

Federal-Provincial-Territorial (FPT) Ministers Responsible for Justice and Public Safety

FPT Justice Framework to Address Violence Against Indigenous¹ Women and Girls

January 21, 2016

¹ In discussions with Indigenous peoples across Canada, many asked that the term “Aboriginal” be replaced with “Indigenous”. Therefore, the title and all references to Aboriginal peoples in the revised Justice Framework to Address Violence Against Aboriginal Women and Girls has been changed to respond to their request.

Acknowledgement

Federal, Provincial and Territorial (FPT) Ministers Responsible for Justice and Public Safety would like to thank the people, and in particular the many Indigenous² people, leaders and organizations from across Canada who contributed to the development of this Framework. The initial Draft Justice Framework to Address Violence Against Aboriginal Women and Girls, released in November 2013, has been revised with input obtained through discussions, meetings and gatherings over the last few years.

More insights from the experiences and stories of Indigenous people who have directly experienced violence, the families of missing and murdered Indigenous women and girls, and the people working tirelessly to improve outcomes for Indigenous people, have been included in this version of the document. The strength and resilience of those whose lives have been impacted by tragedy honours the memory of their loved ones. Together we will work toward stopping the violence against Indigenous women and girls.

² For the purpose of this framework, references to “Indigenous” people should be understood as including First Nations, Métis and Inuit, non-status and status, on and off -reserve, recognizing that the term refers to distinct people, cultures and histories

Introduction And Context

FPT Ministers acknowledge the unique role of Indigenous communities in the history and formation of Canada, including their traditions, culture and contributions prior to the arrival of settlers. In interpreting and applying this Framework, Ministers recognize and respect the importance of ongoing and meaningful dialogue to address areas of mutual priority as part of a nation-to-nation relationship, leading to stronger, healthier communities, and reduced vulnerability of Indigenous peoples to violence.

Violence against Indigenous women and girls is unacceptable. The purpose of the FPT Justice Framework is to assist FPT Ministers of Justice and Public Safety in taking a coordinated approach to work with Indigenous Peoples to stop the violence. The Framework is a strategic document, which identifies principles and priorities that will help to guide Ministers' focus as they take action with Indigenous Peoples and other key partners to improve how the justice system prevents and responds to the violence.

*As Aboriginal women, we all know someone in our families or our friends
who has experienced violence.*

BC Respondent

Understanding And Addressing Violence Against Indigenous Women And Girls

In Canada, Indigenous women and girls are nearly three times more likely to experience physical or sexual violence than non-Indigenous women and girls and the violence is typically more severe than that experienced by non-Indigenous females. Appendix A provides more statistics regarding Indigenous women's experiences as victims of violence. Behind the tragic statistics lie the real-life experiences of women, girls, families and communities struggling to deal with the impact of violence on their lives.

The causes of violence against Indigenous women and girls are varied and complex, and need to be recognized to effectively address the issue. It is well understood that the origin of violence is rooted in the colonization of Indigenous people, traumas experienced in residential schools and government policies that led to Indigenous

peoples' loss of control over family and culture.³ This history has contributed to systemic barriers and negative social, health and economic impacts as described below.

The harm caused by such violence can last a lifetime and span generations, with serious adverse effects on health, education, employment, crime and on the economic well-being of individuals, families, communities and societies.
World Health Organization

Stopping the violence requires taking action to prevent it and responding to it quickly when it happens. Taking action includes addressing the pathways and factors that lead to violence and make Indigenous women and girls vulnerable. The pathways are closely related to barriers within our current social system, such as poverty, lack of employment, systemic racism and difficulty accessing services. These barriers create tremendous stress in families, which can lead to violence in the home. These same barriers can limit the choices of Indigenous women and girls. With limited choices, women and girls may be forced to leave their community for better opportunities in a city, only to encounter more systemic barriers. Isolated from friends and family, the risk of experiencing violence from acquaintances or strangers is increased.

