

Families First
Manitoba First Nations' Ongoing Approach to Building an
Initiative for Action in Response to Call for a National Inquiry
into Missing and Murdered Indigenous Women and Girls

Prepared for
The Assembly of Manitoba Chiefs Secretariat Inc.

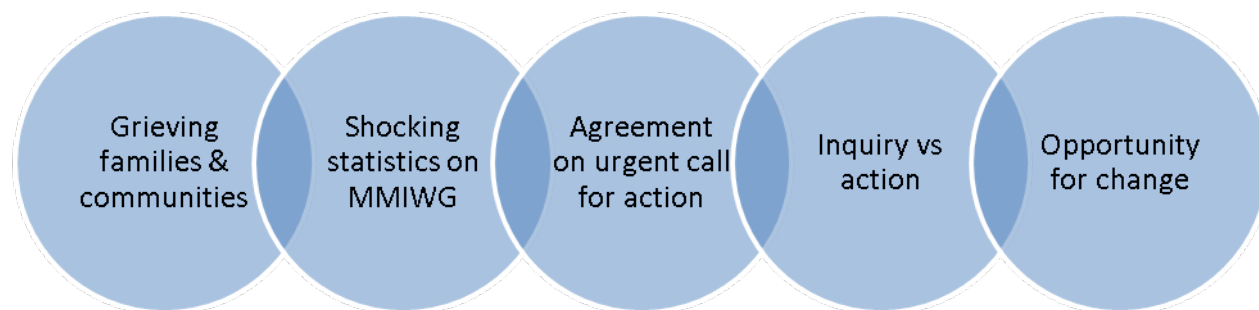
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EXECUTIVE SUMMARY

A Call to Action – A Call for Justice



Across Canada, Indigenous communities and families are grieving the loss of their daughters, sisters, mothers, cousins and friends.

Indigenous girls and women are among the most vulnerable citizens in Canada- the unacceptably easy targets of abuse, sexual assault and murder. Manitoba has the third highest number of incidents of murdered and missing Indigenous women and girls. Indigenous girls are growing up in an environment of trauma and anxiety. Parents are fearful of letting their daughters go out with friends.

For many years, the families of missing and murdered Indigenous women and girls (MMIWG) have urgently called on federal, provincial and municipal governments to examine the causes of this national tragedy and to explore solutions. Many families feel a sense of abandonment and frustration.

There is common agreement that violence against Indigenous women and girls must be addressed and we must prevent future crimes. Within Manitoba, the provincial government, the city of Winnipeg, the RCMP and many other organizations have voiced both their concerns and a desire for positive change. This is an important opportunity.

Three significant challenges remain:

- to move beyond the debate over whether there should be an inquiry, a roundtable or some other formal mechanism
- to ensure the voices of families of MMIWG are heard and their loved ones honoured
- to overcome gaps and silos and initiate actions that can and must be taken to stop Indigenous women and girls from becoming victims

Families First

The Assembly of Manitoba Chiefs (AMC) initiated this approach with assistance from the Southern Chiefs Organization (SCO) and the Manitoba Keewatinowi Okimakanak (MKO). Preliminary engagement took place in the Fall of 2014 with six families of MMIWG and with 26 representatives of community organizations who comprise the MMIWG Coalition. The preparation of this Report by the Public Interest Law Centre was supported by advisers from the AMC, SCO and MKO and a *probono* legal team.

The Report outlines a Manitoba made, grassroots approach that puts the families of missing and murdered Indigenous women and girls first. The goal is to move forward and through meaningful engagement, develop concrete actions to prevent further harm. As more voices are heard, the approach will evolve in response to shared wisdom.

The Families First approach is grounded in values of inclusion and community, both on reserve and in urban centres in Northern and Southern Manitoba. Individual stories carry truth. Woven together, these stories create an interconnected whole. The art of listening fosters understanding and hope. That becomes our starting point and our return point as we seek to tackle the systemic issues that have contributed to this climate of violence, grief and fear.

