

Government of British Columbia
Submission to the
National Inquiry into Missing and Murdered Indigenous Women and Girls

December 14, 2018



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Executive Overview

The Province of B.C. respectfully acknowledges the work of the Commissioners and staff of the National Inquiry into Missing and Murdered Indigenous Women and Girls, and presents this submission for two primary purposes in response to the Commission's mandate:

- to provide B.C.-specific information related to the Commission's inquiry into systemic causes of violence against Indigenous women and girls and the implementation in British Columbia of relevant institutional policies and practices and;
- to provide examples of promising practices that address violence and vulnerability of Indigenous women and girls as requested by the Commission.

This submission does not contain recommendations and does not purport to speak on behalf of community. Rather, its purpose is to provide content and context relevant to challenges and initiatives in British Columbia that the Commissioners may find useful in their deliberations and preparation of their final report. In compliance with Commission guidelines and requirements for brevity for closing submissions this document is not a detailed description of relevant programs and services, but rather an overview. It includes only information about those programs and services that are specific to Indigenous women and girls. A more detailed description of relevant legislation and programs and services that are accessible to all British Columbians, including those specific to Indigenous peoples, is appended to this document, as well as relevant reports, key data and trend information.

The British Columbia Context

British Columbia (B.C.) is home to more than 270,000 people that self-identify as Indigenous, representing approximately 5% of the province's overall population. Indigenous people in British Columbia include members of 203 First Nations (out of 600 in Canada) and the fourth largest Métis population in Canada, as well as Indigenous peoples who come from provinces and territories outside of B.C. Over the past decade, the Indigenous population in B.C. has grown by 38%, which is more than three times the growth of the province's population as a whole. The average age of Indigenous peoples living in British Columbia is 33 years of age compared to 42 years of age for non-Indigenous British Columbians. Approximately one-quarter

of Indigenous peoples in B.C live in Vancouver,¹ and overall, over 78% of the Indigenous population in B.C. lives off reserve, often in urban centres².

There is significant diversity of Indigenous culture and language in B.C. In recognition of the diversity and in support for culture in 1990 the province created the [First Peoples' Cultural Council](#) (FPCC), a First-Nations-run provincial Crown corporation with a mandate to preserve, restore and enhance First Nations' heritage, language and culture; increase understanding and sharing of knowledge within both First Nations and non-First Nations communities; and heighten appreciation and acceptance of the wealth of cultural diversity among all British Columbians. Data related to B.C. Indigenous language and culture is included in Appendix E. The richness of cultural diversity in British Columbia and the inherent complexity created by that diversity frames the context within which British Columbia and its Indigenous partners move forward toward First Nation rebuilding and reconciliation.

Historic Relationship and Impacts

Prior to contact with European settlers in the late 1700s, this region had one of the densest and most linguistically diverse populations in what is now known as Canada. However, much has been lost since contact.

Between the early 1860s and 1984, at least 22 residential schools operated in B.C. At their inception, residential schools were mandated by the federal government and operated by various churches. Attendance at residential schools was mandated by the *Indian Act* and families who refused to send their children faced serious consequences.³ Provinces became responsible for child welfare on reserves after a change to the federal *Indian Act*.⁴ Although residential schools were being phased out in the 1950s, "many schools continued to function as a child welfare resource as a residence for children who lived in remote communities and

¹ Statistics Canada. "Aboriginal Peoples: Fact Sheet for British Columbia." March 14, 2016. Retrieved July 26, 2018. <https://www150.statcan.gc.ca/n1/pub/89-656-x/89-656-x2016011-eng.htm>

² Off-Reserve Aboriginal Action Plan Year-End Report - 2017-18.

³ BC Teachers Federation. 2015. *Project Heart: Illuminating the hidden history of Indian Residential Schools in B.C.* Revised October 2015.

⁴ Foster, L. T. & B. Wharf. 2007. *People, Politics, and Child Welfare in British Columbia*. Vancouver, BC: UBC Press, p. 40.

attended provincial schools.”⁵⁶ Many children never returned home, with an estimated 580 children dying in the province’s residential schools from 1867 to 1984.⁷

In addition to residential schools, colonial child welfare policies during the mid-20th century contributed to the dislocation of Indigenous children from their families and communities. During this period known as the “Sixties Scoop”, thousands of Indigenous children in B.C were taken and either placed into the foster care system or adopted into primarily white middle-class families.

There is growing knowledge and appreciation of the significant impact that colonialism and historical and continuing racism and sexism have had, and continue to have, on Indigenous people and communities. [*Stolen Sisters*](#)⁸ details Indigenous women’s concerns that violence frequently goes unreported, and therefore continues, because women fear that they may lose their children. The [*Provincial Roundtable on Aboriginal Women’s Issues*](#)⁹ found that these fears are driven by the residential school experience of children being taken from families.

The intersectional lens through which we consider the impact of racism and sexism must also be applied to our consideration of the experiences and challenges faced by the LGBTQ2S+ community, whose members experience both an increased risk of violence and unique barriers to accessing services.

Government-to-Government Relationships

The First Nations Leadership Council (FNLC) is one of the leadership organizations that engages closely with the Province to support reconciliation and relationship-building. Comprised of political executives representing the [*BC Assembly of First Nations*](#), the [*First Nations Summit*](#), and the [*Union of BC Indian Chiefs*](#), the FNLC worked with the Province to establish the basis for a new era of reconciliation based on three things: respect, recognition, and accommodation of Aboriginal title and rights; respect for each other’s laws and responsibilities; and the reconciliation of Aboriginal and Crown titles and jurisdictions. In 2015, FNLC and members of

⁵ Truth and Reconciliation Commission. 2015. *Canada’s Residential Schools: Missing Children and Unmarked Burials*. The Final Report of the Truth and Reconciliation Commission of Canada v. 4, p. 20.

⁶ Foster, L. T. & B. Wharf. 2007. *People, Politics, and Child Welfare in British Columbia*. Vancouver, BC: UBC Press, p. 40.

⁷ Truth and Reconciliation Commission. 2015. *Canada’s Residential Schools: Missing Children and Unmarked Burials*. The Final Report of the Truth and Reconciliation Commission of Canada v. 4, p. 20.

⁸ Amnesty International. 2004. *Stolen Sisters: A human rights response to discrimination and violence against Indigenous women in Canada*. London, UK: Amnesty International.

⁹ United Native Nations. 2007. *Provincial Roundtable on Aboriginal Women’s Issues*.

the B.C. Cabinet signed the [Commitment Document](#), which confirmed the commitment to build new relations and affirmed the need for concrete action and new approaches in the areas of government-to-government relationships, negotiations, policies and laws, fiscal relations and decision-making. Important objectives of the work were to close economic and social gaps, to collaborate on land and resource decisions, and to be full partners in the economic life of B.C. The *Commitment Document* also directed the development of a [joint work plan which identified certain concrete actions as initial priorities to address the themes in the commitment document](#). These processes led the way for the *Vision and Guiding Principles* and *Concrete Actions* documents, which were co-developed by the Province and FNLC, and endorsed by the B.C. Cabinet in June 2018.

The Province also collaborates with the [Métis Nation BC](#) (MNBC), which represents nearly 90,000 self-identified Métis Citizens and 38 Chartered Métis Communities within B.C. In 2006, the Province signed the [Métis Nation Relationship Accord](#), and in 2016 the [Métis Nation Relationship Accord II](#) renewed a commitment to work together to close economic and social gaps for the betterment of Métis peoples throughout B.C.

There is no formal governing organization for Indigenous peoples who are living off-reserve or in urban centres. However, the Province has an ongoing relationship with the [BC Association of Aboriginal Friendship Centres](#) (BCAAFC), which provides an array of supports and resources to Indigenous peoples living in urban centres. In 2014, the BCAAFC and the Government of B.C. worked together to revise and sign an [Off-Reserve Aboriginal Action Plan](#) (ORAAP), a community-driven approach to improve education and job training, create healthier family life and strengthen cultures and traditions.

Commitment to Reconciliation

In making a commitment to meaningful reconciliation, the Province has committed to new actions and relations with Indigenous peoples. Some significant examples include:

- In 2011, the [Minister's Advisory Council on Indigenous Women](#) (MACIW) was established to provide advice to government on how to improve the quality of life for Indigenous women in B.C., following the [Collaboration to End Violence: National Aboriginal Women's Forum](#) that was co-hosted by the Province and the Native Women's Association of Canada.