There is tremendous diversity among Indigenous cultures; however, most believe all life is interconnected. From this viewpoint, challenges need to be addressed holistically and stopping violence means addressing the physical, psychological, spiritual, financial and social needs of individuals, families and communities. A holistic approach also requires a wide range of individuals, institutions and community-based organizations to work together. Such an approach must be sensitive to addressing the needs of victims and offenders wherever they live, including in small, isolated communities.

Despite the Justice Framework's focus on addressing violence against Indigenous women and girls, men, boys and communities are also affected by the violence, and must be included in preventing and responding to it.

Improving The Relationship Between The Justice System and Indigenous Peoples

The strained relationship between the justice system and Indigenous peoples is well documented. Research, consultations and media indicate the distrust, and sometimes fear, experienced by Indigenous peoples when dealing with the justice system and other institutions. Ministers recognize that historic and contemporary issues have contributed to this strained relationship and they want it to change.

³ Scrim, Katie (2010) *Aboriginal Victimization in Canada: A Summary of the Literature*, Victims of Crime Research Digest No. 3, p. 17. Research and Statistics Division of the Department of Justice Canada. Retrieved from: <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd3-rr3/rd3.pdf>

Many justice system personnel⁴ have taken it upon themselves to establish positive, respectful relationships with Indigenous people and in recent years there have been increasing efforts to improve how justice system personnel interact with Indigenous peoples. For example, many governments and police agencies are providing cultural competency training for staff and supporting the use of culturally appropriate justice processes.

It is critical that governments and police agencies continue supporting these efforts to strengthen relationships between Indigenous peoples and the justice system.

Using The FPT Justice Framework To Guide The Way Forward

The FPT Justice Framework is a guidance document. It is designed to be flexible and to respect cultural, social, political, geographic and economic diversity across the country. The Framework does not identify specific actions that will be taken, because it is expected that specific actions, and the resources required to implement them, will be identified, developed and supported at the local level by governments, communities⁵ (Indigenous and non-Indigenous), non-government organizations, and other partners involved in the development and delivery of justice, child, family, health, and social services. The principles and priorities in the Framework will promote coordination within and across governments and help guide collaboration between FPT governments and other stakeholders⁶ when they are working together on common initiatives.

The Framework presents common priorities for action in the areas of crime prevention, law enforcement, courts, corrections, victim services, and other justice services. It does not provide detailed recommendations about issues such as poverty, housing, education, or health care, which are outside of the justice and public safety mandate. However, it is essential that these socio-economic issues continue to be addressed by all levels and departments of government, and efforts were made to ensure this Framework aligns with other frameworks that address those broader issues.⁷

⁴ The term “justice system personnel” refers to police, prosecutors, court staff, judges, corrections staff, victim services staff, and any other persons who work within the justice system.

⁵ For the purposes of this Framework, the term “community(ies)” should be interpreted broadly to mean a group of people living in the same geographical area, sharing common experiences, or having common interests. The word “Indigenous” precedes “community(ies)” wherever reference is being made specifically to Indigenous communities.

⁶ The phrase “other stakeholders”, or “other partners” should be interpreted broadly to mean any individual, group, community, or government that works with Indigenous women and girls. It may include, but is not limited to: police agencies; non-profit organizations; community-based services; private businesses; and other government departments, such as health; social services; child welfare; education; and others.

⁷ For example, the Aboriginal Affairs Working Group Framework for Coordinating Action to End Violence Against Aboriginal Women and Girls and the National Roundtable on Missing and Murdered Indigenous Women and Girls Framework for Action to Prevent and Address Violence Against Indigenous Women and Girls.

