is the tribunal's view more importantly" Transcript Evidence Dr. Cindy Blackstock, Winnipeg, "Child and Family Welfare" Hearing Panel 2, Public Transcript, Parts II & III Volume XII, Exhibit Code: P02-03P03P0301 at p. 114 lines 13-17.

¹² Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 10 "Final Report "Setting the Foundation for Change: A Strategy Towards First Nations' Jurisdiction of Child Welfare in Manitoba," Assembly of Manitoba Chiefs Women's Council, March 2018 at p. 10; Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 9 "First Nations Family Advocate Office Report, 2017" at 1.

¹³ Transcript Evidence Cora Morgan, Winnipeg, "Child and Family Welfare Hearing," Panel 1, Public Transcript Part II Volume X, Exhibit Code: P02-03P03P0101, at p. 82 lines 1-3. See also: Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 "Final Report "Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform"" prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 36.

¹⁴ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 4 "Bringing Our Children Home: Report and Recommendations," Assembly of Manitoba Chiefs, June 2014 at p. 2; Transcript Evidence Cora Morgan, Winnipeg, "Child and Family Welfare Hearing" Panel 1, Public Transcript Parts II & III Volume X, Exhibit Code: P02-03P03P0101 at p. 82 lines 1-5; Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 10 "Final Report "Setting the Foundation for Change: A Strategy Towards First Nations' Jurisdiction of Child Welfare in Manitoba,"" Assembly of Manitoba Chiefs Women's Council, March 2018 at p. 10.

¹⁵ "In our culture, all children remained with the family. If they were not kept by the biological parents then the extended family took them" Weechi it te win Family Services & The Fort Frances Governance Team, "Traditional Childcare Practices: Raising our children the Anishinaabe Way" (2000) at p. 9.

¹⁶ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 7 "Lifting Up Children: Manitoba First Nations Open Forum on Child Welfare" at p. 9; "MMIWG Issues in Education," Assembly of Manitoba Chiefs at pp. 3-4; "Our Circle to Protect

- Lives,” Assembly of Manitoba Chiefs, 2014 at p. 14.
- ¹⁷ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 “Final Report “Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 11.
- ¹⁸ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 7 “Lifting Up Children: Manitoba First Nations Open Forum on Child Welfare” at 7,9.
- ¹⁹ The story of Angel detailed in a recent Manitoba Advocate for Children and Youth report supports the need for oversight and accountability. It was found that “While she was in care, the guardian CFS agency did not demonstrate any understanding of the impact on a child when being moved so constantly, and the CFS agency continued to move Angel from place to place and community to community” Angel further disclosed abuse and a need for help but was labelled by her workers as disruptive, disrespectful, and workers noted that she threw tantrums when she was disappointed or upset, and really, what they were seeing was a little girl who was in pain and suffering trauma.” See: Austin Grabish, “Teen who Died in Care was Let Down by Systems designed to help, children's advocate says” *CBC News* (13 December 2018); Manitoba Advocate for Children and Youth, “In Need of Protection: Angel's Story” (December 2018) at p. 8 online: <http://manitobaadvocate.ca/wp-content/uploads/In-Need-Of-Protection-Angels-Story-Dec-2018.pdf>
- ²⁰ Transcript evidence Cora Morgan, Winnipeg, “Child and Family Welfare” Hearings, Panel 1, Public Transcript Part 11 Volume X, Exhibit Code: P02-03P03P0101 at p. 82 lines 4-5.
- ²¹ “The high number of birth alerts in Manitoba indicates this system is broken” as set out in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 “Final Report “Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at 11, 22. See also: Transcript evidence Cora Morgan, Winnipeg, Panel 1, Public Transcript Part 11 Volume X, Exhibit Code: P02-03P03P0101 at p. 82 lines 9-10.
- ²² Transcript evidence Cora Morgan, Winnipeg, Panel 1, Public Transcript Part 11 Volume X, Exhibit Code: P02-03P03P0101 at p. 82 lines 11-12.
- ²³ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 2 “Recommendations taken from the can-say of Cora Morgan.”
- ²⁴ Kristy Kirkup, “UN urges Canada to Take Action Against Forced Sterilization of Indigenous Women” *The Globe and Mail* (7 December 2017) online: <https://www.theglobeandmail.com/canada/article-unurges-canada-to-take-action-against-forced-sterilization-of/>
- ²⁵ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 10 “Final Report “Setting the Foundation for Change: A Strategy Towards First Nations' Jurisdiction of Child Welfare in Manitoba,”” Assembly of Manitoba Chiefs Women's Council, March 2018 at p. 6.
- ²⁶ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 10 “Final Report “Setting the Foundation for Change: A Strategy Towards First Nations' Jurisdiction of Child Welfare in Manitoba,”” Assembly of Manitoba Chiefs Women's Council, March 2018 at p. 16.
- ²⁷ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams at p. 41.
- ²⁸ See: Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 “Final Report “Keewaywin Engagement – Manitoba First Nations Child and Family

Services Reform”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 32; Manitoba Advocate for Children and Youth, “In Need of Protection: Angel’s Story” (December 2018) at pp. 78, 94,96 online: <<http://manitobaadvocate.ca/wp-content/uploads/In-Need-Of-Protection-Angels-Story-Dec-2018.pdf>>

- ²⁹ “MMIWG Issues in Education,” Assembly of Manitoba Chiefs at p. 2-4.
- ³⁰ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 “Final Report “Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 16.
- ³¹ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 “Final Report “Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 25
- ³² Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 “Final Report “Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 25
- ³³ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 7 “Lifting Up Children: Manitoba First Nations Open Forum on Child Welfare” at p. 7, 9.
- ³⁴ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 7 “Lifting Up Children: Manitoba First Nations Open Forum on Child Welfare” at p. 9.
- ³⁵ Transcript Evidence Assistant Commissioner Joanne Crampton, Panel I “Sexual Exploitation, Human Trafficking & Sexual Assault,” Public Transcript Parts II & III, Volume XV, Exhibit Code: P02-03P04P0101 at p. 385 lines 2-7.
- ³⁶ Government of Manitoba, “Responding to Sexual Exploitation: Tracia’s Trust – How Common are Sexual Exploitation and Sex Trafficking) online: < <https://www.gov.mb.ca/fs/traciustrust/how.html>>
- ³⁷ Government of Manitoba, “Responding to Sexual Exploitation: Tracia’s Trust – How Common are Sexual Exploitation and Sex Trafficking) online: < <https://www.gov.mb.ca/fs/traciustrust/how.html>>
- ³⁸ Government of Manitoba, “Responding to Sexual Exploitation: Tracia’s Trust – How Common are Sexual Exploitation and Sex Trafficking) online: < <https://www.gov.mb.ca/fs/traciustrust/how.html>>
- ³⁹ Government of Manitoba, “Responding to Sexual Exploitation: Tracia’s Trust – How Common are Sexual Exploitation and Sex Trafficking) online: < <https://www.gov.mb.ca/fs/traciustrust/how.html>>
- ⁴⁰ Government of Manitoba, “Responding to Sexual Exploitation: Tracia’s Trust – How Common are Sexual Exploitation and Sex Trafficking) online: < <https://www.gov.mb.ca/fs/traciustrust/how.html>>
- ⁴¹ Josh Brandon & Christina Maes Nino, “Winnipeg Street Census 2018: Final Report” (Winnipeg: Social Planning Council of Winnipeg, 2018) at p. 4 online: <http://streetcensuswpg.ca/wp-content/uploads/2018/10/2018_FinalReport_Web.pdf>
- ⁴² CITE.
- ⁴³ Transcript Evidence Dr Mary Ellen Turpel-Lafond, Winnipeg, Panel IV “A Voice for Children and Youth,” Public Transcript Parts II & III Volume XIII, Exhibit Code: P02-03P03P0401 at p. 56 lines 6-19
- ⁴⁴ Transcript Evidence Tanya Talaga, Toronto, Panel III “Media, Journalism & Film” Public Transcript Part III Volume X Exhibit Code: P03P03P0301 at p. 61 lines 11-24.
- ⁴⁵ Cross examination between Allison Fenske (legal counsel) and Assistant Commissioner Joanne Crampton, Transcript Evidence Assistant Commissioner Joanne Crampton, Panel I “Sexual Exploitation, Human Trafficking & Sexual Assault,” Public Transcript Parts II & III, Volume XV, Exhibit Code: P02-03P04P0101 at p. 251 lines 12-25 – p. 252 lines 1-10.
- ⁴⁶ Transcript Evidence Jackie Anderson, Calgary, Panel II: “Health Services,” Public Transcript Part II, Volume III, Exhibit Code: P02P01P0301 at p. 97 lines 21-25 – p. 98 lines 1-10.
- ⁴⁷ Can we find a quote from this?
- ⁴⁸ Transcript Evidence Nakuset, Calgary, Panel II: “Health Services,” Public Transcript Part II Volume IV Exhibit Code: code: P02P01P0401 at p. 107 lines 1-9.

⁴⁹Transcript Evidence Lanna Moon Perrin, St. John's Panel III "Sexual Exploitation, Human Trafficking & Sexual Assault," Public Transcript Parts II & III, Volume XVII, Exhibit Code: P02-03P04P0301 at p. 84 lines 13-23.

⁵⁰Clean Environment Commission, "A Review of the Regional Cumulative Effects Assessment - For Hydroelectric Developments on the Nelson, Burntwood, and Churchill River Systems" (28 May 2018) at p. 36 online: <<http://www.cecmanitoba.ca/resource/hearings/42/RCEA%20Design%20Web%20Accessible%20May24.pdf>>.

⁵¹ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 "Final Report "Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform"" prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at 12.

⁵² "The Design and Delivery of Culturally Responsive, Trauma Informed Services for Families of Missing and Murdered Indigenous Women and Girls Proposal," Assembly of Manitoba Chiefs Women's Council, August 2017.

⁵³ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 10 "Final Report "Setting the Foundation for Change: A Strategy Towards First Nations' Jurisdiction of Child Welfare in Manitoba," Assembly of Manitoba Chiefs Women's Council, March 2018 at p. 7, 9.

⁵⁴ There are many stories of CFS agencies reuniting children and parents without doing the necessary safety assessments, resulting in children being re-apprehended, and assigning multiple case workers to a file. For example, the CFS agency did not undertake any case planning aimed at sustained improvements for the family's situation, and the CFS agency did not seek out family or community members to provide safe care for the children while they knew Angel's mother continued to struggle. See Manitoba Advocate for Children and Youth, "In Need of Protection: Angel's Story" (December 2018) at p. 15, 19, 24 online: <<http://manitobaadvocate.ca/wp-content/uploads/In-Need-Of-Protection-Angels-Story-Dec-2018.pdf>>

⁵⁵ "Sounding our Voices: National Aboriginal Women's Summit III Shadow Event" Assembly of Manitoba Chiefs, 2012 at p. 18; "Literature Review: Violence Against First Nation Women in Canada" Gladys Rowe, March 2014 at p. 13 citing Beverley Shea, Amy Nahwegahbow & Neil Anderson "Reduction of Family Violence in Aboriginal Communities: A Systematic Review of Interventions and Approaches" 8:2 PubMed Central (2010).

⁵⁶ United Nations Convention on the Elimination of All Forms of Discrimination Against Women, "Report of the Inquiry Concerning Canada of the Committee of the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (2015) at p. 49 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) "Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls," prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, "Appendix D: Overview of Other Process Recommendations" at p. 8.

⁵⁷ Canada House of Commons, Special Committee on Violence Against Indigenous Women, "Invisible Women: A call to Action: A report on Missing and Murdered Indigenous Women in Canada, March 2014 at p. 8; Canadian Intergovernmental Conference Secretariat, Coordinating Committee of Senior Officials (Criminal) Missing Women Working Group, "Report and Recommendations on Issues Related to High Number of Murdered and Missing Women in Canada," (January 2012), Recommendation #2 at p.7 online: <<http://www.scics.gc.ca/cmfiles/831-016005-we11hop-1262012-7454.pdf>>; Canada House of Commons, Special Committee on Violence Against Indigenous Women, "Invisible Women: A call to Action: A report on Missing and Murdered Indigenous Women in Canada, March 2014 at p. 13; Missing Women Inquiry at p 1;

Aboriginal Justice Inquiry, Volume 1 Appendix 1 “The Abuse of Women and Children,” 3rd bullet cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 9.

- ⁵⁸ Transcript Evidence Brenda Gunn, Quebec City, Panel II: “International Human Rights Law as a Foundation for the Inquiry’s Work and Recommendations,” Public Transcript Part III Volume VI Exhibit Code: P03P02P0301 at p. 28 lines 5-25, at p. 29 lines 1-25 - at p. 30 lines 1-2.
- ⁵⁹ Canadian Intergovernmental Conference Secretariat, Coordinating Committee of Senior Officials (Criminal) Missing Women Working Group, “Report and Recommendations on Issues Related to High Number of Murdered and Missing Women in Canada,” (January 2012), Recommendation #2 at p.7 online: <<http://www.scics.gc.ca/cmfiles/831-016005-we11hop-1262012-7454.pdf>>
- ⁶⁰ Province of Manitoba, Honourable Ted Hughes, “Achieving the Best For All Our Children: Report of the Commission of Inquiry into the Circumstances Surrounding the Death of Phoenix Sinclair” (March 2014) at p. 52 online: <<http://www.phoenixsinclairinquiry.ca/>> cited in cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 43.
- ⁶¹ Legal counsel for MKO asked: “I want to go a bit further with you about this ongoing state investment in violence against Indigenous women and girls to secure and maintain this unfettered access to Indigenous lands. And so, would you agree that part of this unfettered access to Indigenous lands would include resource and extractive industries and project approvals by government?” This was subsequently confirmed by Dr. Robyn Bourgeois. See Transcript Evidence Jessica Barlow and Dr. Robyn Bourgeois, St. Johns, Panel III, Public Transcript Mixed Parts II & III Volume XVII, Exhibit Code: P02-03P04P0301 at p. 170 lines 13-21.
- ⁶² As Dr. Barry Lavallee stated, “We know that the Indigenous body is proxy to our land and that the killing of our land is like the killing of a body of Indigenous people [...] and to reduce and to stop the targeting of Indigenous women, we need our land back and that we’re desperate to have our land back. And, we need equal access to resources. And, we need accountability by institutions” Transcript Evidence Dr. Barry Lavallee, Toronto, Panel II: Perspectives Panel on Racism in Institutions, Public Transcript Part III Volume IX, Exhibit code: P03P03P0201 at p. 63 lines 17-25 – p. 64 lines 1-2.
- ⁶³ ““For a lot of them, it was just pure trauma again reliving their experiences, reliving the trauma that they went through during those horrific years.” Austin Grabish, “Pure Trauma: Fox Lake Members Stricken After Hasty Release of Troubling Report” *CBC News* (23 August 2018) online: <<https://www.cbc.ca/news/canada/manitoba/trauma-in-fox-lake-after-report-release-1.4797165>>
- ⁶⁴ “Their community is committed to addressing this issue and working towards healing. It was Hydro and the Manitoba Government making decisions without the community that led to these problems. The community must be included as we work towards solutions” Dylan Robertson, “Police Watchdog may probe RCMP Conduct in Sex Abuse Allegations” *Winnipeg Free Press* (28 August 2018) online: <<https://www.winnipegfreepress.com/local/police-watchdog-may-probe-rcmp-conduct-in-fox-lake-sex-abuse-allegations-491836441.html>>
- ⁶⁵ “The chief of a northern Manitoba First Nation says a report into the development of the hydro-electric industry decades ago only touches the surface when it describes allegations of sexual violence, racism and environmental degradation.” “Sexual Violence, racism allegedly linked to hydro development ‘an open found’: Manitoba Chief” *The Globe and Mail* (22 August 2018) online: <<https://www.theglobeandmail.com/canada/article-injustices-did-occur-manitoba-chief-calls-for-abused-women-to-be-2/>>
- ⁶⁶ The Aboriginal Justice Implementation Commission, “Report of the Aboriginal Justice Inquiry of Manitoba” (1999) ch 1 online: <<http://www.ajic.mb.ca/volume1/chapter1.html>>
- ⁶⁷ The Aboriginal Justice Implementation Commission, “Report of the Aboriginal Justice Inquiry of Manitoba” (1999) ch

13 online: <<http://www.ajic.mb.ca/volumel/chapter13.html>>

⁶⁸ Transcript Evidence Naomi Metallic, Quebec City, Panel I “Recognizing & Fulfilling National & Domestic Human Rights” Public Transcript Part III Volume IV Exhibit Code: P03P02P0101 at p. 209 lines 7-12.

⁶⁹ Transcript Evidence Stacey Soldier Cross-Examination of Patricia Tate, Quebec City, Panel III “Custodial Issues for Women” Parts II & III Volume VII at p. 198 lines 17-25 – p. 199 lines 1-5.

⁷⁰ Bartley Kives, “A Tale of Two Cities: Thunder Bay as a ‘mirror image of Winnipeg’ on Indigenous-police relations” *CBC News* (12 December 2018) online: <<https://www.cbc.ca/news/canada/manitoba/police-winnipeg-indigenous-thunder-bay-1.4941438>>; Jorge Barrera “Indigenous Families Struggle to Trust Thunder Bay Police as they Face Reopening of Cases” *CBC News* (13 December 2018) online: <<https://www.cbc.ca/news/indigenous/thunderbay-cases-families-1.4943902>>

⁷¹ Cite the recent story about Thunder Bay

⁷² Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3 “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams at p. 72.

⁷³ Cite the Quebec Inquiry into policing

⁷⁴ Transcript Evidence Farida Deif, Panel II “Intersections Between Racism and 2SLGBTQ Issues” Public Transcript Part III Volume IX Exhibit Code: P03P03P0201 at p. 83 lines 24-25 – p. 84 lines 1-12

⁷⁵ Transcript Evidence Farida Deif, Panel II “Intersections Between Racism and 2SLGBTQ Issues” Public Transcript Part III Volume IX Exhibit Code: P03P03P0201 at p. 87 lines 22-25.

⁷⁶ “Onashewewin” online: <<http://www.onashowewin.com/>>

⁷⁷ A similar recommendation was made by the Canadian Intergovernmental Conference Secretariat in “Missing Women Working Group Report and Recommendations on Issues Related to the High Number of Murdered and Missing Women in Canada,” (2012) Recommendation #13 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 25.

⁷⁸ Canada House of Commons, Special Committee on Violence Against Indigenous Women, “Invisible Women: A call to Action: A report on Missing and Murdered Indigenous Women in Canada, March 2014 at p. 48; “The Design and Delivery of Culturally Responsive, Trauma Informed Services for Families of Missing and Murdered Indigenous Women and Girls Proposal,” Assembly of Manitoba Chiefs Women's Council, August 2017 at p. 8.

⁷⁹ A similar recommendation was made in Wallace Oppal, “Forsaken: The Report of the Missing Women Commission of Inquiry” (British Columbia: 2012) Recommendation 11.3 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 12.

⁸⁰ United Nations Convention on the Elimination of All Forms of Discrimination Against Women, “Report of the Inquiry Concerning Canada of the Committee of the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (2015) at p. 47 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 12.

⁸¹ Canada House of Commons, Special Committee on Violence Against Indigenous Women, “Invisible Women: A call to Action: A report on Missing and Murdered Indigenous Women in Canada, March 2014 at p. 12; Wallace Oppal, “Forsaken: The Report of the Missing Women Commission of Inquiry” (British Columbia: 2012) Recommendation 4.2; Aboriginal Justice Inquiry, “A Strategy for Action: Cross-Cultural Issues” Volume I Appendix 1 all cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations”.

⁸² Native Women's Association of Canada, “Sexual Exploitation and Trafficking of Aboriginal Women and Girls” (2014) at p. 65 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 14.

⁸³ Aboriginal Justice Inquiry, “Policing, Cross Cultural Training” Volume 1 Appendix 1 cited in Parts II & III Institutional

& Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 14.

⁸⁴ Amnesty International, “Stolen Sisters – A Human Rights Response to Discrimination and Violence Against Indigenous Women and Girls” (2004) Recommendation 4 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 19.

⁸⁵ Truth and Reconciliation Committee of Canada, “Honouring the Truth, Reconciling for the Future” (2015) at 220 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 35. at 20

⁸⁶ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3 “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams at p. 33-34.

⁸⁷ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 6 “Final Report “Keewaywin Engagement – Manitoba First Nations Child and Family Services Reform”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 21

⁸⁸ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3 “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams at p. 50.

⁸⁹ Transcript Evidence Dr Barry Lavallee, Toronto, Panel II “Intersections between Racism and S2LGBTQ Issues” Public Transcript Part III Volume IX Exhibit Code: P03P03P020 at p. 38 lines 21-22.

⁹⁰ Transcript Evidence Dr Barry Lavallee, Toronto, Panel II “Intersections between Racism and S2LGBTQ Issues” Public Transcript Part III Volume IX Exhibit Code: P03P03P020 at p. 49 lines 15-23.

⁹¹ Transcript Evidence Dr Barry Lavallee, Toronto, Panel II “Intersections between Racism and S2LGBTQ Issues” Public Transcript Part III Volume IX Exhibit Code: P03P03P020 at p. 39 lines 9-12.

⁹² Transcript Evidence Tanya Talaga, Toronto, Panel III “Media, Journalism & Film” Public Transcript Part III Volume X Exhibit Code: P03P03P030 at p. 90 lines 22-25 – p. 91 lines 1-22.

⁹³ Transcript Evidence Darrin Blain, Calgary Panel III “Shelters, Safe Houses & Transition Housing,” Public Transcript Part II Volume V Exhibit Code: P02P01P0501 at p. 268 lines 1-8.

