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First Nation's Housing Strategy

**Indigenous Women, Girls, and LGBTQ2S: Engaging a National Framework
for Housing Policy**

Final Report

April, 2018



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Introduction

The Native Women's Association of Canada (NWAC) is a National Indigenous Organization representing the political voice of Indigenous women and girls in Canada. Incorporated in 1974, NWAC works to advance the social, political, and cultural well-being and equality of Indigenous women through advocacy, education, research and policy. NWAC recognizes Indigenous women in the broadest and most inclusive sense, and is inclusive of status and non-status First Nations, Métis, Inuit, self-identified Indigenous, on and off reserve, and members of the LGBTQ2S+ community who consider themselves to be included under NWAC's mandate.

While there are some housing issues shared by First Nations communities, each faces unique challenges in developing, constructing, and maintaining an adequate housing supply. According to Statistics Canada, poor housing conditions, including crowded homes, are associated with a number of health concerns such as the growth of mould and resulting respiratory infections most likely to affect infants and Elders.¹

Racialized violence disproportionately affects Indigenous women and girls in Canada, with housing issues being a contributing factor to the lack of safety and security they may feel. The insufficiency of accessible shelters and affordable housing for Indigenous women leaving abusive situations, especially in remote, rural, and Northern communities, means they cannot live in safety, free from violence with any sense of stability or permanency.

In order for the First Nations Housing Strategy to be a comprehensive and holistic strategy, INAC must incorporate an intersectional, gender-based approach that is inclusive of voices that have been unrepresented and under-represented in previous policy discussions. Indigenous women are the experts of their own lived experiences and are best suited to deliver recommendations on the housing policies that will impact them.

Background

"The human right to adequate housing is the right of every woman, man, youth, and child to gain and sustain a safe and secure home and community in which to live in peace and dignity."

- UN Special Rapporteur on Housing, 2005

All First Nations members living on or away from their community have a right to shelter and they must be provided with an opportunity to access safe, secure, adequate, and affordable housing. Despite it being an identified issue for generations, Federal programs are not meeting the need for

¹ Statistics Canada. (2016.) *Census in brief: The housing conditions of Aboriginal People in Canada*. Retrieved from: <http://www12.statcan.gc.ca/census-recensement/2016/as-sa/98-200-x/2016021/98-200-x2016021-eng.cfm>.



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First Nations housing. More government reports continue to affirm this, but little meaningful action has been implemented to better living conditions in these communities.

According to the February, 2015 Report of Standing Senate Committee on Aboriginal Peoples on the challenges and successes of First Nations housing, "Housing is essential to the well-being of individuals, families, and communities. A house is more than a building – it is a home. However, too many First Nations people across the country live in housing that is woefully inadequate, and still others face barriers which prevent them from having the full range of housing choices available off-reserve."²

The unique experience of unresolved trauma extending from colonial land theft, broken treaties and racist policies like the Indian Act and the ongoing removal of children from Indigenous families have led to a higher rate of homelessness and insecure housing for Indigenous people compared to the overall population, particularly for First Nations communities.

National Housing Strategy³

Tabled in the fall of 2017, Canada's National Housing Strategy (NHS) promotes access to housing as a means to achieve better socio-economic outcomes for individuals and families, recognizing the needs and vulnerabilities of specific populations, including women and children fleeing family violence, Indigenous peoples, people with disabilities, seniors, those dealing with mental health and addiction issues, LGBT2SQ+ individuals, and young adults, among others.

The NHS supports a focus on lived experience and first voice knowledge, particularly for women and Indigenous people. While this has yet to be realized through direct government action, it represents a significant shift from previous policy on housing.

The National Housing Strategy reinforces Canada's commitment to a nation-to-nation relationship with Indigenous communities, with distinction based housing strategies for First Nations, Inuit, and Métis partners grounded on principles of self-determination, reconciliation, respect, and cooperation. The new policy framework will move towards a long-term approach that will support First Nations care, control, and management of housing and infrastructure and address the needs of First Nations people living both on and off reserve and in rural, remote, and Northern communities.

The NHS also takes a gender-based approach to housing issues, recognizing that women and girls are disproportionately impacted by housing need and that the barriers faced by women and girls related to housing differ from those faced by men and boys. As highlighted in the NHS, women are more likely to

² Senate Standing Committee on Aboriginal Peoples. (2015). *Housing on First Nation reserves: Challenges and successes*. Retrieved from the Senate of Canada website: <https://sencanada.ca/content/sen/Committee/412/appa/rep/rep08feb15b-e.pdf>.

