



BC FIRST NATIONS
JUSTICE COUNCIL

INDIGENOUS WOMEN'S JUSTICE PLAN: Guiding Draft

Embargoed Draft - 2019 Not Distribute

BC First Nations Justice Council

303-1979 Old Okanagan Hwy, Westbank, BC. V4T 3A4 Office: 778-940-1520
bcfnjc.com

INDIGENOUS WOMEN'S JUSTICE PLAN BACKGROUNDER

Background

The BC First Nations Justice Council (BCFNJC) has heard the message from Indigenous women and communities about the need for a justice plan that addresses the unique challenges and experiences faced by Indigenous women. The Indigenous Women's Justice Plan (IWJP) team has taken this feedback to heart and has worked diligently to develop a guiding draft that is inclusive, culturally sensitive, and responsive to the diverse needs of Indigenous women. By sharing this background information, the BCFNJC aims to foster trust and understanding between the team and Indigenous communities, ensuring that the final justice plan truly reflects the voices and aspirations of Indigenous women.

Coming into the community with a blank slate when so much work has been done already, is unacceptable. Therefore, when work on the guiding draft began in March 2023, it sought to highlight and uplift the voices gathered from various reports and calls to action that have been previously compiled. The IWJP focused on recommendations from the *Reclaiming Power and Place Calls for Justice (CFJ)*, *Red Women Rising (RWR)*, and *Highway of Tears Symposium (HOT)* reports. These reports have 464 collective recommendations, which were all examined and grouped to provide guidance on the IWJP's draft development. The IWJP Guiding Draft is focused on these recommendations and is therefore intended as a guiding document, requiring the expertise of those most impacted to expand, elaborate, and explore.

Other BC (and some federal) reports that the team has review/referenced include:

- Forsaken: The Report of the Missing Women Commission of Inquiry (aka Wally Opal report)
- Those Who Take Us Away: Abusive Policing and Failures in Protection of Indigenous Women and Girls in Northern British Columbia, Canada (Human Rights Watch)
- Missing and Murdered Indigenous Women in British Columbia, Canada (IACHR)
- A Path Forward: Priorities and Early Strategies for B.C. June 2022 Status Update (Provincial Government)
- Sisters in Spirit (NWAC – 2004)
- Voices of our Sisters in Spirit 2nd Edition (NWAC – 2009)
- What Their Stories Tell Us Research findings from the Sisters in Spirit Initiative (NWAC – 2010)
- Missing and Murdered Aboriginal Women: A National Operational Overview + Update (RCMP 2014; 2015)
- Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ People National Action Plan: Ending Violence Against Indigenous Women, Girls, and 2SLGBTQQIA+ People
- Canada's MMIWG2S National Action Plan Annual Scorecard: An annual report outlining the Federal Government's progress on implementing the commitments made in their MMIWG2S National Action Plan (NWAC)

Current Status

The final IWJP will include several expansions to the present format as presented in the IWJP Guiding Draft. The guiding draft is intended to support in-depth discussions on the IWJP strategies and lines of action, ensuring a comprehensive approach for action relating to justice for Indigenous women, girls, and 2SLGBTQQIA+ peoples. The IWJP guiding draft's format is intended to mimic that of the BC First Nations Justice Strategy.

IWJP DRAFT STRATEGY: *[Area of Focus]*

Strategy

A brief description of the area of focus and outline of objectives for the lines of action.

Related Calls for Justice and Recommendations

| | | |
|-------------------------------------|---|---|
| Calls for Justice | Red Women Rising | Highway of Tears |
| <i>Related calls will be listed</i> | <i>Related recommendations will be listed</i> | <i>Related recommendations will be listed</i> |

Line(s) of Action (LOA)

Newly Created Lines of Action will be listed here.

Related BC First Nations Justice Strategies and Amendments

| BCFNJC Justice Strategies & LOA | Amendment |
|--|-----------|
| <i>If there is a strategy or strategies that are related to the area of focus (such as Corrections or Gladue) the Justice Strategy number and Line of Action will be identified in the first column, with the amendment based on the CFJ/RWR/HOT recommendations in the "amendment" column</i> | |

Important to Note

BCFNJC provides services to all Indigenous peoples through our Indigenous Justice Centres (IJC). It was determined some time ago that the women's plan should speak to this, while maintaining a focus on our mandate to First Nations women and 2SLGBTQQIA+. Our engagements are grounded in inclusiveness and invite Métis and Inuit partners and participants.

