



Naut'sa mawt sqwaluwun: Working together with one mind and one heart

IN OUR WORKPLACES & IN OUR COMMUNITIES

Experiences, knowledge and vital wisdom of BC Government & Service Employees' Union (BCGEU) members in consultation on our submission to the Inquiry into Missing and Murdered Indigenous Women and Girls

December 2018

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Cover illustration by Quw'utsun artist Simone Diamond

Introduction

Indigenous peoples and communities in Canada have a painful history of social, economic and political marginalization. This is particularly so for Indigenous women and girls and their families, many of whom face systemic violence, discrimination and disregard.

Murder, violent sexual assault and suspicious disappearance describe the legacy of these women and girls. Their families and communities have witnessed untold tragedy and loss, profound injustice, and enduring silence and neglect.

For decades, a collective indifference toward the stories of suffering, brutality and loss contributed to our nation's tolerance of the unique vulnerability and victimization facing Indigenous women and girls. Only with years of strenuous and uncompromising advocacy on the part of Indigenous communities, their conscientious allies, and the survivors themselves, has an awareness and responsibility started to overcome negligence and complicity.

To answer the calls for investigation into systemic causes of all forms of violence against Indigenous women and girls, in December 2015, the federal government initiated a long overdue independent National Inquiry into Missing and Murdered Indigenous Women and Girls.

The BC Government and Service Employees' Union (BCGEU) determined it was in a unique position to contribute to this process—and to learn from it as well. As the union representing many of the workers who serve and interact most closely with B.C.'s many communities of Indigenous women and girls, the BCGEU had an obligation to seek formal legal standing within the Inquiry.

Granted this official status and recognition—and as the only labour union in Canada to hold legal standing in the Inquiry—the BCGEU, in addition to a feeling of honour, determined it had a responsibility to undertake its own process of inquiry: to hear the experiences, knowledge and vital wisdom of its members who have either assisted or come into contact with missing and murdered indigenous women and girls, including their families and communities, and the many who remain vulnerable today.

Between March and April 2018, the union convened three regional dialogues—in Victoria, Prince George and Vancouver—which brought together knowledgeable and concerned members from across the province and a variety of occupational sectors. These professionally facilitated sessions offered a structured and supportive environment for the exchange of knowledge and experience providing services and supports to Indigenous women and children.

Members brought their firsthand insight and expertise from across several crucial, frontline worksites, such as the Downtown Eastside Women's Centre, the North Coast Transition House, B.C.'s many Aboriginal Friendship Centres, several Delegated Aboriginal Agencies, as well as various service delivery teams from within key provincial government ministries, including Children and Family Development, Social Development and Poverty Reduction, Public Safety and Solicitor General, and Indigenous Relations and Reconciliation.

The consultations served three core purposes:

1. for individual members to participate directly in a process of authentic inquiry and dialogue, and to explore and process their own lived experiences (and in some cases, trauma) from within a shared and ongoing commitment to truth and reconciliation;
2. from the unique perspective of community, government and public service workers, to investigate jointly the systemic causes of violence against Indigenous women and girls; and
3. to inform the BCGEU's formal contribution to the Inquiry as a party with standing, and to guide our own union's continuing efforts toward reconciliation.

The collective findings at these forums were various; yet all dialogue pointed to a widespread lack of appropriate social services, as well as serious barriers created by underfunding—including, most significantly, the shortage of safe spaces for indigenous women and children to escape violence and poverty.

In total, the BCGEU heard from almost 100 members on this subject. Many of the participants were Indigenous; an overwhelming majority of participants were women. All were deeply committed to being part of a better future for Indigenous women and girls.

The shared outcomes for learning, and most promising solutions for policy are outlined in this report.

THE NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

The statistics are startling and deeply troubling: Indigenous women are 12 times more likely to be murdered or go missing than any other group of women in Canada—and 16 times more likely than Caucasian women. The incidence of intimate partner violence is also dramatically higher, with 52 per cent of Indigenous women reporting that they fear for their lives.

The Native Women's Association of Canada estimates that almost 1,200 women and girls are currently missing or murdered in Canada.¹

Over decades, Indigenous families, communities and organizations, as well as non-governmental and international organizations, have urged an investigation into why Indigenous women are murdered, violently assaulted and abducted at significantly higher rates than non-Indigenous women.

In 1992, the first annual women's memorial march took place in the Downtown Eastside of Vancouver on February 14th. It continues to this day, raising awareness of the high rates of violence against Indigenous women, building a movement of solidarity, and honouring the many victims, survivors, families and loved ones.

Advocacy has spanned many rural, non-urban and remote communities as well. In Northern B.C., the Highway of Tears Symposium was convened in 2006, and the annual Walk4Justice between Prince Rupert and Prince George, across the long expanse of the Highway of Tears, continues to this day as well. These are just two of the more visible events that have fought for awareness of the issue and advanced the call for a national inquiry.

The tragedy faced by Indigenous women and girls in Canada has also drawn the attention of the international community. Both the United Nations Committee on the Elimination of Discrimination against Women and the Inter-American Commission



Photo: Detail of graphic illustration from Vancouver forum; see full image on page 18.