⁹⁴ Transcript Evidence Dr Barry Lavallee, Toronto, Panel II “Intersections between Racism and S2LGBTQ Issues” Public Transcript Part III Volume IX Exhibit Code: P03P03P020 at p. 65 lines 20-25 – p. 66 lines 1-4.

⁹⁵ Previous Commissioners and Inquiries have recommended the establishment of “healing funds” for families and survivors of MMIWG, including but not limited to the British Columbia Missing Women Commission of Inquiry at Recommendation 3.3 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 14.

⁹⁶ United Nations Convention on the Elimination of All Forms of Discrimination Against Women, “Report of the Inquiry Concerning Canada of the Committee of the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (2015) at p. 50 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d)

- “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 34.
- ⁹⁷ Report of the Royal Commission on Aboriginal Peoples vol. 3: Gathering Strength (1996) recommendation 3.3.5 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 34.
- ⁹⁸ Report of the Royal Commission on Aboriginal Peoples vol. 4: Perspectives and Realities (1996) Recommendation 4.4.1 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 45.
- ⁹⁹ Truth and Reconciliation Committee of Canada, “Honouring the Truth, Reconciling for the Future” (2015) at 211 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 35.
- ¹⁰⁰ Truth and Reconciliation Committee of Canada, “Honouring the Truth, Reconciling for the Future” (2015) at 210 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 35.
- ¹⁰¹ Aboriginal Justice Inquiry, “Policing, Cross-Cultural Training,” Volume 1 Appendix 1 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 14.
- ¹⁰² Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 8 “Final Report “Keewaywin Engagement – Manitoba First Nations Jordan's Principle Implementation”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 25.
- ¹⁰³ Transcript evidence Cora Morgan, Winnipeg, Panel 1, Public Transcript Part II, Volume X, Exhibit Code: P02-03P03P0101 at p. 64 lines 9-22.
- ¹⁰⁴ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 8 “Final Report “Keewaywin Engagement – Manitoba First Nations Jordan's Principle Implementation”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 16.
- ¹⁰⁵ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 8 “Final Report “Keewaywin Engagement – Manitoba First Nations Jordan's Principle Implementation”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at pp. 14,15; Truth and Reconciliation Committee of Canada, “Honouring the Truth, Reconciling for the Future” (2015) at 197, 205 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 49.
- ¹⁰⁶ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 8 “Final Report “Keewaywin Engagement – Manitoba First Nations Jordan's Principle Implementation”” prepared by the Assembly of Manitoba Chiefs & First Nations Family Advocate Office, September 2017 at p. 30; Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 4 “Bringing Our Children Home: Report and Recommendations,” Assembly of Manitoba Chiefs, June 2014 at 15.
- ¹⁰⁷ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 10 “Final Report “Setting the Foundation for Change: A Strategy Towards First Nations’

Jurisdiction of Child Welfare in Manitoba,” Assembly of Manitoba Chiefs Women's Council, March 2018 at p. 13

- ¹⁰⁸ Report of the Royal Commission on Aboriginal Peoples vol. 3: Gathering Strength (1996) Recommendation 3.3.14 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 30.
- ¹⁰⁹ Report of the Royal Commission on Aboriginal Peoples vol. 4: Perspectives and Realities (1996) Recommendations 4.7.16, 4.3.1 cited in Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3(d) “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams, “Appendix D: Overview of Other Process Recommendations” at p. 36.
- ¹¹⁰ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3 “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams at 41; Assembly of Manitoba Chiefs, “Our Circle to Protect Lives,” (2014) at p. 22.
- ¹¹¹ Transcript Evidence Virginia Lomax Cross-Examination of Jesse Wenté, Toronto Panel III “Racism Against Indigenous Children and Youth” Public Transcript Part III Volume X, Exhibit Code: P03P03P0301 at p. 103 lines 7-25 – p. 104 lines 1-19
- ¹¹² Transcript Evidence Virginia Lomax Cross-Examination of Jesse Wenté, Toronto Panel III “Racism Against Indigenous Children and Youth” Public Transcript Part III Volume X, Exhibit Code: P03P03P0301 at p 104 lines 20-24.

when people are speaking that they need to remember that we all don't have law degrees and we all don't speak that language and we don't understand that terminology. So, yeah, a lot of it went in one ear and out the other because we don't know what's being said and we don't understand that language.” Transcript Evidence Grandmother Katherine Whitecloud, Winnipeg, “Indigenous Laws & Decolonizing Perspectives,” Public Transcript Part III, Volume III, at p. 119 lines 3-6; Transcript Evidence Elizabeth Daniels, Winnipeg, “Indigenous Laws & Decolonizing Perspectives” Public Transcript Part III, Volume III, at p. 53 lines 14-24

- ¹⁷ According to Chief Commissioner Marion Buller, the inaction of the government “raises a lot of concerns for us” quoted in Dennis Ward, “Trudeau Government Inaction on Interim Report concerns commissioners of MMIWG Inquiry” *APTN* (16 October 2018) online:

<https://aptnnews.ca/2018/10/16/trudeau-government-inaction-on-interim-report-concerns-commissioners-of-mmiwg-inquiry/>

- ¹⁸ “Application for Funding for a Party with Standing in the National Inquiry into Missing and Murdered Women and Girls” Notice of Motion of Assembly of Manitoba Chiefs (20 April 2018)

- ¹⁹ “Application to Compel the Inclusion of Child Welfare/Child Protection/Children in Care into the Government Services Institutional Hearing of the National Inquiry into Missing and Murdered Women and Girls” Notice of Motion of Assembly of Manitoba Chiefs (18 May 2018)

- ²⁰ Parts II & III Institutional & Expert/Knowledge-Keeper Hearings, Child and Family Welfare, Exhibit 3 “Families First: A Manitoba Indigenous Approach to Addressing the Issue of Missing and Murdered Indigenous Women and Girls,” prepared for the Assembly of Manitoba Chiefs by Joëlle Pastora Sala & Byron Williams at p. 6.

- ¹ Teachings of Elder D’Arcy Linklater, July 25 2015.

Citation: Dakota Ojibway Child and
Family Services v KRF et al, 2018 MBCA 104

Date: 20181010
Docket: AH17-30-08950

IN THE COURT OF APPEAL OF MANITOBA

Coram: Madam Justice Holly C. Beard
Mr. Justice Marc M. Monnin
Madam Justice Jennifer A. Pfuetzner

BETWEEN:

DAKOTA OJIBWAY CHILD AND FAMILY SERVICES)	
	)	M. L. Mitchell
	)	<i>for K. R. F.</i>
<i>(Petitioner) Respondent</i>)	
	)	No appearance
<i>- and -</i>	)	<i>for D. Q. H. and A. R. J. K.</i>
)	
K. R. F.	)	D. R. Kropp and
	)	A. M. Griffin
<i>(Respondent) Appellant</i>	)	<i>for Dakota Ojibway Child and</i>
	)	<i>Family Services</i>
<i>- and -</i>)	
	)	A. E. M. Fenske and
D. Q. H. and A. R. J. K.	)	J. M. Pastora Sala
	)	<i>for The First Nations Family</i>
<i>(Respondents)</i>	)	<i>Advocate Office of the</i>
	)	<i>Assembly of Manitoba Chiefs</i>
<i>- and -</i>)	
	)	<i>Appeal heard:</i>
THE FIRST NATIONS FAMILY	)	June 14, 2018
ADVOCATE OFFICE OF THE)	
ASSEMBLY OF MANITOBA CHIEFS	)	<i>Judgment delivered:</i>
	)	October 10, 2018
<i>Intervener</i>)	

NOTICE OF RESTRICTION ON PUBLICATION: No press, radio or television report shall disclose the name or any information likely to identify any person involved in the proceedings as a party or a witness (see section 75(2) of *The Child and Family Services Act*, CCSM c C80).

PFUETZNER JA

[1] This is an appeal by the respondent KRF (the mother) of a permanent

clearly sets out that the child's safety and security is to be given primary importance, followed by the other factors which include "the child's cultural, linguistic, racial and religious heritage" (at section 2(1)(h) of the *Act*). The agency submits that the trial judge made no palpable and overriding error in granting a permanent order of guardianship to the agency based on its care plan for the children. The evidence was that there were no Indigenous foster homes available for the children, nor was there an appropriate family member who could care for them. The trial judge considered the children's cultural needs and was satisfied that the agency's plan adequately addressed them in the circumstances.

[53] As argued by the mother and the intervener, the disproportionate representation of Indigenous children in the child welfare system is disturbing, if not tragic. The preservation of Manitoba's diverse and rich Indigenous culture is vital for the health of our Indigenous communities and their children and it enriches our society as a whole. While past colonization and assimilation practices continue to have a negative effect on current generations of Indigenous Manitobans, progress toward reconciliation is being made.

[54] For example, the agency's mandate was extended as part of the devolution of the child welfare system in response to the Public Inquiry into the Administration of Justice and Aboriginal People, *Report of the Aboriginal Justice Inquiry of Manitoba: The Justice System and Aboriginal People*, vol 1 (Province of Manitoba, 1991). The agency provides child and family services to members of the Dakota Ojibway Tribal Council communities. The intervener noted that the agency states its intent to be the provision of service which recognizes traditional Indigenous values and customs.

[55] While it would be ideal for all children in foster care to be placed in culturally compatible homes, judges must make decisions based on the evidence before them in each individual case. In this case, the trial judge found that the children would not be safe if returned to the mother. In doing so, he gave primary consideration to the safety and security of the children, as the *Act* mandates. He considered and balanced the other important, though secondary, factors, including the Indigenous heritage of the children, stating:

While culturally appropriate placements should be a priority in the placement of aboriginal children, I am satisfied such a placement is not feasible in this case. Unfortunately, the Agency does not have any such homes available. Fortunately, according to the Agency, the foster parents who are expected to be the children's long-term foster parents are committed to exposing the children to their aboriginal culture and facilitating contact with their siblings.

[56] The trial judge did not err in admitting hearsay evidence regarding the foster parents' willingness to facilitate exposure of the children to Indigenous cultural activities. This Court has confirmed that a judge hearing a child protection matter has the discretion to "bypass the technical rules of evidence" (*Winnipeg Child & Family Services v L(L)*, 1994 CarswellMan 132 at para 52 (CA)), including by admitting hearsay evidence without proof of necessity (see paras 50, 66).

[57] Ultimately, the trial judge balanced the factors set out in the *Act* and determined that the children's best interests would be served by a permanent order of guardianship in favour of the agency. The trial judge did not underemphasize the importance of the cultural heritage of the children. As I am not persuaded that there has been an error in principle, a misapprehension of the evidence or a manifest failure to give due consideration to the evidence, the trial judge's decision is entitled to deference.

Did the Trial Judge Err in Granting a Permanent Order Rather than a Less Intrusive Order?

[58] The final issue in this appeal is whether the trial judge erred by granting a permanent order instead of ordering a supervised, gradual return of the children to the mother's care. This ground of appeal can be dealt with briefly.

[59] Like the previous ground of appeal, the issue here is whether the trial judge should have granted a permanent order to the agency. As stated earlier, such a decision should not be interfered with on appeal unless there has been an error in principle, a misapprehension of the evidence or a manifest failure to give due consideration to the evidence.

[60] The mother argues, as she did before the trial judge, that her plan of a supervised, gradual return of the children was in their best interests. She maintains that she has taken parenting courses and made other improvements since the children were apprehended so that she would now be an adequate parent. The mother also submits that the lack of pre-trial disclosure by the agency affected the quality of the evidence before the trial judge and prevented him from being able to fully analyze the children's best interests.

[61] The agency argues that there is no basis to intervene in the trial judge's factual findings that the mother lacks the ability to adequately care for and protect the children and that she would not comply with a supervisory order. The agency notes that, since it does not plan to place the children for adoption, the mother could return to court after one year under section 45(3) of the *Act* to seek to set aside the permanent order.

Canadian Human
Rights Tribunal



Tribunal canadien
des droits de la personne

Citation: 2016 CHRT 2
Date: January 26, 2016
File No.: T1340/7008

Between:

First Nations Child and Family Caring Society of Canada

- and -

Assembly of First Nations

Complainants

- and -

Canadian Human Rights Commission

Commission

- and -

Attorney General of Canada

(Representing the Minister of Indian Affairs and Northern Development Canada)

Respondent

- and -

Chiefs of Ontario

- and -

Amnesty International

Interested Parties

Decision

Members: Sophie Marchildon and Edward Lustig

[440] In General Comment 18, thirty-seventh session, 10 November 1989 at paragraph 7, the UNHRC stated that the term “discrimination” as used in the *ICCPR* should be understood to imply:

any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.

The UNHRC went on to state that the aim of the protection is substantive equality, and to achieve this aim States may be required to take specific measures (see at paras. 5, 8, and 12-13).

[441] The second of the two covenants that stem directly from the *Universal Declaration* is the *International Covenant on Economic, Social and Cultural Rights*, 993 U.N.T.S. 3 (the *ICESCR*), which Canada entered into force on August 19, 1976. Article 2(2) guarantees the exercise of the rights protected without discrimination. Article 10 provides that special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions.

[442] The *ICESCR* is considered to be of progressive application. However, in General Comment No. 20, 2 July 2009 (E/C.12/GC/20), the CESCR stated that, given their importance, the principles of equality and non-discrimination are of immediate application, notwithstanding the provisions of article 2 of the *ICESCR* (see paras. 5 and 7). The CESCR also affirmed that the aim of the *ICESCR* is to achieve substantive equality by “...paying sufficient attention to groups of individuals which suffer historical or persistent prejudice instead of merely comparing the formal treatment of individuals in similar situations” (at paras. 8; see also paras. 9 and 10). It added that the exercise of covenant rights should not be conditional on a person’s place of residence (see at para. 34).

[443] In a report to the CESCR outlining key measures it adopted for the period of January 2005 to December 2009 to enhance its implementation of the *ICESCR*, Canada reported on the FNCFS Program and declared that “[t]he anticipated result is a more secure and stable family environment and improved outcomes for Indian children ordinarily

resident on reserve” (see *Canada’s Sixth Report on the United Nations’ International Covenant on Economic, Social and Cultural Rights* (Minister of Public Works and Government Services, 2013) at para. 103). Canada also reported that it had begun transitioning the FNCFS Program to a more prevention based model, the EPFA, “...on a jurisdiction-by-jurisdiction basis with ready and willing First Nations and provincial/territorial partners [...] with the goal to have all jurisdictions on board by 2013” (at paras. 105-106). While the Government of Canada made this undertaking, the evidence is clear that this goal was not met.

[444] In addition to the covenants that protect human rights in general, Canada is a party to legal instruments that focus on specific issues or aim to protect specific groups of persons. Canada is a party to the *International Convention for the Elimination of all Forms of Racial Discrimination*, 660 U.N.T.S. 195 (the *ICERD*), ratified in 1970. The *ICERD* clarifies the prohibition of discrimination found in the *Universal Declaration*, to which it refers to in its preamble. Articles 1 and 2 define racial discrimination and direct States to take all necessary measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them. The purpose is to guarantee them the full and equal enjoyment of human rights and fundamental freedoms, including special measures whenever warranted. Article 5 further highlights rights whose enjoyment must be free of discrimination, including the right to social services, which includes public health, medical care and social security.

[445] The monitoring body of the *ICERD*, the CERD, has discussed the meaning and scope of special measures in the *ICERD*. It has expressed a similar understanding of substantive equality as Canadian courts (see CERD, General Recommendation No. 32, September 24, 2009 (CERD/C/GC/32) at para. 8). In addition, it recognized that “special measures” that may be called for in order to achieve effective equality “...include the full span of legislative, executive, administrative, budgetary and regulatory instruments, at every level in the State apparatus...” (at para. 13).

[446] In 2011, Canada reported to the CERD on the measures taken domestically to implement the *ICERD*. The CERD made several recommendations, including: “[d]iscontinuing the removal of Aboriginal children from their families and providing family

and child care services on reserves with sufficient funding” [see *Consideration of reports submitted by States parties under article 9 of the convention, Concluding observations of the CERD*, 9 March 2012 (CERD/C/CAN/CO/19-20) at para. 19(f)].

[447] Although AANDC argues that the federal government is merely funding child welfare services on-reserve as a matter of social policy, budgetary measures in and of themselves are an important component of the steps to be taken in order to achieve substantive equality for First Nations children. The recommendation of the CERD, read with the views it expressed in General Recommendation No. 32, indicate that the CERD sees insufficient funding of child care services on reserve as inhibiting substantive equality for First Nations in the provision of child and family services.

[448] Another important international instrument aiming at the protection of a specific group of persons that is relevant to the present case is the *Convention on the Rights of the Child*, Can. T.S. 1992 No. 3 (the *CRC*), entered into force by Canada on January 12, 1992. Children have the same human rights as adults. However, they are more vulnerable and in need of protection that addresses their special needs. Consequently, the *CRC* focuses on giving them the special care, assistance and legal protection that they need (see in particular articles 2, 3, 5, 7.1, 8.1, 9, 9.1, 18.1, 20, 25 and 30). Furthermore, when it ratified the *CRC*, Canada made a Statement of Understanding expressing its view that, in assessing what measures are appropriate to implementing the rights recognized in the *CRC*, the rights of Aboriginal children to enjoy their own culture, to profess and practice their own religion and to use their own language must not be denied (Convention on the Rights of the Child, Declarations and Reservations, Canada, online: United Nations <<http://www.treaties.un.org>>).

[449] The *CRC*'s monitoring body, the CRC Committee, stressed the importance of culturally appropriate social services for indigenous children (see General Comment No. 11, February 12, 2009 (CRC/C/GC/11) at para. 25). With respect to childcare and support services, Canada reported that “[t]he Government of Canada plays a supporting role by providing a range of child and family benefits and transferring funds to other governments in Canada based on shared goals and objectives” (*Canada’s Third and Fourth Reports on the Convention on the Rights of the Child*, 20 November 2009 at para. 49). Canada also

Supreme Court Judgments

Manitoba Metis Federation Inc. v. Canada (Attorney General)

Collection: Supreme Court Judgments

Date: 2013-03-08

Neutral citation: 2013 SCC 14

Report: [2013] 1 SCR 623

Case number: 33880

Judges: McLachlin, Beverley; LeBel, Louis; Fish, Morris J.; Abella, Rosalie Silberman; Rothstein, Marshall; Cromwell, Thomas Albert; Moldaver, Michael J.; Karakatsanis, Andromache

On appeal from: Manitoba

Subjects: Aboriginal law
Civil procedure

Notes: SCC Case Information: [33880](#)

**SUPREME COURT OF CANADA**

CITATION: Manitoba Metis Federation Inc. v. Canada (Attorney General), 2013 SCC 14, [2013] 1 S.C.R. 623
DATE: 20130308
DOCKET: 33880

BETWEEN:

Manitoba Metis Federation Inc., Yvon Dumont, Billy Jo De La Ronde, Roy Chartrand, Ron Erickson, Claire Riddle, Jack Fleming, Jack McPherson, Don Roulette, Edgar Bruce Jr., Freda Lundmark, Miles Allarie, Celia Klassen, Alma Belhumeur, Stan Guiboche, Jeanne Perrault, Marie Banks Ducharme and Earl Henderson

Appellants
and

Attorney General of Canada and Attorney General of Manitoba

Respondents
- and -
**Attorney General for Saskatchewan, Attorney General of Alberta,
Métis National Council, Métis Nation of Alberta, Métis Nation of Ontario,
Treaty One First Nations and Assembly of First Nations**
Interveners

CORAM: McLachlin C.J. and LeBel, Deschamps, * Fish, Abella, Rothstein, Cromwell, Moldaver and Karakatsanis JJ.

JOINT REASONS FOR JUDGMENT: McLachlin C.J. and Karakatsanis J. (LeBel, Fish, Abella and Cromwell JJ. concurring)
(paras. 1 to 155)

DISSENTING REASONS: Rothstein J. (Moldaver J. concurring)
(paras. 156 to 303)

(* Deschamps J. took no part in the judgment.)

Manitoba Metis Federation Inc. v. Canada (Attorney General), 2013 SCC 14, [2013] 1 S.C.R. 623

**Manitoba Metis Federation Inc.,
Yvon Dumont, Billy Jo De La Ronde, Roy Chartrand,
Ron Erickson, Claire Riddle, Jack Fleming, Jack
McPherson, Don Roulette, Edgar Bruce Jr., Freda Lundmark,
Miles Allarie, Celia Klassen, Alma Belhumeur,
Stan Guiboche, Jeanne Perrault,
Marie Banks Ducharme and Earl Henderson**

Appellants

v.

**Attorney General of Canada and
Attorney General of Manitoba**

Respondents

and

**Attorney General for Saskatchewan,
Attorney General of Alberta,
Métis National Council,
Métis Nation of Alberta,
Métis Nation of Ontario,
Treaty One First Nations and
Assembly of First Nations**

Interveners

Indexed as: Manitoba Metis Federation Inc. v. Canada (Attorney General)

2013 SCC 14

File No.: 33880.

2011: December 13; 2013: March 8.

Present: McLachlin C.J. and LeBel, Deschamps,^[*] Fish, Abella, Rothstein, Cromwell, Moldaver and Karakatsanis JJ.

ON APPEAL FROM THE COURT OF APPEAL FOR MANITOBA

Aboriginal law — Métis — Crown law — Honour of the Crown — Canadian government agreeing in 1870 to grant Métis children shares of 1.4 million acres of land and to recognize existing Métis landholdings — Promises set out in ss. 31 and 32 of the Manitoba Act, 1870, a constitutional document — Errors and delays interfering with division and granting of land among eligible recipients —

(3) What Duties Are Imposed by the Honour of the Crown?