We acknowledge the numerous demands to end the relentless research, moving to action when it comes to justice for our Indigenous women, girls, and 2SLGBTQQIA+ peoples. The IWJP emphasizes this need through a clear focus on action and implementation. The IWJP Guiding draft is created in a way that embodies and elevates previous work and efforts, to present it to the diverse Indigenous peoples of BC for expansion, evaluation, and endorsement.

IWJP DRAFT STRATEGY: Accountability

Strategy

Development of oversight and accountability measures, including a public facing reporting platform, dedicated to Indigenous women, girls and 2SLGBTQQIA+ peoples as an ongoing assessment and progress tracking system. Tracking and data collection on Missing and Murdered Indigenous Women, Girls, and 2SLGBTQQIA+ serves to monitor and hold all persons involved accountable while also providing transparency to all Indigenous peoples in BC.

Related Calls for Justice and Recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|---------------------------------------|--|--|
| 1.1; 1.2; 1.7; 1.10; 1.11; 5.24; 15.8 | 1.d (pg.161); 4 (p. 155); 22 (p. 164), 13.f (p. 163), 1.g (p. 161) | No recommendations related to this area of focus |

Line of Action

- A. BCFNJC and the Province of British Columbia (BC) will develop an Indigenous-led oversight and accountability body responsible for the collation and reporting of information connected to Indigenous women, girls and 2SLGBTQQIA+ peoples, to oversee all tasks, duties, information sharing, and responsibilities related to oversight.
- BCFNJC and BC will develop a workplan within 12 months for the development of the oversight and accountability body.
 - The workplan will include a dedication to holding up past and present emotional labour from families, advocates, grassroots movements, as well as any ongoing work the Provincial and Federal Government has initiated to take action to end systemic discrimination, racism and violence against Indigenous women, girls, and 2SLGBTQQIA+ peoples.
 - The workplan will include data collection on MMIWG2S+ in partnership with BC and Indigenous communities and organizations to track cases of missing and murdered Indigenous women, girls, and 2SLGBTQQIA+ peoples in BC, and hold justice system actors accountable.
 - The workplan will identify the determination of criteria for data collection as it relates to Indigenous communities and organizations that accurately reflect cases of those missing and murdered.

Related BC First Nations Justice Strategies and Amendments

| | |
|-------------------------|-----------|
| BCFNJC Strategies & LOA | Amendment |
|-------------------------|-----------|

IWJP DRAFT STRATEGY: Prevention

Strategy

Preventative and proactive measures will be implemented to decrease anti-Indigenous racism, sexism, harm, and violence, particularly as committed against Indigenous women, girls and 2SLGBTQQIA+ peoples in BC. The development of sustainable, long-term funding aimed at preventing violence against, providing protection for, and supporting the overall well-being of Indigenous women, girls and 2SLGBTQQIA+ peoples as imagined and led by First Nations communities.

Related Calls for Justice and recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|---|--|------------------|
| 1.1; 1.3; 1.4; 1.5; 1.6; 1.8; 1.9; 2.1; 2.2; 2.3; 2.4; 2.5; 2.6; 2.7; 3.2; 3.3; 3.4; 3.6; 4.1; 4.2; 4.3; 4.5; 4.6; 4.7; 5.12; 6.1; 7.1; 7.2; 7.3; 7.4; 7.5; 7.7; 7.8; 9.3 | 11 (pg.163); 7 (pg.163); 8 (pg.168); 23 (pg.185); 24 (pg.185); 27 (pg.185); 25 (p. 185); 15 (p.166); 26 (p. 185); 1.a (p. 161); 3 (p. 155); 14 (p.156); 18 (p. 157); 5 (p. 183); 22 (p. 157); 13 (p. 176); 2 (p. 178); 8 (p. 183); 2 (p. 168); 18 (pg.174) | 14; 23; 25; 28; |

Line(s) of Action (LOA)

- A. BCFNJC and BC will create a provincial anti-racism action plan. First Nations in BC will guide the development of the action plan with specific input from Indigenous women, girls, and 2SLGBTQQIA+ peoples, Elders and Knowledge Keepers. The action plan will include measures to address racism and violence. Further, to improve the lives of First Nations in BC.
 - The action plan will include the passing of anti-racism legislation that will directly address Indigenous-specific racism in BC.
- B. BCFNJC and BC will develop a framework for media relations and reporting regarding instances of violence and injustice experienced by Indigenous women, girls, and 2SLGBTQQIA+ peoples. More specifically, this includes the following:
 - The Framework will include a protocol for the reporting of Missing Indigenous Persons, with specific considerations of Indigenous Women, Girls, and 2SLGBTQQIA+ peoples.
 - The Framework will include the provision of cultural competency training for media professionals reporting on issues relating to Indigenous peoples, specifically speaking to trauma and violence informed reporting.
 - The Framework will include an identification and analysis of relevant Legislation and the necessary changes.
 - The framework will include Indigenous-led opportunities to increase the representation of Indigenous, women, girls 2SLGBTQQIA+ peoples in all avenues of media.