¹ Native Women's Association of Canada. *Fact Sheet: Missing and Murdered Aboriginal Women and Girls*. 2015.

of Human Rights have issued blistering reports documenting the failure of the government of Canada to mitigate violence against Indigenous women, or to address their economic and social marginalization.^{2,3} Both reports urged the federal government to conduct a national inquiry.

Finally, in 2016, the government of Canada launched the National Inquiry into Missing and Murdered Indigenous Women and Girls, mandating that its commissioners “examine and report on the systemic causes of all forms of violence against Indigenous women and girls and 2SLGBTQQIA [two-spirit/lesbian/gay/bi-sexual/transgender/queer/questioning/intersex/asexual or allied] individuals in Canada by looking at patterns and underlying factors.”⁴

Beginning in 2017, the National Inquiry held public and private hearings, as well as truth gathering ceremonies, across Canada, thereby giving survivors, families and loved ones their first opportunity to publicly share their stories with the commissioners.

To date, almost 1,700 survivors and family members have registered to share their testimony with the Inquiry. It will also hear from institutional witnesses and parties, such as government agencies and programs, and policing and corrections, as well as experts in the fields of human rights, racism, and many relevant academic disciplines.

Now approaching the end of its scheduled hearings and formal investigations, the Inquiry is expected to conclude its work by year's end, presenting a final report and recommendations to the federal government in Spring 2019.

The Inquiry's duty is to gather information through witness testimony, independent research and subpoenaed evidence, and to produce findings of fact and recommendations that address the root causes of violence against Indigenous women and girls.

2 United Nations. Committee on the Elimination of Discrimination against Women. *Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women*. 2015.

3 Inter-American Commission on Human Rights. *Missing and Murdered Indigenous Women in British Columbia, Canada*. 2014.

4 National Inquiry into Missing and Murdered Indigenous Women and Girls. *Find the Truth. Honour the Truth. Give Life To the Truth*. <http://www.mmiwg-ffada.ca>

HISTORY AND LEGACY OF CANADA'S RELATIONSHIP WITH INDIGENOUS PEOPLES

Canada has a deeply troubled history with Indigenous peoples. In the country's founding years, government policies aggressively pursued assimilation, effectively separating generations of Indigenous peoples from their lands, culture, traditions and identities. These public policy frameworks, from the *Constitution Act* to the *Indian Act*, embedded discrimination and prejudice throughout our political and legal institutions, and entrenched severe disadvantages for Indigenous peoples across society.

Government-mandated actions, including the residential school system—which saw 250,000 Indigenous children forcibly removed from their families and home communities—and the “60s Scoop”—which resulted in 20,000 children taken from their families and sent to live with non-Indigenous families—have had lasting effects on Indigenous peoples, individually, collectively, and generationally. These hostile programs were designed to stamp out traditional language, culture and family networks, and have resulted in lasting trauma.

Today, survivors of these systems struggle with significant social problems, including high rates of contact with the criminal justice system, addiction, violence, sexual abuse, intimate partner violence and mental health issues. Indigenous communities also contend with underlying social and economic conditions that are characterized by poverty, high rates of disability, overrepresentation of Indigenous children within the foster care system, and heavy reliance on welfare and housing supports—neither of which keep pace with the true cost of living a life with dignity in British Columbia.

Beyond the systemic social and economic marginalization, Indigenous peoples suffer from significant and lasting emotional and psychological harms (and often clinical mental health disorders) rooted in trauma. And many carry the effects of historical suffering and oppression experienced by their ancestors, also known as intergenerational trauma.

This historical and intergenerational trauma is a collective emotional and psychological wounding experienced across whole generations, families and communities. It is a direct result of government policies that actively sought the oppression of entire cultures, languages and rights—the very being and identity of any people. While the effects of this trauma range along a continuum, a shared physical and emotional outcome is the negative impact upon a person's basic sense of safety and ability to seek care, to feel emotionally healthy and to navigate relationships.

To start to understand why Indigenous women and girls are brutally murdered in Canada, and why they continue to go missing (specifically, at rates far higher than non-Indigenous women and girls), it is necessary to see where this collective experience of trauma imparts vulnerability, and to locate this within the social and economic conditions that many Indigenous communities experience today. A sustained exposure, and much-heightened vulnerability to violence exists in this context, making women and girls both more susceptible to, and less able to leave violent circumstances.

Knowing and confronting this history, and understanding fully its contribution to the conditions and experiences of today, is essential for opening the possibility of a new relationship between Canada and Indigenous peoples. Only then can a society of equals fully dismantle the structures that have deprived Indigenous peoples access to their basic rights, services and supports, and essential dignity.

The BCGEU members who came together to participate in the union's regional forums in Victoria, Prince George and Vancouver between March–April, 2019, have contributed to this ongoing process of learning. Most importantly, they have contributed their intimate knowledge and personal experiences in a collective commitment to truth—and to the safety and protection of Indigenous women and children.

The remainder of this report discusses the findings of this process.



Photo: Annual Feb 14th Women's Memorial March in Vancouver's Downtown Eastside, 2017.

