

Order of Initiative on Aboriginal Women's Living Conditions as Affected by Sexual Assault and Domestic Violence

INTERIM REPORT

MAY 2016

COMMITTEE ON CITIZEN
RELATIONS





Place aux citoyens

Order of Initiative on Aboriginal Women's Living Conditions as Affected by Sexual Assault and Domestic Violence

INTERIM REPORT

MAY 2016

COMMITTEE ON CITIZEN
RELATIONS



CONTRIBUTORS

COMMITTEE CLERKS

Dany Hallé
Vicky Boucher

RESEARCHER

Mélissa Morin

For further information on the work of the Committee on Citizen Relations, please contact Dany Hallé, Acting Committee Clerk.

Édifice Pamphile-Le May
1035, rue des Parlementaires, 3^e étage
Québec (Québec) G1A 1A3

Telephone: 418-643-2722
Fax: 418-643-0248

Email: crc@assnat.qc.ca

Legal Deposit – May 2016
Bibliothèque et Archives nationales du Québec
ISBN: 978-2-550-75828-0 (Print)
ISBN: 978-2-550-75829-7 (PDF)

COMMITTEE MEMBERS AND OTHER PARTICIPATING MNAs

Mr. Picard (Chutes-de-la-Chaudière), Committee Chair

Mr. Matte (Portneuf), Committee Vice-Chair

Mr. Birnbaum (D'Arcy-McGee)

Mr. Boucher (Ungava)

Mr. Bourgeois (Abitibi-Est)

Mr. Fortin (Pontiac)

Mr. Fortin (Sherbrooke)

Mr. H. Plante (Maskinongé)

Mr. Kelley (Jacques-Cartier), Minister responsible for Native Affairs

Mr. Kotto (Bourget)

Mrs. Lavallée (Repentigny)

Mr. Leclair (Beauharnois)

Mr. Lemay (Masson)

Mr. Martel (Nicolet-Bécancour)

Mrs. Massé (Sainte-Marie–Saint-Jacques)

Mrs. Montpetit (Crémazie)

Mrs. Nichols (Vaudreuil)

Mr. Pagé (Labelle)

Mrs. Poirier (Hochelaga-Maisonneuve), Official Opposition critic for the status of women

Mr. Rochon (Richelieu)

Mrs. Rotiroti (Jeanne-Mance–Viger)

Mrs. Roy (Montarville), Second Opposition Group critic for the status of women

Mrs. Samson (Iberville)

Mrs. Simard (Charlevoix–Côte-de-Beaupré)

Mr. Traversy (Terrebonne)

Mrs. Tremblay (Chauveau)

Mrs. Vallée (Gatineau), Minister responsible for the Status of Women

Mr. Villeneuve (Berthier)

Table of Contents

ORDER OF INITIATIVE: INTRODUCTION	1
ABORIGINAL WOMEN AND VIOLENCE: BACKGROUND.....	1
ABORIGINAL PEOPLE IN QUÉBEC	1
COMMITTEE OBJECTIVES	2
STATUS OF THE COMMITTEE’S WORK.....	4
PUBLIC HEARINGS.....	4
Aboriginal stakeholders.....	4
Ministerial stakeholders	5
COMMITTEE MEMBERS’ TRAVELS.....	5
Maison Communautaire Missinak	6
Nunavik and the Inuit	7
STEERING COMMITTEE MEETING WITH ABORIGINAL REPRESENTATIVES.....	8
PRESENTATION BY PIERRE LEPAGE	8
STUDIES ON FAMILY VIOLENCE IN THE ABORIGINAL ENVIRONMENT.....	9
SUMMARY OF THE MAIN DATA COLLECTED.....	10
KEY CHALLENGES FACING ABORIGINAL WOMEN AND THEIR COMMUNITIES	10
Challenges related to violence in the Aboriginal environment.....	11
Challenges related to health and social services	12
Housing shortage	13
Aboriginal people and the justice system.....	13
MAIN POTENTIAL SOLUTIONS PROPOSED BY THE ABORIGINAL PEOPLE.....	14
CONCLUSION.....	17

APPENDIX I LIST OF STUDIES AND REPORTS CONSULTED

ORDER OF INITIATIVE: INTRODUCTION

On May 28, 2015, the Committee on Citizen Relations unanimously adopted an order of initiative, or self-initiated order, on Aboriginal women's living conditions as affected by sexual assault and domestic violence. The parliamentarians' concerns regarding violence against women resurfaced in winter 2015 during special consultations on assessment of the 2008–2013 Government Action Plan Concerning Sexual Assault and hearings held in the context of travelling forums on sexual assault. In the wake of the work done during these consultations, many Members of the National Assembly (MNAs) found the problems of Aboriginal women's living conditions to be particularly troubling.