[73] The honour of the Crown “is not a mere incantation, but rather a core precept that finds its application in concrete practices” and “gives rise to different duties in different circumstances”: *Haida Nation*, at paras. 16 and 18. It is not a cause of action itself; rather, it speaks to *how* obligations that attract it must be fulfilled. Thus far, the honour of the Crown has been applied in at least four situations:

- (1) The honour of the Crown gives rise to a fiduciary duty when the Crown assumes discretionary control over a specific Aboriginal interest (*Wewaykum*, at paras. 79 and 81; *Haida Nation*, at para. 18);
- (2) The honour of the Crown informs the purposive interpretation of s. 35 of the *Constitution Act, 1982*, and gives rise to a duty to consult when the Crown contemplates an action that will affect a claimed but as of yet unproven Aboriginal interest (*Haida Nation*, at para. 25);
- (3) The honour of the Crown governs treaty-making and implementation (*Province of Ontario v. Dominion of Canada* (1895), 25 S.C.R. 434, at p. 512, *per* Gwynne J., dissenting; *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage)*, 2005 SCC 69, [2005] 3 S.C.R. 388, at para. 51), leading to requirements such as honourable negotiation and the avoidance of the appearance of sharp dealing (*Badger*, at para. 41); and
- (4) The honour of the Crown requires the Crown to act in a way that accomplishes the intended purposes of treaty and statutory grants to Aboriginal peoples (*R. v. Marshall*, [1999] 3 S.C.R. 456, at para. 43, referring to *The Case of The Churchwardens of St. Saviour in Southwark* (1613), 10 Co. Rep. 66b, 77 E.R. 1025, and *Roger Earl of Rutland’s Case* (1608), 8 Co. Rep. 55a, 77 E.R. 555; *Mikisew Cree First Nation*, at para. 51; *Badger*, at para. 47).

[74] Thus, the duty that flows from the honour of the Crown varies with the situation in which it is engaged. What constitutes honourable conduct will vary with the circumstances.

[75] By application of the precedents and principles governing this honourable conduct, we find that when the issue is the implementation of a constitutional obligation to an Aboriginal people, the honour of the Crown requires that the Crown: (1) takes a broad purposive approach to the interpretation of the promise; and (2) acts diligently to fulfill it.

[76] The first branch, purposive interpretation of the obligation, has long been recognized as flowing from the honour of the Crown. In the constitutional context, this Court has recognized that the honour of the Crown demands that s. 35(1) be interpreted in a generous manner, consistent with its intended purpose. Thus, in *Haida Nation*, it was held that, unless the recognition and affirmation of Aboriginal rights in s. 35 of the *Constitution Act, 1982* extended to yet unproven rights to land, s. 35 could not fulfill its purpose of honourable reconciliation: para. 27. The Court wrote, at para. 33: “When the distant goal of proof is finally reached, the Aboriginal peoples may find their land and resources changed and denuded. This is not reconciliation. Nor is it honourable.” A purposive approach to interpretation informed by the honour of the Crown applies no less to treaty obligations. For example, in *Marshall*, Binnie J. rejected a proposed treaty interpretation on the grounds that it was not “consistent with the honour and integrity of the Crown. . . . The trade arrangement must be interpreted in a manner which gives meaning and substance to the promises made by the Crown”: para. 52.

[77] This jurisprudence illustrates that an honourable interpretation of an obligation cannot be a legalistic one that divorces the words from their purpose. Thus, the honour of the Crown demands that constitutional obligations to Aboriginal peoples be given a broad, purposive interpretation.

[78] Second, the honour of the Crown requires it to act diligently in pursuit of its solemn obligations and the honourable reconciliation of Crown and Aboriginal interests.

[79] This duty has arisen largely in the treaty context, where the Crown’s honour is pledged to diligently carrying out its promises: *Mikisew Cree First Nation*, at para. 51; *Little Salmon*, at para. 12; see also *Haida*

Nation, at para. 19. In its most basic iteration, the law assumes that the Crown always intends to fulfill its solemn promises, including constitutional obligations: *Badger*; *Haida Nation*, at para. 20. At a minimum, sharp dealing is not permitted: *Badger*. Or, as this Court put it in *Mikisew Cree First Nation*, “the honour of the Crown [is] pledged to the fulfilment of its obligations to the Indians”: para. 51. But the duty goes further: if the honour of the Crown is pledged to the fulfilment of its obligations, it follows then that the honour of the Crown requires the Crown to endeavour to ensure its obligations are fulfilled. Thus, in review proceedings under the *James Bay and Northern Québec Agreement*, the participants are expected to “carry out their work with due diligence”: *Quebec (Attorney General) v. Moses*, 2010 SCC 17, [2010] 1 S.C.R. 557, at para. 23. As stated by Binnie J. in *Little Salmon*, at para. 12: “It is up to the parties, when treaty issues arise, to act diligently to advance their respective interests. Good government requires that decisions be taken in a timely way.” This duty applies whether the obligation arises in a treaty, as in the precedents outlined above, or in the Constitution, as here.

[80] To fulfill this duty, Crown servants must seek to perform the obligation in a way that pursues the purpose behind the promise. The Aboriginal group must not be left “with an empty shell of a treaty promise”: *Marshall*, at para. 52.

[81] It is a narrow and circumscribed duty, which is engaged by the extraordinary facts before us. This duty, recognized in many authorities, is not a novel addition to the law.

[82] Not every mistake or negligent act in implementing a constitutional obligation to an Aboriginal people brings dishonour to the Crown. Implementation, in the way of human affairs, may be imperfect. However, a persistent pattern of errors and indifference that substantially frustrates the purposes of a solemn promise may amount to a betrayal of the Crown’s duty to act honourably in fulfilling its promise. Nor does the honour of the Crown constitute a guarantee that the purposes of the promise will be achieved, as circumstances and events may prevent fulfillment, despite the Crown’s diligent efforts.

[83] The question is simply this: Viewing the Crown’s conduct as a whole in the context of the case, did the Crown act with diligence to pursue the fulfilment of the purposes of the obligation?

Appendix E

OJIBWAY HERITAGE



BASIL JOHNSTON

OJIBWAY HERITAGE

BASIL JOHNSTON



EMBLEM

McClelland & Stewart

"On we went, undaunted by the loss of companions or life partners, undismayed by the ordeal, anxious to reach the misted crest. Most succumbed on the incline. Few reached the summit. But I was one of those who did not collapse. I lived on. I struggled on. Those of us who continued to live slowly vanished into the shroud that hid the crest.

"At this point I woke up. I do not know whether the dream is good or evil. I come to you for guidance." Weegwauss waited for Chejauk to answer.

The medicine man spoke calmly without looking up. "It was a good dream, Weegwauss. You saw life from beginning to end. You saw man's life in its entirety, in all its stages, in all its moods, and in all its forms. Kitche Manitou, the Great Spirit, has been generous to you. He has allowed you to see all of life in dream. He grants this privilege to only a few. As you saw life, whole, continuous, and uninterrupted, so will you live out your own life to its very end. You will see your grandchildren and your great grandchildren. You will suffer sickness and enjoy good health; you will endure adversity and know prosperity; you will encounter both good and evil. You will survive, while others will never reach the fourth and final hill. You need not fear that death will cut off your life before you have lived it out in its entirety and before you have served your brothers."

Chejauk refilled his pipe and lit it carefully. At length he puffed a cloud of aromatic smoke and continued.

"As I understand it; man's full term of life extends over four stages: from infancy to youth and then to adulthood terminating in old age. Few men or women live to see old age. Many never get beyond the first stage, infancy; many more never go further than the second stage, youth; those who outlive the first two stages, attain the third, adulthood, may never know the fourth, old age. Life is too difficult. There are too many dangers, disasters, and perils along life's path. For men and women to live out life in all its stages is to receive and possess nature's greatest gift. As hills are difficult to overcome so these stages in the course of human existence are sometimes called hills.

"The first hill that you saw was the first stage in the life of mankind, infancy. Many children are born. They are small, frail, helpless. All they possess is potential, nothing more. They are without personality and character. Yet they bring happiness and hope to all, parents and grandparents and strangers.

"You say that you saw many babies die. So it is in life, which is sad. Few, in relation to the number born, live on. The coughing sickness chokes the life out of them before they have begun to be; it kills them even before they can begin to under-

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Few reached the summit.
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richly and know prosperity;
You will survive, while
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carefully. At length he
continued.

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stand how to know. I think death for them is easy, but death
does come, easy or difficult. Who can say about another's passing?
Nor should we regard their passing as final. Perhaps, they will be
born again in forms new and different; perhaps, their spirits will
return to infuse new beings. This is the hope that sustains all of us.

"Death is always tragic. That all people are destined for
death from birth does not mitigate the grief of passing for those
who love the one who dies. But the death of infants is doubly
tragic. They, so helpless, unfulfilled, and dependent, cannot be
protected by those stronger. The wonderful promise is cut off
before it can begin to be fulfilled. Anticipated beauty, happiness,
and goodness are crushed in their very budding. What ought
to be comes to nothing. A light flashes and is swiftly extinguished
before it begins to illuminate. After the flash it is dark again.
Death comes too soon or too suddenly severs hope for men and
women.

"For parents, not only is the promise stricken, but their very
act of love, their blood, their extension is negated by death. The
joy of motherhood is too soon crushed and all too brief after pro-
longed distress of child bearing and long anticipation. The
gladness of fatherhood is but momentary. Both suffer from help-
lessness in the face of illness. They are powerless.

"Those surmounting the first hill and reaching the base of
the second in safety, must go to the next. There is no pause, no
time for celebration. The journey must continue. Such is life;
such is the great law that prescribes one continuous journey.

"The second hill is that of youth. It is a time in life when the
young begin to bloom in spirit and flourish in physical power
and stature. What is striking is that youth encompasses many
ages. There are those very young, hardly out of infancy; there
are those who are much older. But no one proceeds to the next
stage until he has received a vision. Until that time, a man or
woman remains a youth.

"As youth consists of many ages, it is composed of many
qualities. Among the young will be found the gifted and the
mediocre, the strong and the weak. But no matter their worth,
all must meet and overcome the tests along the way.

"Continuing from the first stage, the physical struggle for
simple survival goes on. Sicknesses cut down strong and weak
alike even before they are well on their way up the hill. Some-
times it leaves others to continue a little way up before striking
them down. It leaves some lame, some blind, some deaf; others,
it renders frail. Others remain whole and unscarred. The
shadows you saw attacking some travellers were enemies and
murderers.

"Nothing can stay death or injury. Neither the skill of medicine men nor the healing power of herbs have force enough to prevent a killing or repair mortal wounds. No wisdom can negate the agonies along the way. Youth itself is no bar to pain, hardship, and death. Still, the struggle goes forward. The urge to live exists in strong and frail.

"In this phase the young begin to learn the arts, the skills that will enable them to conduct the life struggle alone. Boys learn to hunt, fish, make their own equipment, and to fight in defence of families and homes; girls master cooking, sewing, teaching, and looking after the well being of others. Only through enduring effort are these skills acquired.

"At the same time youths receive another kind of training intended to prepare them for a different form of struggle. It is two-fold in order, physical and moral. On the physical level the training makes the flesh ready for physical endurance and for the reception of the vision. It is believed that the great vision would not come until both the earthly frame and the spirit are ready by test and worth. There are, therefore, two great ends in training: to render a person capable of looking at his physical needs; and to discover his nature, essence, and purpose through a vision.

"It is said and believed, 'that no man begins to be, until he has seen his vision.' Before this event, life is without purpose; life is shallow and empty; actions having no purpose have no meaning. Consequently, youth is a time of preparation for the coming and reception of the vision.

"From the moment a youth begins to understand, his training and preparation begins and continues until the vision comes to him. Between the ages of twelve and fourteen he ought to begin to seek his vision. Because no one knows when the state of readiness of body and spirit is attained, the teaching and preparation continues. In some cases the state of fitness comes readily and early, in other instances, much later in life. But the teaching and instruction end only at the vision.

"For youth, the struggle in the moral order consists of the preparation, seeking, and attainment of the vision. What makes the search difficult is that the vision is not to be sought outside of oneself: nor is it to be found outside of one's being. Rather it must be sought within one's inner substance and found therein. Since it will be found within a person's inner self, the search must be conducted alone, without the assistance or guidance of others. There are no signs to mark the trail; there are no trails set by others to encourage the seeker. The object is unknown, the message to be received profound. It may be clear or obscure;

it may be pleasing or displeasing to the seeker. But it must be sought whatever its nature, and it must be accepted.

"In and through vision a person may see, hear, sense, or even feel his first self, his incorporeal substance. By vision he will discover that his nature demands growth in order to attain fullness and power. From the moment of the enlightenment the seeker has a purpose. From the moment of the coming the seeker is obliged to regulate his deeds according to the vision. In a way a vision is discovery of self and what ought to be. Growth begins.

"Whether the vision coincides with the aspirations of the seeker or is contrary, the vision seeker must understand the essence and nature of the vision. Moreover, he must accept its dictates and live by them. If the vision is suitable, the easier it is to accept. There remains the matter of living it out and giving expression to it in daily life. If, on the other hand, the vision is not what was expected, changes have to be made in order to live out the vision. It must be obeyed. The vision, whether favourable or adverse, must be understood and then lived out.

"While the vision gives an insight into the quality of the inner being, what it is and what it ought to be, it can do no more than give some direction about the course of life. Nevertheless, by some force the vision can change a man, give his actions meaning, lend purpose to his intent and growth to his spirit. After receiving the vision, the seeker must follow the principles given to him.

"With the vision, existence becomes living; the youth is no longer young. He has now a freedom which only he and no other can exercise and fulfil. It is his own. Yet his freedom and independence must be consistent with his communities' laws and codes and with the great laws that govern the world. Through vision a person goes from youth to adulthood.

"In character the third hill is less steep and less rugged than the first two. It is not less difficult to climb. The burdens and duties of parenthood must be discharged. The weight and uncertainties of leadership must be born by men and women. There are battles to be fought; disputes to be resolved; and, provisions to be obtained. Men and women must tend the ailing and look after the infants, youth, and the aged as they must care for themselves. In form and scope and variety, the third hill is the most formidable of all.

"But in the number of those who fail along the way there is no difference between the third hill and the others. Men and women falter from their burdens at the foot of the hill. As they continue to climb, more men and women are crushed by disease and war. Even approaching the summit, more human beings

stumble never to advance or come nearer the goal. Ever and ever the number of walkers diminishes, more die. Few are the survivors.

"While men and women contend with the struggles in the physical order, they must live out their visions. They must follow the path of life as is prescribed in the visions. In so doing they must observe the laws of the world and the customs of the community. At times, laws, customs, and codes may appear to bridle and restrain the vision and bind the freedom of the individual. But the conflict is only apparent. General world laws and codes and customs are wide enough to allow a person sufficient scope for the exercise of his freedoms and for his growth.

"Nor is this the only impediment. There is the sanctity of the vision and persons of other men and women. Duty requires that persons honour and respect the individual spirit and vision of others. And the most suitable, and the least objectionable way of exercising this respect is by allowing others to exercise their growth and scope, by non-interference. At the same time a man or woman must not allow another to interfere with his vision. The vision must remain inviolate. And for it to retain integrity, it must not be surrendered to others in any manner or for any reason. To give a portion of it, even for a brief time, is to yield a portion of the spirit which leads eventually to loss of freedom and harm to the vision. For the same reason no man or woman ought to attempt to seek the control of another's vision and person. Visions must be kept whole and unimpaired if freedom is to be retained and growth continued.

"But the chief difficulty in living out the vision comes not from outside but from within a person. It is hard to follow the path of life in conformity with the world and in concord with other men. Much more difficult is it to live by the hard principles of the vision within one's self. The heart may go against the mind; reason may resist feeling; expedience may be contrary to need; chance may interfere with the order of things; codes may thwart the sense of justice; unforeseen forces may act and nullify the vision.

"When such forces move, they may make men and women do things they ought not to do; they may induce men and women to neglect that which ought to be done; they may encourage men and women to prefer the easy to the difficult; they may persuade men and women to do last things first. The hardship in living out the vision comes from human frailty, and want of understanding; not from evil or malice.

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them. But human experience tells us that such is not always possible. For all their good intentions and endeavours, men often lose their way.

Because men and women stray from the path of life, the way is shown as having seven branches on which the traveller is allowed to digress seven times. But he must return to the true path without impairing his vision seriously or without betraying his trust.

"Whenever a person loses his way, he must, of his own accord, find his way back. No one else can assist him. Only he knows the way; only he knows where and when he departed from the true path.

"Morally and physically the way up and the way down the third hill is tortuous. Men and women suffer and die physically; never do they complete their life's journey. Men and women abandon their vision never to attain fulfilment. But they live on and endure. Now they are very few.

"Adulthood ends. The mood of life and people alters. The pace of men and women and life changes. Even the tone of living varies. But though all else may change, the stuff and substance of life remains the same. Where adulthood ends, old age begins.

"There is continuity, there is no break.

"In the evening of life, the aged give way to decrepitude and must accept the loss of strength, the lessening of endurance, and the wane of agility as part of life's destiny and the consequence of continuing to live. A former way of life must be forsaken; a new mode of living accepted.

"But to give up the old and embrace something new has always been difficult. For labours, pursuits, habits, manners, and pleasures that have become part of a man or woman are not easily cast off. The more familiar and cherished former ways, the more difficult the parting. Though former modes can no longer be exercised, they live on in memory. By their very sweetness and worth they call out for living on; they deserve to be repeated in life again and again. What is good needs to be regenerated many times over.

"To resurrect the past in forms already done, is to negate survival. The same flower does not live, die, to live again. It lives, dies, and is no more. After death and passing it leaves a memory of loveliness and a promise of a renewal of that beauty in another flower in another spring. To resurrect former times and to relive them would end the fulfilment of visions and growth in the new order.

"Perhaps it is the knowledge that what was can never be again — can never be restored except in fresh modes that render

old age most difficult. Men and women know that death is inevitable. No wish can defer it. Men and women are destined for it from birth. The end must be accepted as part of life.

"When men and women attain the last weary hill and climb toward the crest, they are sustained by the knowledge that they have lived out their visions and given a helping hand to their fellow beings. Old age is a gift of the Kitche Manitou. As such it is to be cherished; not disparaged.

"Even in old age, life's work is not finished. There is still much good that can be done for brothers in life. By living through all the stages and living out the visions, men and women know something of human nature and living and life. What they have come to know and abide by is wisdom. This is what they must pass on to those still to traverse the path of life and scale the mighty hills. Only when they finally vanish into the mists is the work over."

Chejauk concluded by saying, "I have given to you what I have understood. There is more, but my mind cannot compass the depth and scope of the thoughts of wise men on the subject of life. I leave it to you to grasp it in your own way, in your own time, and according to the powers of your mind and heart. Think on it. You are indeed fortunate to have had such a dream."

Chejauk said no more. Weegwauss got up, said, "Farewell. Your words are wise," and disappeared into the light of a new day.

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The Vision (Self Understanding and Fulfilment)

"No Man Begins to be Until He Has Seen His Vision"

"No man begins to be until he has received his vision" perhaps best expresses the Anishnabegs' fundamental understanding of man's purpose in life and by distinguishing between living and being posits the existence of a moral order. In turn, this basic understanding is predicated upon the concept of the essence and nature of a human being.

According to the Anishnabeg, man was a spontaneous being made out of nothing; that is, created from new substances unlike those out of which the physical world was made. Out of corporeal and incorporeal substances was man created according to and in fulfilment of a vision of Kitche Manitou. Man was, in the abstract metaphysical sense, a composite being.

But as the Anishnabeg conceived man as a being endowed with a capacity for vision much like his creator, man became more than an abstract being, a creature of the mind. Man was bound to seek and fulfil vision and as such was a moral being. His life therefore was to be regarded in a moral sense.

Men were required to seek vision; moreover, they had to live out and give expression to their visions — it was through vision that a man found purpose and meaning to life and to his being.

There was another aspect to the nature of man. In scope and depth and breadth, every man was very different; some were gifted; others possessed lesser powers. Still each was obligated to seek in his own capacity, his purpose not outside himself, but within his innermost being. And because each man was differently endowed, every man attained a different vision; each fulfilled his vision as he and not someone else understood it.

For the Anishnabe the vision became the theme and quest in his life that attained the character of force; as a force, it could

alter the course of individuals, bend the nature of living, enhance the tone of life, and change character. For the fulfilment of vision, aspirations were reluctantly forsaken and a new mode of life taken up if necessary.

The vision as a force could alter conduct, mode of life, and even character; it wrought yet another change. For with the coming of vision, existence became living; that is, man entered a moral order where his individual acts and conduct assumed character and quality that they did not previously possess. Prior to this event, a man was, in a moral sense, incomplete, a half-being; by vision he gained purpose that conferred meaning upon his actions and unity to his life.

Purpose without quest is empty; a vision without fulfilment is vain. Just as Kitche Manitou received a vision and created matter, being, and life, so man in receiving a vision had to live it out.

Besides fulfilment, vision required preparation. The capacity for vision, like other faculties, was only a capacity whose growth required nourishment. And because man was a composite being, man's two substances needed preparation in order to attain a state of harmony necessary for reception of the vision. Not until these corporeal and incorporeal substances were ready and worthy did the vision come. Not until a man was ready to live out the vision did he receive it.