ACKNOWLEDGEMENTS

The BCGEU acknowledges the contributions of our members that shared their perspectives through survey questions, interviews or by participating in facilitated member engagement meetings.

We offer our deepest thanks to the many people that supported the consultation process. RoseAnne Timbrell, whose steady hand as a facilitator, created a safe environment for union members to discuss the difficult issues that are touched upon in this report. Jeremy Jones and the Elders support network from the Indian Residential School Survivors Society were present at all of the member consultation meetings to provide emotional and cultural support.

The BCGEU also wishes to acknowledge the members of the provincial executive equity and human rights committee Sussanne Skidmore, Lisa (Lee) McArthur, Silke Allard, Pam Desjardine, Jackie Pierre, Souie Gorup, April Duffield, Connie LaRochelle, Serena Bhandar, Jason Singh, Cheryl Gilbert; the project advisory committee Adena McCallum, Carol Martin, Cheryl Gilbert, Daisy Clayton, Flora Raynes, Kim Wilson, Patty Schlafen, Paul Houle, Piroška Potornay, Shelley Gladstone, Valerie Laronde and the union's Aboriginal liaison, Keith Cameron, who collectively charted the course of the union's participation in the National Inquiry into Missing and Murdered Indigenous Women and Girls.

This report is representative of the personal experiences, expertise and wisdom of the BCGEU members that shared their stories and recommendations. We wish to honour the many working people in British Columbia that provide essential services and supports for vulnerable communities across our province. Their courage and commitment is evident throughout this report.

Exploring the roots of vulnerability

In this section we describe the critical barriers that were articulated by our members, but also the *ways forward* which they identified. Many services and programs in B.C. are working, and have a valuable impact; we therefore discuss those areas that should be further supported and strengthened to overcome the persistent risks and challenges to Indigenous women and girls.

SYSTEMIC RACISM

A concern expressed consistently by members throughout the consultations was that many of Canada's important social institutions—from media to the education and justice systems—continue to operate from a Eurocentric point of view, which either dismisses, dominates or devalues an Indigenous perspective. In other words, western forms of knowledge and learning—inherited from a precolonial and western European origin—form the basis of policy and programming for *all* people in Canada, resulting in systems, norms and institutions that exclude the inherent and equal value of Indigenous traditional knowledge and learning. We may regard this as *systemic racism*—it is deeply ingrained into the structure of society.

This is a form of racism in which the practices and policies of institutions allow one group to be discriminated against (either overtly or covertly) by advancing attitudes and ideas that support prejudiced thinking in a common setting. Discrimination in this way often takes the form of a “standard practice,” or unequal and/or different treatment based on outdated or stereotypical ideas of Indigenous peoples, or upon the received wisdom of an adjacent culture and history (i.e. non-Indigenous).

One participant in the dialogues cited Canada's Food Guide as an example. For decades, this document provided health recommendations based exclusively on the Western understanding of health and nutrition. It therefore dismissed Indigenous customs entirely. In 2007, a new national food guide that reflected the values, traditions and food choices of



Photo: Detail of graphic illustration from Vancouver forum; see full image on page 18.

First Nations, Inuit and Métis was published for the first time, creating a degree of balance between traditional knowledge and western knowledge.⁵

Systemic racism therefore creates disparities in the access to knowledge and resources on a societal level, including access to education, justice, employment, housing, health care, social services and political power. But there is also a devaluing of Indigenous wisdom and cultural practices in relation to family, community and social structure on a smaller scale.

For vulnerable Indigenous women and girls, systemic racism has meant an inability to access the same early prevention or support services within their own communities as non-Indigenous women. When certain outcomes are viewed externally—for example, an incomplete education, unplanned pregnancy, abusive relationship, or encounter with the criminal justice system—these individuals may be seen (or see themselves) as “lesser-than,” or be perceived as somehow unwilling or unable to access care. In fact, the services and programs and the systems of care have simply excluded them—from the start.

Over time, this has left women and girls more vulnerable to unsafe relationships, and to unequal treatment by policing and the justice system.

⁵ Government of Canada (4 March 2010). *Eating Well with Canada's Food Guide - First Nations, Inuit and Métis*. Retrieved from <https://www.canada.ca/en/health-canada/services/food-nutrition/canada-food-guide/eating-well-with-canada-food-guide-first-nations-inuit-metis.html>

Systemic racism is also powerful in the media. Coverage of Indigenous women who are the survivors of violence, involved in the sex trade, or struggling with drug addiction, can sometimes present these individuals to an audience as culpable for their own fate, having chosen a dangerous lifestyle that put them in harm's way.⁶ In doing so, media fails to acknowledge the larger structural or historical issues within their own communities, such as institutional disadvantage, violent prejudice, poverty, or residential school trauma. And when Indigenous women go missing, the reporting is not as urgent as for non-Indigenous women, and the media coverage is less humanizing—it lacks a representation of the person, their history, family, interests, identity and so on.

The child welfare system in B.C., in which Indigenous children are vastly over-represented, serves as another stark example of bias in the delivery of programs to support essential wellbeing in children and family development. Indigenous children continue to be seized at such high rates that some have claimed “[the child welfare system] has replaced residential schools as the state apparatus for seizing Indigenous children.”⁷ A source of this practice is the outdated and invalid assumption that Indigenous family structures are somehow unable to meet the developmental needs and basic safety of the child.