ABORIGINAL WOMEN AND VIOLENCE: BACKGROUND

Statistics¹ show levels of domestic violence to be 2.5 times higher among Aboriginal women than their non-Aboriginal counterparts throughout Canada. Moreover, Aboriginal women are more likely to suffer extreme forms of violence, including sexual assault, beatings and strangulation. Over and above acts of domestic violence, the more far-reaching problem of family violence – affecting all family members – is especially worrisome for Aboriginal women. In its impressive report tabled in 1996, the Royal Commission on Aboriginal Peoples (Dussault-Erasmus Commission) determined that the issue of family violence in Aboriginal communities was a key concern for the Aboriginal women met with and that it constituted a serious threat to children's safety and healthy development.² Almost 20 years later, in a report tabled in December 2015,³ the organization Quebec Native Women still cited violence in the family setting – be it physical, emotional, sexual, financial, etc. – as one of the main sources of violence against Aboriginal women in Québec.

ABORIGINAL PEOPLE IN QUÉBEC

According to demographic data from the Secrétariat aux affaires autochtones,⁴ Québec is home to nearly 100,000 Aboriginal people – approximately 87,000 First Nations members and 12,000 Inuit.⁵ Data published by the Secrétariat for 2012 shows that nearly 27% of this population lives outside Aboriginal communities, mainly in or around large cities, notably Montréal. Québec has 55 Aboriginal communities – 14 Inuit villages and 41 First Nations communities – divided among 11 nations. Under Section 91(24) of the *Constitution Act, 1867*, the federal government has exclusive legislative power regarding Aboriginal rights. However, although the services offered in Aboriginal communities – “Indian reserves” to use the legal terminology – are generally under federal jurisdiction, the Québec government works closely with the communities in matters of health and social services, among

others. The services offered in the Cree, Inuit and Naskapi communities – nations that have signed and are covered by the James Bay and Northern Québec Agreement or the Northeastern Québec Agreement – receive funding from the Québec government under these agreements. All Québec Aboriginal people outside their communities, regardless of their status or place of residence, are entitled to the same public services as other Quebecers. Despite the federal government's constitutional jurisdiction over Aboriginal people, the Québec government also plays an important role in improving Aboriginal women's living conditions and fighting family violence.

COMMITTEE OBJECTIVES

The order of initiative adopted by the Committee addresses a complex problem which cannot be limited to mere social or economic considerations. Aboriginal women's current living conditions, and the sexual and family violence that these women suffer, have deep historical and systemic roots. Committee members do not claim to be able to find the best ways of fighting violence against Aboriginal women and improving their living conditions. This role clearly belongs to the Aboriginal people, who are best placed to know their communities' needs and the most appropriate means of meeting them. From the outset, the MNAs felt strongly about carrying out their work while respecting Aboriginal jurisdictions and autonomy. They hope this order of initiative will bring to light the promising initiatives undertaken by the First Nations and the Inuit and convey the solutions that they envisage.

Consequently, the Committee's overall objective was more to define how the Québec government could, within the limits of its field of jurisdiction, support communities in order to improve Aboriginal women's living conditions and fight family violence and sexual assault by endorsing best practices and promoting positive experiences deemed culturally relevant by the Aboriginal people. More specifically, the Committee's work aimed to:

- Understand the cultural, social, institutional and historical contexts in which Québec's Aboriginal communities evolve;
- Define the Aboriginal people's cultural environment and the systemic obstacles they encounter;
- Give those Aboriginal stakeholders wishing to speak on the issue of women's living conditions the opportunity to do so, both inside and outside the Parliamentary precincts;

- Allow Aboriginal stakeholders to tell the Committee members what they consider to be best practices, positive experiences and promising initiatives that warrant increasing promotion;
- Allow Aboriginal stakeholders to introduce the potential solutions they are considering to improve women's living conditions and fight violence;
- Further to the Aboriginal communities' efforts, become an added voice for promoting the best practices and positive experiences recognized by the various Aboriginal stakeholders to the government.

STATUS OF THE COMMITTEE'S WORK

In October 2015, Committee members adopted a three-phase work plan to carry out this order of initiative. Phase 1 entails informing the parliamentarians and giving them documentation on the issue of Aboriginal women's living conditions and sexual and family violence. In collaboration with Aboriginal representatives, Phase 2 involves having the Committee travel to certain communities for discussions with local stakeholders. Finally, Phase 3 targets consolidating the data obtained, drafting a report and setting up a process for following up on the report.

This interim report allows the Committee to report on its progress to date. Phase 1 of the work plan has been completed. Public hearings held in committee have provided the members with information and literature on the problem of Aboriginal women's living conditions. Phase 2 of the work plan is underway and a number of trips have already taken place.