Receiving Feedback On The Draft Justice Framework

The Draft Framework was publicly released for discussion with Indigenous groups and other stakeholders in October 2013. FPT justice and public safety staff across the country used a range of methods to seek feedback on the draft. These methods included in-person meetings, focus groups and consultations, conference calls, webinars, and email distributions. Many who provided feedback on the Draft Framework recommended justice staff review previous research and consultation reports. Feedback from previous dialogue and content from over 30 reports on topics related to violence against Indigenous women and girls were therefore considered as changes were being made to the Draft Framework.

Every effort was made to reflect and balance the sometimes divergent, and wide range of perspectives shared.⁸

The Framework is an evergreen document that can be updated to reflect new priorities as work progresses. The principles and justice priorities listed below are based on feedback received from discussions so far. The principles and priorities may change as discussions on related issues, such as the national inquiry on missing and murdered Indigenous women and girls, and other discussions continue.

Addressing The Issue At Every Stage Of The Justice System

The Framework is a new tool to encourage governments to take a coordinated approach to preventing and responding to violence against Indigenous women and girls. In large part, that will involve using the wide range of opportunities already present within existing systems. The table below shows examples of existing justice system responses across the continuum from prevention to following up after an offender has been sentenced. These responses may occur within the justice system, or when there is contact with addictions services, health care, housing and other services.

Each jurisdiction is responsible for managing its own justice programs and services; therefore, the availability of existing justice system responses may vary across the country. As governments continue to support programs and services, they should strive to increase access to culturally appropriate responses when possible.

⁸ While the draft Justice Framework was publicly released and available online, the nature and scope of dialogue varied across jurisdictions with some engaging in extensive dialogue with Indigenous groups specifically about the draft Justice Framework and others using existing forums on related matters to seek input on the issues highlighted in the draft Justice Framework.

Table 1. Existing Justice System Responses To Address Violence

| Prevention | Intervention/Support | Enforcement | Court | Follow-Up |
|---|--|---|---|---|
| <ul style="list-style-type: none"> • Promoting public awareness that highlights the value of Indigenous culture and Indigenous women • Supporting programs aimed at breaking intergenerational cycles of violence and abuse • Supporting crime prevention (addressing risk and protective factors) • Healthy relationship training for youth • Supporting community mobilization and capacity building • Supporting individual safety planning, risk management and community safety initiatives • Providing access to counseling, and to mediation when appropriate | <ul style="list-style-type: none"> • Facilitating transportation for women and children fleeing violence • Providing emergency intervention (e.g. no contact orders, peace bonds, emergency protection orders, restraining orders, etc.) • Supporting transition houses • Providing culturally appropriate victim assistance and services through community-based organizations and victim service providers • Supporting Indigenous justice/restorative justice processes • Civil/family legislation and processes for dealing with family violence • Supporting stronger links between criminal and civil issues, especially in situations involving family violence • Improving child protection responses to family violence • Supporting improved responses to missing persons cases • Providing offender assessment and risk management • Imposing probation conditions | <ul style="list-style-type: none"> • Facilitating reporting of violence • Supporting investigations of violent incidents, or of missing Indigenous women and girls • Providing charging guidelines that are based on best practices across the country • Delivering cultural competency training to justice system officials, including police • Providing bail process/restraining orders • Imposing and enforcing peace bonds and other no contact orders | <ul style="list-style-type: none"> • Providing Indigenous court workers and other supports • Court-based victim/witness assistance • Testimonial aids for vulnerable victims/witnesses • Providing therapeutic courts, such as First Nations Courts and Wellness Courts • Supporting or providing culturally appropriate victim and offender treatment • Imposing sentencing conditions that take Indigenous identity and circumstances into consideration (e.g., Gladue rights under s.718.2(e) of the <i>Criminal Code</i>) | <ul style="list-style-type: none"> • Delivering post-release programs • Delivering offender treatments • Providing programs that promote reintegration • Culturally appropriate counseling and assistance for families of missing and murdered Indigenous women and girls |

Improving Existing Justice System Responses

A significant number of respondents suggested the justice system should do more to address systemic barriers. For example, some said that court practices need to change to prevent Indigenous women from being re-victimized in court. Others said family, civil and criminal courts should be streamlined to allow for those dealing with multiple courts to have their issues addressed in a coordinated manner. Respondents also spoke about the need to ensure all police, Crown counsel and judges have respectful attitudes toward Indigenous women. Many respondents recommended that improving cultural competency of all justice system personnel should be a priority.

