

GENDER MATTERS;

building strength in reconciliation

Summary dialogue report of the cross country Arrest the Legacy: from Residential Schools to Prisons dialogues on improving conditions and opportunities for Aboriginal women and girls impacted by residential schools who are criminalized or in conflict with the law.



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This document represents the final report of the “*Arrest the Legacy: from Residential Schools to Prisons*” dialogues, one component of the Native Women’s Association of Canada’s Gender Matters: Building Strength in Reconciliation Project.

The contents of this report are based on five multi-stakeholder dialogues, held in collaboration with:

K’atl’odeeche First Nation
(Hay River, NWT)

**Elizabeth Fry Society of
Saskatchewan** (Saskatoon)

**Ontario Native Women’s
Association** (Thunder Bay)

Justice for Girls (Vancouver)

**Native Women’s Association
of the North West Territories**
(Yellowknife)

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The contents of this report represent views expressed by participants during the dialogues, and the findings are not necessarily those of NWACs directors, sponsors, supporters, the projects advisory committee or each person consulted during its preparation.

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Acknowledgements

This report is dedicated to all former residential school students and their family members, and all those working to: transform unjust conditions, foster hope and collaboration, and increase opportunities for Aboriginal women and girls today.

This work would not have been possible without the support of the partner organizations in each of the regions we travelled to, as well as the participation of all of the Elders, presenters, high school students, residential school resolution health support workers, advisory committee members, and the provincial correctional and public safety staff and managers, who came to learn and share their own visions of reconciliation. A list of formal contributors can be found in the end annexes.

Introduction

Between 2011 - 2102, as part of our *Gender Matters: Building Strength in Reconciliation Project*, the Native Women's Association of Canada (NWAC) held five "Arrest the Legacy: from residential schools to prisons" dialogues across the country. Some 300 people participated in these dialogues, which aimed to promote greater futures and opportunities for young Aboriginal women and girls who are intergenerational survivors of residential schools and in conflict with the law. The content of this report reflects the themes and recommendations that emerged from the dialogues.

Pathways to Reconciliation pilot workshops for girls

As part of this project NWAC partnered with two Aboriginal programs to run the **Pathways to Reconciliation** workshops for Aboriginal girls in Winnipeg (Children of the Earth High School) and youth in Vancouver (Pacific Association of First Nations Women/Britannia Secondary Schools' Outreach Program). In these workshops the youth heard from residential school survivors, and Elders, and worked through art and social media projects to discuss residential school themes, and what reconciliation meant to them. Artwork from the Pathways to Reconciliation project is found throughout this report.



Desiree's Art from the Pathways to Reconciliation Project - Children of the Earth Highschool



Antecedents:

In 2009-2010, in response to the Truth and Reconciliation Commissions (TRC) work in gathering statements, NWAC commissioned a paper on culturally relevant gender based models of reconciliation.¹

NWAC wanted to ensure that the final recommendations of the TRC would take the gendered impacts of colonization into account, and recommend measures to: end practices that devalue Aboriginal women and girls; restore and respect women's safety and agency; and increase community cohesion, through re-vitalizing respect for women's teachings, and gender balance in a contemporary way.

The following year, under the same program, NWAC set out to ensure women residential school survivors, across the country, including those who were homeless, and in prison, knew about their rights under the Indian Residential Schools Settlement Agreement. This involved visits to shelters, half way houses, community based organizations, and prisons.

During this period, NWAC found that residential school legacies were poorly understood by most

Canadians and that individuals who were homeless, or incarcerated continued to be blamed, without examining contributing factors. It was clear that neither justice nor reconciliation could be achieved without regard for more holistic understanding and balance approaches.

In response, NWAC created a national project steering committee. Together, their expertise informed the development of the *Arrest the Legacy: from residential schools to prisons dialogue toolkit*. The toolkit, which is available online, examines the experience of Aboriginal women and girls who have been incarcerated/criminalized, while showcasing more hopeful examples of strength based Aboriginal justice initiatives.²

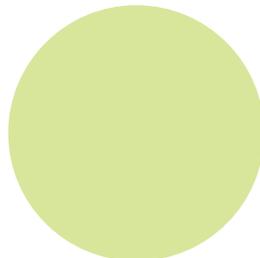
In 2011, NWAC took the dialogue toolkit into the field. We held Arrest the Legacy dialogues in British Columbia, Saskatchewan, Ontario and the North West Territories. We sought additional input from women and girls who had been in custody and invited justice related stakeholders and decision makers to join the discussion.