The impact of systemic racism upon Indigenous women and girls, whether a product of direct prejudice or as a function of “standard procedure,” is a breakdown of trust toward the many organizations that are expected to provide services and care, and to reduce vulnerability. It is this breakdown of trust, and the diminished value for Indigenous culture, that creates institutionalized vulnerability for Indigenous women and girls across society.

6 Media Smarts (n.d.). Media Portrayals of Missing and Murdered Aboriginal Women. Retrieved from <http://mediasmarts.ca/diversity-media/aboriginal-people/media-portrayals-missing-and-murdered-aboriginal-women>

7 Brenda Belak (17 February 2016). Why we must include sex workers in the national inquiry into missing and murdered Indigenous women. Retrieved from http://www.pivotlegal.org/include_sex_workers_in_the_national_inquiry_into_missing_and_murdered_indigenous_women

“INDIGENOUS PEOPLE HAVE TO BE AT THE TABLE, AS A PARTNER TO ADDRESS OUR COLLECTIVE HISTORY. WE ALL NEED TO TAKE OWNERSHIP IN SOLUTIONS OR THAT HISTORY WILL NEVER CHANGE.”

WAYS FORWARD

The provincial and federal government’s commitment under the United Nations Declaration on the Rights of Indigenous Peoples (**UNDRIP**) **requires that UNDRIP principles and provisions be implemented and put into practice across all public institutions, and measured to determine efficacy.**

Collaborating with Indigenous Peoples to implement the Declaration is essential for a new approach to governance that recognizes Indigenous right of self-determination, the right to follow cultural practices, to speak their language, and to have free, prior and informed consent over lands they have never ceded. The implementation of UNDRIP is foundational for a better relationship between Indigenous peoples and Canada’s institutions.

All social services for Indigenous Peoples must **adopt a decolonizing approach**, in the spirit of UNDRIP and reconciliation. This means cultivating practices and services that acknowledge and appropriately redress Canada’s history of colonization and the longstanding effects on Indigenous peoples. It reintroduces and prioritizes Indigenous wisdom, cultural practices and expression. A decolonizing approach addresses immediate needs of individuals and communities, while acknowledging and addressing the underlying causes of systemic inequality. It is a process that centers on regaining political, economic and social self-determination as well as positive identities as individuals, families, communities and peoples.⁸

It is important to always **engage Indigenous communities** when creating new policies and programs. This ensures that program delivery is culturally appropri-

8 Verniest, Laura. “Allying With the Medicine Wheel: Social Work Practice with Aboriginal Peoples.” *Critical Social Work* Volume 7, No. 1 (2006).

ate and that all people feel respected and safe when interacting with a system. A culturally safe practice is free of racism and discrimination wherein people are supported to draw knowledge and strength from their culture and community.

All workers in the public service, whether they have a regular and direct, or indirect, interaction with Indigenous peoples, should have access to ongoing **training on intercultural competency** to strengthen knowledge, improve communication skills, and foster positive relationships. Currently, these learnings are available online and include a curriculum of history, culture, stereotyping, and the consequences and legacies of colonialism.

Despite these resources, more effective education and outreach is needed, however, and should be available to all workers and levels of government, including in-person learning with Indigenous partners integrated throughout the public service.

Continuing efforts are needed to further **advance and improve an approach to child welfare services that promotes family preservation**, and that places the safety and well-being of children within their natural community as the priority. A growing consensus within child protection services is the need to ground the approach in a basic recognition of the many contributing, systemic barriers, challenges and mitigating factors that Indigenous families typically face. In practice, this means challenging external assumptions and actively working to keep more families “out of the system” by instead helping them connect to networks of care within their own communities to address the mental, spiritual, emotional and physical needs of children.

WHAT'S WORKING?

Aboriginal Friendship Centres: In British Columbia there are 25 Friendship Centres with 1,000 employees that deliver 426 distinct programs. Friendship Centres provide a range of activities, programs and services to urban Indigenous peoples, including support and prevention programs focused on domestic and family violence, and others that provide healing services based in Indigenous culture and tradition. Friendship Centres are often the first point of contact for many urban Indigenous people, and they house various essential programs under one roof.

* <https://www.bcaafc.com/index.php/initiatives/ending-violence> (see: Importance of BC Friendship Centres in Ending the Violence and Help with Healing....)

UNEQUAL ACCESS TO SERVICES & SUPPORTS

Locating and accessing mental health and addictions programs, and (simultaneously) navigating child welfare services or other social programs, is a challenging and complicated process—which, for success, typically requires that professionals and service providers work together using an integrated, collaborative approach. However, many of these services are not well integrated and often operate in parallel systems that are in competition for resources and funding. As a result, social service provision can be fragmented and difficult to access.

For Indigenous women and girls, navigating an already-complicated system of social services is made more difficult when the effects of marginalization and stigmatization are considered. Compounding the practical issues of awareness, education, proximity and access, is a deeply-rooted condition of mistrust many Indigenous women have toward government ministries. This includes the Ministry of Children and Family Development, due to its role within historical injustices, such as the “60’s Scoop” and the Indian residential school system.