Preparation rendered the body worthy through physical testings, and the inner being worthy through dreaming and vigils ready for vision; both substances had to be worthy of each other. For the body there was to be strength, endurance, agility; for the inner being, patience, discipline, silence, and peace. Only when there was state of readiness did man receive his vision.

There were two dimensions to a man's life; one existence, the other a moral sense. By far, the most significant was the latter. The physical because of the difficulty of survival was considered to comprise four hills, infancy, youth, adulthood, and old age; the moral also consisted of the preparation, the quest, the vision, and the fulfilment which corresponded to the four physical phases.

Life was difficult in physical terms. Few survived infancy. Many more died in the stage of youth. Men and women, on attaining adulthood endured privations in discharging their duties; and in old age, they faced frailty, disappointment, deafness, and blindness. Through all stages, there was illness, frequently, hunger.

Though existence was hard, the vision had to be sought. There was no better way to achieve understanding of self and life. Moreover, it impressed merit upon a man and enabled him to endure the difficult life and to fulfil his purpose in life.

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While it was almost mandatory for a man to seek a vision, the quest did not always lead to vision. It was a gift that came to those who were prepared and came only when man was ready.

For women there was no such comparable obligation to seek a vision. Any obligation that might have pre-existed was removed by the first of mothers, who gave birth to men and completed the cycle of life and time, creation, destruction and re-creation. By this act, a woman was complete in herself. A woman, by giving life, fulfilled the first portion and requisite of being; man had to give meaning to that gift of life. But a woman was free to quest for a vision.

The first important event in a person's life was that of getting a name. An elder, usually a grandparent of the infant, conferred the name at the request and invitation of the parents.

For boys names were drawn from the climatic conditions at the time of birth, from one of the aspects of the galaxy, or from animals reflecting the disposition or the anticipated character of the child. For girls, the names were derived from plants, especially flowers, the phases of solar time, and the conditions and varying qualities of water, lakes, and streams. The name was especially cherished because it was in the nature of a gift of the people, bestowed through an elder and because it was in the nature of a reputation, unlike any other, and therefore unique.

Such was the mystique and force of a name that it was considered presumptuous and unbecoming, even vain, for a person to utter his own name. It was the custom for a third person, if present, to utter the name of the person to be identified. Seldom, if ever, did either husband or wife speak the name of the other in public.

Name	Meaning
Peetwaniquot – Coming Cloud	Promise, potential
Shawaageezhig – Sloping sky	Force, strength, excellence
Misheeminauniquot – Great Good Cloud	Cheerful, joyful
Kineu – War Eagle	Courageous, foresight
Addik – Caribou	Graceful, watchfulness
Tabobandung – He who sees far	Clear thinking, judgement
Nawadjiwon – In the middle of the stream	Willingness, resourcefulness
Abeetung – He who is	Independence, freedom
Beedaubun – Coming Dawn	Hope, certainty
Waubun-anung – Morning Star	Constancy
Waubagone – Flower	Beauty, truth
Quaequaek – Ever Turning	Industriousness

With the gift of name (even though it might change later in life) a duty to espouse the ideals embodied in his name was imposed upon the infant, and upon the parents an obligation to guide the child in the pursuit of those ideals.

During the next two or three years the child lived encased in a cradle-board. It was here that the child sharpened his faculties of sight by watching birds, moving leaves, and scudding clouds; and his faculty of hearing by listening to the utterances of birds, the rustle of leaves, and the voices of men and women.

As soon as the child began to understand, training began in earnest. In this phase and those that followed, the purpose was to foster listening and dreaming. Ultimately, the goals were to enhance the capacity to receive and to instil inner peace. It was through the form of story and song that training was conducted and fostered stage by stage.

Initially, the stories were not really stories at all. Often they were simply imaginative descriptions of the appearance and conduct of the animals, plants, and men — accounts accompanied by drums and pantomime. The immediate end was to induce sleep; the more remote and ultimate object was to foster dreams, the simplest and first form of vision.

Before story, children were frequently asked questions, "What did you see today that was beautiful? What did you hear, that was pleasing? What did you touch that was moving?" Such were the ways children were encouraged and induced to look upon beings as good.

Stories were told slowly and graphically to allow a child to enkindle his imagination. There were times, even before the story was finished, the child fell asleep amused and perhaps dreaming. In these stories, there was no element of terror.

As the child grew older, the stories took on deeper meaning. Not only did the stories go beyond the child's immediate world, but they assumed a moral character. To teach the young what was considered meritorious or what reprehensible in human conduct, the grandparents as storytellers would re-create in story form the state of things in the family or community. Deliberately, the characters in the story were made to correspond to the numbers of members in the family or reflect the character of each person appearing in the account. In these stories, men, women, and children were represented as animal beings.

While the children would not immediately recognize themselves in the characters of the plot or understand the substance of the story, they would, eventually come to know themselves and the meaning of the story after repeated renditions. Young people were allowed to draw their own inferences about the

sense of the story and to acquire, through their own efforts, a sense of what was considered right or wrong.

As the youngsters grew older the stories assumed even greater depth. Themes covered hunger, courage, generosity, fidelity, creation, death, the nature and essence of being, the tone of life, the quality of existence, transformation, history, and all matters that related to life and being, matters that engage the fascination of mankind. Youngsters, with older people, listened to fables, legends, myths, tragedies, comedies, and allegories.

From the story-teller the young gained insights into life. It was through story that the people grew in understanding.

About age seven, the boys left the tutelage of women and began to learn the practical arts and to prepare their physical substances. By hunting and fishing, that is, providing food for the community, the boys became an integral part of the community.

One of the great events that deserved recognition and celebration was the first game killed by a youth. To commemorate the event, to admit the youngster into the company of hunters, and to confer upon him the recognition as provider of food, a feast was given in his honour to which the entire community was invited. Following the smoking of the Pipe of Peace, there was dedication by a medicine man or other respected elder and speeches by hunters. At the feast, all present were given a portion of the game killed that had been cooked by the boy's mother. Then there was dance.

Over the next few years the young hunter accompanied his father on hunting and fishing expeditions, learning by observation how to fashion bows and arrows, stalk game, set snares and traps, and repair his equipment. Eventually able to perform many tasks, the young man became more resourceful and self-sufficient.

Between the ages of fourteen and sixteen, many young men accompanied their fathers and other warriors on the war-path when one was undertaken. On these occasions, the young men watched in order to learn.

When boys were not engaged in hunting or fishing or any other occupations, they wrestled, ran races, swam in cold water, or went without clothing in frigid weather to develop discipline, endurance, and perseverance as part of the preparation for the quest.

The boys received one form of training; the girls another. But while the end of training for the girls was different from that of the boys, the form and the mode of training that they received nevertheless enabled those who chose to quest for the vision to attain it.

Women had a sphere in life not less essential for the well being of family and community than that of men. Within that sphere women had scope for self-fulfilment and growth. Outside of and connected with their spheres, they were to become companions just as men were expected to become companions. It is significant that the term "weedjeewaugun" – companion in life – applied equally to both men and women who became companions.

As a companion a woman was to develop cheerfulness; as a mother, industriousness. In her own right, a woman sought fortitude, self-reliance, and patience to enable her to discharge her duties to family and community and to fulfil herself.

Women were of the substance and quality of the earth, abiding. Like the earth they endured changes and challenged life as they sought peace.

When the boys at age seven or thereabouts received their first bows and arrows, the girls received a wooden doll carved either by her father or grandfather. The doll was not only a toy but a means of training as well. Through talking and telling stories to the doll, a girl acquired the art of story telling and a mastery of language, faculties that would serve her later in life as a teacher.

At the same time training was pragmatic. For the girl, the day was spent helping her mother. She kept the lodge clean by sweeping, and she folded and placed blankets and packages in their proper places. Even the immediate area around the lodge was kept tidy. The girl gathered wood, fetched water, watched her younger brothers and sisters; she watched the cooking of food, washed the utensils after meals. Besides these tasks, she gathered berries, vegetables, plants, birch bark. And when she was not occupied with some work, she watched the women making baskets or preparing hides, learned how to sew and repair garments and absorbed the stories told by the elder women.

Through all these tasks the little girl was made to feel to be an integral part of the family. In the tasks that she undertook, her grandmother or mother would say to her, "We will clean the lodge," or "We will mend father's coat," or "We will help grandmother." It was in such a manner that industry was fostered along with cheerfulness.

For a girl the attainment of womanhood was the most singular event in her life; it was the greatest of gifts.

When her time came, around her twelfth year, the girl was removed from the village and lodged in a shelter constructed for her. For a period, lasting between four and eight days the girl abstained from food, taking only water to sustain her. Her only visitor was her mother or her grandmother.

So unique and personal was the gift of life-giving considered that young girls were placed in solitude during the receipt of gift and empowerment. The gift the young girl was receiving was the personal gift of Kitche Manitou. Consequently, the girl had to prepare by vigil, the reception. Her mood and spirit were to be prepared fitting for the nature of the gift. There was to be no distraction; hence no food; there was to be no interference; hence no visitors. And because the gift was intended for women alone, there were to be no men. The gift was denied to men ever to remain a mystery, sealed and closed.

When the vigil was over the girl was no longer a child, she was a woman by transformation. She was now able to conceive and give birth; she possessed a gift which she had not possessed before. Ready and changed, the girl was returned to her home and village by her mother where a feast awaited her.

While girls attained womanhood early and assumed their place in the physical and moral orders, boys were only beginning to seek their destinies and purposes in life.

The Quest

In their twelfth year boys were deemed ready to begin their quest for vision. After purification ceremonies, a boy was conducted by his father to a place of visions, a remote, solitary place, unique by virtue of its mood and spirit for the reception. There, the boy was left alone in a specially constructed lodge, to contemplate life, his being, and existence. In solitude he endeavoured to bring his inner being and body together in accord as he attempted at the same time to be conjoined with the earth and the animal creatures and plant beings who resided in the place of vision. To be at one with the world, or to discover one's meaning through peace and silence, was not easy.

For some, the vision came early, ending the quest and inaugurating a new phase of life, being. For others, the vision came late.

Whether the boy had received his vision or not at age sixteen, he received from his mother, a three-cornered blanket which served as his coat, blanket covering, and cushion. The blanket was a gift, a symbol of love and an emblem of an attachment. With the gift of blanket was signified partial dependence, partial independence. The young man was now on his own, independent. After this he could set up his own shelter as it pleased him. As the blanket was incomplete, it symbolized a bond, a sign of continuing motherhood.

Until a young man had performed an act of courage, he was considered physically a boy. It was act of courage that admitted

him into the company of warriors and gave him the status of manhood. And there was no better way of demonstrating physical quality and worth than by exposure to injury and even death. Overcoming the danger entitled a man to wear a feather or a bear claw in his necklace as a symbol of his deed.

But courage was more than a single act of bravery. It was an attribute of manhood that was almost synonymous with the term man. In some instances, courage or some proof of courage was required of a young man before marriage. With the performance of the first brave deed, a man embarked upon a course in which courage would become a part of his being.

Through this stage of preparation, those who had not attained the vision continued the quest annually in summer.

Before going out to the place of visions to keep vigil, the vision seeker first had to cleanse his body in the purification lodge. There, his body would be cleansed by vapours created from the four primal elements: fire, rock, water, and the breath of life; the soul-spirit was cleansed by contemplation and denial and privation.

Then for four days or until the vision, the questor remained in vigil abstaining from food. Man's soul-spirit hunger had to be filled; his bodily hunger more easily fed, could wait. There was to be no distraction; no weakening of resolve. Food had to be forsaken. The vision seeker had to surrender completely to self and to the place around him.

In silence, and peace would vision come to him who was prepared.

The Vision

The Anishnabeg recognized at least three kinds of vision, the distinction based upon the mode of coming of the vision. In form and nature, the different visions were similar.

By Waussayauh-bindumiwin was meant vision that was received during vigil and whose meaning was complete. No further or additional visions were required. The message was unified.

The word Waussayauh-bindumiwin issues from two terms; the first, waussayauh, meaning, light and clarity; the second, inaubindum, meaning perception by sight or insight. Within the context of the purpose, nature, and essence of vision, waussayauh-bindumiwin means many things; self-understanding, enlightenment of self, while at the same time, suggesting destiny and even career.

But not all visions came complete and entire. Perhaps the majority were of the kind known as "mauzzaubindumiwin"; that

Was not peace the end of war? The vision presaged matters far beyond Kineu's aspirations and scope.

Kineu did not understand. He, therefore, sought guidance of men and women learned in such matters. He suspected the worst and the counsel that he received only confirmed what he most feared. Kineu had to renounce the war-club and espouse the Pipe of Peace. Still he hesitated. To abandon the warpath, he thought, was tantamount to cowardice. Kineu procrastinated. Kineu had to change; and that needed time. He delayed. To do good, Kineu first had to undo the evil he had done. Former enemies would have to be mollified; in the process, friends would be lost. Kineu would have to overcome distrust, to establish his sincerity. Kineu waited.

But at last Kineu cast aside his uncertainty, forever put away his war-club and his accoutrements. Nevermore, he resolved, would he go on the war-path. And though his warriors asked him for another expedition, he refused. After awhile his own people wondered and his own warriors, all former friends began to distrust him; some even considered him cowardly. What Kineu had anticipated was coming true.

Still, he persisted. Over the objections of his people and impediments put up by his former friends, Kineu endeavoured to bring peace between his people and their enemies. In doing so, he earned the censure of friends. For peace, Kineu suffered rebuffs and animosity. Only after many years, was he accepted and trusted for what he was and for what he tried to do. No longer a man of war, he was now a man of peace.

The story of Kineu portrays the force of vision.

In the physical order, "vision" was a dramatic revelation of purpose, character and sometimes avocation. In the moral order, "vision" was a birth, a becoming. According to the Anishnabeg, from the moment of vision, a man began "to be," he was no longer a youth but an adult. At that moment, a man's acts and conduct assumed quality; purpose conferred character. Having received a vision, a man had then to live it out: considered in yet another aspect, a man had to be true to his vision.

As vision was of supernatural order and nature and personal in scope, it demanded fulfilment. And while the general content and theme of a vision might be deduced from the conduct of a person, recipients did not disclose their visions. The soul spirit was inviolate.

LIVING OUT THE VISION

Living out the vision was not less difficult than the quest. Men made errors in judgement; they forgot. That the Path of Life was

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tortuous was portrayed on birch bark scrolls – seven and some-
times nine branches digressed from the main road. Men and
women straying from the main road were considered to have
betrayed their vision; such a state was tantamount to non-living
in which acts and conduct had no quality. To avoid such a state,
men and women went on annual retreat to review their lives
to find where they had strayed, and to resume the true path.

Man in the last phase of life, old age, was considered to have
acquired some wisdom by virtue of his living on and by fidelity
to his vision. Wisdom was knowing and living out the principles
of life as understood.

Ceremonies, Songs, Dances

In my song you hear my soul-spirit
In my dance, see its rhythm
In my ceremony, feel its depth.

Of the many ceremonies performed and observed by the Anishnabeg during a lifetime and in the course of a year none was more essential or as replete with meaning as was the Pipe of Peace smoking ceremony. It could be held alone, but no other ceremony commenced without first the Smoking of the Pipe.

Before a Council, Dance, Festival, Midewewin, First Kill, Raven, Dog Festival, Feast of the Dead, Thanksgiving, Funeral, or Marriage service could begin, the Pipe had first to be smoked. Without the smoking, the ceremony that followed would seem incomplete.

Nor had any other ceremony meanings comparable in scope and depth to that of the Pipe. Other rituals had limited meaning and application. Only the Pipe ceremony possessed a universal and more profound meaning than other rituals. Other rituals embodied meanings and symbolized material, temporal and present relationships. The pipe represented all relationships, man to Kitche Manitou, man to the cosmos, man to the plant world, man to the animal world, man to man, man to his state, and quality of life and being and existence.

As such, the Pipe was prior in substance, nature, mood, tone, to any other ceremony. It was antecedent in time and universality. Only by relation to the broader framework and practice did other ceremonies with a narrower scope attain meaning.

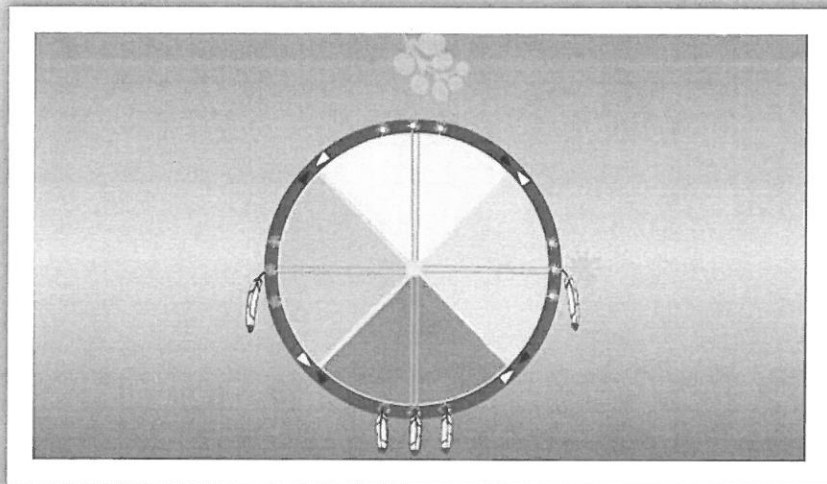
PIPE OF PEACE SMOKING CEREMONY

When everyone was assembled, the celebrant, a leader, or medicine man, or a revered elder would rise. The men, women, and

Literature Review: Violence against First Nation women in Canada

March 2014

Gladys Rowe, BSW, MSW



to a lack on the part of the workers. Shelters staff commit their entire wealth of energy and skills to provide for the families. The disproportionate numbers of Aboriginal families experiencing violence is a canary in the coalmine of current Canadian society. This is a symptom of a failed system that rests on colonial foundations. If the mechanisms for addressing Aboriginal family violence continue to receive disparate levels of funding and support these numbers are likely to continue to increase as they have been in the last decade.

Weaver (2009) is adamant that activism and advocacy are critical tools for making a difference. It is through the changing of social policies that impact violence against Aboriginal women that a meaningful change can be witnessed. This shift in societal context requires leaders at multiple levels. There have been critical cuts made to organizations that have in the past been leaders and supports to end violence against Aboriginal women. For example, organizations providing research supporting women's health and wellbeing as well as advocacy that have experienced funding cuts include:

- National Aboriginal Health Organization (NAHO) lost all its funding and closed in 2012 after 12 years of operation
- In 2012, Pauktuutit (Inuit Women's Association of Canada) was forced to eliminate health programming due to a \$730,000 funding cut from Health Canada
- Native Women's Association of Canada (NWAC) suffered a 100% funding cut from Health Canada and 10% from AANDC in 2012
- The Aboriginal Healing Foundation which provided funding to several healing centres that support abused women was defunded in the 2010 federal budget (as cited in CNWSTH, 2013, p. 13).
- Important documenting of cases of missing and murdered Aboriginal women and girls through the Native Women's Association of Canada's Sisters in Spirit initiative has had to cease due to loss of funding (as cited in CNWSTH, 2013, p. 33).

Secondly, women's shelters are only providing pieces of what needs to be done to support the movement towards healthy First Nations families. Community developed programming, in other words, services that are designed by First Nation peoples to meet their needs will increase ownership over such services, decrease stigma and increase success of designed interventions (Shea, Nahwegahbow, & Andersson, 2010). "We have learned that programming that is not community-based is seldom successful, and therefore available bodies of knowledge should be used, and should also be allowed, to create programming that will be useful to individuals living in Aboriginal communities" (Alani, 2010, p. 129). Shelter staff and clients know what they need, Elders know what needs to be done, the challenge is to coordinate energy in the development of

an intervention that combines these knowledges with adequate funding, key supporters and leaders within the community to undertake this work.

Despite an overwhelming recognition of the necessity of cultural relevance and participation within interventions and prevention strategies, there is little measured evidence on the impact of such strategies in reducing the incidence of family violence for Indigenous peoples (Shea, Nahwegahbow, & Andersson, 2010). Lack of strong evidence is based on two factors: 1) Most studies are purely qualitative, and studies have yet to be designed based on these experiences to quantify the impact of interventions, and 2) A value has been placed on tertiary and secondary prevention models, with research on primary preventions based on emergence of risk factors is lacking. Upstream prevention based on these risk factors will be supported through Indigenous strengths and cultural foundations (Shea, Nahwegahbow, & Andersson, 2010). In other words, an expansion of priorities needs to be undertaken. Instead of intently focused tunnel vision aimed at *putting out the fires*, we need to avert our gaze to the periphery. We need to anticipate that a comprehensive response needs to be developed in order to *prevent the fires from igniting in the first place*.