PUBLIC HEARINGS

The purpose of Phase 1 of the work plan was to gain a better understanding of the social context surrounding the Aboriginal people – especially in terms of social services –, get information about the factors that may influence living conditions and rates of violence in the Aboriginal environment and discover the needs expressed by the communities. To do so, Committee members wanted to speak with Aboriginal stakeholders and find out which government actions and measures were already in place. Therefore, special consultations were held with Aboriginal leaders and government representatives.

Aboriginal stakeholders

To being with, public hearings were held in November 2015, giving the Committee members an opportunity to speak with Aboriginal leaders and experts who know the overall situation of Aboriginal women in Québec. The following stakeholders and organizations appeared before the parliamentary committee to speak with the MNAs:

- Saturviit Inuit Women's Association of Nunavik
- Regroupement des centres d'amitié autochtones du Québec
- Carole Lévesque, Professor-Researcher
- Michèle Rouleau, former President of Quebec Native Women

- Quebec Native Women
- Task force comprising women elected to the Assembly of the First Nations of Quebec and Labrador
- First Nations of Quebec and Labrador Health and Social Services Commission.

These meetings provided Committee members with an initial picture of the situation of Aboriginal women in Québec, one that came from the Aboriginal people themselves. The stakeholders informed the parliamentarians of the actions Aboriginal organizations are already taking to fight family and sexual violence and presented the challenges the communities face. Discussions also opened the door to Aboriginal players collaborating with the Committee so that the order of initiative could be carried out with the communities' full agreement.

Ministerial stakeholders

The Committee also wanted to know the actions and measures implemented and advocated by the Québec government to meet Aboriginal women's needs and fight the violence perpetrated on them. Consequently, in public hearings held in January 2016, the Committee heard from representatives from the three following government bodies:

- Secrétariat à la condition féminine
- Secrétariat aux affaires autochtones
- Ministère de la Santé et des Services Sociaux, Direction des affaires autochtones.

Discussions between Committee members and ministerial stakeholders focused on government efforts already made and how they align with Aboriginal needs.

Given federal jurisdiction over Aboriginal people, the members also wanted to meet with representatives from Indigenous and Northern Affairs Canada. The latter declined the Committee's invitation but sent a brief.

COMMITTEE MEMBERS' TRAVELS

During the public hearings, the majority of the stakeholders who spoke insisted on the fact that each Aboriginal community's reality is unique. Some participants, including representatives of Saturviit Inuit Women's Association of Nunavik, also stressed the importance of travelling to the communities

to speak with local stakeholders. Phase 2 of the work plan reflects the parliamentarians' intention not to limit discussions with Aboriginal stakeholders to Parliament's official, formal precincts but to get closer to Aboriginal realities by reaching out to local stakeholders.

To ensure that the order of initiative was carried out with the consent of the Aboriginal groups, Committee members felt it appropriate to begin by going to meet with local stakeholders who had expressed their desire to speak with them. In February and March 2016, two missions were organized in collaboration with the Aboriginal groups involved. A designated group of six Committee members – the MNAs for Chutes-de-la-Chaudière, Portneuf, Hochelaga-Maisonneuve, Iberville, Charlevoix – Côte-de-Beaupré and Sainte-Marie–Saint-Jacques – visited an Aboriginal women's shelter in the Québec City area and travelled to Nunavik to speak with members of the Inuit communities of Kuujuaq and Inukjuak.

These trips brought to light local and regional initiatives, helped convey the Aboriginal people's viewpoint and revealed the solutions envisaged by the latter. The members were able to reflect on the role that the Québec state could play to support these initiatives, while respecting Aboriginal self-government, provided the communities are interested in this support.

Maison Communautaire Missinak

In November 2015, Maison Communautaire Missinak's Director personally invited the Committee members to visit her organization, a shelter for Aboriginal women located in the Québec City area, and her healing centre located in nature. On February 25, 2016, the MNAs designated to participate in the missions travelled to the Missinak shelter to meet the organization's stakeholders. This visit was the parliamentarians' first direct contact with a resource designed to help Aboriginal women. Here, they were able to discuss various topics, including the services offered by Missinak, the organization's means of financing and the historical causes of violence in the Aboriginal environment.

On March 9, 2016, the designated MNAs then travelled to the Missinak healing centre located in a natural setting. The organization's stakeholders and users told the parliamentarians about the traditional and spiritual healing practices favoured by the Aboriginal people and their positive effects on victims of violence.

