



Native Women's
Association of Canada

L'Association des
femmes autochtones
du Canada

THE NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

NWAC REPORT CARD MAY 2017 - MARCH 2018

LEGEND

GREEN - PASS Commitment has been met. ✓	YELLOW - ACTION REQUIRED Commitment is incomplete or needs more attention. !	RED - FAIL No progress made on the commitment. X	GREY - INSUFFICIENT INFORMATION Cannot assess at this time. ?
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1. The Commission's overall responsibility to develop and adhere to timelines regarding the operational/administrative structure.

FAIL

Observations on Administrative Tasks and Timelines

In the previous report card of April 2017, NWAC called on the Inquiry to publicly report on outstanding operational and administrative tasks, and to set reasonable deadlines for those tasks. As of the release of this report card, no such action has been taken. NWAC cannot stress strongly enough that survivors and families must be kept up to date on important timelines and the Inquiry's path and plan for operation and administration. The lack of transparency and implementation of these recommendations and operating guidelines has significantly hindered the Inquiry's ability to meet deadlines and update families on progress. NWAC has observed significant operational and procedural barriers, including notice of what types of hearings will take place throughout the course of the Inquiry; when, where, and how those hearings will take place; and release dates for important documents including transcripts of hearings and any recommendations coming out of those hearings and honouring or commemoration projects. The needs of the families, as well as parties with standing and the public, have been disregarded for the most part. Families have described the inability to properly plan and prepare for community hearings as traumatic. As stated in NWAC's 2nd Report Card, a trauma-informed process will prioritize sharing timelines and important plans with survivors of violence and with the families of missing and murdered Indigenous women and girls.

NWAC observed that the Inquiry did not immediately adopt a families-first approach when structuring and administering the National Inquiry. Families were left out of important processes in the Inquiry, including applications for standing, access to contribution agreements and other forms of funding, and timely notification of important dates. Community hearings

were often announced with short notice, and disorganized event planning often left families and survivors unable to attend hearings, give testimony, and otherwise participate in the hearing process. Although some of these processes have improved, it is important to acknowledge that families excluded from initial community hearings experienced conditions that can compound and aggravate the trauma that testifying causes. Reactionary improvement cannot always repair the harm done through re-traumatization, and the Inquiry process has still caused harm to families from coast to coast to coast.

Recommendations:

- NWAC calls on the Inquiry to make any and all of its work plans publicly available in an easily accessible format. These work plans should take account of the operational and administrative concerns and barriers brought to their attention by survivors and families.
- NWAC makes the following recommendations:
- Immediately review and acknowledge of operational failures;
- Establish exact timelines for operational and administrative changes and follow through with these timelines;
- Publicly disclose updated operational and administrative plans in accessible way;
- Immediately improve response times to families and communicate more frequently with families, particularly regarding aftercare;
- Communicate with families in advance about hearing locations and times to allow families time to make travel arrangements;
- Ensure requests for legal support and hearing preparation are documented and receive follow-up;
- Provide adequate access to funding and administrative support for families traveling to hearings; and
- Improve response times, information sharing, and immediate release of participation funding (contribution agreements) for all parties with standing.

2. The Commission's overall responsibility to develop and adhere to Communication that provides information, transparency and accountability.

FAIL

Observations on the Inquiry's Communication with Families:

Communication, transparency, and accountability continue to be the most significant failings of the Inquiry. At the November 1, 2017 release of the Interim Report, when asked if she would have done anything differently in the Inquiry process prior to November 2017, Chief Commissioner Marion Buller responded "no". This demonstrates that the Inquiry has not fully accepted and acknowledged their part in harms caused to families and survivors. NWAC believes it is important for the Inquiry to accept that First Nations, Inuit, and Métis women and girls deserve an apology for the lack of communication, transparency, and accountability on the Inquiry's part as an important part of the families-first model.

The expression of frustration from families and witnesses since the very beginning of the Inquiry is a direct result of the profound lack of communication from the Inquiry. Previous recommendations expressing the need for immediate changes to the communications strategy have for the most part been ignored. Some families detailed their frustrations with the Inquiry's process in their witness testimony, including repeated requests to the Inquiry for subpoenaed evidence regarding their loved one's case, to no avail. Others have shared that the only reason they were prepared for their testimony was their own ability to constantly reach out to the Inquiry. This is particularly troubling because families felt they needed to use their time before the Commissioners to get answers about the Inquiry's process. If a robust communications strategy was in place this time could have been used to focus on healing and sharing their truth.