Women and girls in rural communities encounter additional barriers to the access of responsive, integrated care. Reliable public transit in rural and remote communities, particularly in northern British Columbia, are still lacking, and many critical services including medical treatment are far away. As a result, many women are forced to choose unsafe options, including hitchhiking.

Highway 16, also known as the Highway of Tears, is emblematic of the issues many rural communities face, and the tragic site where many Indigenous women and girls have gone missing in recent decades. As many as 50 Indigenous women were last seen hitchhiking along the route before disappearing. An essential call to action from the 2006 Highway of Tears Symposium was to provide a shuttle bus service connecting people in communities along Highway 16 to services not available in isolated communities, including medical care, counselling and child and family support programs.

“THE TEACHINGS OF OUR ELDERS ARE TEACHINGS OF THE PAST AND HOW TO CARRY OURSELVES IN THE WORLD. THEY’RE ALSO LESSONS FOR THE FUTURE, ONE THAT PUTS RESILIENCE AND PRIDE AT THE CENTRE.”

WAYS FORWARD

Many frontline workers, in a variety of workplaces, are increasingly integrating a trauma-informed practice, and are actively working to keep families intact, allowing them to support one another and heal together. **Trauma-informed approaches** provide safety, choice and control to individuals that have experienced trauma by reducing short-term effects, and creating systems of care to promote long-term healing for children, families and communities, as well as for frontline workers.

Critical to the success of a trauma-informed approach is the ability to deliver services in a culturally safe manner (by including traditional practices and members of the Indigenous community in the process), and to better understand the links between the history of colonialism and the individual’s cultural identity, health and parenting.⁹

Providing a **co-location of services** is necessary to meet multiple needs in a coordinated and efficient way—especially services that are culturally appropriate and Indigenous-designed and led. Also effective are **wraparound** care services in which a team of care professionals and other closely involved individuals, including family, community, and outside agencies, collaborate jointly on a child-centred plan.

Another essential effort is to continue to **invest in programs to support young adults transitioning out of care**. In British Columbia, youth “age out of care” at the age of 19, leaving many vulnerable to homelessness and other issues as financial support ends.

⁹ British Columbia Ministry of Children and Family Development. *Healing Families, Helping Systems: A Trauma-Informed Practice Guide for Working with Children, Youth and Families*. November, 2016.

B.C. recently announced a tuition waiver program that allows youth exiting care to access to post-secondary education in their community without cost—a landmark policy that was widely embraced and supported. Strengthening the supports for young adults could include the expansion of financial support and building more employment and skills training opportunities.

"INDIGENOUS PEOPLES HAVE THEIR OWN WAY OF CARING AND HEALING FOR THEIR COMMUNITIES. SUPPORT THEIR JOURNEY IN MANY DIFFERENT CAPACITIES TO ALLOW FAIRNESS AND JUSTICE TO THOSE AFFECTED BY TRAGEDY."

Indigenous-led **outreach in northern communities** is essential for providing better information throughout rural communities on what services are available, and how to access them efficiently and effectively. This is supported by building **integrated Indigenous involvement** as a bridge across services and communities—where a liaison or other Indigenous support person assumes an increased role and responsibility within the community to support individuals and families in accessing services and programs.

Cultural practices, including language, storytelling, traditional approaches to healing and wellness, are a natural strength and resource. Frontline workers need the outside resources and supports to effectively incorporate these cultural elements and practices within a broader therapeutic landscape—including the ability to have elders on staff who can lead cultural teachings for service workers, thereby incorporating Indigenous wisdom and practices within the immediate professional care network.

Vulnerable individuals need Indigenous-led peer education and mentorship programs that focus on emotional health, and that build **self-esteem and emotional resilience**. Emotional health supports need to enhance social connection in order to reinforce a sense of belonging and mutuality within the community and to cultivate the confidence and empowerment women need to tell their stories with pride and dignity.

WHAT'S WORKING?

The Victoria Aboriginal Friendship Centre uses cultural practice as a source of support to address domestic violence. Their toolkit shares wisdom, experiences and advice from Indigenous communities on delivering community-led, culturally responsive, holistic, and reconciliatory domestic violence programs to women, men, children and elders.

In partnership with municipal governments and First Nations, BC Transit launched two new routes in 2017 that linked Burns Lake with Smithers and Prince George.† The introduction of a reliable public transportation option is a major step forward for many rural Indigenous women and girls who were previously forced (due to poverty) to make unsafe transportation choices in order to access many of the outreach services located beyond of their immediate community.

† New Highway 16 Bus Routes: <https://www.timescolonist.com/news/b-c/highway-of-tears-terrace-to-hazelton-bus-service-starts-today-1.23099176>

INJUSTICE IN THE JUSTICE SYSTEM

The justice system is an essential institution for the foundation of any organized society: it upholds and enforces the basic law of the land, and ensures justice and civility. The various components and actors within our broader justice system—from frontline policing to prosecution and defence, and the various levels of judicial staff within the court system—each possess a particular point of view and institutional perception (and evaluation) within Canadian society.