- C. BCFNJC and BC will establish a sustainable, accessible funding stream for First Nations and Indigenous-led women's organizations in BC to support actions led by Indigenous women, girls, and 2SLGBTQQIA+ peoples, with a focus on rights recognition, and preventative and proactive actions.
- BCFNJC and BC in partnership with BC First Nations, Indigenous led-organizations, and grassroots, will create a steering committee with representation of Indigenous women, girls, and 2SLGBTQQIA+ peoples responsible for oversight of the fund.
 - BCFNJC and BC will ensure the fund is absent of jurisdictional disputes to support and uphold a broadened and self-determined definition of justice that encompasses rights to overall health and wellness with a focus on prevention and self-determined services that meet Indigenous women, girls, and 2SLGBTQQIA+ peoples' needs on an equitable basis. Including but not limited to:
 - Increasing the number of qualified Indigenous mental health supports and grief counselors to provide long-term healing and support to survivors and families impacted by the genocide of MMIWG 2SLGBTQQIA+.
 - Ensuring Indigenous-led low barrier, needs-based, wraparound and culturally informed mental health and addiction services are available 24/7, including detox on demand.
 - Providing culturally appropriate, holistic mental health and addictions care and supports for aftercare that meets their direct needs before being discharged.
 - Advancing language revitalization efforts to be incorporated within government, institutions, and organizations across BC including providing resources to preserve knowledge keepers, and Elders traditional oral stories, history, and language.
 - Increasing the depth, breadth, and frequency of outreach services such as mobile healthcare and community-based clinics to rural and remote communities to bring essential services to communities, to prevent members from travelling to service providers outside communities which increases their risk for victimization.
 - Increasing Indigenous health and wellness centres, programs, services, and sacred places that address physical, mental, sexual, and spiritual harms including ones that increase the safety and security of sex workers.
 - Increasing the number of Indigenous healthcare professionals and patient navigators who are trained in Indigenous health practices and ceremonies such as birthing and reproductive knowledge. Including training and hiring those with lived experience.
 - Increasing access to Indigenous-led stable and safe housing, low barrier shelters, transition homes, second stage housing and safe homes.

- o Increasing the number of Indigenous housing outreach workers, Indigenous women peer workers, staff, and managers that include mentorship and training for those with lived experience.
 - o Creating and increasing mentorship opportunities for Indigenous, women, girls and 2SLGBTQQIA+ so they are prepared for, represented, and supported in roles involving governance, leadership, policy, Canadian courts and policing.
- D. BCFNJC and BC, to conduct a women-centered, culturally safe legislative and regulatory analysis to identify revisions and amendments that address the holistic intersectionality of the overall wellbeing of Indigenous women and 2SLGBTQQIA+ peoples that are grounded in prevention. Reviews will include, but are not limited to:
- Reevaluating mainstream mental health, addiction services and hospital protocols surrounding care, discharge, and aftercare, to include the lived realities of Indigenous women, girls and 2SLGBTQQIA+ peoples. Including replacing or amending the *Mental Health Act*, the *Health Act*, the *Health Professions Act*, and the *Health Care (consent) and Care Facility (Admission) Act*, affirming the autonomy of the person and their “heart family” with healthcare, treatment, and recovery decisions.
 - Analysis of all legislation, policies, and procedures surrounding accessibility to all forms of housing. This will include amendments to the *Residential Tenancy Act*, *Shelter Aid for Elderly Renters Regulation*, the Human Rights Code to address the various ways in which Indigenous women and 2SLGBTQQIA+ peoples are discriminated against based on race, gender, income security, and family/parenting dynamics.
 - Immediately address the inequalities and barriers within all poverty reduction and employment legislation, policies, and procedures including the *Employment Standards Act*, *Employment and Assistance Act*, *Poverty Reduction Strategy Act* to reflect the lived realities of Indigenous women, girls 2SLGBTQQIA+ peoples. This will include ensuring a guaranteed livable income versus the current systems in place where barriers exist at all steps of the application and approval process. This is of utmost importance for Indigenous women, girls and 2SLGBTQQIA+ when children are involved, especially those fleeing from violence.