These unacceptable communication practices are effectively re-traumatizing families, and must be remedied immediately. It is important to note that many families also expressed gratitude and relief that they were able to share their testimony in a public hearing, and felt their story was heard. It is clear the Inquiry must improve; however, it must not be at the expense of families who have been re-traumatized through past or upcoming testimony.

Observations on Communications with Parties with Standing:

NWAC called on the Inquiry to reach out to interested parties with standing to outline barriers they were facing and how those barriers could be alleviated. For a brief period in the fall of 2017, NWAC noticed an improvement in this area. It appeared that genuine changes were made to improve communications with National Indigenous Organizations (NIOs) like NWAC and other stakeholders. The improvements were short lived and essentially stopped, with the exception of some improved communications since mid-January of 2018. The Inquiry was to have regular teleconferences with the NIOs, but regular teleconferences did not occur between September 2017 and February 2018. Many organizations now learn of happenings with the Inquiry through social media and news reports alone. Due to poor communication, many of the families and stakeholders have gone without reliable means to discuss operational and organizational barriers.

At this time, many parties remain unclear on the status of their standing in the Inquiry or what that standing affords them regarding their participation in the Inquiry. Importantly, family coalitions, NIOs, and public interest groups remain without contribution agreements which directly impacts meaningful participation in the Inquiry. Many parties were financially barred from participating in the Inquiry at all, and some organizations have even been forced to withdraw their participation in the Inquiry altogether.

The media appetite for information is obvious and the very limited communications from the Inquiry has led to negative media attention and lack of focus on the families. Instead of coverage that is inclusive of families' truths, the media (in general) has focused on the significant issues with the Inquiry's operations and communications shortcomings.

Recommendations:

- NWAC makes the following recommendations:
- Acknowledge the inadequacies in communications to families;
- Acknowledge the inadequacies in communications to parties with standing;
- Offer an apology for the lack of transparency, communication, and failure to put First Nations, Inuit, and Métis women first;
- Clearly and publicly distribute more detailed information including location, available accommodations and amenities nearby, and availability of reimbursement for families' travel and lodgings;
- Immediately improve and bolster communication strategies to assure that information is shared openly, effectively, and frequently--especially with families and survivors;
- Adopt a no-harm strategy for communication with families and survivors, including respectfully providing families and survivors with full knowledge of proceedings and available aftercare support before, during, and after the hearings, as some families have shared that they do not receive needed information particularly regarding aftercare processes once hearings have completed; and
- Immediately improve case management for families to clarify and organize participation, and to avoid re-traumatizing witnesses during testimony.

3. The Commission's overall responsibility to develop and build Community Relations that include families, survivors and external stakeholders of plans, interview dates, etc.

FAIL

Observations on a "Families-First" Model of Community Relationship Development:

Because of poor communications, NWAC has observed that successful implementation of a plan for Community Relations has been significantly hindered from the beginning. An important part of a families-first community relations strategy is to proactively reach out to the impacted communities and families, learn their needs, and develop accountability measures to meet those needs. For example, the Inquiry has failed to consider families' requests for incarcerated or remote family members to be included through video-conferencing, and time and space for families to reunite before coming together to give testimony. In these instances, the families have been separated for significant periods and require time together to heal. This is of significant importance with children involved in the Child Welfare System.

Although there has been some community outreach from the Inquiry, NWAC has observed that this outreach is not consistent or proactive. Some community groups have reported taking it upon themselves to proactively maintain constant contact with the Inquiry because they did not experience such initiative from the Inquiry.

Recommendations:

NWAC makes the following recommendations:

- Offer opportunities for families to connect and reunite before, during, and after giving testimony. This recommendation is inclusive of incarcerated family members and must include special arrangements for testimony from prisons;
- Ensure that the onus to maintain meaningful and constant communication with families, survivors, and community groups remain solely with the Inquiry; and
- Ensure that the Inquiry is proactively reaching out to families, survivors, and community groups proactively, not reactively.