The Families First approach consists of three phases:

1) Phase One (September-December 2014):

- undertake initial engagement with knowledge holders (including families and the MMIWG Coalition) (October 2014-November 2014)
- gather information on existing processes and develop a preliminary framework including:
 - overview of lessons learned (November 2, 2014)
 - background on existing processes (inquiries, commissions, advisory panels and roundtables) and case studies (November 3, 2014)
 - state of affairs and summary of existing research initiatives (November 4, 2014)
 - potential legal tools for persuading governments to act (November 4, 2014)
 - compilation of various recommendations relating to MMIWG from past processes (November 13, 2014)
 - Indigenous knowledge and traditions (November 16, 2014)

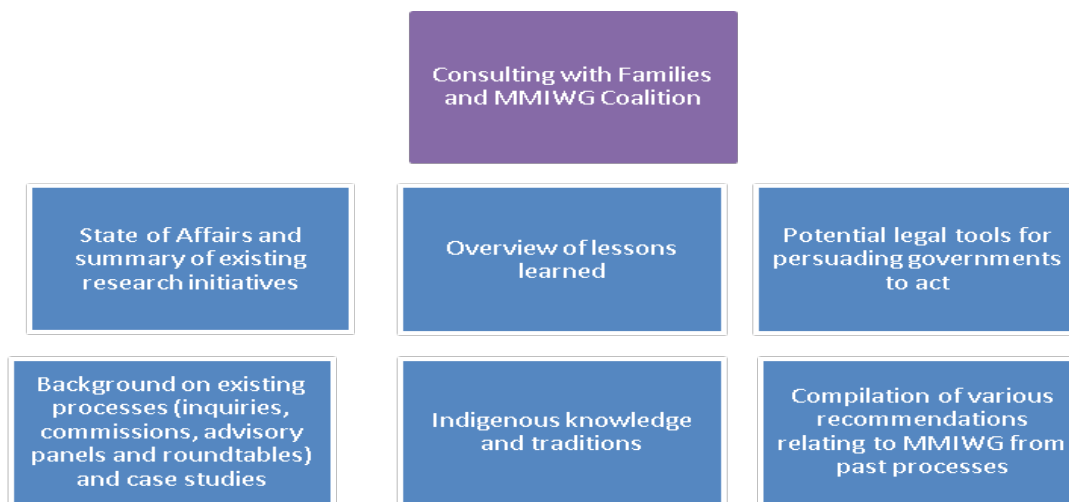
2) Phase Two (January-April 2015)

- coordinate support for families (January 2015-February 2015)
- continue ongoing engagement with knowledge holders and initiate broad-based community dialogue to bring clarity to roles, responsibilities, and relationships (January 2015-April 2015)
- finalize procedural considerations and Terms of Reference (February 2015- April 2015)

3) Phase Three (May-September 2015)

- listening to and understanding each other
- immediate actions
- systemic solution making

Phase One: Developing a Framework for Action – Families First



Engaging Families and Communities

Guided by the principle and intent of putting “Families First”, the AMC engaged the families of Manitoban MMIWG in order to listen to and understand their objectives, values, and priorities. The goal of family engagement was to determine next steps and to create an approach for action based on what we heard from the families.

The families expressed hope that any approach would honour their loved ones and help the families in their healing journeys. They worried about the time and length of any approach and whether their families might be excluded from meaningful participation or have their lives put under a microscope.

Families believed that the approach should involve multiple knowledge holders and stakeholders including the families, province, city, police and corporate Canada. They told us that an approach committed to listening should respect differences of cultural, spiritual and religious beliefs, meet where families feel most comfortable, and keep families fully informed.

From the families' perspective, the focus of any approach should be on achieving tangible outcomes including the provision of adequate support to families, the prevention of future crimes, and increased awareness of both the tragedy and its root causes.

The MMIWG Coalition flagged the trauma of families lost in a complicated system during the most difficult time of their lives. It underlined the importance of a push for action aimed at both immediate and systemic change. The MMIWG Coalition underscored the importance of listening and hearing the families. As stated by one individual, the families:

“... know what they need. Our young people know what they need. We need to have them in the centre and tell us what they want to see. Its then our job to follow up on that.”

Families and the MMIWG Coalition expressed a desire to move past the debate about 'inquiries versus roundtables' and to develop their own Made in Manitoba approach grounded in Indigenous knowledge and

traditions, based upon putting families first and taking the best from existing processes.

Many families said that we should create “**our own process**” based on what the families want and that “different streams of action are needed.”