Nunavik and the Inuit

The Inuit are not considered a First Nation and, unlike the majority of Québec's Aboriginal people,⁶ are not governed by the *Indian Act*. Their administrative structure and health and social services organizations, funded by the Québec government rather than the federal government, are based on different models than what is observed among the other Aboriginal nations. The remoteness and isolation of the 14 Northern villages generate further challenges. Committee members had to ensure that the Committee's work accurately represented the Inuit's situation, especially since only Saturviit Inuit Women's Association of Nunavik attested to Inuit realities in the public hearings; the other organizations all represented First Nations.

In fall 2015, the Nunavik Regional Board of Health and Social Services contacted the Committee to take part in its work. Afterwards, in collaboration with the Kativik Regional Government and Saturviit, the six MNAs assigned to the missions and the MNA for Ungava travelled to Nunavik to speak with local stakeholders.

On March 16, 2016, the parliamentarians were in the Northern village of Kuujjuaq to meet with representatives from the following organizations in roundtable discussions organized for the occasion:⁷

- Kativik Regional Government
- Tungasuvvik Women's Shelter
- Makivik Corporation
- Sapummijit Crime Victims Assistance Centre
- Kativik Regional Police Force
- Nunavik Regional Board of Health and Social Services
- Kuujjuaq Municipal Council.

On March 17, 2016, the parliamentarians travelled to the Northern village of Inukjuak, where they met with municipal council representatives and then spoke with a number of the community's social stakeholders at the Maison de la famille d'Inukjuak.

Numerous topics were addressed in those two days, including the housing shortage, the shortcomings of the justice system, healing centres, the problem of youth suicide, the health services available and Inuit midwives.

STEERING COMMITTEE MEETING WITH ABORIGINAL REPRESENTATIVES

As indicated, the Committee members deemed it essential to carry out the order of initiative with the Aboriginal groups' full agreement and in accordance with their areas of jurisdiction. As a result, once the special consultations were finished, they asked the Steering Committee to contact the following Aboriginal organizations to see if they were interested in collaborating with the Committee as it continued its work:

- Quebec Native Women
- Assembly of the First Nations of Quebec and Labrador
- Task force comprising women elected to the Assembly of the First Nations of Quebec and Labrador
- First Nations of Quebec and Labrador Health and Social Services Commission
- Regroupement des centres d'amitié autochtones du Québec.

On February 22, 2016, the Steering Committee met with representatives from these organizations to discuss the type of collaboration they wished to establish, define the role that Aboriginal collaborators could play and verbalize everyone's expectations of this collaboration. The Aboriginal representatives suggested that the Steering Committee set up an advisory committee including elders, frontline workers and health professionals, among others, to work with the Committee members and ensure a holistic overview that would take into account all factors involved in violence in First Nations communities.

PRESENTATION BY PIERRE LEPAGE

The various Aboriginal stakeholders who participated in the Committee's work from the outset explained to the Committee members that family violence in the Aboriginal environment, as well as the different social and economic problems plaguing the communities, originates partly from the Aboriginal people's history, marked by colonialism, assimilation policies and institutional discrimination. To better understand the historical impacts of colonization, be it the legacy of Indian residential schools, setting up reserves or the *Indian Act*, the parliamentarians felt it was important to consult an expert on the subject. They sought the advice of anthropologist and lecturer Pierre Lepage, who worked for the Commission des droits de la personne et des droits de la jeunesse for many years and authored the book *Mythes et réalités sur les peuples autochtones*.⁸ Mr. Lepage gave a two-hour presentation to the Committee members, in which he addressed the issues of

historical treaties, assimilation policies, the repercussions of the *Indian Act*, the creation of reserves, stereotypes and the various causes of racism and discrimination, among other things.

STUDIES ON FAMILY VIOLENCE IN THE ABORIGINAL ENVIRONMENT

Some of the stakeholders that took part in the Committee's work told the Committee members that numerous studies had been conducted on the issue of family violence in the Aboriginal environment and that many of them were still relevant. They felt that the issue of Aboriginal women's living conditions is well documented and that these studies provide an accurate picture of the situation along with copious recommendations which, for the most part, have never been implemented.

The Steering Committee asked the Aboriginal organizations to identify the studies and reports they considered essential with regard to the issue of women's living conditions and family and sexual violence. A list of 25 publications was then drawn up and fact sheets were prepared for the parliamentarians so that the observations, conclusions and potential solutions proposed in these documents could be taken into consideration in the Committee's work.⁹

SUMMARY OF THE MAIN DATA COLLECTED

In recent months, the Committee members received many testimonials and a great deal of data on Aboriginal women's living conditions and family and sexual violence in Aboriginal environments. They heard numerous Aboriginal stakeholders, their conclusions and potential solutions. The members also learned more about the historical and systemic causes behind this violence and its current determinants.