Jurisdictions are approaching these suggestions in different ways. For example, some have started to improve integration between criminal and family courts. Others are developing new cultural competency training for justice personnel and service providers. As each jurisdiction reflects on the priorities listed in this framework, all Justice and Public Safety Ministers will consider how they can continue to take action to improve how the justice system responds to violence against Indigenous women and girls.

Culturally Relevant Alternatives

In addition to the above justice system responses, many Indigenous communities are recognizing and using traditional Indigenous justice practices, including land-based camps or programs, to address conflict and violence. These culturally appropriate responses can be used to address intergenerational violence in families, as well as to develop safety initiatives that prevent Indigenous women and girls from becoming victims of violence by strangers or acquaintances when they leave their communities.

All across Canada, Indigenous communities, urban Indigenous organizations and governments have recognized the strengths of these practices and created partnerships to support the use of community-based Indigenous justice and healing programs that allow Indigenous women and men to lead these alternative approaches.⁹

This work is critical and more must be done to address the larger systemic issues. All levels of government, non-government organizations, communities, the private sector, and individuals have roles to play to ensure safety for Indigenous women and girls in Canada.

Principles For A Flexible Framework

Common principles can help guide how governments, Indigenous groups and other stakeholders work together to address violence against Indigenous women and girls.

⁹ For example, see the programs listed in the *Compendium of Promising Practices to Reduce Violence and Increase Safety of Aboriginal Women in Canada* at <http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/comp-recu/index.html>.

The principles below were developed with input from national Indigenous organizations and Indigenous peoples in the provinces and territories.

Reconciliation and Building Trust: When justice personnel proactively take steps to establish positive relationships with Indigenous peoples, they start to create a climate of mutual trust, respect, and reconciliation. Such steps will help to establish a strong foundation for positive interactions in the future.

Respecting Human Rights: Violence against Indigenous women and girls violates numerous human rights. These include the right to life, to security, to equality and to be free of discrimination, including racism.

Shared Responsibility: Preventing and addressing violence is a shared responsibility, requiring shared commitments among governments and communities. Indigenous and non-Indigenous individuals, families, community leaders and groups, businesses, and all levels and sectors of government and society have a role to play.

A Collaborative and Holistic Focus: Efforts to stop the violence include Indigenous peoples and governments working collaboratively across different government departments and with community-based services to holistically address the safety needs of women as well as their social, emotional, spiritual and mental needs. Increasing the safety of Indigenous women and girls requires addressing their needs and recognizing their strengths, as well as being inclusive of Indigenous men, boys and communities, which are all key agents of change.

Community-Based Solutions: Solutions to prevent and end violence must be led and delivered by Indigenous communities, which may be on reserve, off reserve, rural or urban. It is important to recognize and use the strengths of individuals in these communities, who are experts in their own lives. Solutions must respect the central role that Elders have as advisors and leaders and the role that Indigenous women with lived experience of violence have in developing solutions. Additionally, most communities will need support to strengthen their capacity to prevent and respond to violence.

A Focus On Healing and Empowerment: In discussions across the country, many respondents said that healing the relationship between Indigenous Peoples and non-Indigenous Canadians is key to moving forward and to helping individuals with their own healing journey. The healing of whole communities needs to be considered, as Indigenous peoples have experienced community-wide trauma in addition to individual traumas. Elders and Indigenous women in particular should be recognized for their expertise. They have a fundamental role in voicing their experiences to help inform the development and delivery of culturally relevant programs and services that meet the needs of women, men, children, families and communities.