³ Government of Canada. (2017). *Canada's National Housing Strategy*. Retrieved from: <https://www.placetocallhome.ca/pdfs/Canada-National-Housing-Strategy.pdf>.



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have lower incomes, engage in part-time and precarious work, take on more caregiving responsibilities, and may be dependent on a partner for financial support. Intersections of race, sexual orientation, gender expression, and socio-economic status directly impact the experiences of housing instability and homelessness for Indigenous women.⁴

Issues Facing First Nations Communities

While there are some housing issues shared by First Nations communities, each community faces unique challenges in developing, constructing, and maintaining adequate housing and may include:

- Over-crowding⁵
 - Due to the shortage of housing units, inadequate buildings, and continued population growth, a significant number of First Nations women and girls report living in overcrowded units.
 - On reserve - 18% of First Nations women and 39% of First Nations girls.
 - Off reserve – 14% of First Nations women and 23% of First Nations girls.
 - Non-Indigenous – 4% of non-Indigenous women and 8% of non-Indigenous girls.

- Mould⁶
 - Mould is worsened by poor indoor ventilation and insulation, especially in communities under constant boil-water advisories
 - Negatively affects respiratory health, particularly for infants and Elders.
 - A 2012 study published in the Journal of Environmental Health reports that almost half of homes on reserves have enough mould to cause serious respiratory problems.

- Homes in need of major repairs⁷
 - Many homes use tarps/wooden boards to replace broken windows, doors, and ceilings.
 - 24% of Indigenous people living on reserve, 42% of First Nations women living on reserve, and 16% of First Nations women living off reserve resided in homes in need of major repairs.

- Issues related to infrastructure⁸

⁴ *Ibid.*

⁵ *Supra* at note 1.

⁶ Michael Optis., & Peter Stephenson, "Mould Growth in On-Reserve Homes in Canada: The Need for Research, Education, Policy, and Funding" (2012) 74:6 Journal of Environmental Health 14.

⁷ *Supra* at note 1.

⁸ Indigenous and Northern Affairs Canada, "Ending long-term drinking water advisories in First Nations communities." Retrieved from: <https://www.aadncaandc.gc.ca/eng/1506514143353/1506514230742>.



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- A house without proper sewer systems, electrical infrastructure, heating, or clean water, cannot be considered adequate housing. According to the Standing Senate Committee on Aboriginal Peoples, “Infrastructure is not just about bricks and mortar. . . [it] is about meeting the most basic needs of individuals, families, and communities.”⁹
- As of April, 2018 there are 78 long-term drinking water advisories on reserves.

Impacts on First Nations Women¹⁰

“It is very apparent that our women suffer from abuse and trauma, cycle into drug and alcohol use as a coping mechanism, are ill-prepared for the work-force and lack support to break this cycle. Our women are also mothers, daughters, sisters, grandmothers, and wives who, with assistance that truly recognizes and focuses on their lived experiences and the best path forward for them, will be successful. With that, the cycle will be broken.”

- Elizabeth Fry Society of Toronto, Securing Housing Options for Women

For Indigenous women, housing, homelessness, and safety from violence are inseparable. Family violence coupled with precarious, unstable housing often places women in emergency shelters or forces them to live on the streets, where they may face the potential for even greater sexual and gender-based harassment and violence.

Given that many women must leave their home communities to further their education or find employment, the ability to find, secure, and maintain stable housing in urban centres is essential. Unfortunately, for First Nations women living off reserve, gendered and racialized discrimination by potential property owners significantly limits the ability of these women to find adequate housing. Further, many women moving to city centres from reserves may only be able to afford low-income housing, placing themselves and their children at greater risk of experiencing crime and violence.

The housing crisis facing many First Nations communities also has significant implications for Indigenous families. The reality that many parents cannot access safe, affordable housing in their communities has resulted in a number of interventions and apprehensions of First Nations children by child welfare services. Given that Indigenous women are often the primary caregivers for their children, this has the very real potential to traumatize or re-traumatize mothers. Placing the blame for these interventions on the perceived failure of Indigenous parents to provide for their children does nothing to better the conditions in these communities, for the children or their families.