At this stage in the order of initiative, the parliamentarians deemed it necessary to take stock of the data obtained. This interim report gave them the opportunity to write down what they had retained to date. Its goal is not to present the Committee members' observations, conclusions or recommendations, which will be contained in the final report. Instead, the purpose of this report is to present the viewpoints expressed by the stakeholders met with and the conclusions resulting from the many studies and reports published on the issue of violence against Aboriginal women. The parliamentarians wanted to produce an initial assessment highlighting the challenges the communities face where violence is concerned and the potential solutions proposed by the Aboriginal people themselves. While this presentation is not exhaustive, it touches on the various elements mentioned regularly by the numerous stakeholders the Committee met with and the many studies that have been published.

KEY CHALLENGES FACING ABORIGINAL WOMEN AND THEIR COMMUNITIES

The stakeholders and experts were generally unanimous: the legacy of colonization and assimilation policies has created a significant discrepancy between Aboriginal people's living conditions and those of Quebecers as a whole. Many Aboriginal people attribute the problems of violence experienced by their communities to the effects of colonization. According to experts, the systemic discrimination of the *Indian Act* and other assimilation policies, putting these people on reserves and making them sedentary, devaluing their culture and alienating them from what constituted their identity, the forced education and abuse they underwent in the residential schools and government guardianship are the key historical, structural and institutional factors that have directly influenced socioeconomic conditions in Aboriginal environments and aggravated social problems.

Nowadays, generally speaking, the Inuit and First Nations are generally characterized by poorer health and well-being than other Quebecers for all determinants (revenue, education, employment, housing, etc.). The rates of poverty, unemployment, drug/alcohol dependence and family violence

are particularly high in Aboriginal communities compared to those for Québec overall, and Aboriginal people are over-represented in prison populations and among homicide victims. Finally, Aboriginal people regularly experience racism, prejudice and social exclusion, especially in urban centres.

The Inuit and First Nations face tremendous challenges today. Here, we will focus mainly on those related to family and sexual violence against women, while remembering that the issue must be addressed holistically, as reiterated by the Aboriginal stakeholders.

Challenges related to violence in the Aboriginal environment

The stakeholders met with stressed that family violence is a widespread phenomenon in Aboriginal communities. Two types of risk factors seem to aggravate this violence: socioeconomic conditions (poverty, overcrowded housing, addiction, unemployment, etc.) and the inter-generational effects of the violence and trauma suffered by the Aboriginal people, particularly in the residential schools. In addition, the erosion of social, spiritual and cultural structures has resulted in the loss of reference points and social regulation mechanisms which many cite to explain the high rates of crime and victimization.

Furthermore, Aboriginal victims of family violence and sexual assault face many obstacles when trying to end the cycle of violence. Subjects like violence, especially sexual assault, are often still taboo in many communities. The fact that Aboriginal communities are usually small makes it much more difficult for a woman who wants to report her abuser: anonymity and confidentiality are sometimes impossible to maintain, resource persons can find themselves in a conflict of interest situation because they personally know the abuser, the victim is not separated from her abuser and may fear reprisals, etc. Moreover, many women hesitate to report the violence they suffer because they fear jeopardizing family and community cohesion. When there are close ties between the members of a small community, reporting an abuser can have significant social repercussions. Some stakeholders heard by the Committee indicated that the community, especially the elders, sometimes exerts social pressure to preserve the family unit. Women who are victims of violence in an Aboriginal environment are thus more likely to be isolated and judged, which can cause some to leave their community. Finally, many women do not want to report the violence they suffer because they fear that their children will be removed from the family environment and placed in the child protection system.

Challenges related to health and social services

To begin with, where health and social services are concerned, Aboriginal people must constantly juggle the federal and provincial governments because of shared constitutional jurisdiction. This can complicate implementing the services desired. As mentioned above, health services for the Crees, Naskapis and Inuit are funded by the Québec government under signed agreements. Paralleling this, although funding health infrastructures and shelters for so-called non-agreement¹⁰ First Nations is under federal jurisdiction, many Aboriginal people use the resources of Québec's public health and social services system outside their communities, especially when these resources are lacking in their own community.

Aboriginal people regularly mention their communities' crying needs with regard to social services and healing tools. The lack of available resources, more specifically, resources that are culturally adapted to Aboriginal needs, near the communities remains a significant obstacle to health care for Aboriginal women who suffer violence. The few Aboriginal community organizations located in urban centres can barely meet the increasing demand. Moreover, Aboriginal people are not familiar with services offered outside their communities.