Building on Current Initiatives and Learning from the Past

Concurrently with and in support of engagement with the families and the MMIWG Coalition, the Public Interest Law Centre and a team of *pro bono* lawyers considered current initiatives from across Canada and compiled relevant recommendations from past proceedings. They conducted a “lessons learned” review of twenty inquiries, commissions, advisory panels and roundtables while undertaking a preliminary consideration of principles that can be drawn from Indigenous knowledge and traditions.

Mindful of the families' preference for a grassroots, Made in Manitoba approach, the legal team sought to draw the best from different approaches based upon the core objective of putting families first. They highlighted the critical nature of early, ongoing and widespread engagement, the importance of monitoring implementation and the value of forming partnerships based on consensus and respect. As the late Anishinaabe knowledge keeper, Peter O'Chiese explained “seven twice is eight”:

“seven perspectives are blended, seven perspectives working in harmony together to truly define the problem, truly define the action that is needed makes for an eighth understanding.”

The Families First approach is grounded in a recognition of the Honour of the Crown in the context of Canada's treaty and international obligations. Article 22 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) says that:

“states shall take measures in conjunction with Indigenous people to ensure that Indigenous women and children enjoy full protection against violence and discrimination.” [emphasis added]

Governments may respond to a variety of different pressures including legal, moral, and financial. Within the context of Families First, ‘persuading governments to act’ has a number of different implications. The legal tools identified may provide foundations to persuade governments to:

- participate
- honour relationships and responsibilities
- provide resources
- act on immediate action items
- implement recommendations and
- monitor the results of the implementation

Families First recognizes that much work has already been done and continues to be undertaken by First Nations leadership, non-governmental organizations, governments, and academics. Strong research has already been compiled. Many past processes have made valuable recommendations on closely related issues such as safety, policing, poverty, gender inequality, racism and the child welfare system.

We do not seek to replicate this work. The existing analysis forms a foundation upon which we can build. It provides an immediate starting point for change.

Immediate Actions Identified

The families and the MMIWG Coalition also have identified opportunities for immediate action. These include:

- an Amber Alert for all Indigenous women and girls when they go missing
- a coordination of existing support services for the families of MMIWG
- pressure on media to engage them in learning and dismantling negative stereotypes about Indigenous women and girls
- more frequent and immediate engagement of police with the families

Phase Two: Supporting the Families, Building Consensus, Clarifying the Process

The overarching goal of any process going forward should be to remember those who have been victimized and to ensure that there will be no more victims in the future.

The purpose of Phase Two is fourfold:

Identifying leadership and funding supports for Phases Two and Three

Coordinating supports for Families First

Listening and understanding

Finalizing procedural considerations

Phase Two will be conducted from January 2015 to April 2015.

Following engagement, careful consideration must be given to who will lead this process and the nature of their authority.

When the scope of the tragedy is considered in light of the Honour of the Crown and our existing international obligations, there is a clear moral and legal duty to listen, hear, and act. We should be asking ***all our relations*** (including governments, civil society, police agencies, educators, media organizations and corporate Canada) for assistance in addressing this pressing issue.

Coordinating supports for families during and after Families First is central both to the success of family healing and to the Families First dialogue. It involves recognizing the diversity of families. As many of the required supports are already being provided by non-governmental and governmental organizations and institutions, additional funding is required to expand their scope and breadth of activities.

An essential part of Phase Two will be to consult with knowledge holders including: families, youth,

Elders, grandmothers as well as the MMIWG Coalition. Engagement should be aimed at the recommended process for Families First, the Terms of Reference, the supports needed and current gaps in the provision of services.

Much work needs to be done in listening to and understanding unique Indigenous perspectives and legal traditions. Just as there are many ways of being Indigenous, there are many ways of approaching Indigenous legal traditions.

Engagement aimed at consensus and building relationships also should be undertaken with a broader range of stakeholders which might include the RCMP, the Winnipeg Police, Municipal, Provincial, and Federal Governments, Corporate Canada and other affected community organizations such as sexual exploitation groups and trauma groups.

Based upon the second round of engagement, a list should be prepared of immediate and systemic actions requiring consideration.