Changing Attitudes and Behaviours: Addressing and preventing violence requires a shift in societal attitudes and behaviours within Indigenous and non-Indigenous individuals, institutions and organizations. To accomplish this shift, all individuals and

institutions in Canada must have a greater understanding of the history of colonization and its impacts on Indigenous peoples. Having a common understanding of history will promote respect between Indigenous and non-Indigenous peoples. Changing attitudes also requires engaging and empowering men and boys as champions of change and includes changing how people talk about violence in private and public discussions. The media also has a critical role to play in changing the language used to portray violence against Indigenous women and girls so that it honours the dignity and resilience of victims. Changing attitudes and behaviours will take time and require long-term commitment from all involved.

Justice System Priorities Moving Forward

Based on discussions with Indigenous peoples, justice personnel, and a review of reports and recommendations, the following topic areas have been identified as priorities for justice-related action to address violence against Indigenous women and girls.

1. Improving The Relationship Between Justice Sector Professionals (Including Police) And Indigenous People

Reports and consultations indicate that many Indigenous people are fearful or distrustful of people in positions of authority, including government institutions and police.¹⁰ There are suggestions this lack of trust stems from the historical mistreatment of Indigenous peoples by authority figures, as well as from more recent incidents of racism or bias. The distrust results in unwillingness to report violent incidents to police. Jurisdictions are responding to these issues in a variety of ways, including providing cultural competency training to improve their staff's understanding of Indigenous issues and providing Indigenous-specific programs or services, such as employing Indigenous liaison officers who act as a main contact between the police agency and Indigenous peoples.

Justice and public safety departments also support initiatives aimed at encouraging Indigenous persons to apply for careers within the justice system, which will help to integrate cultural perspectives and values into the system and facilitate the development of partnerships and connections to Indigenous communities and organizations. These initiatives are important and must continue. All justice personnel should consider how they can be involved in relationship building with Indigenous peoples.

2. Supporting Indigenous Communities In The Development Of Individual And Community Safety Initiatives That Respond To Their Unique Cultural, Traditional, And Socio-Economic Needs And Realities

¹⁰ <http://www.sfu.ca/~palys/Rudin-AboriginalPeoplesAndTheJusticeSystem-ExecSummary.pdf>; <http://www.chrc-ccdp.gc.ca/eng/report/issues/aboriginal>; http://speakingmytruth.ca/?page_id=695;

There is a great deal of diversity among Indigenous peoples in Canada. Furthermore, each Indigenous community is at a different stage of preventing and responding to violence that occurs inside and outside of their community. Some have made tremendous progress, while others are just starting to heal and build their capacity to prevent and respond to violence. Jurisdictions will consider how to better support community-based and community-driven solutions to the broad spectrum of violence that Indigenous women and girls experience. The varying needs, perspectives, and strengths of women, youth, Elders, urban, northern and remote populations must be taken into account.

3. Engaging The Whole Community, Including Government Departments; Non-Government Agencies; Families; and Community-Based Organizations In Prevention, Intervention And Assistance For Victims And Offenders

While the focus of this Framework is on what the justice system can do, it is important that every Indigenous and non-Indigenous individual, leader, government, and community consider what they can do to prevent the violence and assist in healing of individuals and communities affected by the violence. FPT Ministers Responsible for Justice and Public Safety will encourage other sectors to take action to support the mental, physical, spiritual and social health of Indigenous peoples. Action by other sectors could include improving access to housing; income support; health care, including addictions treatment; education; employment; early childhood education; culturally-relevant social support for families; and opportunities that empower Indigenous peoples.

4. Improving Responses To Violence Within Intimate Relationships And Families

Indigenous women and children experience higher rates of domestic violence and sexualized assault than the already high rates of violence experienced by non-Indigenous women and children.

The combination of trauma experienced as a result of colonialism, residential schools, structural inequalities, and poor institutional responses have led to poorer social and material conditions for Indigenous peoples.