Within Québec's network of resources, Aboriginal people are often faced with cultural and language barriers. Moreover, the network's programs and tools for intervention are not adapted to the Aboriginal culture's unique features or Aboriginal values and fail to take inter-generational trauma linked to colonization into account. Not only are there no specific resources to help men work on family reconciliation, traditional healing methods, such as healing circles and traditional activities, are not generally integrated into the intervention tools.

Furthermore, the network's personnel knows little about the Aboriginal culture and value system. According to the stakeholders met with, non-Aboriginal workers lack the training required to address problems specific to Aboriginal people. This situation seems to be particularly troubling in Nunavik. Inuit participants pointed out on several occasions that non-Inuit employees are poorly prepared to work with the Inuit population. They are not familiar with the Inuit society's culture and value system and do not speak the local language. Healthcare facilities in Nunavik also have a high turnover rate among non-Inuit personnel, which makes it difficult to create ties with the social workers and to ensure long-term follow-up.

Consequently, Inuit and First Nations stakeholders stressed the importance of training and hiring more Aboriginal personnel and, in the case of Nunavik, offer them similar working conditions as non-Aboriginal employees. Acknowledging the contribution of natural caregivers, elders and traditional healers is also a major issue, especially for the Inuit communities. The example of Inuit midwives, who are fully integrated into health infrastructures, seems to be a positive model in this regard. Needs in terms of health and social services abound in the Aboriginal communities, and the geographic remoteness of many communities adds to the many cultural and structural challenges. The stakeholders heard reiterated the need for better supporting local initiatives that are culturally adapted to the needs of each community.

Housing shortage

The housing crisis is a key challenge for Aboriginal communities. The Inuit the Committee met with even identified the housing shortage issue as one of the main problems in Nunavik because the lack of housing affects every sphere of community life. According to many stakeholders, addressing the housing crisis would positively impact many other social problems, including family violence.¹¹

The housing shortage increases the challenges facing Aboriginal women and their families, entailing overpopulation of the available housing units. This overpopulation has significant repercussions on rates of violence, since overcrowded dwellings aggravate situations of violence and mean more potential victims. The lack of available housing in the community also makes it very difficult for women who are victims of violence to end an abusive domestic relationship and leave the family home. To have access to a new dwelling, women must sometimes leave the community to live in an urban centre. Furthermore, because of Aboriginal people's rapid population growth, the housing crisis could well worsen in the coming years.

Aboriginal people and the justice system

Aboriginal households in which family violence occurs are likely to have to deal with the Québec justice system. There are many challenges surrounding the administration of justice in an Aboriginal context. This issue was recently very well documented for Nunavik in particular in a special report by the Public Protector (Québec Ombudsman) tabled in February 2016,¹² which resonated with the Nunavummiut heard by the Committee.

Many Aboriginal people have little knowledge about how the justice system works; it is perceived as foreign to their culture and inappropriate for resolving conflicts on a community scale. Not only can the language barrier lead to misunderstanding the judicial process, but the complexity of the proceedings can also discourage certain victims. Stakeholders pointed out that women lack information on divorce-related procedures, especially in their own Aboriginal language, and that this constitutes an obstacle for many women wishing to end a violent relationship. Moreover, delays in the justice system have major impacts on small and very small communities since victims must remain near their abuser, sometimes even in the same house. Also, offender monitoring and follow-up remains a challenge due to a lack of resources. Many of the stakeholders the Committee met with in Nunavik believe that incarceration is not an effective means of reducing violence and crime.

MAIN POTENTIAL SOLUTIONS PROPOSED BY THE ABORIGINAL PEOPLE

During the Committee's work, the Aboriginal participants proposed numerous potential solutions to improve women's living conditions and fight family and sexual violence. The Aboriginal people are obviously best placed to find appropriate solutions to the social problems that affect them, which is why the Committee members wanted to let them speak again. The proposals made by the stakeholders during the special consultations and the round tables held in Nunavik encompass many issues and problems and call for action to be taken upstream of the various health determinants. We have focussed on potential solutions linked to family and sexual violence against women, but it is important to remember that a holistic approach must take all of the problems experienced by individuals and communities into account.

First, the Aboriginal people met with reminded the Committee members that it is essential to increasingly involve the stakeholders in Aboriginal environments in the public policy and social program development process. Without constant collaboration with the First Nations and Inuit, these policies and programs may never fully integrate Aboriginal values and, consequently, never be culturally relevant to these communities.

