

TO: CHAIR AND MEMBERS
EXECUTIVE COMMITTEE OF COUNCIL

DATE: 2021 February 24

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 2135 00

SUBJECT: NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS
WOMEN AND GIRLS – CALLS FOR JUSTICE FOR LOCAL
GOVERNMENT

PURPOSE: To provide the Committee and Council with information related to the National Inquiry into Missing and Murdered Indigenous Women and Girls, specifically those which pertain to local governments.

RECOMMENDATIONS:

1. **THAT** the Executive Committee direct this report to Council for information.
2. **THAT** a copy of this report be forwarded to the Public Safety Committee and the Social Planning Committee for information.

REPORT

1.0 INTRODUCTION

Before Burnaby existed, its lands were home to the ancestors of several local Central Coast Salish Nations. Today, their descendants continue to live in Burnaby and the adjacent municipalities that developed within their traditional territories. These are the hənqəminərn and Skwxwú7mesh speaking peoples. Since time immemorial, each of these Nations has celebrated its own unique culture and history, while remaining connected to the others by family, social life, traditions, protocols, and language. Each has oral traditions to explain their origins and ongoing connections to local lands¹.

According to the most recent information from Statistics Canada, approximately 4,195 Burnaby community members self-identify as being Aboriginal. This accounts for approximately 1.8% of the total city population. Approximately 1,000 persons within this number self-identify as being Métis. Based on enrollment information from the Burnaby School District, the Burnaby neighbourhoods with the highest percentage of Indigenous families are the Heights, Edmonds, Cameron, and Stride.

2.0 POLICY SECTION

The Calls for Justice for local governments contained within the National Inquiry's Final Report are supported by the following Council-adopted policies:

¹ More information can be found in the Indigenous History in Burnaby Resource Guide: <http://www.burnabyvillagemuseum.ca/assets/Documents/Teachers~Guides/Indigenous%20History%20in%20Burnaby%20Resouce%20Guide.pdf>

- Equity Policy, approved by Council in 1994, which states that “The City has a duty to its citizens to set a positive example and foster a climate of understanding and mutual respect”; and,
- Burnaby Social Sustainability Strategy, approved by Council in 2011, includes a primary goal of ‘Community Inclusion’. This goal is particularly concerned with ensuring the City is “welcoming of all cultures, identities and abilities”, which focus on “principles of economic and social security and justice”. As well the Strategy contains the Strategic Priority of ‘Protecting Our Community’, which references that “a socially sustainable community is one in which all people can live their lives without fear”.

In addition to the policies noted above, the *Plan* supports a number of goals and sub-goals of the *Corporate Strategic Plan*:

- ***A Safe Community***
 - Crime prevention and reduction – Ensure citizens and businesses feel safe in our community
- ***An Inclusive Community***
 - Celebrate diversity – Create more opportunities for the community to celebrate diversity
 - Serve a diverse community – Ensure City services fully meet the needs of our dynamic community
 - Create a sense of community – Provide opportunities that encourage and welcome all community members and create a sense of belonging
- ***A Thriving Organization***
 - Organizational culture – Ensure that our core values are reflected in our policies, programs and service delivery

3.0 BACKGROUND

On 2019 October 01, the Executive Committee accepted a staff report, ‘Truth and Reconciliation Commission of Canada – Update on ‘Calls to Action’ for Local Government’, which included a more detailed update on the release of the final report of the National Inquiry (“the National Inquiry”) into Missing and Murdered Indigenous Women and Girls (MMIWG) in 2019 June. The Inquiry was called in response to Call to Action #41:

“We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry’s mandate would include:

- i. *Investigation into missing and murdered Aboriginal women and girls. [...]*².

4.0 NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

The National Inquiry’s mandate stems from a public inquiry established under *Part I* of the federal *Inquiries Act* in 2016. For the first time in the history of Canada, the inquiry was also established under

² Truth and Reconciliation Commission of Canada: Calls to Action. Truth and Reconciliation Commission, 2015.
http://nctr.ca/assets/reports/Calls_to_Action_English2.pdf

respective provincial and territorial inquiries legislation through Orders-in-Council; BC joined all other provinces and territories in establishing this inquiry as the country's first truly national inquiry.

According to Statistics Canada, 9% of female homicide victims in 1980 were Indigenous. By 2015, Indigenous women made up nearly one-quarter (24%) of homicide victims in Canada. Indigenous women are 12 times more likely to be murdered or missing than other women in Canada, and 16 times more likely than white women. In Manitoba and Saskatchewan, they are 19 times more likely than white women to be murdered or missing.