- In 2014, the Province, FNLC, and MNBC signed a [*Memorandum of Understanding \(MOU\) Regarding Stopping Violence against Aboriginal Women and Girls*](#) outlining a joint commitment to addressing violence against Indigenous women in the province.
- In March 2016, the Province and the [*First Nations Health Council*](#) (FNHC) signed an [*MOU*](#) on the commitment to improve the health and wellness of First Nations, and the commitment to a collaborative approach to address the underlying social determinants of health.
- In July 2017, the Premier of B.C. mandated all Cabinet Minister to fully adopt and implement the [*United Nations Declaration on the Rights of Indigenous Peoples*](#) (UNDRIP) and the Truth and Reconciliation Commission (TRC) Calls to Action. To facilitate their implementation the Government developed a set of [*Draft Principles to Guide the Province of British Columbia's Relationship with Indigenous Peoples*](#) as a necessary starting point for further conversations with Indigenous peoples and First Nations leadership.
- In September 2017, the Province signed an MOU with the [*BC Aboriginal Justice Council*](#) (BCAJC) to develop an Indigenous Justice Strategy that improves how Indigenous peoples interact with and are treated by the justice system.
- In July 2018, FNHC, Canada and the Province signed a [*MOU on the Tripartite Partnership to Improve Mental Health and Wellness Services and Achieve Progress on the Determinants of Health and Wellness*](#).¹⁰
- In August 2018, the Province announced its intent to re-establish a BC Human Rights Commission by introducing legislative amendments to the [*Human Rights Code*](#) following a [*comprehensive public engagement*](#) in 2017. Recommendations include collaboration and consultation with Indigenous groups in the development of commission policies and practices that honour the principles of UNDRIP.

Reflections

We acknowledge that a great deal of B.C.'s historical and current context is similar to that experienced by Indigenous peoples across the country. However, the Government of British Columbia respectfully offers reflections on issues of particular importance to Indigenous partners, communities and families in B.C. that have been solicited through various gatherings

¹⁰ This MOU is described in more detail in the Ministry of Mental Health and Addictions section.

and dialogues on the critical topic of missing and murdered Indigenous women and girls. Due to page limit guidelines for this submission, these reflections are not exhaustive. To supplement this submission a list of key reports and input is attached in Appendix C.

From January 31 to February 1, 2016, the Province, FNLC, MNBC, MACIW, Carrier Sekani Family Services, Carrier Sekani Tribal Council, and Lheidli T'enneh Nation co-hosted the Provincial Gathering for Families of Missing and Murdered Indigenous Women and Girls in Prince George, B.C., on the traditional territory of the Lheidli T'enneh Nation. The Family Gathering brought together approximately 350 family members, representing over 100 lost loved ones, for three days of healing and memoriam. An outcome of the Family Gathering was the creation of the B.C. Memorial Quilt which honours the Indigenous women and girls who have been murdered or gone missing through quilt patches created by family members during the Family Gathering. The quilt was displayed at the BC Parliament Building throughout summer 2016. An accompanying book, entitled *Our Sacred Sisters: A Book of Honour, Love and Remembrance*, was developed to capture stories from family members about their loved ones, and was shared with families and Members of the Legislative Assembly in February 2017.

Following the Family Gathering, ministers and government staff met with family members participating in the 2nd National Roundtable in Winnipeg on February 25, 2016.

Key points raised by B.C. families through the Gathering and National Roundtable included:

- The history of trauma faced by First Nations communities has increased vulnerability.
- There is a need for more education on the history of Indigenous Peoples in B.C. and Canada.
- Ongoing support is required for family members participating in meetings and gatherings.
- There is a need to focus on respect of Indigenous peoples, and approaches that honour children.
- The portrayal of Indigenous peoples in the media perpetuates violence against Indigenous women and girls.
- There are inadequate responses, investigations and communication with family by police.
- Unsolved cases, conflicting information, and unanswered questions are preventing some families from healing.
- An integrated and coordinated approach is required to effectively address violence.

- More assistance is needed to navigate and access appropriate services, information and resources.
- There is a need for culturally safe outreach services in the Downtown Eastside that operate outside of regular business hours.

Additional reflections can be found in feedback provided during the [4th BC Justice Summit](#), which took place in 2014. The Summit focused on violence against women, and included specific sessions highlighting the distinct impacts of violence against Aboriginal women who, for reasons arising in the context of forced historical changes in the role and status of women in the community, and the resulting marginalization and displacement of women from their communities, are at greater risk of violence. The Summit identified a number of considerations that are helping to shape the Province's strategies and actions moving forward. These considerations include:

- Too little is known or incorporated by justice sector professionals about the practical effects of trauma on the reporting, investigation and prosecution of violence against women.
- Education and other communication should assist in elevating Elders to their rightful position in society and creating an understanding of the context of valuing (and devaluing) women.
- Education and prevention are critical in teaching respect at an early age. Men and boys must be engaged in education around safe and healthy relationships.
- Cultural fluency training is a priority area for sector professionals, including front-line responders.
- Greater competency is also required with respect to understanding and responding to violence against women with disabilities, and against women in sex work.
- There is a mistrust of authority by Indigenous peoples, and the justice sector needs to do more to ensure that services are delivered in an atmosphere of trust.
- Some participants identified a need to bridge the gap between high-level policy aspirations about community organization and the reality of service provision on the ground. There is a role for government to play in this "middle space" to steward the work of others.

- Summit participants were broadly supportive of incorporating findings from health and psychological research on the effects of trauma into training of first responders and other justice and public safety professionals who work with victims of violence.

The British Columbia context continues to inform the development of programs, services and policies, and initiatives to strengthen the Crown-Indigenous relationship, with a focus on addressing the unacceptable violence suffered by Indigenous women and girls.

Program and Service Overview

The following section provides an overview of some of the approaches the Province has undertaken across a number of areas of program delivery that are relevant to the Inquiry. This list is not exhaustive, and is focused on programs or services that are specific to Indigenous women and girls, or those that are directly related to addressing violence against women. A full list of relevant legislation, programs and policies is included in Appendix B. In addition, some key points of data and trend information are included in Appendix E.

Health

Governance and Relationships

- *Ministry of Health (MoH)*

MoH works in collaboration with the [provincial health authorities](#), [First Nations Health Authority](#) (FNHA), and the [General Practitioners Services Committee](#) as well as a range of professional colleges and associations to establish a clear direction and set strategic objectives for the health system, and to ensure the delivery of quality, patient centred care. MoH also collaborates with Indigenous partners and organizations such as MNBC and the BCAAFC, recognizing the high percentage (78%) of the urban Indigenous population.

- *Provincial Health Officer (PHO)*

The Office of the Provincial Health Officer is legislated under the [Public Health Act](#) (2008) to produce a report on the state of the health of the population of B.C. annually. After the 2006 signing of the [Transformative Change Accord: First Nations Health Plan](#), the PHO committed to reporting on the health status of Indigenous peoples every five years, with interim

updates every two years. The seven key indicators are outlined in the Joint PHO and FNHA report on [First Nations Health and Well-being](#) (2015).¹¹

- *Provincial Health Services Authority*

The [Provincial Health Services Authority](#) (PHSA) is responsible for working with the five regional health authorities to plan and co-ordinate the delivery of provincial programs and [specialized services](#); and governing and managing the [organizations](#) that provide specialized health services throughout the province.

- *Regional Health Authorities*

The five [regional health authorities](#) are legislated under the [Health Authorities Act](#) to govern, plan and deliver health care services within their geographic areas. Aboriginal Health Plans, and / or Regional Health and Wellness Plans are developed by regional health authorities in partnership with Indigenous partners.

- *First Nations Health Authority (FNHA)*

FNHA was established in 2013 and is responsible for planning, management, service delivery and funding of health programs previously provided by Health Canada's First Nations Inuit Health Branch - Pacific Region. The FNHA is a society under the [Societies Act](#) and receives annual funding from the federal and provincial governments.

MoH strategic direction and priorities with respect to Indigenous health are guided by various collaborative commitments since 2000, based on shared decision-making structures and collaborative partnerships intended to improve health programs and service delivery and result in better health outcomes for Indigenous peoples, including women and girls. (See Appendix A for additional details on programs and services offered.)

The [BC Tripartite Framework Agreement on First Nation Health Governance](#) (2011) confirmed a new health governance structure for First Nations health in B.C., including: [FNHA](#), [FNHC](#), [First Nations Health Directors Association](#) (FNHDA), and the Tripartite Committee on First Nations Health.^{12,13} The objective was to integrate with existing health services the planning, design,

¹¹ First Nations Health Authority and Office of the Provincial Health Officer. 2015. *First Nations Health and Well-being: Interim update*.

¹² The Tripartite Committee on First Nations Health is a strategic and operational committee co-chaired by the FNHA, MoH, and Indigenous Services Canada, and includes all Health Authority CEOs and the Provincial Health Officer.

¹³ FNHC. "First Nations Health Governance Structure in British Columbia."

management and delivery of First Nations Health Programs so as to improve the quality, accessibility, delivery, effectiveness, efficiency and cultural appropriateness of health care programs and services for First Nations.

The health governance structure also establishes [regional engagement mechanisms](#) that allow partners to respond to and resolve Indigenous health and wellness issues that are identified as important by the regions. [Partnership Accords](#) have been signed between each of the regional health authorities and each regional caucus of the FNHC and FNHA to facilitate coordination and integration of First Nations' health programs and services. The PHSA and FNHA have also developed a partnership accord to guide collaborative actions. Partnership tables have been established in every region, enabling regional health authorities' Senior Executive to effectively collaborate with local First Nations.