⁹ Senate Standing Committee on Aboriginal Peoples. (2015). *On-Reserve Housing and Infrastructure: Recommendations for Change*. Retrieved from the Senate of Canada website: <<https://sencanada.ca/content/sen/Committee/412/appa/rep/rep12jun15-e.pdf>>

¹⁰ Elizabeth Fry Society of Toronto. *Securing Housing Options for Women: A Position Paper to Support the Need and the Identification of an Effective Solution*, (2015), online: <<https://www.efrytoronto.org/userfiles/files/SHOW%20Paper.pdf>>

Access to VAW Shelters¹¹

Violence within the family is a reality for many Indigenous women and most shelter policies dictate that women may only stay in emergency shelters for specified periods of time. This, combined with the existing deficit of shelter spaces and the lack of sufficient transitional housing supports in First Nations communities means that many women are forced to return to abusive relationships.

Establishing and maintaining women's shelters in rural, remote, and Northern communities is particularly challenging given the smaller populations in these areas and the high cost of construction. Funding and resources should be focused on attaining an equitable standard for shelters across Canada, rather than on a per capita basis. Indigenous women in rural, remote, and Northern communities should not be forced to stay with abusive partners or family members simply because a shelter is too far to access.

Violence against women is not an isolated issue and creating more shelters spaces is not the only solution. Significant investments in safe, affordable housing, infrastructure, services, and supports, are necessary. Communities also need gender-based, trauma-informed, culturally appropriate services that are responsive to the needs of First Nations women leaving situations of violence. Policies to address violence against women must also actively engage with the underlying issues of social and economic inequality that have created the conditions that place Indigenous women at greater risk of experiencing family violence.

Shelters must also be aware of the reasons why women may seek to avoid the shelter system. Some have had negative experiences while living in shelters including homophobia, transphobia, racist comments from staff, violence from other women, and separation from their children. Women's shelters must also be responsive to the needs of those most vulnerable to precarious housing and homelessness including Elders, transgender women, gender non-conforming folks, women who use drugs, women with mental health needs, and those who may be marginalized in other ways. Experiences of violence are a reality for many First Nations women. Strategies that reflect the complex ways in which violence intersects with other markers of identity and experience are needed to address the service gaps that exist for marginalized groups in the shelter system.

Housing First¹²

Housing First is a strategy that seeks to remove barriers to permanent housing and is not contingent on participation in other programs or services. It is a rights-based intervention based on the belief that all

¹¹ *Ibid.*

¹² Gaitz, S., Scott, F., & Gulliver, T. (2013). *Housing first in Canada: Supporting communities to end homelessness*. Retrieved from the Homeless Hub website: http://www.homelesshub.ca/sites/default/files/HousingFirstInCanada_0.pdf.



people deserve housing and that adequate housing is a precondition for healing and recovery. While this strategy emerged in the context of homelessness, mental health, and addiction, it underscores the fact that safe, reliable housing is the foundation for success in many other areas of life.

Stability in housing leads to better educational outcomes for youth, safety from violence for women and girls, fewer health problems related to over-crowding, less economic anxiety, and greater social stability. In this way, inadequate housing can be understood as both the cause and effect of poverty, low educational attainment, high unemployment, food insecurity, poor health, and other negative outcomes. In the same way that access to adequate housing leads to positive effects in other areas of life, a lack of access to housing negatively impacts these same areas.

A Housing First Strategy is reflected in the following principles (from the Housing First Model in Lethbridge Alberta):

- Ending homelessness depends on visionary, innovative and brave leadership from all orders of government
- Housing is a basic human right. An adequate stock of housing must be accessible, safe, and affordable
- All responses to ending homelessness are based on the Housing First approach
- Our community is strengthened socially and economically when all people are safely and securely housed
- Creation of opportunities for self-reliance, social integration and community participation supports people in successfully sustaining their housing
- Continuous learning and improvement, which includes evidence-based best practices, is necessary
- Strong collaborative partnerships are essential to best serve the community

The Housing First model from Lethbridge also includes an Aboriginal Housing First Team. This team provides interim supportive housing in a residence setting for Indigenous women, with or without children, and helping them transition from reserve to urban life.¹³

¹³ Gaitz, S., Scott, F., & Gulliver, T. (2013). *Housing first in Canada: Supporting communities to end homelessness*. Retrieved from the Homeless Hub website: http://www.homelesshub.ca/sites/default/files/HousingFirstInCanada_0.pdf.