Related BC First Nations Justice Strategies and Amendments

| | |
|-------------------------|-----------|
| BCFNJC Strategies & LOA | Amendment |
|-------------------------|-----------|

IWJP DRAFT STRATEGY: Legal Aid Transition

BCFNJC Strategy 5: Establish First Nations Legal Services: Ensuring increased and more effective access to justice, and in particular defense counsel, for Indigenous accused.

Related Calls for Justice and recommendations

| | | |
|-------------------|------------------------|------------------|
| Calls for Justice | Red Woman Rising | Highway of Tears |
| 4.4 | 23 (p.157); 28 (p.180) | |

Line(s) of Action (LOA)

Related BC First Nations Justice Strategies and Amendments

| BCFNJC Strategies & LOA | Amendment |
|-------------------------|--|
| Strategy 5, LOA 'A' | The workplan will ensure that legal aid for First Nations is expanded to include provisions that seek to guarantee safe and affordable housing, equitable education, equitable health care, income supports, employment, and safety for Indigenous women, girls and 2SLGBTQQIA+ peoples. |
| Strategy 5, LOA 'A' | The workplan will ensure Indigenous Justice Centres provide wraparound support for women and 2SLGBTQQIA+ peoples in all administrative, criminal, civil, social assistance, housing, and family (including Intimate Partner Violence) matters. |

IWJP DRAFT STRATEGY: Policing

Strategy

Reflecting the core value of the prevention of all forms of violence against Indigenous women, girls, and 2SLGBTQQIA+ peoples in BC, measures must be taken to address:

- Over-policing;
- Profiling;
- Violence at the hands of police;
- Dismissal and victim-blaming when reporting missing persons, gender-based violence, intimate partner violence and sexual assault incidents; and
- Exclusion from investigations into incidents involving Indigenous women, girls and 2SLGBTQQIA+ peoples, leading to a lack of transparency and information sharing.

Related Calls for Justice and recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|---|---|------------------|
| 5.4; 5.5; 5.6; 5.7; 5.9; 9.1; 9.2; 9.4; 9.5; 9.6; 9.7; 9.8; 9.9; 9.10; 9.11 | 4 (pg.155); 12 (pg.163); 8 (pg.156); 19; 20; 21; 22; 23; 24 (pg.164); 13 (pg.179) | 2; 3; 26; 27; 33 |

Line of Action (LOA)

- A. BCFNJC, in partnership with BC, will work with the RCMP, municipal police forces, First Nations police forces, as well as other relevant actors, to conduct, in consultation with the First Nations of BC, a legislative and policy analysis to identify areas for revisions and areas for the creation of new policies or legislation to address the inequitable treatment of Indigenous women, girls and 2SLGBTQQIA+ peoples. Reviews will include, but will not be limited to:
 - The *Missing Persons Act* and accompanying regulations, as well as other related enforcement guidelines to specifically address the complexities and inequities experienced by families and survivors of the MMIWG2S+ genocide.
 - Relevant legislation and regulations relating to intimate partner violence (IPV), and gender-based violence (GBV) such as Bill M 217: *Interpersonal Violence Disclosure (Claire's Law) Act*.
 - Relevant provincial regulations relating to the treatment and conduct involving cases of sexual assault, including policies surrounding all interactions between police, victim services, and survivors. This will include specific provisions for keeping Indigenous women, girls and 2SLGBTQQIA+ persons safe from sexual assault, including by police while stopping countercharging of women defending themselves against assaults.
- B. Development of a Provincial Policing Oversight body comprised of representatives from the First Nations of BC, centering the voices of Indigenous women, girls and 2SLGBTQQIA+ peoples, which will receive complaints and

oversee the conduct of all police forces in BC as it pertains to interactions with Indigenous Peoples.

- BCFNJC and BC will develop a framework for the Provincial Policing Oversight body to have the power to mandate standards of policing regarding working with Indigenous Peoples.
- BCFNJC and BC will develop information sharing agreements with policing services (RCMP, municipal police forces, First Nations police forces, BC Police Board) to provide necessary documentation to BCFNJC to complete this task.