The established First Nations engagement and approvals pathway, which includes regional caucus sessions, is supported by the First Nations health governance structure.

Programs and Services

- *Indigenous Culture and Health*

MoH, the regional health authorities, PHSA and FNHA signed the [Declaration of Commitment to Cultural Safety and Humility in Health Services Delivery for First Nations and Aboriginal People \(Declaration\)](#) in July 2015.

As of May 2018, approximately 25,000 participants have completed the [San'yas Indigenous Cultural Competency](#) training across the regional health authorities, FNHA, PHSA and MoH.

In March 2016, 23 BC Health Regulatory bodies signed the [Declaration of Commitment to advance cultural safety and humility in the regulation of health professionals](#) serving First Nations and Indigenous peoples, demonstrating the overarching commitment to this priority.

The Joint BC MoH-FNHA Project Board is a senior bilateral forum established to support timely progress and decision-making on strategic priorities and to support integration of initiatives and services of the Province and the FNHA. MoH has committed up to \$15.3 million annually to support 27 projects that improve access to primary care services.

- *Addressing Vulnerable Women's Complex Care Conditions*

Women are at greatest risk for homicide during pregnancy. The [Doulas for Aboriginal Families Grants](#) program removes cost as a barrier for Indigenous families to access grant funds for a birth and/or postpartum doula.

The [Nurse-Family Partnership](#) (NFP) program is an intensive, supportive home visitation program for eligible young first-time pregnant women and their families. The NFP includes assessments of intimate partner violence. NFP is available in 54 communities, nine of which are First Nations. Of NFP clients, 27% self-identify as Indigenous.

- *Métis Health*

The lack of data on the health of Métis peoples has been a challenge that MoH is working collaboratively with MNBC to address. MoH has supported MNBC to pilot health-related surveillance since 2007 in order to better understand the specific health needs of Métis peoples.

- *Social Determinants of Health*

In 2016 the Government of British Columbia and the FNHC signed the [MOU: A Regional Engagement Process and Partnership to Develop a Shared Ten-Year Social Determinants Strategy for First Nations in B.C.](#), The subsequent MOU, [Tripartite Partnership to Improve Mental Health and Wellness Services and Achieve Progress on the Social Determinants of Health and Wellness](#), between the Province, FNHC and the Government of Canada, was signed on July 26, 2018. Through this tripartite MOU, \$30 million has been committed to support Nation-based planning, design and implementation of health and wellness plans to meet the priorities as identified by the community/Nation.¹⁴ In its [2018/19 – 2020/21 Service Plan](#), MoH has committed to respond to First Nations recommendations identified through regional engagement sessions.

[Mental Health and Addictions](#)

[Governance and Relationships](#)

The Ministry of Mental Health and Addictions (MMHA) works in close collaboration with a number of Indigenous partners, including organizations representing First Nations and Métis.

¹⁴ Discussed more fully on p. 11 (*Mental Health and Addictions*).

MMHA works closely with the FNHA, as they have similar mandates and roles with respect to policy development.

MMHA has also worked closely with MNBC, FNHA, and a number of Indigenous service providers to inform the development of a provincial mental health and addictions strategy.

MMHA recently provided MNBC funding to engage Métis peoples across B.C. regarding mental health and wellness.

MMHA also has ongoing engagement with a number of urban-based Indigenous service providers, including the BCAAFC. This helps to ensure that MMHA is incorporating off-reserve Indigenous perspectives into its work.

Programs and Services

Working in close collaboration with Indigenous organizations, MMHA has undertaken a number of significant initiatives to improve mental health and wellness outcomes for Indigenous peoples in B.C., including:

- *Tripartite Partnership to Improve Mental Health and Wellness Services and Achieve Progress on the Social Determinants of Health and Wellness*¹⁵

As noted above, in July of 2018 Canada, MMHA, and FNHC signed an MOU: [Tripartite Partnership to Improve Mental Health and Wellness Services and Achieve Progress on the Social Determinants of Health and Wellness](#). Funding will invest in mental health and wellness planning and a series of “demonstration” or “test site” projects that can support enhanced First Nations community-driven, Nation-based service delivery models.

- *First Nations Land-Based, Cultural and Healing Services*

MMHA provided FNHA with \$15 million over three years to expand First Nations land-based cultural treatment and healing services for youth and families. FNHA will work with individual First Nations to enable them to design and deliver these services based on their distinct cultures.

- *Opioid Overdose Response*¹⁶

¹⁵ First Nations Health Council. “Tripartite Ceremony Reaffirms Commitment to Improve Mental Health and Wellness Services with First Nations in British Columbia.” (2018).

¹⁶ Government of B.C. “\$20 million to support community-driven solutions to overdose emergency.” (February, 2018).

MMHA provided FNHA with \$20 million over three years to support First Nations communities and Indigenous peoples to address the ongoing impacts of the overdose public-health emergency. The funding will be administered by FNHA and provided to frontline service providers and First Nations communities to support work already underway, and to develop new community-driven approaches and solutions. Further funding included \$4 million in 2017/18 to support activities within the four goal areas of FNHA's [Framework for Action on Responding to the Overdose/Opioid Public Health Emergency for First Nations](#).

[Children and Families](#)

Governance and Relationships

The Ministry of Children and Family Development (MCFD) works together with Delegated Aboriginal Agencies (DAAs), Aboriginal service partners and approximately 5,400 contracted community social service agencies and foster homes, cross-government and social sector partners to deliver inclusive, culturally respectful, responsive and accessible services that support the well-being of children, youth and families.

Of the 4,107 Indigenous children and youth in care in October 2018, 2,031 (49%) were served by a DAA.¹⁷ DAAs are well-connected to the communities they serve and are better positioned to provide culturally relevant child welfare services than their mainstream counterparts. There are currently 24 DAAs in B.C., with varying levels of delegation and responsibility to provide services for First Nations, Métis and Inuit children, youth and families living in their geographical service area.

For close to two decades, MCFD has focused on reducing the number of children in care through strategies that include:

- Increasing the use of out-of-care living arrangements with relatives instead of foster care when children are not able to live with their parents;
- Emphasizing and improving permanency planning for children and youth;

¹⁷ The Provincial Director of Child Welfare gives legal authority to Indigenous agencies to deliver culturally safe child protection and family support services through delegation agreements. These agreements directly involve Indigenous communities in the planning and delivering of services to Indigenous children and youth.

- Increasing the use of collaborative planning and decision-making processes such as family group conferences, traditional dispute processes, and child protection mediation; and
- Developing and promoting the use of a Family Development Response that supports working with the family and community to protect child and youth and build family capacity and resources.

The number of Indigenous children in care is declining but not as quickly as non-Indigenous children in care (refer to Appendix E). Amendments to the Child, Family and Community Service Act (CFCSA) received Royal Assent in spring 2018. The changes acknowledge that Indigenous involvement in planning and caring for Indigenous children results in the best outcomes. These amendments will support a more collaborative approach to child welfare, including early engagement and improving information sharing between MCFD and Indigenous communities. These changes will also provide front line staff with more tools to help keep Indigenous children at home or in their community by working with the community to support the family.

Policy and practice highlights include:

- [Aboriginal Policy and Practice Framework](#) (2015) identifies a pathway to incorporate Indigenous perspectives and restorative practices. It applies to policy and practice involving Aboriginal children, youth and families on and off reserve, and applies regardless of whether services are provided by a DAA or by the Ministry. The framework envisions a service delivery approach based on Aboriginal cultures and traditions.
- [Healing Families, Helping Systems: A Trauma-informed Practice Guide for Working with Children, Youth and Families](#) (2017) is a trauma-informed practice guide to inform the work of leaders, system planners and practitioners working with children, youth and families, to support changes in everyday practices to promote coping skills and resilience and reduce the likelihood of re-traumatization. The Guide has been released and a formal implementation process is being developed.
- There has been a focus on supporting families to keep children and youth at home and, where necessary, to support culturally relevant permanent living arrangements outside of the child welfare system for Indigenous children and youth who are not able to remain together with their families.

Programs and Services

The Aboriginal Services Innovations – Child Safety and Permanence program provides funds to DAAs and other Indigenous service organizations to deliver services to Indigenous children, including supports for children to remain with or return safely to their families or extended family, or to have permanent homes connected to their community. The Aboriginal Services Innovation – Early Years program funds culturally-based early intervention, child development, parent support and education, holistic cultural programming and other services for Indigenous children aged birth to six years.

As part of [*Child Care B.C. Caring for Kids, Lifting up Families: The Path to Universal Child Care*](#) (the BC Child Care Plan), the Province committed to Indigenous-led child care and to ensuring Indigenous families and communities have access to child care that meets their specific needs. For example, the BC Child Care Plan included initial investments in the expansion of the [*Aboriginal Head Start program*](#) to include full-day child care with wrap around family support and inclusion through the [*Canada-B.C. Early Learning and Child Care agreement*](#).

Over the last two years, MCFD has offered funding up to \$30,000 to 203 Indigenous communities and seven Métis organizations to support prevention activities, including things such as contracted clinical services, transportation for elders to support families, or staffing costs.