Indigenous women and girls experience a rate of violent victimization (physically assaulted, sexually assaulted, or robbed) that is four times that of non-Indigenous women and girls. 2SLGBTQQIA (Two-Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, and asexual) Indigenous individuals are violently victimized nearly five times as often³.

Although the Inquiry's mandate was to focus on Indigenous Women, Girls, and 2SLGBTQQIA people, the Commissioners accepted testimony on the impacts of missing and murdered Indigenous Men and Boys. The Commissioners reflected on this inclusion in the final report, recognizing that Indigenous communities are impacted as a whole by the loss of their Men and Boys, but that the impacts of colonialism were "meant to undermining the position of Indigenous women, girls, and gender-diverse people, in particular, as well as impacting whole communities, including men and boys, in an attempt to eradicate, replace, and destroy Indigenous Peoples and cultures."⁴

The Inquiry took three years, and the Commission held hearings across the country, divided into three parts:

- Part 1: Family and Survivor Fact Gathering Hearings
- Part 2: Institutional Fact Gathering Hearings
- Part 3: Expert hearings

Commissioners heard from over 2,300 family members and survivors of violence who shared their testimony at Community Hearings, including through statement gathering or via artistic expressions. In every case families and survivors were given the choice to make their testimony public or kept private.

The Commissioners received an additional 83 oral and 73 written testimonies and numerous exhibits through the Institutional Fact Gathering Hearings and the Expert Hearings; those testifying in these hearings included Elders, academics, legal experts, front-line workers, specialists, and others who provided their expertise in a number of areas, including government services, police policies and practices, Indigenous law, human, rights, racism, and other key aspects which impact on the lives and well-being of Indigenous people and communities. The Commissioners also received expert

³ National Inquiry into Missing and Murdered Indigenous Women and Girls. "Our Women and Girls Are Sacred: interim report." Privy Council Office, 2017. publications.gc.ca/collections/collection_2017/ffada-mmiwg/CP32-163-1-2017-eng.pdf

⁴ Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, Volume 1a, p. 233. National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019.

recommendations on remedying the social and economic marginalization and systemic causes of violence experienced by Indigenous women, girls and 2SLGBTQQIA people.

4.1 Final Report and Calls for Justice

The Inquiry issued its final report entitled *Reclaiming Power and Place* in 2019 June, which outlines the race-based genocide of Indigenous peoples that especially targets women, girls, and 2SLGBTQQIA people. The report contains a series of 231 Calls for Justice framed as imperatives rather than optional recommendations, and asks all stakeholders from governments to individual citizens to undertake action based on recognizing and accepting seven Principles for Change:

- A Focus on Substantive Equality and Human and Indigenous Rights
- A Decolonizing Approach
- Inclusion of Family and Survivors
- Indigenous-led Solutions and Services
- Recognizing Distinctions
- Cultural Safety
- Trauma-Informed Approach

The Calls make substantive recommendations for change directed towards all levels of government, the media, police services, individuals and others. The final report also details ‘Inuit-specific’, ‘Metis-specific’, and ‘2SLGBTQQIA-specific’ calls for justice that reflect the particular experiences of these communities.

The *Calls for All Governments* and the community-specific calls for justice make a number of recommendations that pertain to local governments. These are wide ranging and include, but are not necessarily limited to:

- Prioritization of resources when developing budgets and determining government priorities to support local Indigenous groups and organizations, particularly those that support Indigenous women and girls;
- Considering and providing access to safe housing for all Indigenous peoples, particularly Indigenous women, girls, and 2SLGBTQQIA people;
- Providing sufficient transportation for all Indigenous peoples in towns and cities, with planning and funding that considers ways to increase safe transit and special accommodations for rural and remote communities;
- Encouraging and leading related community and public servant education opportunities to learn the full history of Canada;
- Reviewing and modifying data-collection and registration instruments and forms to be gender and ‘status’ neutral, to only collect pertinent information necessary for the particular task or exercise;
- Designing and renovating public buildings to provide safe, gender-neutral washrooms and change-rooms;
- Support and resource economic and social progress and development on an equitable basis when working with Indigenous peoples and Nations; and,
- That police services further their capacity and resources “to serve and protect Indigenous women, girls, and 2SLGBTQQIA people”, including for non-Indigenous police services to

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establish specialized Indigenous policing units within their services located in cities and regions with Indigenous populations.