"I WORRY ABOUT MY CLIENTS BEING RE-TRAUMATIZED BY THE VERY INSTITUTIONS THAT ARE SUPPOSED TO PROVIDE THEM WITH JUSTICE."

Each of these elements also contribute to the unique understanding and treatment of Indigenous women specifically—including their rights and the acceptable norms of conduct—and, most importantly, through the way these institutional actors interact with both the perpetrators and victims of crime.

Indigenous victims and their advocates frequently report unequal treatment before the law, and describe a very troubled relationship (of mistrust) with policing institutions, court services and corrections. This is the result of heavily entrenched historical perceptions that are colonial in origin, and an overall devaluation of Indigenous peoples. There are also significant gaps in basic communication between law enforcement and Indigenous persons, explained largely by a lack of cultural competency training within the justice system.

Indigenous women are highly overrepresented in the criminal justice and corrections systems in various ways, including: a disproportionate rate of incarceration and recidivism; a high incidence of criminal victimization; and the appallingly high number of women and girls who are missing or murdered.

Indigenous women and their advocates cite a lack of victim services—including aftercare, and transportation to and from courts—and serious inconsistency in the legal supports that are available to women who seek justice for crimes perpetrated against them.



Photo: John-Bradley Williams, ethnobotanist and storyteller from the Tsawout First Nation, leads a class at TIXEN (Cordova Spit) as part of the new field course in the re-emergence of WSÁNEĆ law. Photo: Mike Morash/University of Victoria

Furthermore, our legal system is rooted in the adversarial model of prosecution and defense, which puts many victims of violence in court situations that are re-traumatizing.

WAYS FORWARD

Restorative justice is an alternative approach to sentencing. It brings together the victims and perpetrators of crime, and the larger community, to provide an opportunity for healing (rather than punishment), and typically includes culturally appropriate programs and approaches.

Gladue rights are special rights that all Indigenous peoples have under the *Criminal Code*. A Gladue report outlines an Indigenous offender's circumstances, the effects of systemic discrimination they face, and the culturally appropriate alternatives to prison that a sentencing judge can consider. In 2017, there were 131 Gladue reports completed. With additional funding increases to Legal Aid Services in B.C., that number will grow to 300 in 2018.¹⁰

Aboriginal Friendship Centres are an important hub of support for Indigenous women and girls. They are a safe environment offering **community-based victim services** supporting survivors of violence, and incorporating culturally appropriate methods to promote healing and wellness.

¹⁰ Legal Services Society, BC. Your Gladue Rights. October, 2017.

An essential priority is continuing to improve **funding and resources for Legal Aid Services in British Columbia** to extend better legal support to low-income people and to ensure that access to justice is robust and equal.

Education and training in cultural sensitivity for all elements of the justice system, particularly judges, is essential for dismantling outdated colonial views and biases toward Indigenous women and girls.

The inclusion of Indigenous Elders and **cultural practitioners in court and correctional services can help support victims throughout the process**, as well as promote mediation and alternative approaches.

WHAT'S WORKING?

A positive trend in British Columbia is the growing use of First Nations courts that are available monthly in Duncan, Kamloops, New Westminster, North Vancouver, Merritt and Prince George, with more locations slated for future development. First Nations courts employ restorative justice techniques to promote healing and community involvement as an alternative. All Indigenous offenders can have the option to be heard in First Nations Court.

UNDERFUNDING OF PUBLIC & COMMUNITY SERVICES

Under the *Indian Act*, the federal government is mandated with funding services within Indigenous communities, including First Nations reserves and Inuit communities. Since at least 1977, the federal government has been aware of (and responsible for) a severe funding and resource shortage for programs and basic services in Indigenous communities, which over time, has contributed to poor education outcomes, serious housing and infrastructure problems, poverty, and the eventual overrepresentation of Indigenous children in government care.

In British Columbia, years of underfunding of public services means that many frontline workers face extraordinary challenges in delivering the vital services that Indigenous women, children and communities rely upon. BCGEU members report that they face unmanageable workloads that result in a highly reactive, crisis-driven mode of operation when providing essential services.

Frontline workers continuously struggle with the challenges of inadequate resources and oversight, and the inability to coordinate effectively with other agencies—thereby compounding the baseline capacity issues they encounter. In many cases, low staff retention and high turnover is chronic, particularly in rural communities, which puts enormous pressure on the remaining workers and their clients. Long wait-lists mean individuals seeking help may not be able to get the services they need.

The funding model for Indigenous-specific agencies and programs is also rooted in an outdated and discriminatory approach to resource allocation. Delegated Aboriginal Agencies (DAAs) are mandated to provide a host of services, including essential child and family services, that are on par with the equivalent direct government agencies. Yet they are not funded at the same level as service teams within the provincial Ministry of Children and Family Development, leaving many DAAs and their teams without the same capacity as their non-Indigenous counterparts.