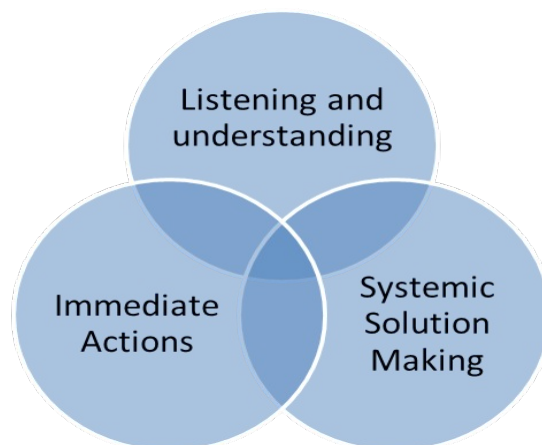
The scope of the Families First Terms of Reference must be broad enough to encompass systemic considerations. It should be directed toward providing an opportunity:

- to listen and hear the families of MMIWG
- to support families and communities in their individual healing journeys
- to honour the missing and murdered Indigenous women and girls
- to identify immediate and systemic actions
- to prevent future harm

Phase Three: Listening and understanding, immediate actions & systemic solution making

“We should come up with our own ways based on what the families want.”

“We’re all Manitobans, and we’re all there for each other because we care for each other, we take care of our own.”



Families First is an evolving, inclusive process that will be guided by increased understanding of the objectives of the families, the input of the other stakeholders and better understanding of Indigenous legal traditions. Phase Three of the Process will evolve based upon what we hear in Phase Two.

Families First will provide multiple “streams of actions”, focusing on immediate and systemic solution making. The process of listening and understanding will infuse all activities.

Guiding Principles

Based on what we have heard from the families and the MMIWG Coalition to date, we know that Families First must be **Indigenous led** and **inclusive** of all families, communities, governments, non-governmental organizations and businesses. We have also heard that Families First should be **balanced**, including men and women, victims and perpetrators and those residing off and on reserve.

Listening and Understanding Each Other

Listening and understanding is at the core of Families First. Listening and understanding each other involves being inclusive, acknowledging experience and telling truth.

Immediate Actions

“I would like to see families’ suggestions and recommendations become a reality.”

Based on past processes and initiatives, we already know that there are many immediate actions which could be undertaken to address the issue of MMIWG. Although some of the recommendations from prior processes are region specific, many lessons can be drawn from this review.

The purpose of this review would not be to blame particular governments or institutions but rather to present concrete action items to governments and institutions while recognizing the important work that has already been done.

A more extensive review of outstanding recommendations should be undertaken to: a) ensure prompt implementation of what we already know; and, b) identify those recommendations which have already been acted upon.

Knowledge holders and stakeholders must be consulted on the proposed immediate actions to ensure they are required and modified if necessary.

Systemic Solution Making

The purpose of this stream of action is to examine systemic issues and achieve justice. Drawing from the “Sounding Our Voice: National Aboriginal Women’s Summit III Shadow Event” Report, potential issues to explore during the systemic solution making stream include:

- historical disruptions to culture and to the roles and value of men and women
- the role and impact of the Child Family Services system
- the prevalence of sexual exploitation, particularly of children

- policing and justice issues
- the affect of poverty on violence of Indigenous women and girls
- access to social services for Indigenous women and girls

Process

Broad engagement in various formats may be required to identify other areas requiring systemic solutions. The engagement net should be cast broadly to include as many knowledge holders as possible. Various engagement formats and methods should be available to the participants.

There should be a mix of larger and smaller group meetings. Larger group meetings should be held in culturally appropriate ways.

Engagement should become increasingly narrowly focused and reports should be produced along the way. This process should focus on bringing people, organizations and institutions together who have the authority to make decisions that could create positive immediate and systemic outcomes.

Final Report & Recommendations

Once the immediate and systemic solution making processes have been completed, a Report should be drafted, including a list of recommendations.

Engagement with knowledge holders and stakeholders should be held on the draft Report and recommendations prior to their finalization.

Once the engagement is completed, the Report should be finalized and submitted to the Manitoba and Federal Government. The Report should be made public and easily accessible to the knowledge holders and stakeholders involved in the Process.

Implementation Committee

An Implementation Committee should be created to monitor the results and recommendations and ensure accountability.

Acting with Purpose and Leaving a Legacy

“Tradition is altered by the very fact of trying to understand it.”

With permission and when appropriate, the stories and information should be preserved and shared with those who were not able to directly participate and made available for research.

This will be an important step to honour and remember the lives of the daughters, sisters, mothers, cousins and friends who are missing or murdered.