Conditions, such as poverty, substance abuse, lack of education and employment opportunities, and mental health challenges can foster a climate where violence is sometimes used as a mechanism for dealing with pain and trauma. Individuals who have been subjected to violence are statistically more likely than others to commit violence in future, particularly if they did not receive meaningful intervention when they first experienced violence. Such trauma is particularly damaging to children who witness or experience violence, especially spousal violence.

Meaningful interventions must focus on the aspirations, cultural practices, and inherent strengths that are readily apparent in Indigenous communities. For example, individuals subjected to violence often try to resist the violence, reassert their basic human dignity, and protect their loved ones.

Many individuals who have committed violence have also been victims of violence, in residential schools and elsewhere, and desire culturally appropriate support in choosing to change and contribute to safer families and communities.

Many respondents said that family and community violence can only be effectively addressed by responding to the needs of boys and men who have experienced violence and trauma. Male leadership in families and in communities can play a strong role in changing attitudes and beliefs to prevent and reduce violence and abuse.

5. *Supporting Alternatives To Mainstream Court Where Appropriate And Effective*

*Women do not want to go to court, they just want the
abuse and violence to stop.
British Columbia Respondent*

Sometimes it is necessary to use the mainstream criminal justice system to protect Indigenous women and girls from violence, but there are situations where this may not be the best approach. In cases where there is a low risk of further violence, and where it is desired by the victim, culturally relevant alternative approaches to holding offenders accountable might be beneficial. Peacemaking, healing, sentencing circles and other traditional Indigenous justice approaches are being used successfully across Canada. Programming, training and funding support is needed to sustain the use of these approaches. Supportive policies are also needed to ensure these alternative approaches are effective and prevent further victimization.

6. *Identifying Strategies Within The Existing Justice System To Support Indigenous Women Who Are Victims Of Violence And Their Children*

As noted in table 1, there is a range of justice system responses available to address violence against Indigenous women and girls. FPT Ministers will continue to build on these responses and consider every opportunity to protect and assist women by supporting prevention programs; providing intervention and supports; supporting law enforcement measures; assisting through the court process; supporting offender accountability, rehabilitation and reintegration into the community; and providing services for victims and families after an offender has been sentenced.

Where appropriate and available, Indigenous-specific or culturally relevant responses may be used in every part of the system. Jurisdictions will continue to share information about promising practices for preventing and responding to family violence; investigations involving missing and murdered women; and violence committed by acquaintances and strangers.

7. Addressing Safety And Healing Of Individuals (Victims, Offenders, Witnesses), Families And Communities

For the purpose of this report, healing should be understood as a community-wide process that involves a broad range of participants and focuses on restoring a sense of balance and wellness within the victim, offender, their families and the community.¹¹ Traditional Indigenous justice emphasizes holism, reconciliation, restoration and reintegration to restore balance and harmony. This places a focus on not just the individual but the family and community as a whole. While healing is a term often associated with the health sector, the justice system can also support healing by providing opportunities to use traditional Indigenous justice approaches that support healing and restoration of victims, communities and offenders.

8. Improving Coordination Across Government Departments And Among Provinces, Territories, The Federal Government And Indigenous Communities

The federal government, every province and territory, and many Indigenous communities are taking action to address this issue. Improving coordination would make it easier for Indigenous peoples to access services and allow governments and communities to build upon each other's successes and provide a more holistic response. Justice and Public Safety Ministers will continue to seek opportunities for improving coordination within their jurisdiction and with other jurisdictions. Justice officials will share information about new promising practices to prevent and respond to violence against Indigenous women and girls, as well as information about how to improve existing justice system practices.

Acting On The Priorities

Ministers commit to continue supporting action on the above priorities in accordance with the needs and capacity in each jurisdiction. Since it will take time to effect substantial change in some of these areas, it may be necessary to re-examine the priorities on an ongoing basis to ensure they are current and responsive to the needs of Indigenous women, girls and communities.