C. Development of a provincial MMIWG2S+ Task Force.

- BCFNJC and BC will develop a framework for the development of the MMIWG2S+ Task Force including the following responsibilities:
 - Implementation of a Red Dress Alert system to notify when an Indigenous woman, girl or 2SLGBTQQA+ person has gone missing.
 - Development and oversight of a MMIWG2S+ Cold Case Task Force to investigate all cases of missing Indigenous women, girls and 2SLGBTQQA+ peoples in the province, and to investigate the true numbers of MMIWG2S+ in the province.
 - Information sharing agreements with all police forces to provide all files, notes, and information relevant to these cases.

Related BC First Nations Justice Strategies and Amendments

| Strategy & LOA | Amendment |
|----------------|-----------|
| | |

IWJP DRAFT STRATEGY: Corrections

Strategy

Enacting a presumption of no charging with referral to alternative social, health and economic supports, and the uplifting of Indigenous-led programs and services that are culturally and traditionally grounded in local and traditional law and governance. Addressing overincarceration, the separation of families, lack of mental health resources – particularly culturally grounded ones, the inequitable treatment of Indigenous women, girls and 2SLGBTQQIA+ peoples, and implementing alternatives to incarceration in correctional institutions across BC.

Related Calls for Justice and recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|--|--|----------------------------|
| 5.3; 5.10; 5.11; 5.14; 5.16; 5.18; 5.20; 5.21; 5.23; 14.1; 14.2; 14.3; 14.4; 14.6; 14.7; 14.8; 14.9, 14.10; 14.11, 14.13 | 26 & 32 (pg.180); 37; 38; 39; 40; 41, 42; 44; 45; 46 (pg.180-182)); 9 (pg.156) | No related recommendations |

Line(s) of Action (LOA)

- A. BCFNJC and BC, in partnership with the Government of Canada, to conduct a legislative and regulatory analysis to identify revisions and expansion to address the inequitable discriminatory treatment of Indigenous women and 2SLGBTQQIA+ peoples. Reviews will include, but will not be limited to:
- Revisions to the BC *Correction Act* to include Indigenous specific provisions, similar to those outlined in the *Corrections and Conditional Release Act*, including the provision of community-based diversion and restorative justice programming, such as healing lodges and other community-based health, social and economic services to prevent incarceration and criminalization.
 - Revisions of both provincial and federal legislation around security classification, with specific attention to repeated historical recommendations to start all women at minimum security and in community to rectify the inequitable classification of Indigenous women to maximum and secure levels. Including ending the restriction of access to healing lodges because of this classification. Specifically develop a classification assessment tool that is sensitive to the distinctions of Indigenous women and 2SLGBTQQIA+ peoples' backgrounds and realities.
 - Revisions of both Provincial and Federal legislation to eliminate practices such as the use of strip searches, segregation, and structured intervention units (SIU). This must include the reevaluation of intake and monitoring policies and procedures specific to Indigenous women and 2SLGBTQQIA+ peoples with the requirement that all alternatives to incarceration and criminalization be identified and explored.

- B. BCFNJC and BC will work with First Nations in BC to identify and develop alternatives to corrections for Indigenous women, girls and 2SLGBTQQIA+ peoples, including programming aimed at prevention pre and post charge diversion, which is Indigenous led, culturally grounded and focuses on restoration of traditional law.
- BCFNJC and BC will develop and fund a position within BCFNJC to support community-led prevention, pre and post charge correction alternatives with First Nations in BC. This position will support communities in program and service development, funding acquisition and evaluation.
 - BCFNJC and BC will work with existing Indigenous-led and/or Indigenous servicing community based correctional alternatives including healing lodges, prevention programs and diversion options to support and expand this work where possible.

Related BC First Nations Justice Strategies and Amendments

| BCFNJC Strategies & LOA | Amendment |
|-------------------------|--|
| Strategy 14, LOA 'B' | Workplan will ensure that Indigenous women and 2SLGBTQQIA+ specific culturally grounded programming is expanded and developed, including but not limited to child-friendly parent/child community supports, treatment programming and access to traditional healing, Elders, mental health, addiction, and trauma services. These services will be developed with Indigenous women and 2SLGBTQQIA+ peoples at the forefront and be delivered in a manner that is distinctions-based, culturally and trauma-informed, as well as with a focus on family supports and unification. |
| Strategy 15, LOA 'A' | The fund will include dedicated and individualized supports for Indigenous women and 2SLGBTQQIA+ peoples programs and services, providing wraparound supports and options for keeping families unified, which may or may not be utilized for pre or post charge diversion and sentencing including conditional release and reintegration supports. |
| Strategy 15, LOA 'B' | BCFNJC will develop a process for assessment that is gendered and culturally grounded, distinctions-based, and sensitive to the realities of Indigenous peoples, including the intersectionality of Indigenous women, girls and 2SLGBTQQIA+ peoples. |
| Strategy 15, LOA 'C' | Workplan will support the establishment of new Indigenous-led community-based healing lodges and ongoing success of existing services, ensuring these programs are recognized as provincial and federal alternatives, that specifically serve women and 2SLGBTQQIA+ populations and include community-based opportunities for parent/child healing support and family unification. |
| Strategy 24, LOA 'A' | BCFNJC will ensure evaluation framework and workplan include specific considerations around the needs of women, girls, and 2SLGBTQQIA+ peoples aimed at increasing safety |