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Engagement

An engagement session was held with NWAC's Board of Directors on March 9, 2018 to discuss the impact of a First Nations Housing Policy for Indigenous women. The Board consists of 20 members including regional representatives, Elders, and youth representatives. Members were presented with twelve questions:

1. *How do issues related to housing and homelessness interact with your/your community's cultural/ceremonial needs?*
2. *How does the infrastructure in your community support or discourage safe, stable housing? (i.e. sewer systems, paved roads, streetlights).*
3. *What has your/your family's lived experience with on-reserve housing been like?*
4. *How can the most immediate needs of the housing crisis be met, specifically the critical issue of over-crowding?*
5. *How does the housing crisis impact the women in your community?*
6. *What kind of housing services are missing for Indigenous women living in cities or in rural, non-reserve settings?*
7. *What kinds of programs would help off-reserve Indigenous women into more stable housing situations (such as owning or renting)?*
8. *What would be the best way to engage Indigenous communities in the construction of affordable housing?*
9. *What health concerns connected to housing do you see in your communities? How do these health concerns affect women, specifically? (i.e. over-crowding, ventilation, mould) How do you see this affecting mental wellness and family relationships?*
10. *For the women in your communities, how do issues related to housing interact with family and domestic violence situations?*
11. *Within your communities and from your lived experience, what is missing in the way of shelter services? Do the women in your communities have access to culturally-appropriate shelter services?*



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12. What barriers may prevent Indigenous women in your communities from accessing a shelter?
How could these barriers be removed?

Themes from the Engagement Session

One of the main concerns brought up by the Board of Directors, even before discussing the questions, was the lack of meaningful consultation on the First Nations Housing Strategy. Only allowing two months to facilitate engagement with Indigenous women does a disservice to the First Nations Housing Strategy. High-level questions on a topic such as housing should be informed by the voices of more Indigenous women, girls and gender diverse people to be truly reflective of community needs.

Shortage of Housing Units

The primary concern that was voiced at this engagement session was the current shortage of housing that is affordable, available, and accessible to Indigenous women, on-reserve, off-reserve and in urban centres. Many bands are currently facing a housing shortage with limited financial resources to find solutions.

- The stress of overcrowding is a strain on family relationships and a source of significant conflict. Overcrowding also often takes place in an Elders home, making them potentially vulnerable to financial abuse and exploitation.

"Home owners or long-term residents are Elders. We have alcohol and drug abuse, now Elder abuse (financial, mental) with overcrowding."

- Cost of living is also a significant factor in the number of people living in a single home and may force overcrowding due to the lack of affordable alternatives.

"You need to have kids or a partner to afford where you live. The roommate situation is unhealthy."

Further, for Indigenous women, housing and safety from violence are inseparable. Due to the high cost and inadequate numbers of housing units, women may be forced to stay in unhealthy family situations or abusive relationships.

Impacts on Youth

- Women were also concerned that youth are negatively impacted by the housing shortage and are living with their families for longer periods of time due to the lack of alternatives, meaning intergenerational homes are also more common.



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"When young adults are ready to go, there is no housing for them, they stay with their parents. There are no apartments or housing units for them."

- There is also the reality that many First Nations youth cannot pursue education and opportunity without leaving their communities, but do not have the resources to afford the cost of rent in a major city.

"The lack of the possibility for youth leaving and making a good transition to be independent adults. It is a shortage all the way around. You don't have a credit rating and first and second months [rent] deposit. We don't have places where you can set them up like they go to college. It causes resentments and bad feelings to fail to gain independence."

- The housing crisis, and the various rules that govern the housing policies of specific communities, has impacts for mothers, their children, and future family planning.

"I want to have a home before I bring a child into this world, but I need a kid to do so."

"I got my house because of being married, having a foster child, and having a child."

Intergenerational Homes

- Intergenerational homes in which children, parents, grandparents, and extended family may be living in the same home, which has the effect of severe overcrowding. Overcrowding has the potential for a number of adverse health effects including respiratory illness and the spread of infectious disease. While there may be benefits to having intergenerational homes, participants noted a situation where a five bedroom home is the residence for more than 13 people, and that this is not uncommon.

"A couple, their daughter and husband, and three kids, and some boys sleeping downstairs and sometimes on the couch. Five-bedroom house for 13 people, not including kids or visitors. Couldn't get an apartment because they didn't meet the criteria. Nothing for families. Ten people (plus dogs and birds) living in their house."