Dialogue Components and Activities

Four of the five dialogues were three days long. The first day was open specifically for Aboriginal women and girls who have been in conflict with the law.

Those who work with Aboriginal women and girls were invited to join us on days two and three. (justice and corrections workers, crown prosecutors, Aboriginal liaisons, Elders who work in prisons, police, RCMP, restorative and transformative justice workers, addictions counselors, housing, mental health, youth workers, as well as policy and key decision makers)



Promoting Aboriginal women's agency:

For NWAC, it was critical that the voices and experiences of Aboriginal women and girls who have been in conflict with the law, and who are either direct or intergenerational residential school survivors were central to this process.

We wanted to ensure women and girls' voices informed the final recommendations. We also wanted to encourage a process where policy makers, judges, public safety officials, and all those working with Aboriginal women and girls, could sit down at the table, with the women and girls, and with community based

workers, Elders, and allies, to hear first hand, each other's experiences and perspectives.

Too many policies for Aboriginal women and girls are made without their input. We cannot make much progress towards reconciliation if decision makers and those responsible for implementing decisions don't sit down with, hear directly from, and include in a more substantive way, those who their policies will most impact.

It was also critical that the gatherings be held in Aboriginal community-based settings. Key to the gatherings success were the corrections officials, police and prosecutors coming out to the friendship centers to witness our Elders perform traditional opening and closing of the days gatherings, and to honour and support the voices of Aboriginal women and girls who have struggled on the long road to find balance. While the smell of sweet grass and tanned hides permeated the proceedings, the sharing of country food and strawberry tea made the experience both unique and memorable.

Gathering themes

Typically the dialogues were a mix of presentations, open forum dialogue, and smaller group breakout sessions. Presentation themes included:

- Residential school legacies and Aboriginal women and girls in conflict with the law
- Aboriginal youth in child welfare/ youth criminal justice
- Human security, justice and reconciliation
- Strength based, gender sensitive Aboriginal justice as a means of moving forward
- Information on Gladue
- Truth and Reconciliation Commission updates
- Gendering reconciliation.

Goals:

The Arrest the Legacy dialogues aimed to:

- Foster discussion and collaboration between and among justice system actors, civil society advocates, and criminalized Aboriginal women and girls, to understand the impact of the Canadian legal system on Aboriginal women and girls, including direct and intergenerational survivors of the residential school system.
- Identify gender specific goals, outcomes, strategies, and accountability mechanisms to improve conditions for criminalized Aboriginal women and girls, their families and communities.

- Share examples of positive gender sensitive diversion and strength based Aboriginal justice approaches.
- Learn more about Gladue reporting, and discuss ways to strengthen and engender its potential.
- Discuss justice reform in view of strengthening national justice recommendations and strengthen gender sensitive recommendations to Canada's Truth and Reconciliation Commission.
- A longer term goal is to ensure professionals in fields linked to mainstream, restorative, and Traditional justice increase their knowledge and ability to respond in culturally relevant and gender sensitive ways to criminalized Aboriginal women and girls.

Ensuring safety of participants, avoiding re-traumatisation

Speaking about residential school related issues is painful, and requires care. Most of the women, girls and men who came to our circles had begun to some degree to take steps on their own healing journey, and felt inspired by what they heard in the circle.

We chose to not only talk about painful impacts, but the focus also was quite largely on our visions of reconciliation, and building transformative futures. To strengthen safety we engaged the services of Indian Residential School Resolution Health Support Workers in all of our circles, and had the continuous presence of locally recommended Elders.

We also asked in the case of youth or women coming to the circle, that they be referred by those who have an ongoing relationship with them, so that they can continue to have support if needed to process anything that comes up in the circle. In most cases women or youth in conflict with the law who came on the first day, came accompanied by a trusted counselor or worker, or sometimes by a parent.

- 1 Native Women's Association of Canada. Culturally Relevant, Gender Based Models of Reconciliation. 2010. Researcher: Chansonneuve, Deborah. Ottawa.
- 2 Native Women's Association of Canada. Arrest the Legacy from Residential Schools to Prisons. (2011) Researcher: Fiona Meyer Cook. Available online www.nwac.ca