4. The Commission’s overall responsibility to develop and build capacity to ensure that all those involved are compensated to a degree that ensures their ability to meaningfully engage in the Inquiry process.

FAIL

Observations on Family and Survivor Compensation:

In its last report card, NWAC recommended that the Commission immediately release their budget so that interested parties could know how many resources were dedicated to the essential work of engaging families. To date, the Inquiry has failed to release this information. NWAC renews this call, and adds that this exercise could improve communication and transparency within the Inquiry generally.

Financial hardships for family members attending hearings are a reality and the Inquiry has failed to hear the call to be attentive to those realities. Several family members and survivors were concerned about attending community hearings due to travel costs. Those concerns were realized when many family members and survivors did not receive prompt payment of their travel expenses on-site. This made it difficult for them to return home. As many families live in remote regions, there are many instances where transportation is necessary for family members, survivors, and Elders, such as between the airport, social venues, hotels, etc. These out of pocket expenses significantly affect the day-to-day financial stability of many family households. The cost to attend is so prohibitive for many that they were completely unable to attend the hearings. Further, many family members have expressed their difficulty participating in the hearings due to unpaid time off of work.

NWAC recommended in the last report card that the locations of future hearings be released immediately with clear instructions as to how families and observers can apply for funds or have their travel booked to attend. The Inquiry released hearing dates, but it is unclear if concerted efforts were made to ensure all families had enough funds to travel. Some families have reported travel compensation, but others have not, and it is difficult to assess how these decisions are made. Observations on Parties with Standing Compensation.

It is vitally important to note that many parties with standing, including coalitions of families, have not yet received contribution agreements intended to allow for meaningful participation in the Inquiry. There is no viable explanation for why the Inquiry failed to issue this promised participation funding to parties with standing. Parties have either participated in the Inquiry through their own funding or donations, or have remained wholly unable to participate in a meaningful way in the hearings that have taken place. Failure to follow through with promises regarding participation funding and failure to adequately communicate any viable reason for such a delay has severely harmed the Inquiry’s relationship with families, coalitions, public interest groups, and NIOs.

Recommendations:

NWAC makes the following recommendations:

- Use plain language when providing information;
- Create a step-by-step guide on travel costs and compensation for families, survivors, and other witnesses;

- Assign staff to be constantly available by phone to easily make direct contact with the Inquiry office for specific questions;
- Immediately release amended standing decisions and contribution agreements to all parties with standing without any further delay;
- Immediately release their budget so that interested parties could know how many resources were dedicated to the essential work of engaging families;
- Immediately issue an apology and public explanation for the failure to provide promised contribution agreements, which has severely limited interested parties' participation in the Inquiry to date.

5. The Commission has acted on its authority to recommend concrete actions to remove systemic causes of violence and increase the safety of Indigenous women and girls in Canada.

CANNOT ASSESS

6. The Commission has acted on its authority to recommend ways to honour and commemorate missing and murdered Indigenous women and girls.

PASS

Observations on Honouring and Commemoration:

The hearings have provided space for survivors and families to honour and commemorate their loved ones through art, song, and dance. Quilting, beadwork, tapestries, and other works of art created to honour and commemorate loved ones have been meaningfully integrated into the hearing spaces. Some families have offered song and dance as part of their testimony. These are culturally significant ways to honour and commemorate missing and murdered Indigenous women and girls. This helps to decolonize the hearing process and creates space for non-Western methods of truth telling and evidence gathering. These commemorations have been initiated by families onsite without participation from the Inquiry.

The Inquiry is also developing an honouring project through an education guide that will encourage and seek out projects from elementary to adult education levels. These projects are to be in the chosen "voice" of the students and are intended to honour and commemorate missing and murdered Indigenous women and girls from coast to coast to coast. It is too early to determine the success of this project.

Recommendations:

NWAC makes the following recommendations:

- Develop a process to document and act upon recommendations made by families to honour and commemorate their loved ones while the Inquiry is in process. The Inquiry's commemoration will allow for respectful honouring for our missing and murdered women and girls and inspire wider public empathy;
- Act immediately on recommendations that may be fulfilled before the end of the Inquiry. For example, establish a National Day of Mourning, engaging in efforts to mark unmarked graves, and assisting in the return of remains of loved ones to their family members for burial;
- Release an official strategy to honour and commemorate missing and murdered Indigenous women and girls; and
- Allocate funding to all commemoration events so that food can be purchased as a welcoming gesture for families.