| | |
|--|--|
| | and wellbeing as well as uplifting and providing employment opportunities to these individuals to fill front line and advisory positions within the justice teams. |
|--|--|

Embargoed Draft - Do Not Distribute

IWJP DRAFT STRATEGY: Gladue Services Department

Strategy

Expansion development and implementation of Gladue standards and the use of Gladue reports to support Indigenous women, girls, and 2SLGBTQQIA+ peoples and their lived experiences with consideration in all areas of justice including family, economic supports, housing, employment, health, self-defence, and education.

Related Calls for Justice and recommendations

| | | |
|-------------------|--|----------------------------|
| Calls for Justice | Red Woman Rising | Highway of Tears |
| 5.15; 5.17; 14.5 | 25 (pg.179); 29 (pg.180); 21 (pg.177); 17 (pg.179) | No related recommendations |

Line of Action (LOA)

- A. BCFNJC and BC will work with all community and legal justice sectors to develop and implement Gladue as a right for Indigenous women, girls, and 2SLGBTQQIA+ peoples in BC.
 - Strength based reporting with a focus on addressing lived experiences of Indigenous women, girls and 2SLGBTQQIA+ peoples because of colonialism including, but not limited to, trauma, residential schools, racism, discrimination, poverty and sexism.
 - Working with Indigenous women on the development of Gladue standards to guarantee the voices of lived experience are at the forefront to ensure development of and access to Indigenous-led preventative, restorative and rehabilitative supports, and services to promote safety in the community and prevention of victimization, re-victimization, criminalization and institutionalization.
 - The development of standards will include examining Indigenous women, girls and 2SLGBTQQIA+ rights surrounding self defense and sex work as it pertains to lack of related economic and social supports that leave them vulnerable to a revolving cycle of predation and abuse.
- B. BCFNJC and BC will work with Child Welfare Services to utilize Gladue to develop supports as a right when Child Welfare Services are involved and trying to remove children from the family. All assessments will include consideration of intergenerational trauma because of colonialism and an Indigenous-led healing and support plan with commitment to provide appropriate resources to keep the family unit together and adequately supported.
- C. BCFNJC and BC will identify a standardized and accessible process for the timely access of Gladue resources and services aimed at ending the pattern of criminalization and imprisonment of Indigenous women, girls and 2SLGBTQQIA+ including, but not limited to, coerced plea bargains and mandatory minimum sentences.

Related BC First Nations Justice Strategies and Amendments

| | |
|----------------|-----------|
| Strategy & LOA | Amendment |
|----------------|-----------|

IWJP DRAFT STRATEGY: Indigenous Justice Centres

Strategy

Expand and invest in a comprehensive network of Indigenous Justice Centres.

Related Calls for Justice and recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|---------------------------|--|------------------|
| 3.7; 5.6; 5.13; 9.2; 9.5; | 10 (pg.163); 28, 31 (pg.180); 17 (pg.157); 6 (pg.162); 14 (pg.164) | |

Line of Action

- A. BCFNJC and BC will work to increase the services provided to MMIWG2S+ impacted families and communities.
- BCFNJC and BC will work with the Family Information Liaison Unit (FILU) program to identify community needs additional areas in need of supports.
 - BCFNJC and BC will develop gap-filling services within the Indigenous Justice Centres that specifically meet the needs of Indigenous women, girls and 2SLGBTQQIA+ peoples experiencing colonial violence, and the after-effects of colonial violence, such as family violence including impacts of systemic violence in the forms of police and child protection authorities and discriminatory social and economic resourcing.
 - The services will be victim/survivor centered and provide holistic, community based, culturally and trauma informed support throughout all stages of the legal process including advocacy and resources in navigating complex colonial systems.

| | |
|-------------------------|-----------|
| BCFNJC Strategies & LOA | Amendment |
|-------------------------|-----------|

IWJP DRAFT STRATEGY: Development of Standards of Cultural Competency

BCFNJC Strategy 20: Development of standards of cultural competency, and a training program regarding First Nations and the justice system, to be used by all who interact with the First Nations in the justice system including police, BCPS and Crown Counsel, courts, and corrections.