To build organizational capacity and knowledge of staff, the Cultural Self-Assessment Tool was developed to strengthen MCFD employees' Indigenous cultural awareness, cultural sensitivity, cultural agility and cultural safety skills. Ongoing learning and development opportunities for staff include the [*San'yas Indigenous Cultural Safety*](#) online training, the *Building Bridges Through Understanding the Village* training, and the [*Reconciliation Dialogue*](#) workshops.

Moving Forward

Grand Chief Ed John's 2016 report, [*Indigenous Resilience, Connectedness and Reunification – from Root Causes to Root Solutions*](#) informs MCFD's strategic direction and service plan.

Highlighted priorities for the next three years include:

- Focusing on systemic change and supporting authority and jurisdiction through the Tripartite First Nations Children and Families Working Group. To-date, the Province has signed

agreements with the Splatshin, Wet'suwet'en and Secwepemc Nations and MNBC to undertake this work.

- Investing in MNBC to create Family Navigator positions to support clear pathways to increased access to early years prevention and early intervention services for Métis parents and families.
- Refining Ministry [Service Delivery Areas'](#) Reconciliation Plans to reflect communities' needs, and improving local supports where high rates of Indigenous children and youth in care persist.
- Partnering with FNHA and communities to ensure funding is available through the [Child Care Major Capital](#) Program for culturally safe early learning and exposure to Indigenous languages and traditions.

Poverty Reduction

Governance and Relationships

The Ministry of Social Development and Poverty Reduction (SDPR) delivers income assistance and disability assistance services across B.C. It is responsible for [WorkBC](#), providing employment services to all unemployed or precariously employed B.C. residents eligible to work. It is also the lead ministry developing B.C.'s first poverty reduction strategy.

SDPR is responsible for providing income and disability assistance to British Columbians who live off-reserve. The Department of Indigenous Services Canada (ISC) and First Nations bands are responsible for delivering income and disability assistance for eligible British Columbians who live on-reserve. SDPR works with ISC to ensure alignment between the programs. First Nations who have treaties are responsible to deliver assistance on Treaty Settlement Lands.

There are 84 office locations across B.C., including 44 ministry offices and 40 Service BC locations. In addition, SDPR has after-hours access for urgent needs, and outreach and integration services provided by specialized staff and through contracted third parties.

Employment services, available to both SDPR clients and non-clients are primarily provided by 50 contracted service providers through 84 [WorkBC Employment Services Centres](#) throughout B.C. Close to 50,000 British Columbians were receiving service throughout all of 2018, and over 80% of them were receiving services from a case manager. Employment and Labour Market

Services Division has developed collaborative service delivery relationships with [Aboriginal Skills and Employment Training Strategy](#) (ASETS) service providers, First Nations, Tribal Councils, and Friendship Centres throughout B.C.

Programs and Services

- *Income and Disability Assistance Service Delivery*

SDPR works with Indigenous (and Indigenous serving) community groups, both locally and regionally/provincially to improve service quality for Indigenous women and families. SDPR and ISC collaborated to align the criteria and application form for attaining [Persons with Disability \(PWD\) status](#) on- and off-reserve. This work removed the need for the client to re-apply for PWD status when moving on or off reserve. The [BC Aboriginal Network on Disability Society](#) (BCANDS), an ISC contractor, adjudicates disability assistance applications and the Monthly Nutritional Supplement for individuals living on-reserve and ministry adjudicators provide support to BCANDS as and when needed.

In 2012, SDPR created a [policy](#) to help protect applicants and recipients who are fleeing abuse and ensure that the immediate safety needs of the client are met, including the needs of any dependent children. New applicants who disclose they are fleeing abuse are prioritized for service, and an eligibility decision is expedited so that the individual does not remain in the abusive situation because of financial need.

SDPR specifically exempts some First Nations payments as income and assets for income and disability assistance clients. Applicants moving from communities (e.g. some reserves), where social conditions precluded them from gaining two consecutive years of financial independence are [exempt](#) from meeting this requirement for assistance.

To ensure that persons living on-reserve are able to access Community Living BC services and the B.C. Bus Pass Program, the Ministry worked with ISC to negotiate a funding agreement.

- *Employment and Labour Market Service Delivery*

On-going prioritization of [Community and Employer Partnerships](#) (CEP), a component of WorkBC, has resulted in 59 funded projects in partnership with Indigenous communities, totaling over \$14.4 million in investments since 2012.

Moving Forward

B.C.'s recent [Poverty Reduction Consultations](#), led by SDPR, included significant Indigenous engagement to ensure that Indigenous voices, experiences and solutions informed B.C.'s first provincial poverty reduction strategy. Minister Shane Simpson held roundtable discussions with FNLC and FNHC to inform the strategy. With SDPR support, BCAAFC held 27 dedicated consultation sessions with Indigenous people around B.C. across 25 communities, and MNBC hosted seven dedicated consultation sessions with Métis people in B.C. The consultations also included submissions from a number of Indigenous (or primarily Indigenous) community groups including remote communities. During the engagement process, participants:

- Spoke about First Nations having limited access to land bases and traditional sources of wealth creation that come with land access;
- Spoke about the impact of racism and exclusion on all aspects of life including access to housing, employment and services, and identified a heightened risk of violence and abuse at home, in care and in the community;
- Suggested that the focus of the strategy for First Nations should be on wealth creation, revenue-sharing, and returning resources to First Nations communities, rather than on poverty reduction; and
- Suggested that financial resources be invested in families and communities instead of foster parents, as supports for children and families were a top issue.

The Poverty Reduction Strategy Act, introduced in fall 2018 sets the framework for B.C.'s poverty reduction strategy, which will be introduced in spring 2019. The legislation commits BC to reducing overall poverty by 25% and child poverty by 50% over five years and ensures that the strategy will reflect government's commitment to reconciliation, UNDRIP, and the TRC. As poverty is often the root cause of other issues, including violence, the poverty reduction strategy will contribute to improving some of the issues faced by Indigenous women and girls.

[Housing](#)

Governance and Relationships

B.C. became the first province in Canada to transfer the management of Indigenous social housing to Indigenous peoples. In 2004, the non-profit [Aboriginal Housing Management](#)

[Association](#) (AHMA) became responsible for the administration of subsidy payments and operating agreements for all Indigenous social housing programs and services, including emergency shelters and the [Aboriginal Homeless Outreach Program](#). In 2012, The Province transferred the administration of subsidized Indigenous housing units and its Indigenous housing programs over to AHMA.

The Office of Housing and Construction Standards (OHCS) supports all government commitments to Indigenous peoples, especially where they relate to the Indigenous Housing Sector. Some of the Statements, Accords and Agreements that inform and guide OHCS' work include:

- [Minister of Municipal Affairs and Housing mandate letter](#) (2017).
- [MOU between the Government of British Columbia and Union of British Columbia Municipalities on local participation in the New Relationship with First Nations](#) (2015).
- [First Nations Housing MOU between First Nations, the Government of Canada and the Government of British Columbia](#) (2008).

Further to these commitments, the [Ministry of Municipal Affairs and Housing Service Plan, 2018/19-2020/21](#), *Leadership and Access: Making B.C. Communities Great Places to Live*, provides a comprehensive roadmap to support local governments, not-for-profit organizations and residents to build communities that are well-governed, livable, safe, economically resilient and socially and environmentally responsible.

A more detailed overview of housing priorities and activities is appended to this submission for additional reference (Appendix F).

Programs and Services

Current strategic priorities include:

- Creating more housing options for Indigenous peoples by maximizing the number of affordable housing units created for Indigenous peoples through programs and partnerships.
- Helping to improve housing conditions on First Nation reserves through partnerships on asset management, capital planning and homeowner education.
- Providing \$750,000 over three years (2015-2018) to Safe Homes and Transition Houses in northern and rural/remote communities to assist primarily Indigenous women and children

to access safe shelter or other support services they may require as part of the Provincial Office of Domestic Violence three-year [Action Plan](#).

- Leveraging opportunities to promote employment, skills training and business development for Indigenous peoples through the delivery of housing programs and business activities.
- Helping to build a strong Indigenous housing sector through a range of initiatives including existing development programs, supporting AHMA, and partnerships for the delivery of education and training to Indigenous housing providers and First Nations.
- Aligning with UNDRIP and continuing to support the self-administration of Indigenous housing programs and units where possible, including support for AHMA.
- Consulting with Treaty First Nations regarding legislative proposals such as the [Building Act](#) and [Safety Standards Act](#).
- Through BC Safety Authority (operating as [Technical Safety BC](#)), ensuring that safety standards such as the BC Electrical and Gas Codes are adopted on-reserve.