Indigenous workers also report that hiring practices and educational requirements may keep talented



Photo: Joshua Berson Photography, 2018

workers, especially elders, out of the workplace. Cultural sensitivity training, including the history of colonization, is often voluntary, and not all levels of workers have access to these essential learnings. Staff themselves are also without the resources and support they need for basic self-care, and for dealing with the vicarious trauma associated with their work.

"WE GET IN TO THIS WORK TO HELP ONE ANOTHER; OUR HOPE IS THAT THERE ARE GOOD INTENTIONS AND SUPPORT FOR US TO DO THE BEST WORK IN THE WORLD."

WAYS FORWARD

Delegated Aboriginal Agencies are providing the same services as other government agencies with less funding, which means they have fewer resources, less training and less capacity to carry out the same programs and services and to the same standard of delivery. By addressing this flawed and inequitable funding model, more Indigenous-led services can be provided to individuals in need, building strength and capacity within the community.

Poverty rates in British Columbia are among highest in the country, with some of the worst conditions disproportionately concentrated among the population of Indigenous women and girls.

All levels of government need to work with Indigenous governments to implement a focused **poverty reduction plan** to support individuals and communities to meet the basic requirements for safe affordable housing, food security and a living wage. **Income assistance and disability** rates also need to increase markedly to ensure basic security for the most vulnerable.

Investing in resources to support the **resilience and wellbeing of public sector employees** is desperately needed, particularly for frontline workers who have borne the human cost of deep budget cuts, dramatically increased workload, and the resulting impacts of emotional fatigue and damaged morale. Programs that improve employee engagement and productivity, and overall physical and mental wellbeing, are key to improving performance and morale, which in turn will improve the quality of care for communities, and supply a better connection between frontline workers and the populations they serve.

Indigenous workers with appropriate skills and experience may be kept out of the workplace, particularly elders that have valuable lived experience but do not meet formal education requirements. **Reformed hiring practices** that give emphasis to Indigenous workers and their cultural knowledge may remedy discrimination in hiring, as well as the overall historical appropriateness of service delivery to Indigenous communities through both government and social service agencies.

"WE ARE TREATING THE SYMPTOMS BUT WE SHOULD REALLY BE FOCUSING ON PREVENTION. WHAT MAKES US HEALTHY AND WHOLE? HOW DO WE BUILD ON OUR STRENGTHS AND HOLD OUR HEAD UP HIGH?"

Improved funding for Indigenous-led programming is essential for delivering responsive and culturally appropriate services, both through government and community-level service agencies. These resources should support a continued expansion of **Indigenous-specific** programming that is designed and delivered by Indigenous people. With their authentic

knowledge and expertise, Indigenous workers can employ a strength-based approach that actively builds family capacity, enhances youth leadership and mentorship skills, and maximizes the breadth of culturally appropriate health services and outreach opportunities.

WHAT'S WORKING?

Vancouver Aboriginal Child and Family Support Services offers a successful program to support children preparing for kindergarten and grade one. The Home Instruction for Parents of Preschool Youngsters (HIPPY) program works with children and their families to build skills and confidence needed for a positive and successful experience with education.⁺⁺

⁺⁺ Vancouver Aboriginal Child and Family Support Services: <http://www.vnhs.net>

Conclusion

Violence against Indigenous women and girls in Canada is an inexcusable national tragedy. It requires an immediate and credible response from all levels of government, along with concrete steps to implement needed reforms and vital support programs.

BCGEU members who participated in the forums—a majority of whom are themselves Indigenous—work to deliver programs and services that already make a difference in the lives of those who are most vulnerable. But they have shown with a shared voice the many places where much, much more is needed—and in so doing, revealed much about the underlying political, economic, social, institutional and historical sources of one of our nation's darkest failings.

Essential to building a better future for Indigenous women and girls is coming to a deep understanding and appreciation for the past and present issues facing these communities. By acknowledging the impacts of colonization, and by understanding how those issues are still present—as witnessed by stories of contemporary systemic racism, trauma and poverty—we can begin to build a better future founded on essential rights, respect, cooperation and partnership.

The clear message that the BCGEU members shared in our consultations is that there exists a very serious gap in services for Indigenous women and girls which is increasing their vulnerability to violence.

Child and family services, health care, public housing, supportive social programs and community services, public safety, justice and corrections—these are all services and institutions that are governed by a constitutionally mandated division of powers between levels of governments in Canada. All governments have a role to play in addressing historic practices and past actions that violated the fundamental rights of Indigenous peoples and affronted their common dignity.

Adequately planning for, and investing in the essential public services needed to build and support healthy communities, and that provide a safe and equitable place for women and children within them, is a minimum standard for the achievement of

reconciliation in our country. This simple message, along with the thoughtful insight and powerful contributions of BCGEU members, will inform our official submission to the National Inquiry to Missing and Murdered Indigenous Women and Girls.



Members at Victoria forum, March 22-24, 2018



Members at Prince George forum, April 12-14, 2018



Members at Vancouver forum, April 26-28, 2018

APPENDIX 1: RESOURCES

INDIAN RESIDENTIAL SCHOOL SURVIVOR NETWORK (IRSSS)

<https://fnbc.info/org/indian-residential-school-survivors-society>

The IRSSS supports First Peoples in British Columbia to recognize and be holistically empowered from the primary and generational effects of residential schools by supporting research, promoting awareness, establishing partnerships and advocating for justice and healing. Services provided include crisis counselling, court support as well as partnerships, training and education workshops on the history and effects of residential schools and advocates for justice and healing.