7. The Commission has acted on its authority to provide recommendations to the Government of Canada through an interim report by November 1, 2017.

PASS

Observations:

The Inquiry released its Interim Report, *Our Women and Girls Are Sacred*, on time, on November 1, 2017. This report contains information about the way the Inquiry was structured and how the hearings were intended to proceed at the time. The Interim Report also details the results of an extensive literature review on the issue of violence against Indigenous women and girls.

The Interim Report gives a cursory look at many of the systemic and social factors that play a role in the epidemic of violence against Indigenous women and girls, including Two-Spirit and LGBTQ+ individuals. These systemic and social factors include the impact of residential schools, the Sixties Scoop, police mistreatment, discrimination in the child welfare system, human trafficking, pervasive systemic discrimination in most if not all government agencies, poverty, lack of mental health supports (especially for youth), addictions, and community violence, among others.

The Interim Report has amassed numerous recommendations either gathered from the pre-inquiry process or through the Inquiry's literature review. The Interim Report includes important recommendations such as improving skills-training and education for Indigenous people, address poverty and housing through a nationally-coordinated strategy, provide culturally appropriate mental health services for women and youth and culturally appropriate child and family service programs. There is no need to wait for the end of the Inquiry to begin implementing many of the recommendations detailed in the Interim Report.

Recommendations:

NWAC makes the following recommendations:

- Develop and make public a mechanism to track the progress of any recommendations included in the interim report as a transparent way to track and fulfill recommendations (this process may begin immediately);
- Ensure that any final recommendations given to the government in the Interim Report include an enforcement mechanism to avoid repeating research and unfulfilled calls to action in other reports like RCAP and the TRC; and
- Publicly display artwork received and mentioned in the interim report, as honouring and commemoration need not wait for the end of the Inquiry.

8. The Commission has acted on its authority to provide recommendations and a final report by November 1, 2018.

CANNOT ASSESS

9. The Commission has acted on its mandate to set up an Inquiry process that, to the extent possible, is informal, trauma-informed, and respectful of the individuals, families and communities concerned.

ACTION REQUIRED

Throughout the hearing process, the Inquiry has been inconsistent about being trauma-informed and respectful of individuals, families, and communities.

Observations on Expert and Institutional Hearings:

The Inquiry failed to properly administrate the first Expert Witness Hearing using Indigenous legal systems. Families and parties with standing were given very little notice of the hearing and were unsure of how to participate. The venue chosen did not have seating areas for Elders or on-site meals. As a result, families and Elders were required to move off-site, unsupported, for meals during the hearings. The hearing structure was also set up like a colonial court room, with families watching the process like an audience removed from the proceedings. The failure to include families and communities in the planning and organization of this hearing caused harm and stress to families.

Following strong advocacy and feedback from families and advocacy groups, what initially began as a colonial hearing structure changed to a more appropriate talking circle structure at the Winnipeg Expert Hearing. However, some families did not attend the hearing because of concerns that the structure was too colonial. When the structure changed during the course of the hearing, there was not enough time to notify these families and they did not participate in the improved structure. In particular, Inuit women from northern communities were not notified about the change in structure and therefore did not arrange for travel to participate in the hearing. This example demonstrates why it is so important for the Inquiry to keep survivors and families aware of operational and administrative structures, plans, and timelines. Because, the Inquiry made a reactive change rather than a proactive plan, families lost their opportunity to participate at the hearing.

Observations on Community Hearings:

NWAC has attended many, but not all, of the Inquiry's Community Hearings. Through participation in these hearings and engagement with families and survivors, NWAC observed the following concerns, particularly in earlier hearings:

- Distinct lack of health support and after-care for witnesses and families;
- Lack of adequate amenities at venues, including food, spaces for eating, and spaces for Elders to rest;
- Colonial hearing set-up;
- Lack of or poor communication with families and survivors, which, in many cases, left families and survivors confused, angered, and in crisis;
- Rushed and improperly planned agendas that required cutting off witnesses during testimony;
- Lack of respect for regional protocols;
- Improper translation services or a lack of translation services;
- Confusion involving the nature of "standing";
- Insufficient funding for families and parties with standing to attend, or even, in some cases, to return home after attending;
- Lack of support from the Inquiry's legal team, resulting in insufficient documents regarding witness' testimony;
- Lack of proactive engagement with families, survivors, and community organizations;
- At times, uncaring or dismissive attitudes from staff towards families, survivors, and parties with standing; and
- Disorganization in administration and planning of hearings that left registered witnesses without knowledge of their hearing times.