There are a range of programs administered by BC Housing and projects that are underway or planned that support Indigenous peoples and communities, including women and children:

- [Homelessness Prevention Program](#): designed to support Indigenous and non-Indigenous individuals, youth transitioning out of foster care, women who have experienced violence or are at risk of violence, and people leaving the correctional and hospital systems.
- [Aboriginal Homeless Outreach Program](#): this program is designed to specifically address the disproportionate number of Indigenous peoples who are homeless or at risk of homelessness. The outreach workers come from Indigenous, community-based organizations and assist people 19 years and older as well as connect individuals under 19 with appropriate social programs and services.
- [Women's Transition Housing and Supports Program](#): provides space for women and children fleeing violence through safe homes, transition houses and second stage housing. These programs are encouraged to shelter and support young women under 19 by having a protocol with the Ministry of Children and Family Development.
- In addition, six of the transition houses and one safe home have either an Indigenous focus or are operated by an Indigenous agency supporting Indigenous women.

Moving Forward

The Province announced in June 2018 that a new \$550 million [Building BC: Indigenous Housing Fund](#) will be open to Indigenous organizations and First Nations to build and operate 1,750 units of social housing both on- and off-reserve. This will be the first provincial fund in the country that includes on-reserve housing.

The Province also announced that all Building BC programs will be open to Indigenous organizations and First Nations for housing both on- and off-reserve. These programs include:

- [Building BC: Community Housing Fund](#): \$1.9 billion over 10 years to deliver 14,350 affordable rental homes, built through partnerships and municipalities, non-profit housing providers, housing co-operatives and Indigenous organizations.
- [Building BC: Women's Transition Housing Fund](#): \$734 million over 10 years to build and operate 1,500 new units of housing including transition housing, safe homes, second-stage and long-term housing.
- [Building BC: Supportive Housing Fund](#): \$1.2 billion over 10 years to build and operate 2,500 units of supportive housing for those who are homeless or at risk of homelessness.

In addition to these new initiatives, there are currently more than 4,600 subsidized housing units that are specifically designated for Indigenous peoples in B.C., more than 700 units are in development or under construction throughout the province, and 19 housing currently under development through existing programs, totaling over 600 units both on- and off-reserve.

In February 2018, the Government launched [Homes for BC: A 30-Point Plan for Housing Affordability in British Columbia](#) as part of Budget 2018. Together, the Budget Update 2017 and Budget 2018 make an investment of over \$7 billion over the next 10 years to improve the housing conditions for all British Columbians in every corner of the province – urban, suburban and rural, including Indigenous peoples.

Education (K-12)

Governance and Relationships

In B.C., the Ministry of Education (EDUC) is responsible for providing leadership and funding to support K-12 education for almost 650,000 students in both public and independent schools.

First Nations and their schools are supported by the [First Nations Education Steering](#)

[Committee](#) (FNESC) and the [First Nations Schools Association](#) (FNSA). First Nation schools are outside of the Province’s jurisdiction except for those that choose to also become B.C. certified independent schools.

Programs and Services

EDUC is committed to creating a learning environment that supports Indigenous girls and increases Indigenous cultural intelligence and understanding on the part of all B.C. students.

Some of the actions by EDUC that are highlighted here include:

- EDUC was recently a signatory to the five-year *BC Tripartite Education Agreement: Supporting First Nation Student Success*. Among other things, the agreement increases capacity and funding to First Nations schools, improves access to Indigenous language and culture programs, and addresses transportation concerns for students who choose to attend public schools.
- *Equity Scan project to address systemic racism, create a safer learning environment, and increase education success for Indigenous students*. This three-year project, concluding in June 2019, addresses the Office of the Auditor General’s concerns about “the racism of low expectations” identified in a 2015 report. Encompassing 23 of 60 School Districts and over approximately 50% of the Indigenous student population, the Equity in Action project provides a self-reflective tool and data analysis system to help School Districts identify and address systemic impediments to Indigenous student success.
- *ERASE strategy to address bullying and create safer learning environments for all students*. [Expect Respect and a Safe Education](#) (ERASE) is a comprehensive provincial safety action plan for the K-12 education sector launched in 2012 that includes:
 - A provincial training program for school district staff and community partners
 - An anonymous online reporting tool to report incidents
 - A provincial team of subject matter experts who provide direct support
 - An online resource for parents and students
 - Though not specific to Indigenous girls, ERASE and the accompanying resources provide a sector-wide response to address ways to create safe learning environments. Initial outreach has been made to include First Nations schools in the training.

Additionally, the [B.C. curriculum](#) K-9 has been revised over the past five years to embed Indigenous content for all students, which is an additional in which the Province is reflecting the Truth and Reconciliation Commission's *Calls to Action*. The Grade 10-12 curriculum has recently been revised in draft form and is now available for feedback. Recognizing the importance of language to well-being, the Ministry has also approved 17 [Indigenous language curricula](#) that can be taken as credit toward graduation, with more under development.

Justice and Public Safety

In B.C., the justice system is administered collaboratively through the [Ministry of Attorney General](#) (AG) and the [Ministry of Public Safety and Solicitor General](#) (PSSG). While each program area works individually with Indigenous partners to support the development of range of strategies and initiatives, the ministries are collectively guided by recent government commitments to Indigenous justice. Specifically, in 2017, AG and PSSG signed an [MOU](#) with the [BC Aboriginal Justice Council](#) (BCAJC) to develop an Indigenous Justice Strategy (IJS) by fall of 2019.

The Province is also expanding the [First Nations Courts program](#). First Nations Courts are judicial-led initiatives that have been developed together with local First Nations and Indigenous groups, community members, police, BC Corrections, the defence bar, and service delivery partners such as the [Indigenous Justice Programs](#) (IJPs) and the [Native Courtworker and Counselling Association of BC](#). These sentencing courts take a holistic, culturally-appropriate approach to Indigenous offenders with the goal of finding solutions to the problems underlying their criminal behaviour other than incarceration. In 2016, when the [Province's Specialized Courts Strategy](#) was released, there were four First Nations Courts operating in B.C.: New Westminster; North Vancouver; Kamloops; Duncan. A fifth First Nations Court was established in Merritt in fall 2017 and a sixth in Prince George in spring 2018.

Police Services

The Inquiry's mandate is of critical importance to the safety of Indigenous women and girls throughout the country. In cooperation with that mandate, the Director of Police Services has prepared a submission to the Inquiry which provides information about policing in B.C. that will be of interest and relevance. The focus of the Director's submission is on the work within the

purview of the Policing and Security Branch of PSSG, as it relates to the mandate and key themes of the Inquiry. The full submission is available in Appendix G, and is summarized in the overview below.

Structure of Policing in B.C.

Policing in Canada is a shared responsibility between the federal, provincial/territorial and municipal governments. Under the *Constitution Act, 1867*, the federal government has the exclusive authority to enact legislation regarding criminal law and procedure. In addition, the federal government is responsible for providing a federal police service to enforce federal statutes and to protect national security. The *Constitution Act, 1867*, delegates responsibility for the administration of justice, which includes policing, to provincial governments. Each province has legislation that sets out the terms by which police are governed. In B.C. that legislation is the [Police Act](#) [RSBC 1996, c. 367].

Notably, policing in B.C. is provided mainly by the Royal Canadian Mounted Police (RCMP), which in addition to providing federal policing, is also contracted as the province's Provincial Police Service (with functions similar to those of the *Ontario Provincial Police* or the *Sûreté du Québec*), as well as contracted to provide municipal police services to many cities in all regions of the province. More than one-third of all RCMP officers in Canada are employed in British Columbia by the RCMP (known as "E" Division), making it the largest Division by far. In addition to the RCMP, 11 municipal police departments and one [First Nations Administered Police Service](#) ([Stl'atl'imx Tribal Police Service](#)) also provide police services. Several agencies, such as the South Coast BC Transit Authority Police Service, provide supplemental policing. There are also a number of [integrated police units](#) and structures, and enhanced First Nations policing services and programs, operating throughout the province.

Policing Services and Vulnerable Women

In 2010, the Province established the Missing Women Commission of Inquiry (MWCI). The commission considered evidence from 93 days of public hearings, written submissions, public policy forums and input from community engagement forums throughout the province. On December 17, 2012, Commissioner Oppal released the findings and recommendations from the MWCI in his report, [Forsaken, The Report of the Missing Women Commission of Inquiry](#) (MWCI Report). The MWCI Report contained 63 recommendations; a large number were related to

policing matters.

Commissioner Oppal found that for the period under examination, the missing women had effectively been under-prioritized and under-investigated as a result of systemic bias, and that the systemic bias that operated in the missing women investigations was a manifestation of the broader patterns of systemic discrimination within society. The MWCI concluded that systemic bias – in the form of negative stereotyping – existed within the exercise of individual discretion and collective decision-making by police during the missing women investigations.

Furthermore, Commissioner Oppal highlighted that women selling sexual services, particularly women involved in the survival sex trade, were marginalized persons who were more likely to experience higher incidence of violence and less likely to report that violence to police.

The MWCI Report was also critical of police for being estranged from the lived realities of urban Indigenous women and for failing to employ an Indigenous-specific investigation strategy, given the disproportionate number of missing Indigenous women. The MWCI recognized that police did not consciously decide to under-investigate the missing women or to deny protection to women in the Downtown Eastside.