A number of other calls for justice for other levels of government are in areas that, when/if implemented, will impact Burnaby. These include:

- The establishment of a National Indigenous and Human Rights Ombudsperson and a National Indigenous and Human Rights Tribunal;
- Developing and implementing a National Action Plan to ensure equitable access to employment, housing, education, safety and health care. The federal government has indicated that a National Action Plan will be forthcoming by 2020 June; and,
- Implementation of relevant rights instruments including the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). In 2019 November, British Columbia became the first jurisdiction in Canada to formally enshrine UNDRIP into law. Further related legislative changes are anticipated.

Staff will keep Council apprised of the impacts of these changes upon local governments, including Burnaby.

5.0 RECENT AND IN-PROGRESS RELATED INITIATIVES IN BURNABY

As for the City's efforts to implement the Truth and Reconciliation Commission of Canada's Calls to Action for local government, a number of initiatives that relate to the MMIWG Calls for Justice have recently been completed or are underway by City staff. More specifically, these include:

- Initiation of Government-to-Government relationships with local Nations. The creation of such connections aims to recognize and address the consequences of colonial policies and the corresponding lasting impacts experienced by Indigenous peoples, while establishing effective working relationships. Once established, these relationships will guide the identification of specific further processes, projects and efforts to advance reconciliation at a corporate level, including those that specifically pertain to Indigenous women, girls, and 2SLGBTQQIA people. Initial communications have been sent to a number of Nations and joint meetings of Mayor and Chief and joint Councils are being pursued;
- The initiation of relationships with the Tsleil-Waututh Nation have progressed furthest, with an initial Council-to-Council meeting occurring in 2020 November. The development of a protocol agreement is currently underway;
- The hiring of a Manager, Indigenous Relations, with responsibility for managing the City's overall approach to relations with local First Nations and the Indigenous population, and supporting City staff in both engagement and professional learning, through advice, guidance, and collaborative learning experiences. As the first such position within the City's administrative structure, this is an important development in prioritizing work in this area;
- Actualization and roll-out of Council approved (2019 June/updated 2020 January) approved corporate guidelines for Indigenous Territory Recognition;

- Release of the ‘Indigenous History in Burnaby Resource Guide’⁵ in 2019. This Guide was developed by Burnaby Village Museum in collaboration with several local First Nations. Hard copies of the Guide have been distributed to the involved Nations, have been provided to every school library in Burnaby, and have been received into the collection at Burnaby Public Library. A free online version is available on the City website. The Guide has been awarded the Canadian Museums Association for Outstanding Achievement in Education (2020);
- Initiation of a referrals process with the Tsleil-Waututh Nation to review and provide input on key City infrastructure (Highway 1 Pedestrian Overpass) and policy (e.g. Housing Needs Assessment and Housing and Homelessness Strategy) projects. It is anticipated that referrals processes with other local First Nations will also be developed as Government-to-Government relationships advance;
- Inclusion of an Indigenous Leadership component in the 100-hour ‘Burnaby Youth Leadership Course’ operated by Youth Services;
- Developing an Indigenous cultural safety training program for all City staff, including including exempt and senior staff. This work has begun and an all-staff training video has been commissioned. As progress and a framework for this training approach is further developed, Council will be kept informed;
- An inclusive building design and signage initiative is underway to emphasize functionality over user-defined spaces (e.g. “men’s” and “women’s” washrooms), and to prioritize universal washroom and change-room space in new civic facilities. Related renovations for key existing civic facilities are also being explored;
- Continuing a process started by Burnaby Village Museum to consciously decolonize its site and exhibits, through actions such as the creation and expansion of the Indigenous Learning House, planting of a Matriarch’s Garden, and further hiring of Indigenous Educators; and,
- Development and release of a Community Safety Plan in 2020, which provides a strategic framework for working with all stakeholders to maintain and enhance community safety and to foster broader community safety through the prevention, reduction and response to harm or injury. Initiatives include, but are not limited to, building a homelessness response, a mental health response, and the implementation of the Burnaby Mobilization and Resiliency Table.