NWAC has observed the following improvements throughout the Community Hearing Process:

- Heightened numbers of health support staff;
- Improved preparation and training of health support staff;
- Increased health support, medicines, and after-care;
- Increased engagement with families, survivors, and community organizations;
- Concerted efforts to decolonize the hearing process (including culturally appropriate alternatives to the "swearing-in" process for witnesses, gifting, circular hearing set-ups, increased time for witness testimony, and incorporating song, dance, and art into testimony)
- Increased respect for ceremony and regional protocols (including sunrise ceremonies, sacred fire-keeping on-site, prayer, song, and Métis and Inuit ceremony and protocol); and
- Improved venues, availability of food, and inclusion of dedicated spaces for Elders.

NWAC has the following remaining concerns regarding the Community Hearing Process:

- Families have reported being promised follow-up and after-care during the hearing, but they never actually received follow-up or after-care in the weeks and months following the hearing;
- Communication with families, survivors, communities, and parties with standing remains a major failure of the Inquiry;
- Low, inadequate, or inconsistent funding for families that, in some cases, left families without transportation home; and
- Parties with standing do not have funding.

Recommendations:

NWAC makes the following recommendations:

- Immediately release amended standing decisions and contribution agreements for parties with standing to meaningfully participate in all hearings (unfortunately, this opportunity has already been missed for many of the community hearings);
- Account for lost meaningful participation in the community hearings by releasing and circulating transcripts of the community hearings that have taken place so far (publicly, where possible and appropriate);
- Develop a clear timeline of expert hearings, complete with clearly anticipated topics, witnesses and evidence, and publish them publicly where possible and appropriate;
- Develop a clear timeline of institutional hearings and publish them, complete with clearly anticipated topics, witnesses and evidence, and publish them publicly where possible and appropriate;
- Keep regular and ongoing contact with families and grassroots Indigenous women in the regions where hearings will take place; this must be done proactively by the Inquiry, and it should not be the responsibility of the grassroots women to ensure that the Inquiry maintains contact with them;
- Develop a best practices guide based on the successes of grassroots Indigenous women’s efforts in previous hearings; and
- Establish and maintain proper aftercare procedures to ensure that one-on-one counselling is made available at and after hearings for a minimum of at least three months.

10. The Commission has acted on its mandate to set up an inquiry process that, to the extent possible, respects the diverse cultural, linguistic and spiritual traditions of Indigenous peoples.

ACTION REQUIRED

Observations:

The Inquiry did not begin hearings in a culturally, linguistically, or spiritually appropriate way, particularly the earliest hearings in Whitehorse and Winnipeg. With feedback from families, Elders and organizations, changes were initiated to improve the process. NWAC is encouraged to see important cultural, linguistic, and spiritual aspects of Indigenous cultures, legal and governance systems, and traditions receiving renewed respect from the Inquiry.

In earlier hearings, NWAC noted failures in creating culturally appropriate processes but acknowledges some improvements and developments, as previously discussed. Many of the hearings require translation into different languages, including Indigenous languages and sign language. Earlier hearings demonstrated a lack of planning to provide appropriate language translation. However, more recent hearings (for example, in Saskatoon and Yellowknife) have had strong language translation services and translators present. These hearings were more accessible and to allowed families to testify in their chosen language.

NWAC has learned that there are important gaps in the Inquiry’s outreach, particularly to Métis and Inuit communities. NWAC is aware that the Inquiry has not reached out to Métis Elders at key points of consultation. Outreach to Inuit Elders and communities is limited. Although the Inquiry reported in their November 1st, 2017 Interim Report that it established an Inuit working group, there was no mention of a Métis working group. Right now, a Métis working group does not exist. NWAC cannot tolerate the Inquiry erasing Métis and Inuit experiences at any point of the Inquiry.