References

- ACWS. (2012). Walking the path together tools: Danger assessment. Alberta council of women's shelters. Retrieved from: http://www.acws.ca/reportsChild Abuse/Children Exposed to Violence Information Sheet, Alberta Children and Youth Services, October 2008. Available: http://www.child.alberta.ca/home/images/familyviolence/doc_opfvb_sheet_child_colour.pdf
- AHF. (2003). Aboriginal domestic violence in Canada. Ottawa: Aboriginal Healing Foundation. Retrieved from: www.ahf.ca/downloads/domestic-violence.pdf
- Alani, T. (2010). Behind closed doors: Aboriginal women's experiences with intimate partner violence. Unpublished thesis. Master of Arts. Dalhousie University. Halifax, Nova Scotia.
- Andersson, N. & Nahwegahbow, A. (2010). Family Violence and the Need for Prevention Research in First Nations, Inuit, and Metis Communities. *Pimatisiwin*, 8(2): 9–33.
- Andersson, N., Shea, B., Amaratunga, C., McGuire, P., & Sioui, G [on behalf of on behalf of the Rebuilding from Resilience Study Group]. (2010). Rebuilding from Resilience: Research Framework for a Randomized Controlled Trial of Community-led Interventions to Prevent Domestic Violence in Aboriginal Communities. *Pimatisiwin*, 8(2): 61–88. Police. Available: <http://www.rcmp-grc.gc.ca/cp-pc/chi-enf-abu-eng.htm>
- Barrett, J. & St Pierre, M. (2011). Variations in Women's Help Seeking in Response to Intimate Partner Violence: Findings From a Canadian Population-Based Study. *Violence Against Women*, 17(1): 47-70.
- Canadian Network of Women's Shelters & Transition Houses (CNWSTH). (2014). Shelter voices: A day in the life of Canada's shelters for women survivors of abuse. Retrieved from: www.endvaw.ca
- Canadian Network of Women's Shelters & Transition Houses (CNWSTH). (2013). The case for a national action plan on violence against women. Canadian network of women's shelters and transition houses. Retrieved from: endvaw.ca
- CCWS. (2011). Increasing safety for Aboriginal women: Key themes and resources. Ending Violence Association of BC.

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February 24, 2016

To: Minister Jody Wilson-Raybould
Minister Carolyn Bennett
Minister Patty Hadju
Missing and Murdered Indigenous Women and Girls Pre-Inquiry Secretariat

On behalf of the Assembly of Manitoba Chiefs (AMC), I am pleased to provide you with the attached February 11, 2016 position paper on the pre-inquiry design process.

Our initiative developed in partnership with the Public Interest Law Centre, *FAMILIES FIRST*, is a Made-in-Manitoba, community-led initiative to address MMIWG. It is rooted in Indigenous legal traditions and values. It focuses on both tangible immediate actions and systemic long term changes. *FAMILIES FIRST* recommends regional representation with a national coordinating body.

We request you consider the Pre-Inquiry process be open to create a hybrid process that will ensure that families are fully involved and heard. In addition to the formal Inquiry created under the *Inquiries Act*, we request a Federal Order in Council creating *FAMILIES FIRST*.

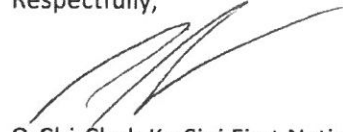
Our research of over 44 previous inquiries, commissions and roundtables has identifies many challenges ahead. We caution that an Inquiry solely called under the *Inquiries Act* may exclude families and communities who are directly impacted by MMIWG. Additionally, there is a risk that the time required to complete an Inquiry may delay tangible and immediate actions, many of which have already been identified and can be done right away.

AMC also recommends you consider changing the mandate of the existing National Roundtable on MMIWG be amended. Recall the first National Roundtable on MMIWG took place last year in Ottawa in February. The second Roundtable is being held in Winnipeg, February 24-26, 2016. Rather than concentrating only on the priorities identified by the previous Federal Government (prevention and awareness, community safety and policing measures, justice responses) and meeting once a year, AMC recommends that the National Roundtable meet at least three times a year and focus on identifying existing recommendations relating to MMIWG that can be acted upon immediately. This way, the National Roundtable becomes a relevant opportunity to bring the main players together to discuss how to implement these recommendations without delay.

In closing, recognizing that since one of the Calls to Action of Truth and Reconciliation Commission was to have this Inquiry, we encourage you to ensure that their approach does contribute to reaching the goal of Reconciliation. As well, with the most recent discourse and ongoing reality of Winnipeg being the “most racist city”, the Inquiry needs to deal with racism in all its forms, and this must also be an essential element of the Inquiry.

AMC remains available to discuss our position at your convenience.

Respectfully,



O-Chi-Chak-Ko Sipi First Nation Chief Eugene Eastman, Acting Grand Chief
ASSEMBLY OF MANITOBA CHIEFS

Encl.

cc.: Manitoba First Nations
MMIWG Coalition

The Assembly of Manitoba Chiefs

Pre-Inquiry Design Process for the Federal Ministers



Submitted to:
Minister Jody Wilson-Raybould, Minister Carolyn Bennett and Minister Patty Hadju
Missing and Murdered Indigenous Women and Girls Pre-Inquiry Secretariat
15 Eddy Street, 6th floor
Gatineau, Quebec K1A 0H4

February 11, 2016

INTRODUCTION

The Assembly of Manitoba Chiefs (AMC) is grateful for the opportunity to provide input into the pre-inquiry design process. This submission was prepared by the Assembly of Manitoba Chiefs in collaboration with the Public Interest Law Centre and the Manitoba Research Alliance.

It is presented as follows:

- Executive Summary
- Background on the Families First Initiative
- Answering the discussion questions on designing the inquiry
- Contact information

EXECUTIVE SUMMARY

Since September 2014, the AMC has worked on a cutting edge initiative - Families First - to address the tragedy of missing and murdered Indigenous women and girls.

The AMC proposes that the Ministers responsible for designing the national inquiry into MMIWG consider and implement the lessons learned from the Families First Initiative including:

1. Early and ongoing engagement of all affected individuals and communities of MMIWG is necessary. Individuals organizing the pre-inquiry and inquiry processes must clearly communicate their activities to the public through a variety of methods, recognizing the challenges in remote communities and the variety of education levels of all those involved throughout Canada.
2. Any process addressing MMIWG must involve four main areas of action:
 - **Honouring loved ones** – we must provide an opportunity for all the families and communities of MMIWG as well as survivors to be heard. Everyone should have the opportunity to be honoured and honour their loved ones in a variety of ways;
 - **Immediate actions** – we must identify and act upon immediate actions which have already been identified;
 - **Families answers process** – we must provide opportunities for families and communities of MMIWG to meet with agencies (such as police, RCMP, child welfare) to receive answers to their questions directly through a mediation-like process; and
 - **Public education and policy research on systemic issues** – we must undertake research into the relationship between MMIWG and the broader systemic issues such as colonization and racism, poverty, child welfare, sexual exploitation etc.
3. The process must be inclusive of all, including families of MMIWG and also survivors. Everyone should feel welcome to participate and to share their opinions. The Process must also include a consideration of regional, cultural, spiritual and religious differences.
4. Silos of information must be brought together and gaps of knowledge must be filled.
5. The Terms of Reference must be:
 - regional and national in scope;
 - broad enough in scope to include systemic issues;
 - flexible enough to ensure the rules of evidence:
 - prevent the exclusion or alienation of families and communities of MMIWG;
 - allow for proper spiritual and religious protocols to be followed and;
 - include space for Indigenous legal orders;
 - clear about the issues it is aiming to address and set out clear expectations for all involved; and
 - clear about interpreting the *Inquiries Act* broadly to ensure a variety of methods for gathering evidence can be used.
6. A variety of sensitive, culturally appropriate and accessible supports must be in place throughout the pre-inquiry and inquiry phases.

7. Strong and courageous regional and national commissioners are needed.
8. Adequate and secure funding is needed to ensure implementation of process and its recommendations.
9. An implementation committee is needed to ensure accountability. The implementation plan must be adequately communicated to families and communities of MMIWG as well as survivors.

BACKGROUND ON THE FAMILIES FIRST INITIATIVE

In 2014 the AMC partnered with the Southern Chiefs Organization (SCO) and the Manitoba Keewatinowi Okimakanak (MKO) to create a process to address the tragedy of missing and murdered Indigenous women and girls. The AMC approached the Public Interest Law Centre of Legal Aid Manitoba (PILC) to work together on “Families First.”

The purpose of Families First was to define a process based on the objectives, values, and priorities of those who are directly affected by MMIWG – the families, Elders, youth, communities and service providers. The work of Families First is ongoing and has been undertaken in three main phases.

Phase One (September – December 2014) included preliminary conversations in Southern and Northern Manitoba with family members of MMIWG, a Coalition of service providers, a group of Elders and youth. Concurrently with and in support of this engagement process, PILC and a team of pro bono lawyers in Winnipeg prepared a number of research tools, including:

- background on existing processes (inquiries, commissions, roundtables, advisory panels);
- an overview of lessons learned from other processes at the national and international levels;
- a summary of existing initiative in Canada relating to MMIWG;
- a compilation of various recommendations relating to MMIWG from 43 past processes; and
- preliminary consideration with Elders of applicable Indigenous legal orders.

The purpose of Phase Two (January 2015 – July 2015) was to continue listening to families of MMIWG, Elders, Youth and the Coalition of service providers to further define the process. During this phase, AMC assisted in the creation of the Families First Foundation whose goal it is to provide supports for families of MMIWG. During this Phase, PILC prepared considerations for a Terms of Reference for a process addressing MMIWG.

During this Phase, economists from the Manitoba Research Alliance also began conducting research into the Cost of Doing Nothing relating to MMIWG.

On July 21, 2015, the Families First Initiative was unanimously approved by the Chiefs in Assembly at the Assembly of Manitoba Chiefs General Assembly. The report is available online at <http://www.scribd.com/doc/273850779/Families-First-Report-July-2015>. The Report was provided to Canada on November 4, 2015

Since this time, AMC and its partners continue their engagement and research efforts. We have also initiated some of the immediate actions, including fundraising for the Families First Foundation and the development of guidelines for media to follow when reporting on MMIWG.

ANSWERING THE DISCUSSION QUESTIONS ON DESIGNING THE INQUIRY

1. Who should lead the inquiry?

The AMC believes the national inquiry presents an opportunity to re-imagine the ways in which an inquiry can be family and community centred.

Regional Components

The Federal Government should not be constrained by previous interpretation of the *Inquiries Act*. Indeed, a more successful formal process would have both national and regional components.

AMC recommends that the Terms of Reference of the Inquiry set out a national and regional scope. This would address the national breadth of the issue while recognizing the unique work that First Nations and others in various provinces and territories have been doing. It would require both regional and national commissioners.

Regional commissioners could keep the national commissioners accountable to the families and communities at the grassroots. Regional components would recognize and respect the good work with families and communities in various parts in Canada that have already done and continues. It would also allow for engagements with families in a more time-effective manner: engagement of families in various regions can take place at the same time, thus reducing the overall time needed for the Inquiry.

National and Regional Commissioners

A transparent process should be in place for the nomination of federal and provincial/territorial commissioners. Over the last couple years, we heard that we must consider a balanced approach to identifying Commissioners. While AMC does not have any positions on specific individuals who should be leading the inquiry, we have identified a number of characteristics based on our engagement efforts. Commissioners should:

- be composed primarily of Indigenous people and reflect the diversity of Canada's First Nations, Metis and Inuit communities;
- include Indigenous language speakers;
- include representation of front-line service workers;
- be strong, courageous decision-makers who are not afraid of advocating for the implementation of their recommendations;
- be individuals who are compassionate and passionate;
- reflect an appropriate gender balance whereby at least half of the members are women;
- include representation from the four directions;
- include individuals with a legal background;
- include youth representation; and
- have an Elders advisory circle.

2. Who do you think should provide views or have an opportunity to participate in the inquiry?

All families of missing and murdered Indigenous women and girls should have the opportunity to participate in the inquiry. The inquiry should also provide the opportunity to any individual or organization who believes they have relevant information for the inquiry to share their views.

It is necessary for Order-in-Council to state that the rules of procedure of the inquiry must be applied flexibly. Families and individuals who do not wish to share their stories should not be compelled to do so. Further, a variety of methods for gathering stories must be made available. Families should be provided the option of speaking wherever they feel most comfortable whether that may be sitting around their kitchen table, at their community hall, church or in ceremony.

A variety of supports must always be made available to individuals who participate in the inquiry.

3. What are the key issues that need to be addressed by the inquiry?

Scope of the Inquiry

The tragedy of MMIWG is complex and involves historic and interrelated factors. The scope of the inquiry must be broad enough to include these systemic issues. We know from past inquiries such as the BC Women's Inquiry that limitations on the terms of reference and a narrow interpretation of the terms of reference can lead to the exclusion of systemic considerations.

Families First outlines four specific areas of action that must be addressed within – or in tandem to – any inquiry process in order to meaningfully include those directly affected. It would address concerns with the following:

The first area of action is **Honouring Loved Ones** – An opportunity for all the families and communities of MMIWG as well as survivors to be heard. Everyone should have the opportunity to be honoured and honour their loved ones in a variety of ways whether it be through the sharing and gathering of stories or other;

The second area of action is to pursue **Immediate Actions** – It is necessary to identify and act immediately upon the many existing recommendations from other inquests and inquiries. This must be done in order to prevent future crimes and to support families of MMIWG, including but not limited to: more transitional services and programs for people moving to urban areas from remote and rural communities; increase supports particularly in Northern communities 24hour safe spaces for women and girls;

A third area of action is **A Families Answer Process** – Families must be provided the opportunity in an informal setting to ask questions of various agencies (such as the police, RCMP and child welfare) through a mediation-like process related to the circumstances of their loved ones.

Finally, a fourth area of action is **Public education and policy research on systemic issues** – The coordination and completion of research into systemic long term issues must be done, that includes: the factual circumstances around the disappearances and murders, and the root causes of MMIWG and the interrelated factors (poverty, over-representation within the child welfare and justice systems, sexual exploitation, Indian Residential Schools and the Sixties Scoop). This must be accompanied by

public education and awareness. During our engagement, the youth identified a strong desire to be a part of the education and awareness component, particularly in the school system.

4. How can the process be set up so it results in providing concrete and practical recommendations for specific actions?

As previously stated, the Families First Initiative calls for both systemic long term and immediate actions. There are many recommendations in existing reports which directly relate to the tragedy of MMIWG which can be acted upon immediately.

The Families First Report identified recommendations that have already been made, and were grouped into the following themes:

- Honouring the Memory of Missing and Murdered Indigenous Women and Girls
- Safety and Security Measures
- Policing and Justice
- Missing Persons Investigations
- Poverty
- Gender Inequality
- Addressing the Legacy of Racism and Assimilation Measures
- Social Services
- The Child Welfare System
- Migration from Rural and Remote Communities to Urban Centres
- Government Leadership

A process for recognizing the previous work already done on this issue, and what has been recommended is relevant and prevents “reinventing the wheel” .

AMC recommends that the mandate of the existing National Roundtable on MMIWG be amended. Recall the first National Roundtable on MMIWG took place last year in Ottawa in February. The second Roundtable is being held in Winnipeg, February 24-26, 2016.

Rather than concentrating only on the priorities identified by the previous Federal Government (prevention and awareness, community safety and policing measures, justice responses) and meeting once a year, AMC recommends that the National Roundtable meet at least three times a year and focus on identifying existing recommendations relating to MMIWG that can be acted upon immediately. This way, the National Roundtable becomes a relevant opportunity to bring the main players together to discuss how to implement these recommendations without delay.

5. How can cultural practices and ceremonies be incorporated into the design of the inquiry?

First and foremost - cultural, spiritual and religious diversity must be acknowledged.

The Federal Government should work collaboratively with Regional Aboriginal Organizations to identify an Elders Advisory Council. Engagement should be done directly with the Elders Advisory Council on how best to integrate cultural practices and ceremonies in the process.

Indigenous Legal Traditions: It is recommended that the Order-in-Council carve out space for Indigenous legal orders and engagement should also be done with the Elders Advisory Council to determine how best to do so.

Some of the recommendations identified during our engagement is to include the medicine wheel and the seven teachings a central element of the inquiry. Families and communities of MMIWG also shared that natural cycles must be respected. For example, engagement and community visits should not be undertaken during peak hunting and fishing season.

6. How is it best to involve the families, loved ones and survivors in the inquiry?

Families, loved ones and survivors are best placed to determine how they would like to be involved in the inquiry.

The AMC does not purport to speak on behalf of families. However, it is recommended that families, loved ones and survivors who do wish to participate and require legal representation must be provided with adequate funding to do so.

It is necessary for Commissioners to meet people where they feel most comfortable, recognizing that everyone is at a different stage in their healing journey. Families should be given the required time to share their stories without feeling rushed or pressured. Legal amnesty should be offered to individuals sharing pertinent information.

As previously stated, funding must also be available for a variety of sensitive, culturally appropriate and accessible supports and services for families, survivors, communities and all involved throughout the process.

7. How should Indigenous groups (National Aboriginal Organizations, front-line workers, band councils, etc.) be included in the inquiry?

First and foremost, National and Regional Aboriginal Organizations, front line workers and band councils should be available to support the families and communities of MMIWG. They should also be involved in assisting in the coordination of information about the inquiry process and in the regional activities.

If certain regionally representative and national Aboriginal organizations feel they would bring a unique perspective to the inquiry, organizations may also want to consider participating as intervenors in the inquiry.

8. What supports (health supports, counselling, translation, etc.) may be needed during the inquiry for individuals who are participating?

It is necessary for a variety of cultural, spiritual, religious and emotional supports to be available for the families, communities and all other individuals participating in the inquiry process. This should at least include both First Nation Elder and traditional supports, along with western-based counselling services.

Financial supports including travel cost for individuals – and their family supports – must be provided

in a timely manner.

In May 2015 through the Families First Initiative, the Families First Foundation was provincially incorporated. . This Foundation can provide a guideline for the types of supports that are necessary during the inquiry, and potentially be politically neutral Aboriginal entity to provide these supports in Manitoba. Based on our engagement and research efforts, the Families First Foundation was created to:

- Educate the public on the needs of families of MMIWG;
- Provide and coordinate the delivery of:
 - Religious, spiritual, emotional, cultural and financial supports to families;
 - Translation services, media liaison services and independent legal advice to families; and
 - Community-based mentorship and child-minding services to families;
- Provide communication services for the delivery of information to families; and
- Undertake activities related to the above.

All of the supports listed above were identified by the families and communities of MMIWG. More information can be found on the Foundation's website at: www.familiesfirstfoundation.ca

9. Is there anything else you would like to add to help design the inquiry?

In addition to the actions outlined above, the design of the inquiry must include a clear implementation process.

The AMC recommends that a Cost of Doing Nothing research project be brought to the national level.

The Cost of Doing Nothing project is being led in Manitoba by researchers Dr. John Loxley and Ms. Marina Puzyreva as part of AMC's the broader Families First approach.

The Cost of Doing Nothing research contributes to the overall objectives by assessing the costs borne by society as the result of so many missing or murdered women throughout Manitoba. These costs include direct out-of-pocket expenses of families, government expenses on various assistance programs, police and justice expenses as well as the intangible costs of grief and suffering. While it is impossible to put a price on a human life, project participants believe that it is important to shed light on the actual costs that families who are searching for their loved ones and struggling for justice incur.

To date, there has been no other study that has attempted to quantify the costs associated with MMIWG. The results of our preliminary small-scale exercise to measure costs of treating the consequences of MMIWG in Manitoba reveal that at least \$7.0 million CAD was spent in 2014 in direct expenditures to deal with the issue.

The questionnaire was developed asking family members to describe the various costs incurred as a result of their loved one's disappearance or murder. The questions relate to the number of hours and money spent on searches, organizing or taking part in the events to create awareness, contacting police, accommodating children, seeing a doctor about the health conditions that might have developed and many other applicable costs. The questionnaire content, however, is not limited to assessing solely the financial impact on families, considering that losing a loved one to murder or having a loved one missing affects an individual's whole being. Some impacts can never be quantified. In fact we are

actively seeking family members' guidance in identifying where exactly the impacts are felt most.

Families are invited to participate through the Families First Initiative, specifically the Women, Children & Families Unit of the Assembly of Manitoba Chiefs' (AMC). The family members involved are at different stages in their healing journeys. Since the information we are seeking is very personal, it is important to be mindful of each family member's situation, showing empathy and personalizing each interview to avoid re-traumatization.

While conducting interviews, we have considered that the concept of 'family' in Indigenous cultures is broader than in Western cultures. Interviews often include both members of 'immediate' and 'extended' families. Geographically, interviews are taking place in both Southern and Northern Manitoba. In all instances, efforts are made to conduct the interviews in a location and environment where participants feel comfortable and safe. A small honorarium for participation and contribution for travel is provided. This is particularly important for families living in northern, remote or isolated Manitoba communities.

Preliminary engagement sessions have already taken place. We are currently in the process of identifying and interviewing additional family members. The first draft of the research has already received valuable input from the partner organizations of AMC and PILC. They have guided our work throughout and continue to provide essential support for the project to move forward. The progress is discussed during regular meetings. In addition, the study was presented at the Manitoba Research Alliance Student Colloquium and at the Council of Elders meeting of the Treaty Relations Commission of Manitoba. Once completed, the final research report will be provided to the AMC and all members of MMIWG Coalition as well as families who took part in the study.

The purpose of the study is threefold. First, we aim to amplify the voices of the families of MMIWG and shed light on their experiences. Second, we seek to identify the variety of struggles they may face, both financial and non-financial. Third, the study aims to stir some debate around the issue, reveal its scale and identify necessary supports for families.

Bringing the approach to the national level would reveal the magnitude of costs to society resulting from the tragedy of MMIWG. It would also likely bring a sense of urgency to take concrete action to prevent future crimes. Our hope is that other regions will conduct similar studies and that the information can be consolidated as part of the national inquiry into MMIWG.

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First Nations Teachings & Practices

In the time of the Seventh Fire, a new people will emerge,
to retrace their steps and history, to find what was left
by the trail. Their steps will lead them to many
different places and to teachers and
Elders of their nations...