Related Calls for Justice and recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|---|---|------------------|
| 1.9; 5.25; 5.8; 7.6; 7.9; 8.1; 10.1; 11.1; 11.2 | 9.h (p.166); 17, 18 (pg.184); 10 (pg.184) | |

Line of Action (LOA)

C. BCFNJC and BC will work with each branch of the justice sector on implementation of the core content and standards for Indigenous women, girls and 2SLGBTQQIA+ peoples.

- Health service providers and hospital security guards will implement mandatory core content and standards that include training on the history of colonialism, impacts in relation to current systemic racism, and Indigenous cultures and healing practices.
- This will also include systemic racism surrounding forced sterilization of Indigenous women, girls and 2SLGBTQQIA+ peoples that, although illegal, is still persistent within the healthcare system today.
- Transportation and hospitality providers will implement mandatory core content and standards training to identify warning signs and guidelines on human trafficking and sexual exploitation and how to report in a concise manner.
- All criminal legal justice employees including criminal defense and family lawyers will implement mandatory core content and standards training surrounding education that are Indigenous-led and culturally informed with a focus on Indigenous cultures and history.
- First Responders and those who are first on scene when dealing with survivors will implement mandatory core content and standards training with a focus on cultural sensitivity.
- Institutions and education authorities to educate the public about missing and murdered Indigenous women, girls, and 2SLGBTQQIA+ peoples including addressing the root causes of violence, why men commit violence against Indigenous women, girls, 2SLGBTQQIA+ peoples, poverty, discrimination and awareness and prevention of human trafficking and grooming.

Related BC First Nations Justice Strategies and Amendments

| BCFNJC Strategies & LOA | Amendment |
|-------------------------|-----------|
| | |

Strategy:

Considering the unique and varying needs of the diverse First Nations communities of BC, such as rural and remote regions and urban centres, to ensure increased and more effective access to available, sustainable, and safe transportation, as well as prevention and protection from all forms of violence for Indigenous women, girls, and 2SLGBTQQIA+ peoples.

Related Calls for Justice and recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|------------------------------------|--|---------------------|
| 4.8; 13.1; 13.2; 13.3; 13.4; 13.5; | 9.e (pg.166); 26 (pg.158); 32 (pg.171); 34 (pg.159); 20 (pg.184); 1.f (pg.161) | 1; 2; 4; 5; 6; 7; 8 |

Transportation

Line of Action (LOA)

- A. BCFNJC and BC will work to expand and/or create policy and programming aimed at creating a safe passage program to improve safety in areas and transportation corridors where Indigenous women, girls and 2SLGBTQQIA+ peoples have been preyed upon and targeted, such as along the Highway of Tears.
 - The program will provide a sustainable, safe, free ride transportation service across BC between communities and city centres, specifically along the Highway of Tears.
 - Create alternative options to hitchhiking in addition to awareness and prevention programs surrounding the risks of hitchhiking.
- B. BCFNJC and BC will work together to identify or create alternatives to patrolling dangerous areas, including the Highway of Tears, adding resources such as mental health supports and patrols. It will be the responsibility of the RCMP and Municipal Police Forces to create impactful policies and procedures surrounding patrol along known dangerous corridors such as the Highway of Tears.
 - All RCMP and Municipal Police Forces will be educated and trained in culturally safe ways to proceed when encountering women, girls or 2SLGBTQQIA+ hitchhiking, including never criminalizing or detaining, providing a safe ride where needed, and a report that is kept on file.
 - RCMP and Municipal Police Forces will increase highway patrols along the Highway of Tears, especially during hitchhiking season near First Nations communities.

- C. BCFNJC and BC will work with First Nations communities to implement a safe places plan, along stretches of highway across BC, specifically along the Highway of Tears, that Indigenous women, girls and 2SLGBTQQIA+ peoples have access to when hitchhiking.
- Funding for communities to manage and create their own sustainable safe homes.
 - Recruit community members to be on committees to guide the implementation of the safe homes along stretches of highway across BC.