Many of Commissioner Oppal's recommendations were aimed at enhancing police investigations of missing persons, complex crimes such as suspected multiple homicides and multi-jurisdictional investigations. Other areas of policing reform were also identified, such as measures to promote equality in the delivery of policing services, increase responsiveness to the needs of vulnerable persons and enhance governance of policing. Among others, the policing-related recommendations involved developing standards, training, operational protocols and guidelines and strategies, as well as undertaking legislative reforms and implementing other regional or provincial services such as a regional Real Time Crime Centre – British Columbia.

It is important to emphasize that prior to the release of Commissioner Oppal's recommendations, significant changes to investigative practices, such as increased support for the use of major case management, had been implemented or were underway in B.C. Following the release of the MWCI Report, the Province undertook a variety of projects to address the recommendations. Work is substantively complete or well underway on all of the major themes of the MWCI Report: compensation, improvements to policing, safety for vulnerable women,

and supports for missing women.

Changes to Policing in B.C.

Policing has undergone significant changes in B.C. since the 1990s, beginning with a provincial inquiry into policing which concluded in 1994. Many of these changes relate directly to themes identified in the [Inquiry's Interim Report](#) and through the hearings and expert panels, namely police accountability and oversight, standardized and coordinated investigative practices, and ensuring that policing that is responsive to vulnerable women and girls and to community needs.

- *Strengthened Police Accountability Mechanisms*

Police oversight has evolved significantly in B.C. over the past several years. Many of the catalysts for change emerged following high-profile police-involved serious incidents that led to public inquiries, or requests for review, ordered by the Province. These include:

- 1994 [Commission of Inquiry into Policing in British Columbia: Closing the Gap - Policing and Community](#), conducted by Wally Oppal, Q.C., which led to the establishment of the Office of the Police Complaints Commissioner (OPCC).
- 2007 [Report on the Review of the Police Complaint Process in British Columbia](#), conducted by Josiah Wood, Q.C., which led to the strengthening the oversight powers of the OPCC, improving public accessibility to file complaints and enabling the OPCC to contemporaneously oversee the entire process to ensure a higher degree of public confidence in the results.
- 2009 [Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons](#), conducted by Thomas Braidwood, Q.C., which laid the foundation for amendments to the *Police Act* in 2010 and 2012 that gave the Director of Police Services, with the approval of the Minister, the authority to set legally binding provincial standards for police in the province ([British Columbia Provincial Policing Standards](#)).
- 2009 [Alone and Cold](#), report by William Davies, Q.C., and 2010 [Why? The Robert Dziekanski Tragedy](#), report by Thomas Braidwood, Q.C., which led to the development of the Independent Investigations Office.

In addition, the 2012 renewal of the RCMP contract between the provinces and the federal government enshrined key principles concerning enhanced RCMP accountability to the Province.

- *Standardized and Coordinated Investigative Practices*

In response to recommendations from the MWCI, [BC Provincial Policing Standards](#) (BCPPS) have been created governing Missing Person Investigations, Major Case Management, and Inter-agency Cooperation and Coordination. These BCPPS also contain requirements that ensure appropriate communication between police and those reporting a missing person, as well as requirements to ensure effective communications between police agencies.

The [Missing Persons Act](#), brought into force on June 9, 2015, provides police with tools to help find missing people more quickly. The Real Time Intelligence Centre was implemented in January 2015. Its goal is to accelerate serious criminal investigations and investigations of persons reported missing, and locate suspects at the earliest opportunity

- *Responsive Policing*

The Policing and Security Branch is drafting BCPPS on the promotion of unbiased policing, building on the results of a broad public and stakeholder engagement process and literature reviews. The BCPPS will form the basis for equality audits where required.

Following the release of the MWCI Report, the BC Association of Chiefs of Police (BCACP) undertook a number of initiatives to protect vulnerable persons, including:

- Evaluating the SisterWatch committee to provide key findings and lessons learned to all police agencies in the province;
- Developing the BCACP Best Practice Guide on Police Warnings for all police agencies in B.C. to ensure that information on risks to the public is available to those most vulnerable to the threat; and
- Developing the BCACP Sex Work Enforcement Guidelines and Principles for police in B.C. that emphasize considerations for the safety of persons selling sexual services when police develop enforcement priorities, policies or procedures, and the importance of ongoing dialogue and relationship-building.

The Policing and Security Branch has been strengthening police training for a number of years, and responding to MWCI Report recommendations concerning training for justice system

personnel working with marginalized women and Indigenous communities. This work is ongoing, and milestones to-date include:

- The development of a province-specific Fair and Impartial Policing Training course, which is currently being rolled-out across the province to all police agencies,
- Standardized domestic violence risk assessment and training for all police officers in the province,
- Support for a renewed Justice Institute of BC (JIBC) Police Academy core curriculum to facilitate the integration of cultural competency and bias-free policing core values throughout training curricula, and
- Examining options to better support cultural safety and cultural competency in the delivery of policing services, including piloting a [justice-specific module](#) of the San'yas Indigenous Cultural Safety Training.

Policing and Security Branch has established an Office of Crime Reduction and Gang Outreach (OCR-GO) to promote the use of best practices in crime reduction. A key strategic initiative is the development and use of 'situation tables.' This approach is based on an understanding and recognition that no single organization has a broad enough mandate to address the factors that are creating risk in the lives of at-risk individuals, families and communities.

Supporting responsive policing in First Nations communities is another important priority. Through the [First Nations Policing Program](#) (FNPP), Canada and Province provide funding to support dedicated policing in participating First Nations communities. The FNPP gives First Nations communities greater input over the delivery of policing services within their communities.

The Policing and Security Branch has worked to strengthen the effectiveness of police board governance by funding the development of new training for police board members. The training program was successfully piloted in late 2017 and early 2018. The training seeks to improve police board members' understanding of their roles and responsibilities under the *Police Act*.

Prosecution Service

The BC Prosecution Service (BCPS), the Criminal Justice Branch of AG, is responsible for the administration of criminal justice in B.C. Its mandate, as defined by the [Crown Counsel Act](#),

[includes the approval and conduct of all criminal and provincial prosecutions and appeals in B.C.](#)

The Assistant Deputy Attorney General (ADAG) heads the BCPS and is responsible for administering the BCPS and carrying out its mandate. The ADAG designates “Crown Counsel”, who represent the Crown in all prosecution-related matters before all courts.

In carrying out these functions, Crown Counsel have legal and constitutional obligations to act independently. They must exercise their responsibilities fairly, impartially, in good faith, in accordance with the highest ethical standards, and as “ministers of justice” in court. Political, personal, and private considerations must not enter into the manner in which prosecutors conduct themselves.

Programs and Services

- *BCPS Policy Response to MWCI*

In December 2014, the BCPS implemented the *Vulnerable Victims and Witnesses – Adult (VUL 1)* policy, expressly aimed at ensuring that “*all victims and witnesses, regardless of vulnerabilities, have an equal opportunity to participate in the criminal justice process.*” A corresponding [media statement](#) was released at the same time.

VUL 1 recognizes that “*An Aboriginal victim or witness may be uniquely vulnerable due to the historical treatment and cultural differences of Aboriginal peoples or by current circumstances related to the Aboriginal heritage of the victim or witness.*” VUL 1 also recognizes that “*individuals engaged in prostitution may be particularly vulnerable due to a climate of violence, exploitation, and degradation*”.

Between 2014 and 2017, the BCPS undertook a complete review and revision of the Crown Counsel Policy Manual. This included a number of key revisions to address Commissioner Oppal’s recommendations.

The [Introduction](#) to the Crown Counsel Policy Manual was amended to include the following language:

In delivering its prosecution services, the [BCPS] is governed by and adheres to the rule of law. The rule of law assumes, and in fact constitutionally requires, that in applying the law judges and juries in criminal matters will conduct impartial assessments of the evidence before them, including testimony that is provided by witnesses, and that all persons are equal before the law. In carrying out their role as quasi-judicial ministers of justice, Crown Counsel are duty bound to remain aware of and respect both principles and apply them diligently without favour, prejudice, or bias. In particular, Crown Counsel will assess the

strength of each case on the assumption that the judge or judge and jury will also act in accordance with these principles.

The policy *Charge Assessment Guidelines* ([CHA 1](#)) guides all Crown Counsel in every charge assessment decision they make. This policy states that Crown Counsel are to make their decisions “*fairly, independently and objectively*”. CHA 1 also includes the following language:

In assessing the evidence, Crown Counsel should assume that the trial will unfold before an impartial and unbiased judge or jury acting in accordance with the law, and should not usurp the role of the judge or jury by substituting their own subjective view of the ultimate weight or credibility of evidence for those of the judge or jury.

- *Other BCPS Policy Considerations*

The BCPS has policies in place to assist Crown in their determination of whether alternative measures / extrajudicial measures are feasible and appropriate alternatives to prosecution. These include: *Alternative Measures – Adult Offenders* ([ALT 1](#)), *Youth Criminal Justice Act – Extrajudicial Measures* ([YOU 1.4](#)), and *Resolution Discussions and Stays of Proceedings* ([RES 1](#)). As well, the BCPS is engaged with police, community-based, and Indigenous restorative justice programs.