LEGAL AID IN BC

<http://aboriginal.legalaid.bc.ca/rights/firstNationsCourt.php>

Legal Aid BC has a range of free services that may be able to help. We give priority to people with low incomes with specific legal services for Indigenous peoples. Legal Aid BC is committed to increasing awareness of Indigenous legal rights and supporting the strengths of Indigenous cultures and communities.

KUU-US CRISIS RESPONSE SERVICE

<http://www.kuu-uscrisisline.ca/contact-us/clabc>

The KUU-US Crisis Line Society is a non-profit registered charity that provides 24-hour crisis services through education, prevention and interventions programs. The Kuu-us provides culturally safe help and offers services from Indigenous people to Indigenous people. 1-800-KUU-US17

RETURNING TO OUR WAYS

<http://www.bcaafc.com/index.php/initiatives/ending-violence#module-owlcarousel-200-3>

This toolkit was developed by the BC Association of Aboriginal Friendship Centres to support Indigenous communities in planning, developing and delivering programs to prevent or address existing domestic violence. The toolkit shares the wisdom, experiences, and advice from Indigenous communities, both on and off reserve, on delivering community led, culturally responsive, holistic, and reconciliatory domestic violence programs to women, men, children and Elders.

TRAUMA-INFORMED PRACTICE GUIDE (2013)

<http://bccewh.bc.ca/2014/02/trauma-informed-practice-guide>

British Columbia Centre of Excellence for Women's Health and Ministry of Health and the Government of British Columbia published this guide for practitioners to incorporate a trauma-informed approach in all service provision.

SAN'YAS INDIGENOUS CULTURAL SAFETY TRAINING

www.Sanyas.ca

Available through the Provincial Health Services Authority (PHSA).

WARRIORS AGAINST VIOLENCE

<http://wav-bc.com/index.html>

Warriors Against Violence is committed to ending family violence in Indigenous communities by facilitating workshops based on Indigenous teachings to provide a strong, understandable model for building healthy relationships.

APPENDIX 2: BCGEU MEMBERS THAT PARTICIPATED IN CONSULTATIONS

BCGEU members work in a variety of roles that provide services, in both government and non-government environments, to Indigenous women and girls across British Columbia.

Government services include workers in the Ministry for Children and Families (MCFD), Corrections Services, Health Services, Court Services and Administrative Services.

As well, the BCGEU also includes a variety of services to Indigenous peoples through:

Indigenous delegated agencies including the Vancouver Aboriginal Child and Family Services, Xyolhemeylh, also known as Fraser Valley Aboriginal Child and Family Services, Métis Family Services, Nil'Tuo Child and Family Services. Haida Child and Family Services, Northwest Inter-Nation Family and Community Services.

Non-delegated Indigenous agencies including the Island Métis Community Services, Lii Michif Otipemisiwak Family and Community Services, Vancouver Aboriginal Friendship Center, Victoria Native Friendship Center, Native Courtworkers and Counselling Association of BC, and others.

Within B.C.'s community social services sector, BCGEU members provide services for children, youth and families, women, childcare, counselling, addictions, mental health, residential programs/housing, and community living among others. A number of BCGEU members also work directly in women's services including transition houses, counselling programs, shelters, and support programs around the province in workplaces including the Downtown Eastside Women's Center.

The consultations that were convened in Spring 2018 included BCGEU members that come from the following workplaces:

- Ministry of Social Development & Poverty Reduction (MSDPR)
- Beacon Community Services
- Ministry of Health
- Maximus BC Health Benefits Operations
- Community Living BC
- Ministry of Child & Family Development (MCFD)
- School District 59
- Northern Health Authority
- Salvation Army – Ocean Crest Ministries
- Ministry of Indigenous Relations and Reconciliation (MIRR)
- Citizens Services
- Office of Attorney General (AG)
- Nil/Tu.O Child and Family Services
- Campbell River and District Association for Community Living
- Xyolhemeylh
- Northwest Inter-Nation Family and Community Services
- Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD)
- Ministry of Public Safety & Solicitor General (PSSG)
- North Coast Transition House Society
- Dawson Creek Aboriginal Family Resources Society
- Northwest Community College Board
- South Peace Community Resource
- W J Stelmaschuk & Associates
- Ministry of Environment
- Saint Elizabeth Health Services
- Simon Fraser Society for Community Living
- Milieu Children and Family Services
- British Columbia Institute of Technology (BCIT) – Support
- Legal Services Society
- Interior Health Authority
- Native Courtworkers
- Pine Acres (Westbank Indian Band)
- Haida Child and Family Services Society
- Vancouver Island Health Authority
- Lii Michif Otipemisiwak Family and Community Services
- Interior Health Authority
- Fraser Health Authority
- Vernon Women's Transition House
- PLEA Community Services Society
- Downtown Eastside Women's Centre
- Vancouver Aboriginal Child and Family Services Society (VACFSS)

