

# OUR LAND IS OUR FUTURE

## UNION OF BRITISH COLUMBIA INDIAN CHIEFS

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July 28, 2021

Jennifer Oades, Chairperson  
Parole Board of Canada  
Via Email: [Jennifer.oades@PBC-CLCC.GC.CA](mailto:Jennifer.oades@PBC-CLCC.GC.CA)

**RE: UBCIC Resolution 2021-46 “Call for Parole Board of Canada to Uphold the Rights of Indigenous Victims and their Families”**

Dear Chairperson Oades,

We are writing with respect to Union of BC Indian Chiefs (UBCIC) Resolution 2021-46 “Call for Parole Board of Canada to Uphold the Rights of Indigenous Victims and their Families” which was presented, affirmed, and endorsed by consensus at the UBCIC Chiefs Council on June 30, 2021 (enclosed).

UBCIC is extremely concerned with the disturbing and traumatizing policy whereby non-Indigenous offenders are being granted access to Elder Assisted Hearings (EAH) while incarcerated. This policy is an example of cultural appropriation and is harmful to Indigenous victims and their families. One such family experienced profound re-traumatization when, without any notification, they were confronted with the non-Indigenous offender who brutally murdered their relative, an Indigenous woman, receiving an EAH. It is incumbent that the Parole Board recognize the offense caused by its policy, a policy that demonstrates white privilege, entitlement, and an appalling lack of empathy and integrity. The Parole Board’s practice is traumatic and forced a victim’s family to witness the injustice of a non-Indigenous man appropriate an ‘Indigenous way of life’ and benefit from the culture of the woman whose life he viciously stole.

It is completely inappropriate and a form of ongoing colonial violence by Canada that non-Indigenous offenders be granted access to EAHs. Indigenous people have been brutalized by the colonial justice system and as a result continue to be unfairly criminalized and over-represented in its prisons. Indigenous-specific programming is important to provide culturally relevant support but must be reserved for Indigenous offenders.

Consequently, by Resolution 2021-46, the UBCIC Chiefs Council fully supports the recommendations put forward by Indigenous victims and their families for a review and reform of the Parole Board of Canada’s policies and procedures related to Elder Assisted Hearings and support for Indigenous victims. The UBCIC Chiefs Council further calls upon the Parole Board of Canada to reserve the use of Elder Assisted Hearings for

Indigenous offenders and to immediately undertake a review of all policies and procedures, in partnership with Indigenous peoples, to ensure all Parole Board of Canada process are reflective of, and respect, the needs and experiences of Indigenous victims as well as offenders. To ensure this work is advanced appropriately, the Parole Board of Canada must also ensure that Indigenous victims and their families are fully supported to meaningfully and safely participate in all decisions that impact them, without being subject to further trauma or discrimination, and with their human rights upheld.

If Canada is to uphold its commitment to reconciliation and the *UN Declaration on the Rights of Indigenous Peoples* it will require critical reflection and meaningful actions. As a key colonial institution that operates to uphold justice, the Canadian Justice System and Parole Board of Canada must come to terms with their legacy of colonial violence and perpetuation of harm against Indigenous people. We urge the Parole Board of Canada to reserve Elder Assisted Hearings for Indigenous offenders and meaningfully review its policies and practices, in partnership with Indigenous victims and their families, which continue to perpetuate harm against Indigenous offenders and victims alike.

We await your response to this urgent matter.

**On behalf of the UNION OF BC INDIAN CHIEFS**



Grand Chief Stewart Phillip  
President



Chief Don Tom  
Vice-President



Kukpi7 Judy Wilson  
Secretary-Treasurer

CC: UBCIC Chiefs Council  
First Nations Summit  
BC Assembly of First Nations  
BC First Nations Justice Council