5.1 Royal Canadian Mounted Police – Burnaby Detachment

The justice system and policing policies and practices received a significant amount of attention in the hearings, reflected by the fact that in an entire chapter on the subjects in the Final Report is devoted to the subjects. In preparing this report, City staff requested information from the Burnaby Detachment of the Royal Canadian Mounted Police (RCMP). This information was also reviewed by B.C. RCMP prior to it being provided to staff. The response from the RCMP listed the ways in which the organizations is responding to the Calls for Justice, as well as broader initiatives and work to improve relations with Indigenous people and work toward reconciliation. The following is a non-exhaustive list of activities underway since the release of the MMIWG final report:

- Enhancements to Burnaby RCMP’s approach to integration with other municipal police partners through units like the Integrated Homicide Investigation Team (IHIT), Vancouver

⁵ For a copy of the Guide please visit: <http://www.burnabyvillagemuseum.ca/EN/meta/whats-new/2019-archive/new-indigenous-history-in-burnaby-resource-guide.html>

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Island Integrated Major Crimes Unit (VIIMCU), and Provincial Unsolved Homicide Team (UHU);

- Establishment of the Sexual Assault Review Committees – SAIRC, which reviews randomly selected sexual assault cases in which criminal charges were not laid. These committees include local stakeholders, and provide back to the RCMP feedback on how they can improve their response for survivors of sexual assault;
- RCMP has an existing National Indigenous Advisory Committee with Indigenous membership providing advice and solutions for delivery of Indigenous policing services;
- “E” Division⁶ has established an Indigenous Community Advisory Committee that meets quarterly;
- Within existing Indigenous policing Community Tripartite Agreements (CTA), the RCMP works with Community Consultative Groups that have significant influence on local policing. There are 54 CTAs throughout British Columbia;
- Indigenous Communities and Youth are strategic national priorities of the RCMP and the RCMP pursues culturally sensitive, consultative approaches and community-based partnerships, such as Community Mobilization Committees;
- “E” Division has a missing persons policy with protocols covering many of the named issues, e.g. jurisdiction, reporting forms, risk assessment, investigative steps/priorities, structured links with BCPMPC including a Coroner liaison, sex worker coordinator, Indigenous policing officer; special procedures for vulnerable/Indigenous missing persons, interactions with families;
- “E” Division also has a dedicated Indigenous Liaison Officer whose role includes monitoring and providing guidance for current and historical missing person files;
- Burnaby Detachment has a dedicated Domestic Violence Coordinator and a Missing Persons coordinator;
- Burnaby Detachment Missing person unit is developing training to be delivered in house in relation to missing person investigations;
- Strengthening Cultural Awareness for all employees – mandatory training as well as training at Depot;
- RCMP Basic Training includes Indigenous Issues;
- Ongoing training in BC with First Nations consultants on cultural sensitivity/awareness, cross-cultural communications, LGBT, and working with individuals experiencing mental health crisis;
- “E” Division uses ad hoc interactive training through participation in First Nations cultural events, district/online training in First Nations awareness, post-colonial legacy aspects, domestic violence and First Nations engagement in prioritization/solutions; and,
- There is specific training in violence against women (online, local seminars), which will include violence against sex trade workers. Creates skills, sensitivities and promotes a higher standard of care for people in vulnerable circumstances;

As staff continue to implement the Calls to Action for local government stemming from the TRC, the additional Calls for Justice of the MMIWG will be considered and explored, with gender-based perspectives and inclusion considered. Staff will continue to monitor activities, policy or legislation emerging from other levels of government which may have an impact on local and municipal

⁶ “E” Division is the name of the RCMP Division assigned to BC; Burnaby’s detachment reports to this Division.

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governments. As required, separate subsequent reports would be brought forward to Council containing implementation details for review and approval.

6.0 CONCLUSION AND RECOMMENDATIONS

In 2015 June, the National Inquiry into Missing and Murdered Indigenous Women and Girls released its final report, *Reclaiming Power and Place*. The report contains a series of 231 Calls for Justice, which make substantive recommendations for change directed towards all levels of government, the media, police services, individuals and others.

Due to efforts to become more inclusive for all of its citizens, including working to implement the Truth and Reconciliation Commission of Canada's findings for local government, the City is active in undertaking a number of initiatives that relate to some of the Calls to Justice. Ongoing efforts will be made to continue and expand this work in specific relation to the National Inquiry's findings. As such, it is recommended that this report be received for information.

It is also recommended that a copy of this report be forwarded to the Public Safety Committee and to the Social Planning Committee for information.


E.W. Kozak, Director
PLANNING AND BUILDING
FCP/RM:sa

cc: Acting City Manager
Director Engineering
Director Corporate Services
Director Finance
Director Public Safety and Community Services
Director Human Resources
Director Parks, Recreation and Cultural Services

Fire Chief
Chief Librarian
Chief Information Officer
OIC - RCMP
City Solicitor
City Clerk