In ALT 1, the BCPS supports the use of alternative measures programs and in particular, the use of programs that recognize the circumstances of Indigenous offenders. Alternative measures programs can be the most appropriate and effective way to address harm done to the community and to allow offenders to be rehabilitated and accept responsibility for their criminal conduct, and includes all programs authorized under [section 717](#) of the [Criminal Code](#), which are based on restorative justice principles, such as family group conferencing, community accountability panels, IJPs and victim/offender reconciliation processes, and other restorative justice programs that do not involve the alternative measures process, but do recognize the unique circumstances of Indigenous offenders.

The BCPS is a signatory to a number of MOUs with [Restorative Justice programs](#) that allow the BCPS to make direct referrals to restorative justice (RJ) programs for alternative measures (AM) and extrajudicial sanctions (EJS). These RJ programs provide AM/EJS programming for both Indigenous and non-Indigenous offenders.

In addition, there are approximately 30 [IJPs](#) that are cost-shared with the provincial and federal government to which Crown Counsel can make direct referrals for AM and EJS. These

programs provided programming for *Indigenous* offenders. As a result, these programs are authorized to provide AM and EJS programs pursuant to [section 717\(1\)\(a\)](#) of the Criminal Code and [section 10\(2\)\(a\)](#) of the [Youth Criminal Justice Act](#).

In July 2015, the federal government enacted the [Canadian Victims Bill of Rights](#), which now forms an integral part of the policy and service delivery framework for all Crown Counsel and administrative staff in B.C. who interact directly with vulnerable persons. The BCPS amended several relevant policies to ensure that they appropriately reflect the changes brought about by the new victims' rights legislation.

Moving Forward

The BCPS is actively working on addressing the [UNDRIP principles](#) and the TRC justice-related [Calls to Action](#), all in alignment with the [Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples](#). The BCPS recognizes the unique position of Indigenous persons within Canadian society – as reflected in the *Constitution Act*, and re-affirmed in cases such as [Gladue](#)¹⁸ and [Ipeelee](#)¹⁹.

The BCPS approach to changing the status quo involves work on three main streams of activity:

- Education and Training: providing cultural safety training or other related educational opportunities to all employees, including the San'yas Indigenous Cultural Safety [justice-module training](#), and BCPS-specific sessions for Crown Counsel, managers, and administrative staff;
- Policy and Practice: developing resources and policy guidance for culturally-appropriate and informed approaches for with Indigenous persons at all stages of the criminal justice process; and
- Partnerships and Engagement: seeking out opportunities for engagement and partnership with Indigenous communities and representatives to ensure that policies, practices, and procedures are informed by community needs and requirements.

The BCPS is currently developing specific and detailed policies on Bail and Breach Offences, and is considering further amendments to the Charge Assessment Guidelines that will specifically address the over-representation of Indigenous persons within the criminal justice system.

Consultations with Indigenous communities, organizations, and individuals are continuing. The BCPS is also actively working with the Corrections Branch of PSSG, which has an active program

¹⁸ *R. v. Gladue* [1999] 1 S.C.R. 688

¹⁹ *R. v. Ipeelee* [2012] 1 S.C.R. 433

related to Indigenous persons who are inmates and those who are under community supervision. Indigenous Justice is one of the primary strategic priorities identified in the BCPS [Strategic Plan](#) for 2018-2021.

BC Corrections

Indigenous women are significantly overrepresented in B.C.'s provincial correctional system, and many Indigenous women who are engaged in the correctional system are vulnerable, have faced extreme trauma, and have been victimized prior to their involvement with the criminal justice and correctional systems. The overrepresentation of Indigenous women in the provincial correctional system is a complex and multi-faceted issue, and responding effectively requires that we are attentive to the realities of the Indigenous women involved.

In response to the need for programs and services that effectively respond to the realities of Indigenous peoples within corrections, in 2008 BC Corrections created the [Aboriginal Programs and Relationships](#) (APR) unit. By partnering with Indigenous peoples, communities, and organizations, the APR team is improving our understanding of the needs of Indigenous women with the goal of delivering culture-based and community-driven programs and support services. The APR unit continues to focus its efforts on building relationships with Indigenous communities and partners and is developing an engagement strategy to better inform our initiatives to ensure the Province is meeting the needs of Indigenous women.

Programs and Services

Currently, BC Corrections has several [programs and initiatives that support Indigenous clients](#) – both men and women. These include services for Indigenous clients in custody and community corrections supervision, improved training for staff to understand and effectively work with Indigenous peoples and measures that address the complex needs of Indigenous peoples – particularly Indigenous women – within the provincial correctional system.

- *Services in Custody*

Indigenous Liaison Workers and Elders work in provincial correctional centres to provide a range of services such as:

- Developing and delivering culture-based programs;
- Providing cultural support to inmates;
- Liaising between inmates, staff, and Indigenous communities to support release planning;

- Providing cultural competency training for staff; and
- Offering group and individual support for inmates facing a variety of issues such as coping with addictions.
- *Services in Community Supervision*

BC Corrections provides funding (jointly with Canada in most cases) and support to community-based [IJPs](#) in 34 communities, province-wide. These programs work to reduce victimization, crime, and incarceration among Indigenous peoples by offering individualized programs such as diversion, alternative measures, community work service, sentencing input, restorative justice, and reintegration services.

As part of this program, BC Corrections and JIBC collaborate to train Indigenous justice workers to deliver domestic violence programs, substance use programs, and alternative measures programs in a manner that considers the unique needs of Indigenous peoples. BC Corrections is enhancing the IJPs by expanding the training provided to Indigenous Justice Workers in the areas of Fetal Alcohol Spectrum Disorder (FASD), core rehabilitative programs, and probation officer roles and responsibilities.
- *Addressing Intimate Partner Violence*

Acknowledging that Indigenous women and girls are overrepresented as victims of intimate partner violence, BC Corrections has several programs to help perpetrators end the cycle of violence:

 - The [Relationship Violence Prevention Program \(RVPP\)](#) is a two-part program developed to help offenders change the way they manage their relationships, to interact with loved ones, and to end deeply entrenched abusive behaviors. BC Corrections reached out to Indigenous communities and other cultural groups to develop customized programs that speak to offenders through their own culture. More than 175 Indigenous Justice partners have been trained to deliver the first part of the program – called [Respectful Relationships](#) – in Indigenous communities. The Respectful Relationships and RVPP programs in the community have been shown to reduce domestic violence re-offending by up to 50% and general re-offending by up to 60%.
 - BC Corrections also offers a cognitive behavior program for women called Thinking Leads 2 Change that focuses on helping women reduce criminal and violent behavior through

pro-social modelling with content that is culturally safe and responsive to the needs of Indigenous women.

- *Training for BC Corrections Staff*

BC Corrections is prioritizing efforts to develop and enhance staff cultural awareness and competency training, including training on the central role of women in Indigenous communities, the many issues they face stemming from the impacts of colonization, and how stereotypes have rendered them vulnerable to violence and mistreatment. BC Corrections has also been working with Indigenous leaders in the field of trauma to ensure that the unique mental health needs of Indigenous peoples are understood in the context of colonization and intergenerational trauma. BC Corrections has increased the priority of FASD training for staff and offer the training to IJPs to strengthen capacity in supporting clients who live with FASD.

- *Supporting an Integrated Approach*

BC Corrections provides a number of programs that are integrated with other government agencies to provide a rounded approach to attend to complex needs and support healing and positive reintegration into communities. For example, BC Corrections and IJPs actively support [Indigenous Courts](#) in the province to recognize the unique circumstances of Indigenous offenders within the framework of existing laws and support healing, rehabilitation, and reducing recidivism. Furthermore, BC Corrections has embarked upon work to develop MOUs with First Nations communities regarding the reintegration of individuals into communities to ensure that services and supports are in place and information is shared to keep communities safe.

Moving Forward

When serving Indigenous women in the provincial correctional system, BC Corrections recognizes the importance of culture and its role in healing as it develops and delivers programs and services. Additional actions to improve services include:

- Expanding the incorporation of restorative justice processes in custody centre policies and practices;
- Enhancing the Indigenous Liaison Worker Program in custody to support successful reintegration and connection to Indigenous communities;

- Identifying opportunities to enhance and expand the presence of Elders in custody to incorporate cultural programming that supports Indigenous inmates in custody;
- Working with the Ministry of Advanced Education to increase access to educational programs and services for Indigenous adult learners in custody settings;
- Developing a standard process for ensuring that trauma awareness in the Indigenous context is incorporated into relevant training events, curriculum, and practice materials;
- Adopting the [Ministry of Finance Indigenous Procurement Guidelines](#) for the delivery of culturally-appropriate programs and service to Indigenous clients;
- Reviewing risk assessment tools to ensure they are valid for Indigenous clients;
- Enhancing training for probation officers in sentencing considerations for Indigenous peoples as part of their work in writing pre-sentence reports for the courts; and
- Working with FNHA to ensure the health-care rights of Indigenous clients are understood and protected.