- There is also frequently a lack of Elder care available locally and Elders may be forced to leave their communities in order to access necessary medical care.

"Not all Elders want to go into a centralized home."

"The only other Elder's housing is in another community, two hours away."



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Unsafe Housing Conditions

- Concerns surrounding mould, asbestos, fire hazards, and domestic/spousal violence were cited as some of the priority safety issues of the discussion. When rebuilding old/unsafe structures, hazardous materials, such as asbestos, may be disturbed and dissipate into the house. Mould caused by flooding or infrastructure deficits are a common housing issue for many women, the effects of which are worsened by poor indoor ventilation and insulation, especially in communities that are under constant boil water advisories.

"I was living in a house with mould. I was getting seven or eight sinus infections a year because of unstable houses."

- Some people are forced to move in with their families due to the unsafe conditions in their own home, increasing the burden of overcrowding in a single home.

"The housing shortage with asbestos in insulation and mould meant that people (with children, even) had to stay for six months. A couple moved to live with their parents for the welfare of their child."

- Domestic and spousal violence was also discussed at length. Many communities do not have emergency shelters and those that do may restrict access to only victims of violence that have children. This means that many women (and men) are unable to access these services when they are most in need of them. Women may not have the resources to travel to an urban centre or other community without similar restrictions. Many would prefer to stay in their own community, close to family and other supports, if the necessary resources were available.

"Shelters are not open to all of their children. Teenage boys are put somewhere else. This is difficult for some mothers and so they avoid shelters to keep the family together."

"The lack of infrastructure for women wanting to leave – they don't want to leave the community, taking their children away from their extended family. . . Shelters are moving to urban areas, taking kids away from school, grandparents, and support systems."

Further, many women moving to city centres from reserves may only be able to afford low-income housing, placing themselves and their children at greater risk of experiencing crime and violence.

Environmental Conditions

- Environmental and emergency management concerns were voiced, particularly around the issue of flooding. The existing housing shortage is amplified when environmental emergencies take place in communities as many homes become dangerous, inaccessible, or uninhabitable. In this way,



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housing strategies must be complimented by emergency management measures. Ensuring that communities are prepared for the impact of such disaster events should include a housing strategy in combination with evacuation and dislocation protocols for Indigenous communities.

"With flooding, people are afraid to go to bed at night because the water rises up in their houses."

"People sit on their roof and refuse to leave to the point that the water was halfway up their truck. It happened year to year and nothing was done to prevent this from happening. They just make sure that things get out of the shed to a higher level."

- Elders are particularly vulnerable to emergencies, especially during weather related events, as they frequently do not have access to transportation or the capacity to protect themselves and their homes. There is also frequently a lack of Elder care available locally and Elders may be forced to leave their communities in order to access necessary medical care.

"Elders suffer because of the snow in their driveways. . . They cannot get out of their homes."

Without emergency preparedness, measures that address housing specifically, residents are often forced to live in unsafe, dangerous conditions or relocate away from their territory and community.

Accountability Concerns

- The need to develop accountability measures for band councils, construction companies, and government as it relates to housing was specifically highlighted. Many participants agreed that there needed to be more accountability on band councils and local communities to manage housing budgets more effectively and in the interests of band members.

"We need . . . better funding, better monitoring of funds. Nepotism means that those in band councils and relatives will have access to monies."

"While under CMHC, the band pays for insurance. Too many times, they choose not to, and it is then that the house chooses to burn down."

- Participants also believe that construction and property development workers need to be held accountable for the low standard of their workmanship. Communities are being exploited by such companies because there is such a need for affordable construction and little redress or remedy when housing deteriorates.



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"On-reserve housing is built by unscrupulous people who might create a company, build houses, and dissolve the company. The houses may fall apart quickly and there is no oversight."

"The sewers above ground are just holding tanks. The firm no longer exists. We have had to put in new water systems for 10 to 15 houses and we had to do the work to get those fixed."

Government accountability and community oversight as it relates to long-term, sustainable funding mechanisms for housing in First Nations (Métis, and Inuit) communities is also essential.

Focus on Owning Homes Over Creating Rental Units

- Another concern that many Indigenous women echoed on housing was the focus on building and buying homes over building and renting multi-unit dwellings. Many communities only build new single-family homes and this has created a waiting list for housing. Lack of space to build new homes was identified as a problem, and building multi-unit dwellings could optimize space in communities that are facing shortages.