Recommendations:

NWAC makes the following recommendations:

- Continue to provide consistent translation services and to make every effort to translate Inquiry documents into Indigenous languages in a timely manner;
- Remain open to non-Western, non-colonial processes by which to run the Inquiry;
- Remain open to criticism and suggestions so that the Inquiry can continue implement Indigenous legal systems into the Inquiry structure;
- Accept responsibility to regularly and proactively outreach to community groups and grassroots Indigenous women in order to identify best practices for the region and ensure that the Inquiry has made every reasonable effort to obtain necessary information about legal systems relevant to the territory the Inquiry visits; and

- Immediately set up a Métis working group, including Métis family members, survivors, leaders, grassroots groups, organizations, and elders; this working group must have the ability to robustly participate in the Inquiry and inform the Inquiry every step of the way, without delay.

11. The Commission has acted on its mandate to set up an inquiry process that, to the extent possible, promotes and advances reconciliation.

PASS

Observations:

NWAC has observed reconciliation efforts only at the community hearings. For example, NWAC observed that the blend of Indigenous and Western legal practices in the hearings advanced reconciliation by demonstrating that Indigenous and Western legal systems can exist in the same place. Many members of the public are unaware that prior to contact, the First Peoples of this land had sophisticated systems of law and governance that were stifled and replaced by colonial leaders and settlers. Creating space for Indigenous legal systems to regain the common use they once had on this land is an important step towards reconciliation.

Recommendations:

NWAC recommends that the Inquiry implement more aspects of Indigenous legal systems, particularly when they are relevant to the region the Inquiry is visiting. The Inquiry must incorporate more aspects of Indigenous legal systems by proactive and close communication with regional experts and Elders. The Inquiry research experts should consult with regional experts and Elders to implement regional Indigenous legal systems to the fullest extent possible. Reconciliation is meant to bring Indigenous knowledge and governance to the forefront as equal and modern systems. The Inquiry can do this by recognizing the legitimacy of these systems and implementing them to the fullest extent possible.

12. The Commission has acted on its mandate to set up an inquiry process that, to the extent possible, contributes to public awareness about the causes of violence and solutions for ending it.

ACTION REQUIRED

Observations:

It is important that the Inquiry proactively change the narrative that reaches the public about the Inquiry. For the benefit of awareness and understanding, the public needs to hear stories of missing and murdered Indigenous women and girls and the positive work resulting from the community hearings. Caution must be exercised so that these positive stories are the focus instead of organizational failures and personnel challenges. This is crucial to inspiring real empathy with survivors and families.

What little public communication comes from the Inquiry is focused on administration, the pending extension request, and other important dates and events. An opportunity has been missed to communicate the realities of violence against Indigenous women and solutions to end it.

Recommendations:

NWAC recommends the Inquiry redesign their entire communications strategy, where a significant part of the redesign be focused on proactively reaching out to families and public awareness campaigns on the systemic causes of violence against Indigenous women and girls.

13. The Commission has acted on its mandate to set up an inquiry process that, to the extent possible provides opportunities for individuals, families and community members to share their experiences and views, including their views on recommendations for promoting safety and preventing or eliminating violence.

ACTION REQUIRED

Observations:

NWAC observed that hearings since September 2017 have made time during testimonies to directly ask witnesses for their experiences, views, and recommendations to promote safety and eliminate violence. Although this was not the focus of earlier hearings, the Inquiry requested feedback in later hearings on how the Inquiry process could improve in fulfilling its mandate. Most (if not all) of the witnesses who testified provided concrete suggestions and examples of how to do so. NWAC views this as an extremely important aspect of the community hearings that must continue.

Recommendations:

NWAC recommends the Inquiry continue to gather these recommendations to promote safety and eliminate violence from survivors, families and grassroots community groups. It is important to note that simply obtaining these recommendations at hearings is not enough. The Inquiry must proactively engage with communities to strengthen community outreach and communications. The Inquiry must not depend on families, organizations, and community groups to call repeatedly until someone is able to answer the phone. Engaging with communities will be a security measure to ensure voices are not lost when the Inquiry office does not return phone calls and emails.