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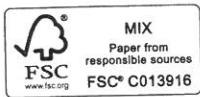
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Eighth Fire Prophecy of the Ojibwe, Ottawa and Potawatomi Nations

While the information contained herein has identified nations in its title, the writers of this document have, with members of other Manitoba First Nations, researched and identified a similar prophecy:

In the time of the Seventh Fire, a new people will emerge to retrace their steps and history to find what was left by the trail. Their steps will lead them to many different places and to teachers and Elders of their nations.

But many of the Elders will have forgotten, or never learned, the teachings. Some Elders and historians will be silent out of fear and ignorance. Many more will be overlooked and nothing asked of them . . . their task is not easy.

It will take time, hard work, perseverance, and faith. The new people must remain strong in their quest . . . There will be a rebirth of the Anishinaabe Nation and a rekindling of the Sacred Fire which will light the Eighth and Final Fire . . . of eternal peace, understanding and acceptance over the entire world.

– Ojibwe Prophecy

This prophecy has come to be an encouragement in the reclamation of the inherent rights to our unique identities as First Peoples of this land.

who are very strict about the teachings. They may strongly believe and expect all participants to dress and behave appropriately. All participants, men and women, should dress in their colours. Men should wear ribbon shirts and women should wear ribbon dresses or skirts.

Children are taught by example and this process is everyone's responsibility. As the old saying goes, it takes a community to raise a child. This sentiment holds true in the traditional customs to do with teaching children what is acceptable and what is not deemed appropriate.

These beliefs and practices have carried our ancestors through many hardships and continue to help our people today. Remember, it is up to each individual to show respect and to follow the unwritten rules that are the sacred practices of First Nations people.

If you are unsure, find someone of the same gender

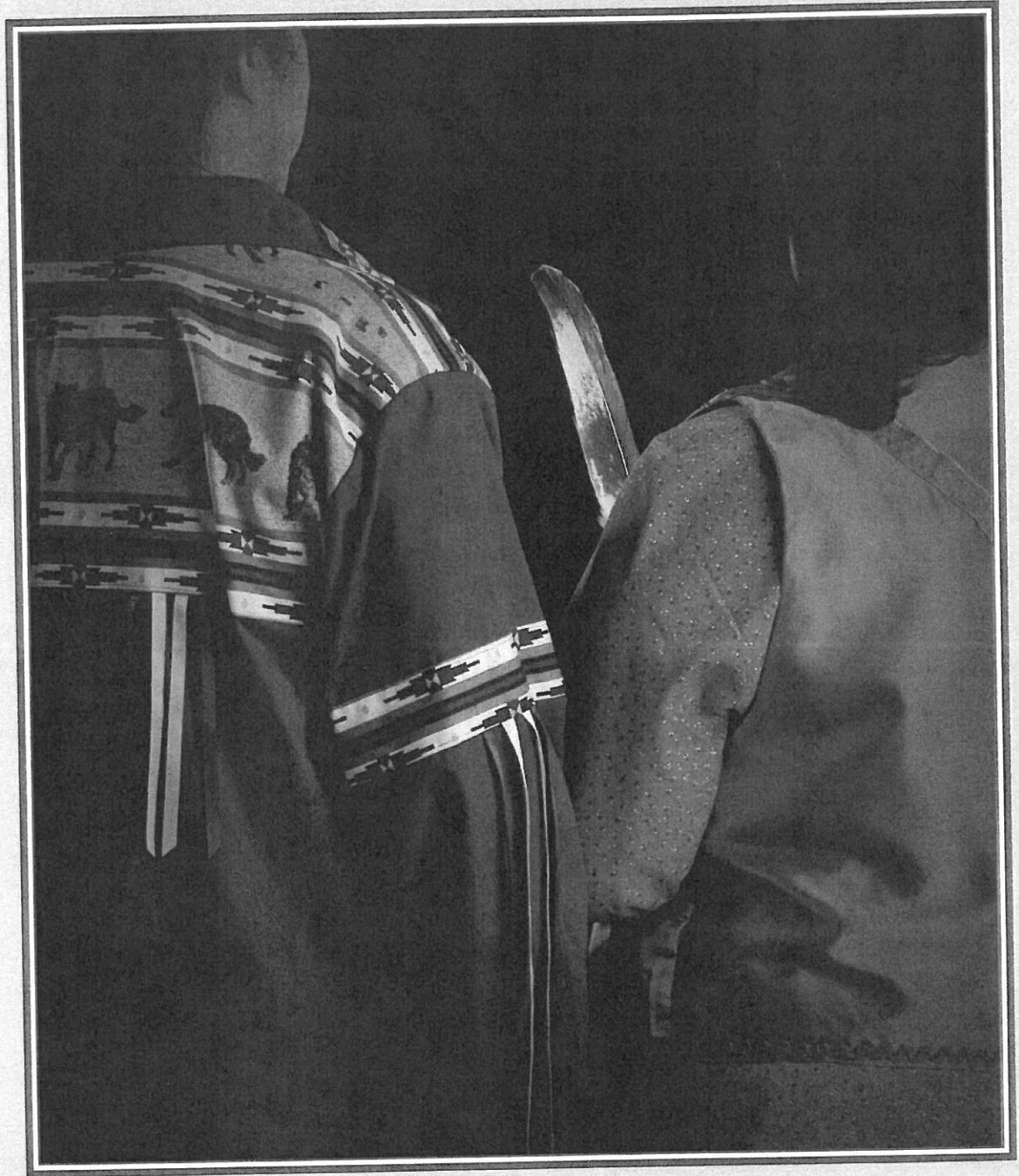
who is familiar with the ceremonies and can mentor you. Remember to present tobacco when making these types of requests.

All this information has been presented so you know what to expect when attending ceremonies. It is based on the sacred law of respect and explains how we should conduct ourselves when we are around sacred ceremonial settings, sacred bundles, and the carriers of these bundles.

According to Ojibwe Elder Art Solomon, the traditional way of learning was by example, experience, and through sharing stories. He stated, "The first principle was total respect and acceptance of the one to be taught." Moreover, respect also means we love and care for ourselves, others, and all of creation. It also directs us on how we conduct ourselves in life and in ceremonies. For example, we show respect for the good life, *mino-bimaadiziwin*, by abstaining from drugs and alcohol prior to attending or participating in a ceremony.

“Every day you learn something different, every day a new piece of knowledge. That’s the way you live your life. Then you approach these things a little more to hear them, to see them. And the Spirit shares knowledge.”

–Zhawanose (Hartley White)



2 Names and Colours

Our people have always recognized the belief within the circle of life that when born, one's spirit name already exists in the spiritual realm. Having a spirit name identifies who we are in the spirit world and keeps us connected with the Creator. The name you are given will be the name you will use when you are a participant in any ceremony or gathering you attend throughout your lifetime. Your name also reveals your personal rights and responsibilities and provides direction for you as an individual. Your name will help guide you when you use it in prayer. The Dakota Language Group explained that "each grandparent made sure that grandchildren went through a naming ceremony because when one has one's name, one's identity becomes very clear. It also taught self-identity." (Dakota Language Group 2000, p. 100).

The naming ceremony is a gathering of family and friends and is a process that helps us understand the roles we must fulfill. When you are given a spirit name, you identify yourself by this name when you are praying or speaking at a ceremony. This is the name, as we were taught by the knowledge keepers, that we are acknowledged by in the spiritual realm, and this is the name used at ceremonies in respect of this understanding.

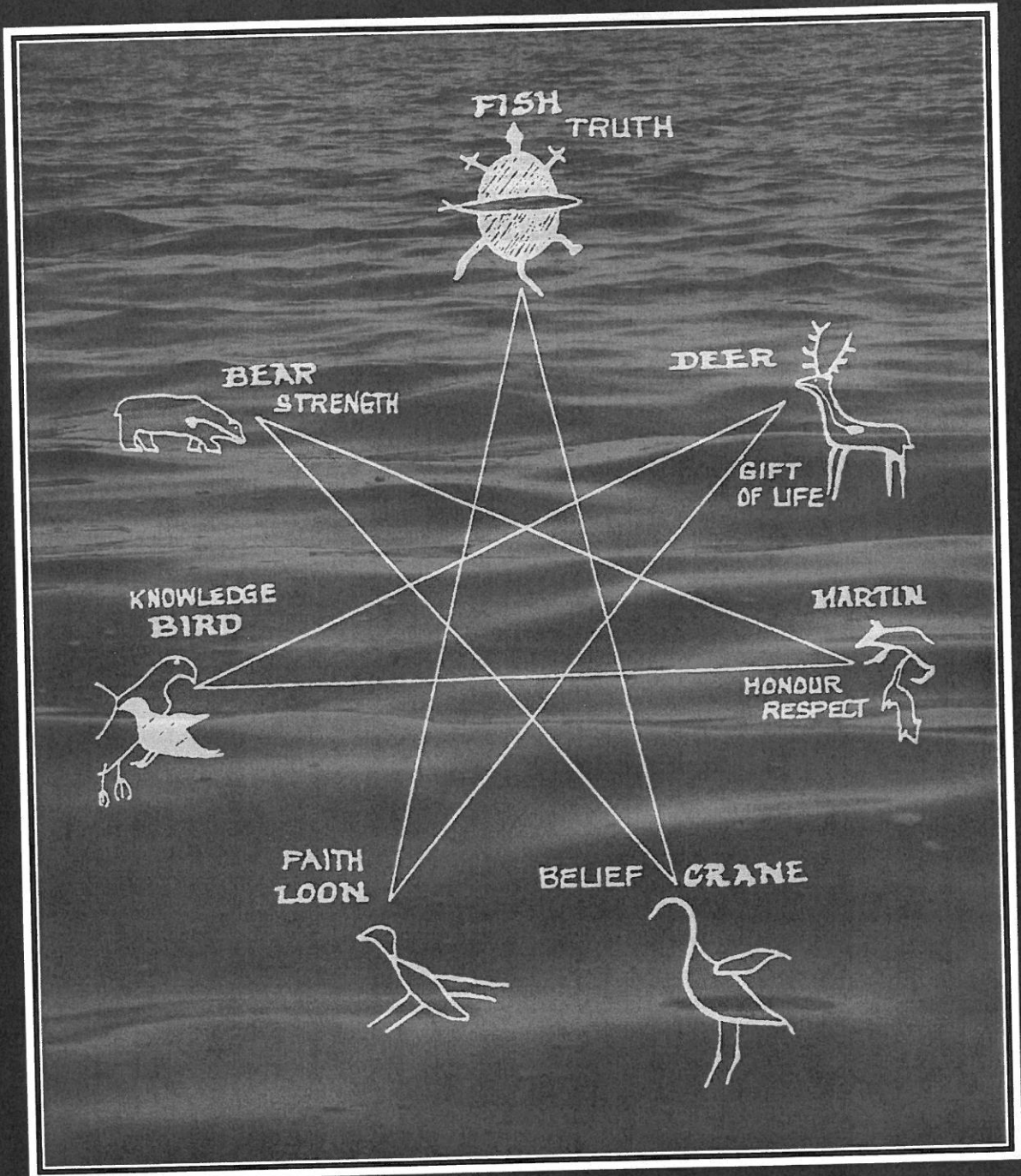
Names are given by people who have been given the gift of name giving. The person may not necessarily be an Elder who conducts ceremonies but may be

your own grandparent. There are some Elders who have received visits from their future grandchild, introducing themselves through dreams. No matter how the name is received, the name given must be honoured.

We honour our spirit names through ceremonies, feasts, and giveaways. The family of the person seeking the name usually prepares the food for feasts held at name giving ceremonies. As with other feasts, a spirit plate is prepared as a way of giving thanks for the name that will protect and guide them in life. The spirit dish/plate is taken out to the land where it is placed in a clean area or in the fire with tobacco.

If you have received your spirit name, you are usually given the colours that accompany that name. Each colour has its own meaning and varies from one group to another. You may use these colours when you put out a flag offering or when making a traditional outfit. Always follow the instructions of the person who bestows the name.

If you would like to learn more about these teachings and practices, seek out an Elder who will help you.





7 The Seven Stages of Life

First Nations people have always had their own ways of passing on traditional knowledge to their young. One such way is through role modelling. This is when a person lives by example. The following sections on life stages explore what we each go through in life and the gifts that have been given to us to help us on our journey.

First Stage – The Good Life (Birth and Infancy)

The first stage is called the Good Life because it is at this stage where all things are done for the child. The Good Life stage begins shortly after conception, as does the responsibility of parenthood. The parents are responsible for the safety and well-being of their unborn child.

The expectant mother ensures proper care of her body, mind, and spirit. She should be mindful of what she sees, hears, and experiences at this special time. She will be careful of what she eats and drinks, knowing what the Elders have said—that whatever the expectant mother consumes, so does her unborn child. She will also attend all of her prenatal visits with the doctor or health practitioner, to ensure the healthy development of her baby.

The father's role is just as important to the safety and well-being of his unborn child. He is the one who ensures the expectant mother's needs are met. This includes her emotional, physical, mental, and

spiritual well-being. It is believed that the mother's overall health can affect her unborn child. The father ensures the physical environment is safe and free from clutter, to prevent falls or injury that may harm the expectant mother or their unborn child.

When a baby is preparing to enter the physical realm, it announces its arrival by the breaking of the water, or mucous plug. This is a natural way of showing us the connection women have with water. This is discussed more in chapter 8: Traditional Roles, in the Females section.

After birth, the baby is totally dependent on their family for survival. At this beginning stage of the Good Life, when the child needs food, sleep, warmth, love, or to be changed, all they need to do is cry and someone will immediately respond. When a baby's needs are met, they learn to trust and take risks later in life.

Kindness is a value taught at this stage. For example, the act of breastfeeding symbolizes the extension of a mother to her child's heart. The mother's milk provides the nutrients and antibodies a child needs. Other benefits include the bond that is created between mother and child. This stage lasts until the child is able to do things on their own. The age range of this stage depends on the emotional and the social growth of the child. Parents are the child's role models, and as such, need to recognize that their behaviour and actions are always being observed and imitated by their children.

Second Stage – The Fast Life

The second stage has been referred to as the Fast Life simply because everything seems to happen so fast. This can be an awkward time for some adolescents as they may still be young in age, but are expected to act in a mature manner. This is especially true for children who have physically developed earlier than others their age. Adolescents are struggling to fit in and find their identity. Often, they find they are too old to play children's games, and too young for adult games.

To make things more challenging, their bodies are changing quickly with the onset of puberty; as their hormones fluctuate so do their moods. During this stage, adolescents will often test the patience of their parents and others. The child may feel their parents do not understand their needs and desires. They may turn more to their peers for guidance.

The Elders would say *peyatak makatch animan*, which translated means "be careful, it is a difficult time," as peer pressure is so strong and their peers have more influence on them than their own parents. However difficult it may be for families at this time, it is imperative for parents to continue loving, supporting, and providing for their child. At this stage, the child still requires guidance but often does not see their parents as being able to provide it.

Towards the latter part of this stage, emotional and sexual tendencies are at their strongest. As much as the parents wish their child will learn from the teachings and lessons of others, the reality is some adolescents want to explore and experience life for themselves.

Honesty is the gift for this life stage. At this time, children are often questioned about their actions and are often told to be truthful. This is an important lesson as this stage and can be difficult for both the child and the parents. When children are honest with others and with themselves, they will be more grounded and ready to face the challenges of life.

Third Stage – The Wandering Life

The Wandering Life is the third stage when each individual starts to question the meaning and purpose of life. They start thinking about what they have been through and what they have learned. There is a strong desire to become more independent.

According to Abraham Maslov's hierarchy of needs, we all have the basic need to feel a sense of belonging. When we are affiliated with others, it helps us feel connected. For this reason, it is good to have children involved in team sports and other group activities they are interested in.

Life at this stage can be overwhelming for some as they strive to think and do things for themselves. If they have not learned effective coping and problem-solving skills, they may become vulnerable to using drugs and alcohol, which often leads to other problems.

Continued parental responsibility is fundamental at this stage of life. Parents can only hope their children will make the right choices in life. Parents begin to recognize the need for tough love and later on in life children will understand why their parents did the things they did.

As young people search for the meaning of life, we can encourage them to seek out Elders who can provide them with the help and guidance needed as they develop into adults. It is also important that role models be involved in their lives—be it an older sibling, cousin, aunt, or uncle. Still, the most important and influential people in their lives are their parents.

In this stage the gift of sharing is heightened. Their purpose in life is starting to take shape and is more defined. They are now full-fledged adults and they move towards independence. They are now able to create a vision for themselves and for others they care about.

Fourth Stage – The Truth Life (The Married Life)

The fourth stage of life is called the Truth Life. At this time of our lives we have to be true to ourselves and be willing to share what we have learned. We model this through the teachings of sharing, kindness, and honesty shown to us by our grandparents, Elders, parents, teachers, and others.

At this stage, women begin to recognize and appreciate their womanhood. The teachings received from their mothers, grandmothers, aunts, older sisters, and cousins will come to the forefront. As they reflect on their lives, they realize they are being prepared to bring a new life into the world.

Men also begin to recognize and appreciate their manhood. They will re-examine their life and think about what they have learned about their role as a man, a husband, an uncle, or older brother, and how these roles have prepared them to be a father.

These men and women are now ready to face the Truth Life. The gift at this stage is strength, which is manifested in how they will live life together.

Fifth Stage – The Planning Life (The Deciding Life)

The Cree people call this stage *isi peyak-motew-icik*, which means “to walk as one.” During this time in life, couples begin planning for parenthood. There are many things to consider when planning a family. The couple needs to examine and discuss a variety of important issues, such as culture and language, discipline, where they will live, and their parenting styles. *To walk as one* also means that they must be in agreement on how they will raise their family.

The four gifts that they have been brought up with will become the basis of what they will teach their children. These four gifts again are kindness,

honesty, sharing, and strength. They will teach their children through their example, from their own experience.

It is now their turn to be the parents. Their children will go through the same phases as they did. Their responsibility as parents begins when they find out they are expecting a baby.

Sixth Stage – The Doing Life (The Busy Life)

The Doing Life is the sixth stage of life. The mother and father each have a significant role in their child’s life as parental responsibility begins at conception.

Once the child enters the world, they will be taught by the entire family. Each family member will contribute to the well-being of the child. Each child will learn through the role modelling of their older siblings, parents, grandparents, aunts, uncles, cousins, other extended family members, and the community.

The parents should do the best they can, using the knowledge and experience they have gained from their parents, grandparents, and others.

Seventh Stage – The Elder Life (The Teaching Life)

The seventh stage is the Elder Life. At this stage, Elders are revered and celebrated because of their accumulated knowledge and wisdom. People who need guidance through their own stages of life will often be directed to an Elder.

Grandparents continue to help with the raising of the children in the family. In some families, it is not uncommon to see grandchildren living with them. In this instance, the needs of both are met.

Grandchildren frequently want to be with their grandparents, who take good care of them and often tell interesting stories. Grandparents and grandchildren usually have special bonds that are unique.

All these life stages are universal—Jean-Jacques Rousseau wrote of similar stages of development in eighteenth-century Europe (Aries 1962).

**IN THE MATTER OF: APPLICATION FOR FUNDING FOR A PARTY
WITH STANDING IN THE NATIONAL INQUIRY
INTO MISSING AND MURDERED WOMEN AND
GIRLS**

**NOTICE OF MOTION OF
THE ASSEMBLY OF MANITOBA CHIEFS**

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WITH STANDING IN THE NATIONAL INQUIRY
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GIRLS**

NOTICE OF MOTION

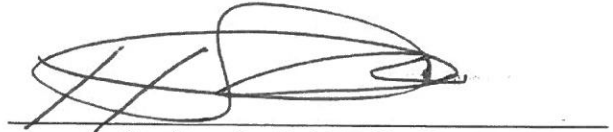
1. The Assembly of Manitoba Chiefs (“AMC”) requests that the Commissioners of the National Inquiry into Missing and Murdered Indigenous Women and Girls hear this motion, within 10 days, for the following relief from the National Inquiry:
 - i. Issuance of a funding Decision from the National Inquiry, on or before May 7, 2018, with regard to the standing granted to AMC, including reasons for decision of the Commissioners respecting allocated funding and the scope of intervention granted to AMC related to the funding allocated;
 - ii. Issuance of a Contribution Agreement to AMC for Funding on or before May 7, 2018;
 - iii. Disclosure, on or before May 7, 2018, of the funding details for all other parties granted standing in Parts II and II of the National Inquiry.

2. The National Inquiry’s *Legal Path: Rules of Respectful Practice* and the full participatory standing granted to AMC include the right of AMC to bring a motion within the process.

3. AMC seeks this relief by motion because its numerous requests for the stated relief remain outstanding to date. AMC has given notice to the National Inquiry, through its counsel, that AMC cannot meaningfully participate without this information and more specifically, without funding through a Contribution Agreement.
4. In accordance with the principles of procedural fairness and transparency, AMC requests that reasons for the significantly reduced funding allocated to AMC be provided, and also seeks guidance from the Commissioners respecting the scope of AMC's role in light of the unexplained pending funding allocation. AMC also seeks disclosure of the funding amounts granted (whether fulfilled or not, to date) to all other parties granted standing for Parts II and III.
5. AMC has received notice of hearings to be conducted for Parts II and III commencing May 14th 2018. Counsel for the National Inquiry continues to communicate completion of the process and hearings for Parts II and III before July 2018 in accordance with a non-extension timetable. AMC will be unable to participate, in accordance with its Application for Standing, without funding.
6. AMC relies on the following documents in support of its motion:
 - i. AMC Application for Standing at the National Inquiry into Missing and Murdered Indigenous Women and Girls;
 - ii. AMC Application for Funding for Parties with Standing, filed May 1, 2017;
 - iii. Affidavit of Marcel Balfour, affirmed May 1 2017 and filed May 1, 2017;and

iv. Affidavit of Marcel Balfour, affirmed April 20, 2018.

ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 20th DAY OF APRIL, 2018.



Anita Southall / Joëlle Pastora Sala
Counsel for the AMC

TO: NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS
WOMEN AND GIRLS

AND TO: ABORIGINAL LEGAL SERVICES; ABORIGINAL SHELTERS OF ONTARIO;
ABORIGINAL WOMEN'S ACTION NETWORK; ADVOCATE FOR CHILDREN
AND YOUTH SASKATCHEWAN; AMNESTY INTERNATIONAL CANADA;
ANIMAKEE WA ZHING #34 FIRST NATION, EAGLE LAKE FIRST NATION,
ANA FIRST NATION/GRASSY NARROWS FIRST NATION,
OBASHKAANDAGAANG FIRST NATION, AND OJIBWE NATION OF SAUGEE,
AS A SINGLE COLLECTIVE PARTY; ASSEMBLY OF FIRST NATIONS;
ASSEMBLY OF FIRST NATIONS QUEBEC-LABRADOR; ASSOCIATION OF
NATIVE CHILD AND FAMILY SERVICE AGENCIES OF ONTARIO; AWO TAAN
HEALING LODGE SOCIETY; BATTERED WOMEN'S SUPPORT SERVICES;
BC CIVIL LIBERTIES ASSOCIATION; BC FEDERATION OF LABOR; BC
GOVERNMENT SERVICE EMPLOYEES UNION; BC SOCIETY OF
TRANSITION HOUSES; CANADIAN ASSOCIATION OF CHIEFS OF POLICE;
CANADIAN ASSOCIATION OF POLICE GOVERNANCE AND FIRST NATIONS
POLICE GOVERNANCE COUNCIL; CANADIAN FEMINIST ALLIANCE FOR
INTERNATIONAL ACTION AND PARTNERS – CANADA WITHOUT POVERTY
AND DR. PAMELA PALMATER; CITY OF VANCOUVER; CONCERTATION DES
LUTTES CONTRE L'EXPLOITATION SEXUELLE; CONGRESS OF
ABORIGINAL PEOPLES; CONCEIL DES ANICINAPEK DE KITCISAKIK;
DOWNTOWN EASTSIDE WOMEN'S CENTRE; EASTERN DOOR; ENDING
VIOLENCE ASSOCIATION OF BC; FAMILIES FOR JUSTICE; FIRST NATIONS
CHILD AND FAMILY CARING SOCIETY OF CANADA; FIRST NATIONS
HEALTH AUTHORITY; FIRST NATIONS HEALTH COUNCIL; GIGNOO
TRANSITION HOUSE INC.; GOVERNMENT OF ALBERTA; GOVERNMENT OF
BC; GOVERNMENT OF CANADA; GOVERNMENT OF MANITOBA;
GOVERNMENT OF NEW BRUNSWICK; GOVERNMENT OF

NEWFOUNDLAND AND LABRADOR; GOVERNMENT OF NORTHWEST TERRITORIES; GOVERNMENT OF NOVA SCOTIA; GOVERNMENT OF NUNAVUT; GOVERNMENT OF ONTARIO; GOVERNMENT OF PRINCE EDWARD ISLAND; GOVERNMENT OF QUEBEC; GOVERNMENT OF SASKATCHEWAN; GOVERNMENT OF YUKON; HEILTSUK FIRST NATION; HUMAN RIGHTS WATCH; INDEPENDENT FIRST NATIONS; INDIGENOUS CIRCLE CHAPTER OF THE CANADIAN COUNSELLING AND PSYCHOTHERAPY ASSOCIATION; INDIGENOUS WOMEN AGAINST THE SEX INDUSTRY; INNU-TAKUAIKAN UASHAT MAK MANI-UTENAM; INSTITUTE FOR THE ADVANCEMENT OF ABORIGINAL WOMEN; INUIT TAPIRIIT KANATAMI; ISKWEWUK E-WICHIWITOCHEK (WOMEN WALKING TOGETHER); KAWACATOOSE FIRST NATION; KWANLIN DÜN FIRST NATION; LIARD ABORIGINAL WOMEN'S SOCIETY; LONDON ABUSED WOMEN'S CENTRE; MANITOBA KEEWATINOWI OKIMAKANAK INC.; MANITOBA MOON VOICES INC.; MISHKEEGOGAMAANG FIRST NATION; MMIWG-COALITION- MANITOBA; NASKAPI NATION OF KAWAWACHIKAMACH; NATIVE WOMEN'S ASSOCIATION OF CANADA; NATIVE WOMEN'S ASSOCIATION OF NORTHWEST TERRITORIES; NB/NS INDIGENOUS/ABORIGINALS COUNCILS-NEW BRUNSWICK ABORIGINAL PEOPLES COUNCIL; NEWFOUNDLAND ABORIGINAL WOMEN'S NETWORK; NEWFOUNDLAND NATIVE WOMEN'S ASSOCIATION; NORTHWEST INDIGENOUS COUNCIL SOCIETY; NUNATSIAVUT GOVERNMENT; NUNATUKAVUT COMMUNITY COUNCIL INC.; ONTARIO FEDERATION OF INDIGENOUS FRIENDSHIP CENTRES; ONTARIO NATIVE WOMEN'S ASSOCIATION; OUR PLACE – RAY CAM COOPERATIVE CENTRE; PAUKTUUTIT INUIT WOMEN OF CANADA, SATURVIIT INUIT WOMEN'S ASSOCIATION, ANANAUKATIGET TUMINGIT REGIONAL INUIT WOMEN'S ASSOCIATION AND OTTAWA INUIT CHILDREN'S CENTRE, AS A COLLECTIVE SINGLE PARTY; PHS COMMUNITY SERVICES SOCIETY; QUEBEC NATIVE WOMEN ASSOCIATION; REGINA TREATY STATUS INDIAN SERVICES INC.; REGROUPEMENT MAMIT INNUAT INC.; SASKATCHEWAN ABORIGINAL WOMEN'S CIRCLE; SASKATCHEWAN ASSOCIATION OF CHIEFS OF POLICE; SASKATCHEWAN FIRST NATIONS WOMEN'S COMMISSION-FEDERATION OF SOVEREIGN INDIGENOUS NATIONS; SERVICE DE POLICE DE LA VILLE DE MONTREAL; SIOUX LOOKOUT COLLECTIVE; THUNDER BAY POLICE SERVICES; TORONTO POLICE SERVICES; TREATY ALLIANCE NORTHERN ONTARIO- NISHNAWBE ASKI NATION/GRAND COUNCIL TREATY 3; UNDER ONE SKY FRIENDSHIP CENTRE; UNION OF BC INDIAN CHIEFS; VANCOUVER RAPE RELIEF AND WOMEN'S SHELTER; VANCOUVER SEX WORKERS'S RIGHTS COLLECTIVE; WEST COAST LEAF; WINNIPEG POLICE SERVICE; WOMEN OF THE METIS NATION; WOMEN TRANSFORMING CITIES; WOMEN'S LEGAL EDUCATION AND ACTION FUND INC.

**IN THE MATTER OF: APPLICATION TO COMPEL THE INCLUSION OF
CHILD WELFARE/CHILD PROTECTION/ CHILDREN
IN CARE INTO THE GOVERNMENT SERVICES
INSTITUTIONAL HEARING OF THE NATIONAL
INQUIRY INTO MISSING AND MURDERED WOMEN
AND GIRLS**

**NOTICE OF MOTION OF
THE ASSEMBLY OF MANITOBA CHIEFS**

FILLMORE RILEY LLP

1700- 360 Main Street
Winnipeg, MB R3C 3Z3

PUBLIC INTEREST LAW CENTRE

200-393 Portage Avenue
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**IN THE MATTER OF: APPLICATION TO COMPEL THE INCLUSION OF
CHILD WELFARE/CHILD PROTECTION/ CHILDREN
IN CARE INTO THE GOVERNMENT SERVICES
INSTITUTIONAL HEARING OF THE NATIONAL
INQUIRY INTO MISSING AND MURDERED WOMEN
AND GIRLS**

NOTICE OF MOTION

1. The Assembly of Manitoba Chiefs (“AMC”) requests that the Commissioners of the National Inquiry into Missing and Murdered Indigenous Women and Girls (“MMIWG”) hear this motion orally, within 5 days, for the following relief from the National Inquiry:
 - i. That the issue of child welfare/child protection/children in care be included into the Government Services Institutional hearing of the National Inquiry into MMIWG.
 - ii. That MMIWG identify experts on the issues outlined in paragraph 1(i) herein and present expert evidence on the issues outlined in paragraph 1(i) herein as part of the Government Services Institutional Hearing pending before MMIWG.

2. The National Inquiry's *Legal Path: Rules of Respectful Practice* (the "Legal Path") and the full participatory standing granted to AMC include the right of AMC to bring a motion within the process.
3. AMC seeks this relief by motion because:
 - i. it has recently learned that issues relating to child welfare/child protection/children in care will not be addressed in the Institutional Government Services Hearing;
 - ii. the issue of child welfare has not been meaningfully addressed in the Inquiry to-date. There is no plan for the MMIWG Commissioners to hear direct evidence from experts on children in care, kinship care, or children at risk of apprehension;
 - iii. the Terms of Reference of the National Inquiry into MMIWG directs the Commissioners to inquire into and to report on the systemic causes of all forms of violence;
 - iv. the Legal Path states that it will examine "the systemic causes and processes contributing to the high incidence of violence experienced by Indigenous women and girls, and the disproportionately high rate by which Indigenous women and girls are lost to violent, wrongful or suspicious death, and unexplained disappearances of those lost loved ones from their families and loved ones";¹
 - v. the AMC's research into and engagement with families of MMIWG, survivors of violence, a coalition of service providers, Elders and Knowledge Holders and Youth, as well as its historic and ongoing work

¹ *LEGAL PATH: RULES OF RESPECTFUL PRACTICE for the National Inquiry into Missing and Murdered Indigenous Women and Girls* (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2018) at "National Inquiry Truth Gathering Process", s 2, online: <www.mmiwg-ffada.ca/wp-content/uploads/2018/05/legal-path-final.pdf> [*Rules*].

with First Nations families reveals a direct link between the high rates of apprehension of First Nation children and the instances of MMIWG in Manitoba;

- vi. the issue of child welfare was identified and discussed as one of the root causes of violence against Indigenous women and girls in the MMIWG Interim Report, “Our Women and Girls are Sacred”, (the “Interim Report”)²; and
- vii. the National Inquiry has committed to examining the issue of children welfare. Specifically:
 1. the Interim Report states that the Institutional Hearings will examine child welfare issues³; and
 2. the Legal Path lists child welfare as the second issue which can be addressed by parties with Regional and National standing.⁴

4. AMC relies on the following documents in support of its motion:

- i. AMC Application for Standing at the National Inquiry into Missing and Murdered Indigenous Women and Girls;
- ii. AMC Application for Funding for Parties with Standing, filed May 1, 2017;
- iii. Affidavit of Marcel Balfour, affirmed May 1 2017 and filed May 1, 2017;
- iv. Affidavit of Marcel Balfour, affirmed April 20, 2018; and
- v. Affidavit of Cora Morgan, affirmed May 18, 2018.

² National Inquiry into Missing and Murdered Indigenous Women and Girls, *Our Women and Girls are Sacred: Interim Report* (Ottawa: National Inquiry into Missing and Murdered Indigenous Women and Girls, 2017) at 44–46.

³ *Ibid* at 60.

⁴ *Rules*, *supra* note 1 at “Rules”, s 22.

ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 18th DAY OF MAY, 2018.



Anita Southall / Joëlle Pastora Sala
Counsel for the AMC

TO: NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

AND TO: ABORIGINAL LEGAL SERVICES; ABORIGINAL SHELTERS OF ONTARIO; ABORIGINAL WOMEN'S ACTION NETWORK; ADVOCATE FOR CHILDREN AND YOUTH SASKATCHEWAN; AMNESTY INTERNATIONAL CANADA; ANIMAKEE WA ZHING #34 FIRST NATION, EAGLE LAKE FIRST NATION, ANA FIRST NATION/GRASSY NARROWS FIRST NATION, OBASHKAANDAGAANG FIRST NATION, AND OJIBWE NATION OF SAUGEE, AS A SINGLE COLLECTIVE PARTY; ASSEMBLY OF FIRST NATIONS; ASSEMBLY OF FIRST NATIONS QUEBEC-LABRADOR; ASSOCIATION OF NATIVE CHILD AND FAMILY SERVICE AGENCIES OF ONTARIO; AWO TAAN HEALING LODGE SOCIETY; BATTERED WOMEN'S SUPPORT SERVICES; BC CIVIL LIBERTIES ASSOCIATION; BC FEDERATION OF LABOR; BC GOVERNMENT SERVICE EMPLOYEES UNION; BC SOCIETY OF TRANSITION HOUSES; CANADIAN ASSOCIATION OF CHIEFS OF POLICE; CANADIAN ASSOCIATION OF POLICE GOVERNANCE AND FIRST NATIONS POLICE GOVERNANCE COUNCIL; CANADIAN FEMINIST ALLIANCE FOR INTERNATIONAL ACTION AND PARTNERS – CANADA WITHOUT POVERTY AND DR. PAMELA PALMATER; CITY OF VANCOUVER; CONCERTATION DES LUTTES CONTRE L'EXPLOITATION SEXUELLE; CONGRESS OF ABORIGINAL PEOPLES; CONCEIL DES ANICINAPEK DE KITCISAKIK; DOWNTOWN EASTSIDE WOMEN'S CENTRE; EASTERN DOOR; ENDING VIOLENCE ASSOCIATION OF BC; FAMILIES FOR JUSTICE; FIRST NATIONS CHILD AND

FAMILY CARING SOCIETY OF CANADA; FIRST NATIONS HEALTH AUTHORITY; FIRST NATIONS HEALTH COUNCIL; GIGNOO TRANSITION HOUSE INC.; GOVERNMENT OF ALBERTA; GOVERNMENT OF BC; GOVERNMENT OF CANADA; GOVERNMENT OF MANITOBA; GOVERNMENT OF NEW BRUNSWICK; GOVERNMENT OF NEWFOUNDLAND AND LABRADOR; GOVERNMENT OF NORTHWEST TERRITORIES; GOVERNMENT OF NOVA SCOTIA; GOVERNMENT OF NUNAVUT; GOVERNMENT OF ONTARIO; GOVERNMENT OF PRINCE EDWARD ISLAND; GOVERNMENT OF QUEBEC; GOVERNMENT OF SASKATCHEWAN; GOVERNMENT OF YUKON; HEILTSUK FIRST NATION; HUMAN RIGHTS WATCH; INDEPENDENT FIRST NATIONS; INDIGENOUS CIRCLE CHAPTER OF THE CANADIAN COUNSELLING AND PSYCHOTHERAPY ASSOCIATION; INDIGENOUS WOMEN AGAINST THE SEX INDUSTRY; INNU-TAKUAIKAN UASHAT MAK MANI-UTENAM; INSTITUTE FOR THE ADVANCEMENT OF ABORIGINAL WOMEN; INUIT TAPIRIIT KANATAMI; ISKWEWUK E-WICHIWITOCNIK (WOMEN WALKING TOGETHER); KAWACATOOSE FIRST NATION; KWANLIN DÜN FIRST NATION; LIARD ABORIGINAL WOMEN'S SOCIETY; LONDON ABUSED WOMEN'S CENTRE; MANITOBA KEEWATINOWI OKIMAKANAK INC.; MANITOBA MOON VOICES INC.; MISHKEEGOGAMAANG FIRST NATION; MMIWG-COALITION- MANITOBA; NASKAPI NATION OF KAWAWACHIKAMACH; NATIVE WOMEN'S ASSOCIATION OF CANADA; NATIVE WOMEN'S ASSOCIATION OF NORTHWEST TERRITORIES; NB/NS INDIGENOUS/ABORIGINALS COUNCILS- NEW BRUNSWICK ABORIGINAL PEOPLES COUNCIL; NEWFOUNDLAND ABORIGINAL WOMEN'S NETWORK; NEWFOUNDLAND NATIVE WOMEN'S ASSOCIATION; NORTHWEST INDIGENOUS COUNCIL SOCIETY; NUNATSIAVUT GOVERNMENT; NUNATUKAVUT COMMUNITY COUNCIL INC.; ONTARIO FEDERATION OF INDIGENOUS FRIENDSHIP CENTRES; ONTARIO NATIVE WOMEN'S ASSOCIATION; OUR PLACE – RAY CAM COOPERATIVE CENTRE; PAUKTUUTIT INUIT WOMEN OF CANADA, SATURVIIT INUIT WOMEN'S ASSOCIATION, ANANAUKATIGET TUMINGIT REGIONAL INUIT WOMEN'S ASSOCIATION AND OTTAWA INUIT CHILDREN'S CENTRE, AS A COLLECTIVE SINGLE PARTY; PHS COMMUNITY SERVICES SOCIETY; QUEBEC NATIVE WOMEN ASSOCIATION; REGINA TREATY STATUS INDIAN SERVICES INC.; REGROUPEMENT MAMIT INNUAT INC.; SASKATCHEWAN ABORIGINAL WOMEN'S CIRCLE; SASKATCHEWAN ASSOCIATION OF CHIEFS OF POLICE; SASKATCHEWAN FIRST NATIONS WOMEN'S COMMISSION-FEDERATION OF SOVEREIGN INDIGENOUS NATIONS; SERVICE DE POLICE DE LA VILLE DE MONTREAL; SIOUX LOOKOUT COLLECTIVE; THUNDER BAY POLICE SERVICES; TORONTO

POLICE SERVICES; TREATY ALLIANCE NORTHERN ONTARIO- NISHNAWBE
ASKI NATION/GRAND COUNCIL TREATY 3; UNDER ONE SKY FRIENDSHIP
CENTRE; UNION OF BC INDIAN CHIEFS; VANCOUVER RAPE RELIEF AND
WOMEN'S SHELTER; VANCOUVER SEX WORKERS'S RIGHTS COLLECTIVE;
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Manitoba: 204-945-3765.

Media requests for ministerial
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Communications and
Stakeholder Relations: 204-945-4916.

Twitter Feed

News Release - Manitoba

March 14, 2014

PROVINCE JOINS AMC, COMMUNITY PARTNERS TO FIGHT CHILD SEXUAL EXPLOITATION

Initiative to Give Voice to First Nations Women, Work Toward Ending Human Trafficking: Minister Irvin-Ross

The Manitoba government is partnering with the Assembly of Manitoba Chiefs, the Canadian Women's Foundation and remote communities to fight the sexual exploitation and trafficking of children and women, Family Services Minister Kerri Irvin-Ross said today.

"A high percentage of sexually exploited children are of Aboriginal descent," Minister Irvin-Ross said during Stop Child Sexual Exploitation Awareness Week. "This new initiative will focus on developing strategies to end human trafficking of First Nations women and children."

The initiative, called Our Circle to Protect Sacred Lives, will develop strategies based on the cultural and individual strengths of First Nations communities, the minister said. The Manitoba government and the Canadian Women's Foundation will jointly fund the \$100,000 project.

"We are grateful to the Canadian Women's Foundation and the Province of Manitoba for providing funding to continue the work of the Assembly of Manitoba Chiefs-First Nation's Women's Committee on critical issues that impact our women, children and families," said Grand Chief Derek Nepinak of the Assembly of Manitoba Chiefs. "Our Circle to Protect Sacred Lives will bring much needed information, resources and tools to over 15 remote communities to assist them to develop an action plan based on each community's culture and strengths, including the Seven Sacred Teachings. It's time to give voice to our First Nations women, youth, girls and communities for empowerment and healing. Through this empowerment we can stand strong, united and stand honoured to prevent human trafficking and stop the sexual exploitation of First Nations people."

"Our funding is part of the Canadian Women's Foundation's ongoing national commitment to end human trafficking of women and girls for the purpose of sexual exploitation in Canada," said Diane Redsky, director, Human Trafficking Task Force, Canadian Women's Foundation. "We know through our national consultations with 250 Canadian organizations and 150 survivors of sex trafficking that those who are bought and sold from inside Canada are most often marginalized young girls and women. They are Aboriginal, racialized, immigrants and abuse survivors. The Assembly of Manitoba Chiefs' critical work in northern Manitoba First Nation communities will build on community knowledge and strength to protect young Aboriginal girls from these remote communities from being lured to urban areas and trafficked into forced prostitution."

This new initiative will be a component of Tracia's Trust: Manitoba's Sexual Exploitation Strategy, which has actively addressed the issue through awareness, prevention and intervention initiatives, said Minister Irvin-Ross. With an annual budget of more than \$10 million, Manitoba continues to lead the nation in support and programming under Tracia's Trust, the minister added.

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Initiatives under the strategy include the creation of a Sexual Exploitation and Trafficking Act, the designation of two specialized Crown attorneys to co-ordinate and prosecute sexual exploitation cases, criminal property forfeiture legislation and an expanded Victims' Bill of Rights. Tracia's Trust regional teams have also been established in 12 Manitoba cities and towns to raise awareness and counter local sexual exploitation, the minister said.

More information on Tracia's Trust: Manitoba's Sexual Exploitation Strategy is available at www.gov.mb.ca/fs/traciastrust/index.html.

- 30 -

The Province of Manitoba is issuing this release on behalf of the Government of Manitoba, the Assembly of Manitoba Chiefs and the Canadian Women's Foundation.