Cellular Connectivity Strategy

Line of Action (LOA)

- A. BCFNJC and BC will work to ensure that the existing contract to complete cell coverage along the entire stretch of the Highway of Tears is completed immediately so as not to further the delay of the promised Fall 2022 deadline.
- B. BCFNJC and BC will work with relevant partners to implement a string of emergency phone booths to be strategically placed in high-risk areas, such as the Highway of Tears and other remote areas.

Man Camps Strategy

Line of Action (LOA)

- A. BCFNJC and BC will develop legislation surrounding the impacts that all resource-extraction and development industries have at all stages and guarantee measures are in place to protect the safety and security of all Indigenous women, girls and 2SLGBTQQIA+ peoples:
- BCFNJC and BC, with First Nations, are to evaluate, approve and monitor development of projects with a gender-based socio-economic impact assessment.
 - Including ensuring social infrastructure is in place before the start of projects to meet anticipated needs of the host communities. This includes ensuring policing, social services, and health services are adequate, as well as prioritizing the personal and professional development of Indigenous women for hiring of positions within resource work to undo the masculine toxicity.
- B. BCFNJC and BC will develop a framework to support First Nations in BC impacted by resource extraction and/or man camps by providing direct funding for services that protect women, girls and 2SLGBTQQIA+ peoples from the risks associated with these camps.
- This includes, but is not limited to, free and safe transportation, safe houses, and free emergency phone booths.
- C. BCFNJC and BC will develop a framework whereby First Nations in BC can take up their right to land stewardship in connection to violence against Indigenous women, girls and 2SLGBTQQIA+ peoples, including the right to place

restrictions, regulations, and requirements on resource extraction projects including mandated income support aimed at protecting the land and those on it.

- Focus will be given to the protection of Indigenous women, girls and 2SLGBTQQIA+ peoples as well as land defenders, who are most negatively impacted by these projects.

Related BC First Nations Justice Strategies and Amendments

| | |
|-------------------------|-----------|
| BCFNJC Strategies & LOA | Amendment |
|-------------------------|-----------|

Embargoed Draft - Do Not Distribute

IWJP DRAFT STRATEGY: Crisis Response

Strategy

Enhancing the work to guarantee social and economic systems are in place to prevent victimization of Indigenous women girls and 2SLGBTQQIA+ peoples this strategy ensures that Indigenous women, girls and 2SLGBTQQIA+ peoples who go missing and/or are found murdered receive a prompt and efficient response. Relevant partners across jurisdictions will ensure communication and consistency, ending the systemic discrimination and racism that has resulted in a lack of care and attention.

Related Calls for Justice and recommendations

| Calls for Justice | Red Woman Rising | Highway of Tears |
|-------------------|-------------------------|--------------------------------|
| 3.5 | 9 (pg.163); 24 (pg.158) | 16; 17; 18; 19; 20; 21; 22; 24 |

Line(s) of Action (LOA)

- A. BCFNJC and BC will work with First Nations communities to develop a framework for cross jurisdictional Indigenous-led crisis response planning for Indigenous women, girls and 2SLGBTQQIA+ peoples that is activated within 5 hours of someone being reported missing and/or found murdered.
 - The plan will include detailed timelines and procedures the Crisis Response Team and relevant actors (RCMP, Police, Search and Rescue, Fire Department, Ambulance) will need to follow when an Indigenous woman, girl or 2SLGBTQQIA+ person is reported missing by a friend or family member.
 - The plan will include a “Missing Person Alert” that will be enacted and communicated across all jurisdictions, First Nations communities and municipalities.
 - The plan will include an immediate response within communities for Indigenous led culturally competent, trauma informed counselling for the whole community that continues for as long as the community requests it.
 - The teams should be mostly inclusive of community members, when possible, who are culturally competent and trained in trauma informed care with the capacity to execute the plan in an instantaneous and organized manner.
 - Existing community resources used for crisis response will help in building the team to ensure all resources are at their disposal.
 - There will be two designated persons on each team who are authorized by the RCMP and police to commence the Crisis Response Plan and Team.
- B. BCFNJC and BC, in partnership with the Government of Canada, to conduct a legislative and regulatory analysis to identify revisions and expansion for when an Indigenous woman, girl or 2SLGBTQQIA+ person is reported missing and/or is found murdered.

- Make amendments to the *Missing Person Act* to include prompt activation of the Crisis Response Plan and Team.
- Pass legislation on implementing the Red Dress alert in BC.

Related BC First Nations Justice Strategies and Amendments

| | |
|-------------------------|-----------|
| BCFNJC Strategies & LOA | Amendment |
|-------------------------|-----------|

Embargoed Draft - Do Not Distribute