Victim Services

Governance and Relationships

PSSG funds or directly delivers a range of programs and services for victims of crime throughout the province. The Community Safety and Crime Prevention Branch (CSCP) is responsible for delivering programs and services to victims of crime, including violence against women programming, as well as supporting local and provincial crime prevention initiatives. CSCP funds victim services through three funding sources: annual core-funding through its voted appropriation; victim surcharges received under the [Victim Surcharge Levy Regulation](#); and civil forfeiture grant funding.

In 2002, the [Crime Victim Assistance Program](#) was established in CSCP to replace the Criminal Injury Compensation Program, which was administered by WorkSafeBC (formerly the Workers' Compensation Board) since 1972. In more recent years, CSCP has established a [court support program](#) to assist victims and families during court proceedings, including programs serving some First Nations Courts.

Additionally, CSCP's work continues to build on a number of provincial policies, strategies and action plans, such as the [Violence Against Women in Relationships Policy](#) (VAWIR), [A Vision for](#)

[a Violence Free B.C. Strategy](#), [B.C.'s Action Plan to Combat Human Trafficking](#), and the [Provincial Domestic Violence Plan](#). For example, updates to the VAWIR policy in 2010 introduced improved guidelines and a new protocol for highest risk cases of domestic violence. Following these changes, CSCP supported the expansion of Domestic Violence Units operating in the province and provided additional support for the establishment of [Interagency Case Assessment Teams](#) to respond to high-risk domestic violence cases.

Programs and Services

- *Victim Service Programs Contracted by CSCP*
 - [VictimLinkBC](#) is a toll-free, 24/7 confidential telephone service available across B.C. and the Yukon that provides information and referral services to all victims of crime, and immediate crisis support to victims of family and sexual violence.
 - [Contracted Victim Service and Violence Against Women Programs](#): The majority of these services are available to all victims; additionally, 19 of the victim service and violence against women programs included in this suite of services are contracted to serve Indigenous clients and/or are delivered by Indigenous organizations:
 - [Victim Service Programs](#): CSCP funds over 160 programs that provide emotional support, information, referrals and practical assistance to victims of crime: Police-Based Victim Service programs (91 programs) serve victims of all types of crime and trauma and assist police and communities in situations involving multiple injuries or deaths.; and, Community-Based Victim Service programs (70 programs) serve victims of family and sexual violence, ethno-specific and diverse communities, children, and Indigenous peoples. These programs operate out of non-profit organizations.
 - [Violence Against Women Counselling and Outreach Programs](#): CSCP funds over 240 programs, including: Stopping the Violence Counselling programs (94 programs) provide individual and group counselling for women who have experienced childhood abuse, sexual assault and violence in their relationships; Children and Youth Experiencing Violence programs (86 programs) provide group and individual counselling for children ages three to 18 who have witnessed abuse, threats or violence in the home; and, Outreach & Multicultural Outreach Services (66 programs)

help women identify and access the services they need by providing information and referrals, and accompaniment and transportation to other necessary services.

- *Services Specifically for Indigenous Victims*
 - CSCP funds 19 victim service and violence against women programs in B.C. that are contracted to serve Indigenous clients and/or are delivered by Indigenous organizations. PSSG also funds or oversees other specialized victim service programs for Indigenous victims of crime, such as:
 - [Victim Court Support Programs](#) in the New Westminster and North Vancouver First Nations Courts work closely with Crown counsel, justice personnel, and other victim service providers to ensure victims, witnesses and their families are provided with information and support during court proceedings.
 - The [BC Family Information Liaison Unit](#) (BC FILU) assists families to request information they are seeking from system agencies (e.g., police, coroners) and ensures that the gathered information is shared in a trauma-informed and culturally sensitive manner. In addition, BC FILU staff support proactive referrals, based on the needs and wishes of the client, to available community programs and resources.
- *Other Services for Vulnerable Women*
 - [Downtown Eastside Women's Centre](#) provides a safe space and programming for women and children in Vancouver's Downtown Eastside. Its Victim Service Program offers culturally-safe, trauma-informed support, recognizing that Indigenous women are disproportionately represented as victims of violence.
 - [WISH Drop-In Centre](#) provides services to vulnerable women who work in the sex trade in Vancouver. WISH also receives annual funding to support the *Mobile Access Project (MAP) Van*. The MAP Van trains and employs former sex workers to deliver services across Vancouver to women working in the street level sex trade.
- *Other Victim Service Programs Delivered by CSCP*
 - The [Crime Victim Assistance Program](#) provides financial benefits to eligible victims, immediate family members, and some witnesses to help offset financial losses and

assist in recovery from the effects of violent crime. Benefits include counselling, protective measures, and income support.

- The [Victim Safety Unit](#) provides registered higher risk victims with safety and notification services and ensures victims are aware of and have access to safety services. Victims and protected parties receive ongoing information while an accused or offender is in the community (on bail or probation) and in custody.
- [Victim Court Support Programs](#) work closely with Crown counsel, justice personnel, and other victim service providers in ten locations to ensure victims, witnesses and their families are provided with information and support during court proceedings.
- The [Victim Travel Fund](#) provides funds up to a maximum of \$3,000 for a family or victim of a serious crime to attend and participate in justice related proceedings in B.C., if they live more than 100km from the location of the proceedings.
- The [Victim Impact Statement Program](#) gives victims the option to provide a written description of how a crime has affected the victim to provide to the court for consideration at sentencing.
- [Restitution Program](#): When restitution has been ordered by a court, the Restitution Program can provide victims with information and assistance in collecting restitution.
- [Civil Forfeiture Grants](#):
The Civil Forfeiture Crime Prevention and Remediation Grant Program provides one-time grants to crime prevention projects that align with funding streams that are chosen on an annual basis. Examples of funding streams that are of particular relevance include:
 - The *Indigenous Healing and Rebuilding* stream provides funding to projects that focus on holistic approaches that address the healing and rebuilding of Indigenous families, individuals and/or communities from trauma, crime or victimization.
 - The *Addressing Violence Against Women* streams (the name and focus of these streams change from year to year) provide funding to projects that focus on addressing violence against women, including violence against Indigenous women and girls.

- *Other Projects, Programs and Services Supported by the Ministry*
- Trauma-Informed Practice (TIP) Project: The TIP Project is a five-year federal Department of Justice funded project, which is currently in its third year. This new curriculum will enable justice, public safety and anti-violence community personnel to better recognize and understand trauma and its possible effects on victims and witnesses and how it may shape victim responses.
- Combating Human Trafficking: The [Office to Combat Trafficking in Persons \(OCTIP\)](#) is part of CSCP and has been supporting communities in building local capacity to address human trafficking, with a focus on three priority areas: preventing and addressing trafficking of youth for sexual exploitation; preventing and addressing labour trafficking of vulnerable workers; and preventing and addressing domestic trafficking of Indigenous women and youth. Key initiatives have included: development of Canada's first online training course on human trafficking - [Human Trafficking: Canada is Not Immune](#); engaging over 15 B.C. communities in a *Train the Trainer Community Capacity Building* initiative, which addressed the unique vulnerabilities of Indigenous women and girls to domestic trafficking.

Moving Forward

In 2018/19 a \$5 million increase in annual funding was provided for existing victim services, violence against women and court support programs, as well as stable, ongoing funding for Domestic Violence Units across the province. In 2020/21 an additional \$3 million in ongoing funding will be provided to support women and children who experience domestic violence, sexual assault and other crimes. Looking forward to fiscal year 2020/21, Victim Services Branch will explore ways to fund new culturally safe services for Indigenous victims, particularly in underserved rural and remote regions.

Executive Summary

As part of the Government of British Columbia's commitment to participate fully in the Inquiry process, and in effort to support the Commission in its mandate to identify and make recommendations to address systemic causes of violence against Indigenous women and girls,

the intent for this submission was to provide province-specific information relevant to the identified lines of inquiry.

While the bulk of the submission focuses on efforts to-date, it is just as important to acknowledge the extensive and critical nature of the work still ahead. It is clear from the statistics, as well as from the evidence gathered through family, expert and institutional hearings, that violence against Indigenous women and girls remains an urgent issue in our province and across the country. We recognize and acknowledge the various areas of urgency identified to date through the Inquiry process, including: addressing institutional and structural violence within and across systems; ensuring representative, accountable, culturally safe and accessible services; undertaking appropriate evaluation to ensure funded programs and services are effective and meeting the actual needs of clients; the importance of funding programs and services that are driven, designed, and delivered by Indigenous organizations; and, recognizing the unique challenges of Indigenous communities in rural/remote areas.

What we have also heard clearly from family members and our Indigenous partners is that if we are to truly work towards eliminating this violence, then it will require a long-term, partnered, and meaningful commitment to action.

We acknowledge the work the Inquiry has undertaken thus far and look forward to the findings and recommendations of the Commission, as a critical resource in guiding a path forward. We also acknowledge and recognize the strength and resiliency of the families, survivors, and the many loved ones who have been stolen, whose stories and experiences led to the establishment of the Inquiry, and who continue to hold us all to account.