Second, for many Aboriginal representatives, developing partnerships with organizations belonging to Québec's health and social services network seems to be the only way to make Québec resources more accessible and support Aboriginal stakeholders, be it in terms of training or direct access to the services. However, the Aboriginal people feel that the social services available, especially in shelters, must be better adapted to the Aboriginal culture and increasingly reflect traditional healing methods. Many stakeholders cited the need to support the creation of healing

circles because these initiatives provide an opportunity to voice suffering while encouraging inter-generational activities and discussions. When the Committee travelled to Inukjuak, the members of the community insisted on the Inuit's need for healing centres, not only for women but for the entire population, because historical trauma and violent situations affect the entire community. Creating healing centres and healing lodges was one of the recommendations of the Royal Commission on Aboriginal Peoples (Dussault-Erasmus Commission) report tabled in 1996.

Creating family centres (*maisons de la famille*) and increasing funding for Aboriginal shelters are also potential solutions that are regularly mentioned by Aboriginal stakeholders. Family centres constitute a safe place where individuals, couples and families can get counselling and assistance. As with Aboriginal shelters, traditional help and support models are favoured (spirituality, healing circle, stay in the forest, etc.).

Aboriginal women also strongly hope that resources to help men exhibiting violent behaviours will be put in place. They believe that men must take part in the healing process and, therefore, be included in measures to eliminate family violence.

Most Inuit and First Nations members also indicated that, to improve social services in the communities, more professional resources must be available, ideally Aboriginal resources who know the culture and the language. Many stakeholders stressed the importance of improving Aboriginal workers' professional training, both initial and continuing.

Stakeholders often proposed offering more cultural competency training and preparation to all non-Aboriginal workers who interact with Aboriginal people (health professionals, social service professionals, police officers, judges, etc.). Doing so would give workers a better understanding of Aboriginal realities and enable them to better meet the Aboriginal people's needs based on Aboriginal values.

Where housing is concerned, the main potential solution presented by the stakeholders obviously focuses on increasing the number of housing units available in the communities in order to reduce overpopulation and simplify housing access. As for justice, many Nunavummiut stakeholders proposed adapting the justice system to the Aboriginal cultural framework, in particular by favouring restorative justice programs. The Inuit hope to continue implementing local justice committees to restore the elders' beneficial influence and offer an alternative to the judicial process. Also, to help

offenders re-enter the community, Aboriginal stakeholders suggested creating rehabilitation programs adapted to the Aboriginal culture and values.

Finally, women suggested economic empowerment as a potential solution to improve Aboriginal women's living conditions, pointing out that economically empowered women are better able to break the cycle of poverty and violence and participate in their community's political, economic and cultural activities.

CONCLUSION

Since adopting of the order of initiative on Aboriginal women's living conditions as affected by sexual assault and domestic violence in May 2015, Committee members have completed a number of steps in their work plan. This interim report allows the parliamentarians to give a comprehensive summary of their work to date, identify various challenges related to family and sexual violence in the Aboriginal communities and present potential solutions proposed by the Aboriginal people. The Committee wishes to continue its collaboration with the Aboriginal groups to complete Phase 2 of its work plan and begin Phase 3, drafting its final report.

-
1. Data from 2011 and 2009. See Statistics Canada, *Aboriginal Statistics at a Glance: 2nd Edition* (2015); Maire Sinha (Ed.), *Measuring violence against women: Statistical trends*, Statistics Canada (2013); Shannon Brennan, *Violent victimization of Aboriginal women in the Canadian provinces*, Statistics Canada (2011).
 2. Royal Commission on Aboriginal Peoples, Volume 3: "Gathering Strength", *Report of the Royal Commission on Aboriginal Peoples* (1996).
 3. Quebec Native Women, *Nānīawig Māmawe Nīnawind. Stand with Us. Missing & Murdered Indigenous Women in Québec*, Kahnawake (2015).
 4. Secrétariat aux affaires autochtones, *Aboriginal population in Québec 2012*, [online] <http://www.autochtones.gouv.qc.ca/nations/population.htm>
 5. In Québec, the term "Aboriginal" is used to designate both so-called Amerindian communities, traditionally governed by the *Indian Act*, and the Inuit. The expression "First Nations", on the other hand, refers only to Amerindians. An Aboriginal organization such as the Assembly of First Nations of Quebec and Labrador groups together participants from the First Nations but not the Inuit communities.
 6. The *Indian Act* was adopted by the federal government in 1876. As per section 4(1), it does not apply to the Inuit. Moreover, since 1984, it no longer applies to the Crees or Naskapis, who are now governed by the *Cree-Naskapi (of Québec) Act*.
 7. Visits were initially scheduled to the Kuujuaq women's shelter (Tungasuvvik Women's Shelter) and the Ungava Tulattavik Health Center, but difficult weather conditions delayed the MNAs' arrival in Kuujuaq and these activities had to be cancelled.
 8. Pierre Lepage, *Mythes et réalités sur les peuples autochtones*, 2nd edition, Commission des droits de la personne et des droits de la jeunesse (2009).
 9. The 25 publications are listed in Appendix I.
 10. Non-agreement nations are those that have not signed the James Bay and Northern Québec Agreement or the Northeastern Québec Agreement. These nations administer their own public services, including health services, which are funded through transfer payments from the federal government to the band councils.
 11. Note that for non-agreement nations, the federal government has jurisdiction over housing, and the Québec government must use other means to provide assistance (e.g. Québec renovation programs, construction worker training, etc.).
 12. Québec Ombudsman, *Detention conditions, administration of justice and crime prevention in Nunavik*. Special report by the Québec Ombudsman, Québec (2016).