14. The Commission has acted on its authority to establish regional advisory bodies, composed of families, loved ones and survivors to advise on issues specific to various regions, within the scope of the independent inquiry.

ACTION REQUIRED

Observations:

The National Family Advisory Circle (NFAC) is made up of family members who advise the Commissioners on a number of topics and who help to guide the work of the Inquiry. NWAC recognizes the crucial importance of NFAC and the vital work they do for the Inquiry. Of particular importance in NFAC's work is their engagement with families and communities for each hearing location. NWAC also understands that NFAC was consulted throughout the extension request process. NWAC cannot overstate the importance of NFAC's work. Any criticism with regard to establishing regional advisory boards is not intended towards NFAC. In fact, NWAC has observed that the Inquiry would have benefitted from including NFAC in even more ways than the Inquiry has to date. In particular, the Inquiry could have gathered from input from NFAC in the Interim Report and in detailing, planning, and executing a thorough after-care program before the hearings even began.

NWAC has observed a lack of regional bodies advising on specific issues in regions where hearings are held. Working with collectives like NFAC is vitally important to the health and success of the Inquiry. NWAC recalls that the first community hearing to have adequate aftercare supports was the Yellowknife hearing, and this was primarily attributable to the Native Women's Association of the Northwest Territories (NWANWT). NWAC highlights that the strong communication between these grassroots women and the Inquiry was the result of proactive communication on NWANWT's part.

Recommendations:

NWAC makes the following recommendations:

- Build-up, strengthen, and support the family members and survivors who make up NFAC, and publicly attribute more credit to the important work of this collective;
- Proactively and transparently create regional advisory boards in every province and territory the Inquiry visited or intends to visit to receive guidance from local grassroots organizations every step of the way; and

- Consider the important distinctions between communities in various regions and proactively request inclusion of members on the Inquiry’s advisory boards (this should include all distinct and marginalized groups, including First Nations, Métis, and Inuit peoples, Two-Spirit and LGBTQ+ peoples, gender-diverse peoples, youth, Elders, rural, impoverished and incarcerated peoples to serve as advisors on these advisory boards where possible).

15. The Commission has acted on its authority to establish issue-specific advisory bodies composed of Elders, youth, family members of victims, as well as representatives of national, Indigenous, local and feminist organizations to advise on regional matters that fall within the scope of the independent inquiry

FAIL

Observations:

NWAC is aware that the Inquiry is in the process of setting up issue-specific advisory boards. We have learned that these advisory boards include a distinct Métis advisory board and a Two-Spirit and LGBTQ+ advisory board. NWAC was informed that an Inuit advisory board was set up earlier in 2018. These advisory boards are vitally important, and should have been set up much sooner. NWAC does not see a reasonable excuse for the delay in setting up these advisory boards. A truly decolonized process that respects the distinction-based make-up of Indigenous peoples should have made these advisory boards a priority at the outset of the mandate. It is unacceptable that it would take until the near end of the Inquiry’s original mandate to set up such vitally important advisory boards. The Inquiry’s delay simply further marginalizes and devalues these groups – something the Inquiry should be actively avoiding.

It is important for each issue-specific advisory board to meaningfully participate in the hearing. At the recent community hearing in Moncton, New Brunswick, the Inquiry included both a panel of Elders and a panel of youth to give testimony in the hearing. This testimony was specific to the epidemic of violence against Indigenous women and girls and the systemic causes of that violence. The Elder panel was particularly helpful in addressing the importance of healing and repairing harms through restoring languages and reconnecting to culture. NWAC was concerned that the same opportunity to hear important truths and wisdom from the youth panel was lost due to poor planning. Youth on the panel had highly valuable information and testimony to share, but the questions posed to the youth panel were lacking in clarity, substance, and sophistication. The value of our youth’s experiences, understanding, and truths cannot be understated, and our youth must be given equal opportunity to share their knowledge with the Inquiry and the broader public.

Recommendations:

NWAC makes the following recommendations:

- Set up regional and issue-specific advisory boards, especially Métis and 2S and LGBTQ+ advisory boards and make public notification of their establishment without further delay (the need for these advisory boards is immediate and urgent); and
- Arrange for more Elder and Youth panels to take place at community and expert hearings; plan and give enough time for these panels to maximize the value of their testimonies.