For more information:

- Public information, contact Manitoba Government Inquiry: 1-866-626-4862 or 204-945-3744.
- Media requests for general information, contact Communications Services Manitoba: 204-945-3765.
- Media requests for ministerial comment, contact Communications and Stakeholder Relations: 204-945-4916.

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ASSEMBLY OF MANITOBA CHIEFS

MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

EDUCATION

A. Issues

- Overall failure of western system
 - a. Paradigms - FN values vs. Euro-Canadian values
 - i. Collective vs. Individual wellbeing/prosperity
 - ii. Importance of Family/Nation vs. Self
 - iii. We vs. Me
 - iv. Conflict in worldviews and values
 - v. All life is sacred vs. Humans at top of chain
 - vi. Circle vs. Hierarchy
 - vii. Sustainability and interconnections vs. Economic development at all costs
 - viii. Benefitting 7 Generations vs. Me
- Colonization
 - a. Papal Bull - 1493
 - b. History of Euro Colonization of Canada, Australia, New Zealand, India, African countries
 - c. History of Colonization in Canada
 - i. Impacts of Colonization on individuals, families, communities
 - ii. History of Rights being ignored/supplanted
 - iii. Neo-colonization
 - iv. Court suppression of FNs rights e.g. historical and recent court cases
 - v. Displacement from traditional lands, territories, identity, family and community connections – strangers in our own lands
- Racism
 - a. History of racism in Canada
 - i. Legislation
 - ii. Policies
 - iii. Government practices
 - iv. Court decisions
 - v. Exploitation of FN lands, territories and economies
- Devaluation of Indigenous lives
 - a. History of Euro devaluation of non-White Men (women, children, & men from other races) & exploitation of the vulnerable
 - b. Depictions of FN peoples in History and curriculum
 - c. Depictions of FN peoples in media
 - d. Stereotypes, racism, discrimination
 - e. Impacts of legislation, policies, and government practices
 - f. Gang Infiltration/Violence/Devaluation of young peoples' lives
 - g. Recent Immigrants views of Indigenous peoples

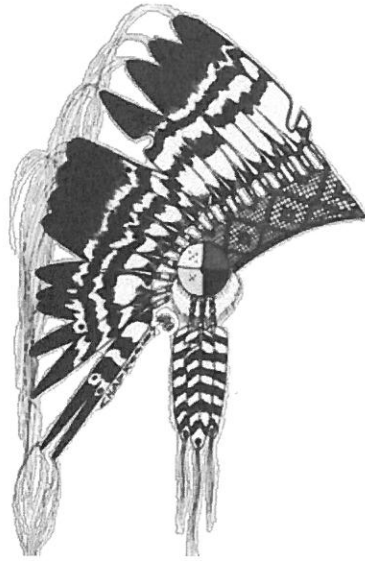
h. Commodification/exploitation of Indigenous Peoples bodies/lives

B. Proposed themes for solutions

- Self- determination
 - Indigenous Control of Education, Health, Child Welfare, Justice, etc.
 - FN Institutions – FN Courts, etc.
 - Urban FN lands/territories – economic zones
 - Personal self-determination, personal visioning and goal setting
 - Nation self-determination and visioning
 - Career Awareness/goals
 - Capacity Development – growing our own experts
 - Nation Building - Tools to support FN individuals, communities and nations
 - FN Economic Development
 - FN Economic Strategy – support FN businesses – building a FN economy
- Indigenous led solutions
 - Indigenous Elders
 - Youth/Elder Gatherings
 - Youth Gatherings
 - Traditional Healing
 - Sharing/Healing Circles
 - Safe Gatherings
 - Family & Community Support
 - Leadership Support
 - Peer Support
 - New Curriculum
 - FN Education Systems & Institutions
 - Healthy Families
 - Healthy Communities
 - Healthy Nations
 - Healing Gardens/Centres
 - Reclamation of sacred places & spaces
 - Nutrition and well-being
 - Role models e.g. Doctors, lawyers, chiefs, politicians, educators, etc.
 - Celebrating FN successes
- Traditional Values education e.g. respect
 - Understanding of FN values – respect for oneself, others, other life forms, courage/bravery, love, humility, wisdom, etc.
- Traditional education
 - Ceremonies
 - Coming of Age Ceremonies
 - Women’s Teachings
 - Men’s Teachings
 - Respecting Roles & Responsibilities

- Language education
 - Identity, language and culture
 - Positive self-esteem
- Orientation to urban living
 - Adaptation skills
 - Urban Survival skills
 - Strategies for increasing awareness related to vulnerability
 - Awareness of gangs & strategies used by individuals to exploit FNWG&TGI
 - Mentorships/Buddy systems
 - 911
 - Strategies - What to do if...
 - Human Rights Museum – Red Dress Campaign
 - Social Awareness
 - Case Studies of MMIWG & M&B in Manitoba
- Promotional/educational materials
 - Books
 - Videos
 - Posters
 - Billboard Campaign
 - APTN – series - Taken
 - Other materials
- FN Curriculum Development
 - Social Studies/Health Curriculum
 - Factors related to vulnerability
 - Healthy Families
 - Healthy Communities
 - Healthy Nations
 - Healthy Relationships
 - Holistic wellbeing – physical, mental, emotional, spiritual,
 - Awareness of addictions & strategies for coping with Addictions
 - Self-awareness and self-care
 - History of Indigenous Peoples in Canada
 - History of First Nations women and girls in Canada
 - History of racism
 - History of sexual exploitation in Canada
 - History of Indigenous Nations and communities
 - Sacred places & sacred spaces e.g. Visits to sacred sites e.g. The Forks, petroglyphs, petroforms, etc.
 - Creative Arts
 - Music
 - Traditional Dance
 - Plays
 - Healing through Art

- ELA
 - Healing through journaling
 - Indigenous Authors
 - Indigenous Literature
- FN Language Bilingual Education/Immersion
 - Identity and self-esteem
 - Values,
 - Philosophy and world-view
 - Indigenous Laws and Protocols
- Land-based Education
 - Healing through connection to land & water
 - Traditional skills
 - Recovering the Sacred
- Sports/Physical Education
 - Skill Development
 - Celebration of Success
- Social media
 - Increasing awareness of vulnerability
 - Strategies to avoid abduction/exploitation
 - 1-800 Help Line
 - Safe Houses
- Anti-racism education
 - Strategies for dealing with racism
 - Awareness of history of racism and discrimination in Canada
 - Stereotypes
 - Treaty Education
 - Reconciliation – TRC Calls to Action – government, justice, social services, education, etc. (Anti-racism education)
- Public Education
 - Media campaign – use of terminology to describe Indigenous people
 - Combatting stereotypes
 - Strategies for dealing with Internet trolls e.g. blocking, reporting hate/racism,
 - Positive Role Models
 - FN Contributions to Canadian society



PROPOSAL

The Design and Delivery of Culturally-Responsive, Trauma-Informed Services for Families of Missing and Murdered Indigenous Women and Girls

August 16, 2017

Submitted To:

Honourable Heather Stephanson
Minister of Justice and Attorney General

Honourable Eileen Clarke
Minister of Indigenous and Municipal Relations

Submitted By:

Women's Council
Assembly of Manitoba Chiefs

Liaising with Stakeholders	<ol style="list-style-type: none"> 1. Meetings and the following groups and governments should be set up: <ul style="list-style-type: none"> • First Nations governments and leadership • Province and related government departments • Federal Government and related government departments • Policing agencies (RCMP, WPS, Brandon City Policy etc.) • MMF and Inuit representative organizations/groups • Liaise with Manitoba Victim Services • Liaise with the National MMIWG Inquiry Community Relations Team 	Indigenous FILU Manager, and where appropriate, FILU staff, AMC Women’s Council, Regional MMIWG Family and Survivor Expert Advisory, Elders and Grandmothers Circle, and the Manitoba MMIWG Coalition
Annual Family Healing Conferences	<ol style="list-style-type: none"> 1. Annual conference be planned and scheduled to: <ul style="list-style-type: none"> • Focus on areas of need • Update and obtain feedback on the FILU operations and mandated areas • Update and obtain feedback on the National MMIWG Inquiry 	Manitoba Indigenous FILU with AMC Women’s Council, the Regional MMIWG Family and Survivor Expert Advisory, the Elders and Grandmothers Circle, the Manitoba MMIWG Coalition, and Manitoba Victim Services representatives
Operation of the Indigenous FILU	<ol style="list-style-type: none"> 1. Ongoing meetings with Regional MMIWG Family and Survivor Expert Advisory, and AMC WOMEN’S COUNCIL 2. Implementation of the work plans 3. Develop necessary policies and procedures for the Indigenous FILU office 4. Work with ongoing Manitoba regional supports for MMIWG Families and Survivors, including Manitoba Victim Services 5. Work with the National MMIWG Inquiry Operations Team 	Manitoba Indigenous FILU Office

Manitoba Indigenous FILU timeline, starting September 2017

Activity	Sept	Oct	Nov	Dec	Ongoing
1. Develop a process to identify and select family and survivor advisors (draft and finalize process, announce process and select individuals, and meet regularly)					
2. Develop a process to identify and select Elders and Grandmothers (draft and finalize process, announce process and select individuals, and meet regularly)					
3. Develop a process to identify and select Indigenous FILU Manager (draft and finalize process, announce process and select)					
4. Hire Indigenous FILU staff (Develop job description, do a human resources search, and hire)					
5. Develop and implement work plans and budget (Including for support for the Family and Survivors Advisory, Elders and Grandmothers Council, the for mandated areas)					
6. Develop and implement a Communications Strategy and Plan (including any necessary policies)					
7. Develop and implement a Monitoring and Evaluation Plan (including Process evaluation after the 1 st year; interim evaluation in 3 rd quarter of 2 nd year; & summative evaluation in the 4 th quarter of the 3 rd year.)					
8. Meet regularly with AMC Women's Council (Manitoba Indigenous FILU Manager meet at least quarterly following office set-up)					
9. Annual Family Healing Conferences (first one to be held in 2018)					
10. Liaise with stakeholders (share information on the development of the Manitoba Indigenous FILU and provide regular quarterly updates)					
11. Ongoing full operation of the Indigenous FILU Office					

Budget

	Sept 2017- March 31, 2018	April 2018- March 2019	April 2019- March 2020
PERSONNEL REQUIREMENTS <i>(Includes rates of pay and benefits)</i>			
1 Manager	\$53,666.67	\$92,000.00	\$92,000.00
1 Program and Policy Development	\$50,312.50	\$86,250.00	\$86,250.00
1 Research and Policy Analysis	\$50,312.50	\$86,250.00	\$86,250.00
1 Communication Specialist	\$46,958.33	\$80,500.00	\$80,500.00
2 Administrative Support	\$53,666.67	\$92,000.00	\$92,000.00
INVOLVEMENT OF FAMILIES AND SURVIVORS <i>(Quarterly Meetings for 8 Representatives)</i>			
Travel (quarterly, at least two in Northern Manitoba)	\$8,000.00	\$16,000.00	\$16,000.00
Expenses	\$3,200.00	\$6,400.00	\$6,400.00
INVOLVEMENT OF ELDERS AND GRANDMOTHERS <i>(Quarterly Meetings for 8 Representatives)</i>			
Honorarium	\$4,000.00	\$8,000.00	\$8,000.00
Travel (quarterly, at least two in Northern Manitoba)	\$8,000.00	\$12,000.00	\$12,000.00
Expenses	\$6,400.00	\$16,000.00	\$16,000.00
Tobacco (Ceremony)	\$1,200.00	\$2,400.00	\$2,400.00
OVERSIGHT BY AMC WOMEN'S COUNCIL <i>(Quarterly Meetings)</i>			
Travel (quarterly, at least two in Northern Manitoba)	\$12,000.00	\$12,000.00	\$12,000.00
Expenses	\$8,800.00	\$17,600.00	\$17,600.00
ADDITIONAL COSTS			
Travel (including at least 2 meetings a year in Northern Manitoba, including facility rental, etc)	\$18,000.00	\$24,000.00	\$24,000.00
Communications and Promotions (social media, advertising, printing, radio show, etc)	\$21,000.00	\$24,000.00	\$24,000.00
Evaluation	\$0.00	\$10,000.00	\$15,000.00
Office space (5 offices at \$5,000 per month)	\$35,000.00	\$60,000.00	\$60,000.00
Equipment 6 Computers and 6 mobile phones, phones, photocopier, etc)	\$19,200.00	\$6,000.00	\$6,000.00
Furniture (12 desk / workstations, etc)	\$30,000.00	\$0.00	\$0.00
Administration 15%	\$64,457.50	\$97,710.00	\$98,460.00
TOTAL PER FISCAL YEAR	\$494,174.17	\$749,110.00	\$754,860.00
TOTAL FOR ALL FISCAL YEARS		\$1,998,144.17	

Traditional Childcare Practices

Raising our children the Anishinaabe Way.

Prepared by: Weechi it te win Family Services
and The Fort Frances Governance Team



Respect is the key word in the relationship between Anishinaabe children and their parents or caregivers. It lies at the center of a person's relationship to nature and to the Creator, respect for the Elders, respect for the child, respect for all living creatures. The management and growth of a child comes not from fear of his/her parent, but out of respect for adults and tribal teachings.

It is the community's shared responsibility in raising the children.

Traditional Child Care Practices - Raising our Children the Anishinaabe Way

Acknowledgment

On April 6th, and 7th, 2000, a group of Grandmother's were called together and asked for their help in developing a manual that will be used to teach parents, care givers and communities how to raise our children. This gathering was held at the Manitou Mounds Round House both days.

The Staff of Weechi it te win Family Services would like to say chi meegwich to the Grandmother's that came and shared their knowledge. Meegwich for allowing us to record the teachings you shared with us in hopes that we may better serve the families in our communities.

The Grandmother's that were with us for the two days are as follows:

Lillian Boshkaykin - Seine River	Joyce Johnson - Seine River
Gladys DeBungie - Big Island	Rosie Spencer - Seine River
Marian Medicine - Big Island	Nancy Jones - Nicickousemenecaning
Louisa Shebagegit - Sabaskong	Mary Kelly - Onigaming
Catherine Kelly - Sabaskong	Bessie Tom - Big Grassy River
Helen Morrison - Nicickousemenecaning	Helen Jordan - Lac La Croix
Rose Marie Allen - Nicickousemenecaning	Helen Geyschick - Lac La Croix
Rosie Cyr - Naicatchewenin	Edna Morrison - Stanjikoming
Mary Smith - Naicatchewenin	Betty Johnson - Stanjikoming
Roseanna Councillor - Naicatchewenin	Margaret Yerxa - Big Island
Florence Yerxa - Couchiching	Annie Wayash - Stanjikoming
Bessie Mainville - Couchiching	Ann Wilson - Manitou
Helen Hunter - Fort Frances	Genevieve Mc Ginnis - Manitou
Elizabeth Brown - Manitou	Marie Ottertail - Lac La Croix
Dorothy Medicine - Manitou	Ida Mainville - Couchiching
Josephine Andy - Big Grassy	Corrine Kelly - Onegaming
Evelyn Copenace - Onegaming	Florence Foy - Couchiching
Joan Mainville - Couchiching	Gladys Andy - Big Grassy

There were three male helpers during the two day gathering. We also need to say chi-meegwich to them for their guidance and assistance during these two days. They are: Elder Joseph Big George of Big Island, Elder Jim Boshkaykin of Seine River and helper Doug Sinclair.

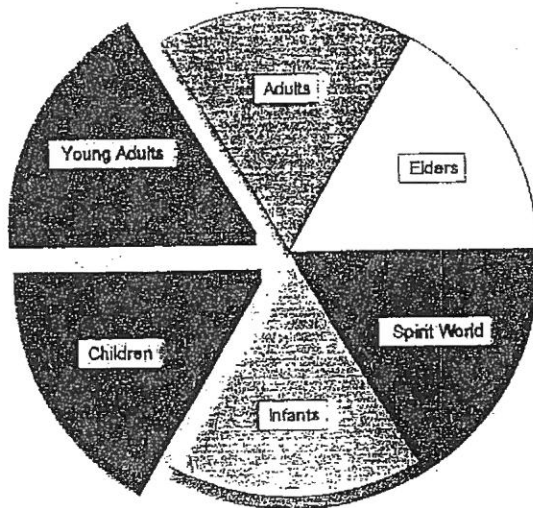
Traditional Child Care Practices - Raising our Children the Anishinaabe Way

Introduction:

When our people were a strong nation, we raised our children the way the Creator intended them to be raised. They were taught to live a good life and to respect every thing on Mother Earth. We had our own way of educating our children with the tools they needed to live a good life. It was a community responsibility to raise the children and teach them.

With the changes that have occurred over time, it is now critical that we start to record some of these teachings to ensure a future for our children. We have watched our children being taken away from us for the past 60 years. That is a life time. First it was the residential schools, then it was the Children's Aid Societies of the 60's that took a lot of our children. After so many years we have a nation of people that need to relearn the way of life they were intended to live. We need to prove to the Government that currently controls our people, that we can take control and that we have been given a way to properly raise our children. We have to guarantee a future for our children.

Family Circle.



When you remove parts of this circle, it is no longer complete. We need to put our circle back together.

The funding source that is currently used to maintain the services that Weechi it te win Family Services offers to our communities is controlled by the provincial government. They are forced to follow

Traditional Child Care Practices - Raising our Children the Anishinaabe Way

that we do have our own way of raising our children that is much different from the social work practices that are presently being taught and used by our social workers. They were all offered tobacco by the staff to attend this gathering. It was with the understanding that some kind of manual would be developed from this workshop. Gina Keast and Darlene Curci worked on putting this gathering together and did a lot to prepare for it. Cathy Jack and Joanne Bruyere were asked to work together as chair person's for this gathering. Elder Joe Big George was asked to be there to assist with the drum. Elder Ann Wilson was asked to assist with the opening ceremonies for the gathering.

Once the opening was complete, Cathy welcomed the Grandmother's to the gathering. She explained the purpose of this gathering using the Ojibway language. Joanne welcomed and expressed what was hoped to be achieved from this gathering. She explained that everyone would be broken up into groups and asked to discuss each stage of a child's life. There were four groups that were formed. The first group talked on the time of conception to 4 years of age, the second group worked on the 5 to 8 years of age, the third group worked on the 9 to 12 years of age and the last group worked on the 13 to 18 years of age. In order to make sure not all the women from one community would end up in one group, they were numbered off from one to four and given an area to work in. The group discussions took place most of the first day. At the end of the day, the grandmother's were asked to think of two things over night. They were asked how we can get more native homes open to children needing a place to live and how we can develop this information into a workable manual.

Before the grandmother's were let go for the day, there was a healing song that had to be done. One of the grandmother's spoke of trouble she still faces in her life today and had to ask for healing. The healing song was done to correct this. The first day ended.

The morning of the second day was a very good learning experience for those of us that are working with the grass roots people. We are young and still learning and have a long way to go. We realized that we may have made some mistakes and hoped that we would be corrected on them and shown the proper way of doing things.

Once the opening was completed, some of the grandmother's spoke to the large group. There was a blessing of the water that was done by one of the grandmother's. One of the Grandmother's was celebrating her birthday and that was acknowledged. There were also some of the grandmother's that got up and expressed their support for this type of gathering and suggested we hold them on a regular basis.

Cathy Jack addressed the Grandmother's and told them of the importance for us to learn these teachings the Grandmother's were talking about. We do not know all these teachings and need to be taught them. Even though we are getting older age wise, most of us are still in our childhood culture wise. We still have a lot of leaning to do. One of the elder's took offence to this and there had to be a

Traditional Child Care Practices - Raising our Children the Anishinaabe Way

Parenting

When the Creator placed the Anishinaabe on Mother Earth, the roles and responsibilities of each were clearly defined. The women were given the major responsibility of raising the children. They were made to be the givers of life. The woman has a special connection to the water. When a man and woman decide to conceive a child, they are asking for a special gift from the Creator. Life starts when a child is conceived.

In our culture, when a woman is with child, this is a very sacred and special time for a woman. There is a ceremony that was done by the Grandparents to celebrate the newly expected life that is to come.

There are some requirements a woman must do when the baby is growing inside her. She is required to get lots of exercise because the baby grows on the woman's placenta. She is not to say anything negative about being pregnant as there are consequences. You could end up losing the gift that is developing inside you. The woman is not to brag about the gift growing inside her.

She has to take care of herself and make sure she stay healthy. The woman is encouraged eat well but there are certain things that she needs to avoid during the pregnancy. She is to eat a lot of fish soup to nurture the child while in the womb. She is to refrain from drugs and alcohol during this time. She is told to be very careful not to fall down. She is asked to get up early in the morning and retire early. She is to plan your day with the sun. When the sun comes up, so does she, when the sun goes down, so does she. She is not to fool around or run around. There is traditional medicine for morning sickness if the woman needs it. There was also a form of birth control, but this was not talked about. The elder's were always very secretive about this.

Funerals are not to be attended by women that are pregnant. She is not to view the body of the person that has passed on. If she does, something could happen to the baby (unborn). It could end up being still born or be deformed in appearance, especially around the eyes. The baby could be born cross eyed.

The woman is to teach good morals and values of life. She should listen to the advice the Elder's give to her. They really do know what they are talking about. The women are being prepared all through their life to take on the added responsibility that comes with raising a child.

Long ago, when the child was ready to enter the world, the birth took place where ever the family was. The Grandmother, mother, mother in law or another family member would deliver the baby. Today the birth takes place in the hospitals.