"Housing assistance is all for home buying. You have to be approved upon renting a home for five years. A lot of people cannot afford that. I can barely afford my rent."

Importance of Culture and Community

- Some women mentioned the difficulty they faced in accessing their traditional cultural practices while living in various rental properties.

"A woman is getting famous because she wants to smudge in her apartment but it is a smoke-free home. In housing rentals, because the landlords want a smoke free environment, people cannot use sage in urban areas or off reserve."

"We are longhouse people, so we should be able to hold our ceremonies in a cultural way, with funds available if we are to move in the direction of self-determination and to have a space to do so."

- Some women commented that people also do not want to leave their communities, even if they are homeless, because of their connection to the land and culture. Further, many cultural traditions cannot be practiced off-reserve or in urban centres. This highlights the importance of fixing the housing crisis within First Nations communities, so that these practices can be maintained and preserved.



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"People would rather live homeless in the community than to go out there, where they may never know the neighbor next door, it's a disconnect between people. If you grew up there, you're okay with it and the impact is not so great. Even if it is bad on reserve, it is still community. Moving off reserve, the loneliness and sense of loss is carried with them."

"We used to go berry picking and to pluck a duck, make jam, go to hide-tanning camps, tanning, dogsledding. In Alberta, I would never have been able to do this because of the urban situation."

Poor Infrastructure in Communities

- Poor infrastructure in communities can be understood as both a health and safety issue. Even if housing was accessible and affordable, inadequate infrastructure would undermine and jeopardize the security that such housing would provide. Many homes do not have access to clean water for drinking, bathing, cleaning and cooking. Inadequate wastewater systems mean sewage may frequently back up into homes, resulting in even greater health and safety issues. In communities under boil water advisories, the potential for mould growth increases especially when combined with overcrowding and poor ventilation.

"In Cape Breton, they have to get water shipped in from other communities to brush their teeth. Their water is like this black coffee. They cannot bath their kids. You have to drive your kids to take a bath. The next town over is a 15 minute drive to get good water."

- Some First Nations communities do not have streetlights or paved roads, compromising the safety of those without access to transportation.

"No sidewalks, no paved roads, or lights. Kids walk up the street to school and the cars drive up the road."

"In Hay River, there are two stop lights. In the winter, cars that do not stop hit icy roads, dogs. There are four schools on the main street and it is busy, with just one intersection with a stop light."

A Holistic Approach¹⁴

“Overcrowded and inadequate housing means the spread of communicable diseases and other negative impacts on health. It means the lack of space for children to play and study. It means the increased family tension that overcrowding creates and the lack of safe alternatives for family members if they fear violence. Inadequate housing affects a range of human rights.”

- Perry Bellegarde, Chief, Federation of Saskatchewan Indian Nations, April 2014

There is a strong correlation between the quality of housing and the economic situation of the First Nations community and its members. Where the community has own-source revenue and high employment levels, the housing is more likely to resemble what is considered adequate housing in the rest of Canada. Communities that are closer to urban centres or along major highways have greater opportunities for employment and economic development.

Canada's National Housing Strategy frames housing as a right and acknowledges that access to safe, stable housing supports better social and economic outcomes for disadvantaged groups, including Indigenous women and girls. A more collective approach to housing has also been put forward, meaning that housing should be centered around community supports such as childcare, public transit, trauma-informed counselling, health clinics, and employment services and opportunities. Any attempt to address the disparity in housing conditions in First Nations communities must also address issues of socio-economic inequality and insecurity, particularly for Indigenous women and girls.

Government Obligations under the TRC and UNDRIP

Truth and Reconciliation Commission Calls to Action (re: child welfare)¹⁵

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care.
 - a. Monitoring and assessing neglect situations
 - b. Providing adequate resources to enable Aboriginal communities and child welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments regardless of where they reside.
 - c. Ensuring that social workers and others who conduct child welfare investigations are properly educated and trained about the impacts of residential schools.

¹⁴ Senate Standing Committee on Aboriginal Peoples. (2015). *Housing on First Nation reserves: Challenges and successes*. Retrieved from the Senate of Canada website: <https://sencanada.ca/content/sen/Committee/412/appa/rep/rep08feb15b-e.pdf>.

¹⁵ Truth and Reconciliation Commission of Canada. (2015). *Truth and Reconciliation Commission of Canada: Calls to Action*. Retrieved from: http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf.