APPENDIX I

LIST OF STUDIES AND REPORTS CONSULTED

1. Royal Commission on Aboriginal Peoples (Dussault-Erasmus Commission), *Report of the Royal Commission on Aboriginal Peoples* (1996).
2. Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future. Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (2015).
3. Quebec Native Women, *Nānāwig Māmawe Nīnawind. Stand With Us. Missing & Murdered Indigenous Women in Quebec* (2015).
4. Quebec Native Women, *Recommandations de mesures dans le cadre de la mise en œuvre des travaux portant sur le troisième Plan d'action gouvernemental en matière d'agression sexuelle* (2014).
5. Quebec Native Women, *Mémoire : Pour que l'égalité de droit devienne une égalité de fait – Vers un deuxième plan d'action pour l'égalité entre les femmes et les hommes* (2011).
6. Quebec Native Women, *Les femmes autochtones et la violence* (2008).
7. Quebec Native Women, *Discrimination des femmes autochtones* (2001).
8. Saturviit Inuit Women's Association of Nunavik, *A Study Report on the Life and Concerns of Inuit Women of Nunavik* (2015).
9. Ministère de la Santé et des Services sociaux, Direction générale de la planification, de l'évaluation et de la qualité, *Memorandum presented to the Committee on Citizen Relations – Order of initiative on Aboriginal women's living conditions as affected by sexual assault and domestic violence* (2016).
10. Nunavik Regional Board of Health and Social Services in collaboration with the Institut national de santé publique du Québec, *Portrait de santé du Nunavik 2011 : Conditions démographiques et socioéconomiques* (2011).
11. Indigenous and Northern Affairs Canada, *Description of Indigenous and Northern Affairs Canada's mandate and social programs intended for Québec Aboriginal people* – submitted to the Committee on Citizen Relations (2016).
12. Royal Canadian Mounted Police, *Missing and Murdered Aboriginal Women: A National Operational Overview* (2014).
13. Groupe de recherche et d'interventions psychosociales en milieu autochtone, *Étude sur l'abus sexuel chez les Premières Nations du Québec* (2005).

14. Lyse Montminy et al., *La violence conjugale et les femmes autochtones : état des lieux et des interventions*, Complete scientific report presented to the Fonds de recherche québécois sur la société et la culture under the “Actions concertées” program (2012).
15. Centre de recherche interdisciplinaire sur les problèmes conjugaux et les agressions sexuelles, *État des connaissances en recherche sur la violence sexuelle et les femmes autochtones au Québec – Memorandum presented to the Committee on Citizen Relations – Order of initiative on Aboriginal women's living conditions as affected by sexual assault and domestic violence* (2016).
16. First Nations of Quebec and Labrador Health and Social Services Commission, *Enquête régionale sur la santé des Premières Nations du Québec* (2012).
17. Native Women's Association of Canada, *Violence Against Aboriginal Women* (2015).
18. Amnesty International, *Droits des peuples autochtones* (2010).
19. Committee on the Elimination 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*, United Nations (2015).
20. Statistics Canada, *Aboriginal Statistics at a Glance: 2nd Edition* (2015).
21. Canadian Association of Elizabeth Fry Societies, *Indigenous Women* (2013).
22. Maire Sinha (Ed.), *Measuring violence against women: Statistical trends*, Statistics Canada (2013).
23. Shannon Brennan, *Violent victimization of Aboriginal women in the Canadian provinces, 2009*, Statistics Canada (2011).
24. Michèle Rouleau, “Femmes Autochtones au Québec : contrer la violence”, in Groupe international de travail pour les femmes autochtones (Ed.), *Paroles de femmes autochtones*, Paris, L'Harmattan, 2006, p. 73-80.
25. Michelle Mann, *Les femmes autochtones : un document d'information sur les problèmes* (2005).

DIRECTION DES TRAVAUX PARLEMENTAIRES

Édifice Pamphile-Le May
1035, rue des Parlementaires
3^e étage, Bureau 3.15
Québec (Québec) G1A 1A3

Téléphone : 418 643-2722
Télécopieur : 418 643-0248
commissions@assnat.qc.ca