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- d. Ensuring that social workers and others who conduct child welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.
 - e. Requiring that all child welfare decision makers consider the impact of the residential school experience on children and their caregivers.
4. We call upon the federal government to enact Aboriginal child welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:
- a. Affirm the right of Aboriginal governments to establish and maintain their own child welfare agencies.
 - b. Require all child welfare agencies and courts to take the residential school legacy into account in their decision-making.
 - c. Establish, as an important priority, a requirement that placements of Aboriginal children into temporary and permanent care be culturally appropriate.

The inter-generational effects of residential schools continue with the apprehension of Indigenous children from their families and communities by child welfare agencies. Domestic life and traditional parenting roles were disrupted by the residential school system, in addition to the socio-economic disadvantage that has been the natural consequence of colonization. The loss of culture and family, and the resulting trauma, poverty, substance use, and violence that is the legacy of the residential school system have made Indigenous communities targets for child welfare agencies.

Rather than addressing the underlying social and economic disadvantages that have created such conditions, Indigenous children are placed into government care or foster homes that serve to amplify the disconnection for family and community. The ability of Indigenous women to care for their families is largely dependent on their ability to provide safe, stable housing. In this way, prioritizing housing for First Nations women would serve the ultimate end of keeping more First Nations children under the care of their families and communities.

United Nations Declaration on the Rights of Indigenous Peoples¹⁶

Article 19 – *“States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain free, prior, and informed consent before adopting legislative or administrative measures that may affect them.”*

¹⁶ UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples : resolution / adopted by the General Assembly, 2 October 2007, A/RES/61/295*. Retrieved from: http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf.



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Article 21 - *“Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security. States shall take effective measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of Indigenous Elders, women, youth, children, and persons with disabilities.”*

Article 23 - *“Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.”*

Article 46 (3) – *“The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance, and good faith.”*

In addition to the articles above, UNDRIP is guided by principles that include:

- Reaffirming that Indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind and;
- Recognizing that the situation of Indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration.

The NHS and the guiding principles of UNDRIP also outline a distinctions-based approach to the rights of Indigenous people, rather than a homogenized view that does not consider the particular differences between nations and the implications of that homogenized view. In Canada, housing strategies must be reflective of the needs of First Nations, Métis, and Inuit women. Not doing so conflicts with the UNDRIP principles and articles that reinforce and respect the self-determination and culture of these communities as well as smaller groups within these communities, such as Two-Spirit, LGBTQ+, and gender-diverse peoples.

Conclusion

Access to stable housing in First Nations communities is necessary for the safety, security, and well-being of Indigenous women and their families. A First Nations housing strategy should reflect the ideas outlined by the 2017 National Housing Strategy, the Truth and Reconciliation Commission, and the United Nations Declaration on the Rights of Indigenous Peoples. Principles outlined in these

documents support a rights-based approach to housing and recognizes that Indigenous peoples should have equitable access to safe, secure, adequate, and affordable housing. The National Housing Strategy specifically details a distinction-based approach to Indigenous housing initiatives. Coupled with the recognition of Indigenous self-determination, a distinction-based approach should prioritize the participation of First Nations women in the development of housing strategies designed to meet the needs of their communities.

Recommendations

- That government continues to engage and involve First Nations women in the development and implementation of housing and shelter strategies in their communities.
- That housing be prioritized for women leaving situations of family and intimate partner violence, especially those with children or other dependants.
- That community infrastructure supports safe neighborhoods. *Ex. streetlights, availability of public transportation.*
- That women's housing is situated around the services and supports they access. *Ex. employment opportunities, childcare, counselling.*
- That housing is responsive to the needs of the people it was designed to support. *Ex. homes that are accessible for those with mobility issues.*
- That supports and resources are prioritized for women to assist them in securing permanent, stable housing. *Ex. educational materials on landlord/tenant rights and obligations.*
- That a First Nations housing strategy be responsive to the differences between First Nations communities. Some may face difficulties due to geographical location or economic disadvantage, but they each still require supports and resources to meet their unique housing needs.
- That there is support for capacity building at the local level so community members themselves are invested in the construction and maintenance of housing. This could include investments in skilled labour or education that would help inform and facilitate the implementation of community-specific housing interventions.
- That the federal government fulfill its obligations under the United Nations Declaration on the Rights of Indigenous Peoples and the 94 Calls to Action of the Truth and Reconciliation Commission.



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