¹¹ Buller, Ed. (2005.) "Aboriginal Community Healing Processes in Canada." Paper presented at the International Institute for Restorative Practices Conference, Manchester, England. p. 2. www.iirp.edu/pdf/man05/man05_buller.pdf

The Need for Systemic Change

While FPT Justice and Public Safety Ministers are focusing on what the justice system can do, they want to encourage others to continue to take action. To address the social and economic factors that increase Indigenous women and girls' vulnerability to violence, there is a need for continued and enhanced participation of other government departments, such as health, social services, child welfare and education, as well as by Indigenous and non-Indigenous communities and the private sector.

During discussions about the Draft Justice Framework, Indigenous groups, organizations and individuals were asked to comment on the justice system's role in addressing this issue. In addition to their comments about the justice system, many said it was absolutely critical this issue be addressed holistically. The following are some of the priorities they suggested all stakeholders need to act on:

1. Raising awareness of the strengths and contributions of Indigenous cultures and Indigenous women to change negative attitudes and behaviours that devalue Indigenous women and girls

Educate young Aboriginals about the history of their people.
Alberta respondent

Raising public awareness is important – until attitudes change, everything else will be tough.

Public education is probably the single most important action to take, as well as the most difficult.
Saskatchewan Respondents

In discussions across the country, respondents said widespread public education is needed to raise awareness and understanding of Indigenous issues. Raising awareness should include targeted education for certain groups, such as justice system personnel, health care workers, and social services workers about Indigenous cultures, the history of colonization, the residential school system and the impacts of government policies on Indigenous peoples. Many respondents said violence is viewed as a normal experience in some Indigenous communities and that prevention and education initiatives that highlight the struggles, strengths and resilience of Indigenous peoples are needed to challenge this view.

2. Reducing the marginalization of Indigenous women and girls by improving socio-economic conditions and outcomes

Poor socio-economic conditions and other challenges often lead individuals to become vulnerable to violence. Supporting Indigenous women, families, and communities by

improving socio-economic conditions and empowering them, will increase resilience and prevent violence.

3. Improving the relationship between non-Indigenous professionals in health care, education, other systems and Indigenous peoples

As noted above, historical events led to a troubled relationship between government institutions and Indigenous peoples. Furthermore, some respondents said they experience insensitive or racist comments and behaviour when trying to access justice, as well as health, education and social services. While relationships have improved over the years, governments need to continue to strengthen efforts to build respectful relationships with Indigenous peoples.

4. Improving access to culturally appropriate social, health and community services

Many respondents said culturally appropriate services would address the barriers Indigenous people face in accessing a wide range of services. All service providers should consider how they can demonstrate cultural sensitivity and provide culturally appropriate services.

5. Improving coordination of programs and services across sectors and among provinces, territories and the federal government

Improving coordination was a major theme among the feedback received from respondents across the country. FPT governments provide justice, health, education, housing, employment training, and other programs and services to Indigenous peoples across the country, on and off-reserves, in rural and urban areas. Governments should increase efforts to coordinate program and service delivery, to maximize effectiveness, improve efficiency and enhance access.

6. Taking a national approach to addressing violence against Indigenous women and girls, while respecting the different situations and priorities in each jurisdiction.

Many respondents indicated that this should take the form of a national inquiry on missing and murdered Indigenous women, followed by actions aimed at responding to the findings.

Alignment With Discussion At The National Roundtable

The above priorities are consistent with the outcomes from the February 27, 2015 National Roundtable on Missing and Murdered Indigenous Women and Girls. Participants at the Roundtable discussed the importance of:

- Raising public awareness as an educational tool for changing attitudes and preventing violence;
- Improving socio-economic outcomes for Indigenous women and girls;
- Improving prevention and responses to intimate partner violence and family violence;
- Supporting Indigenous communities to develop culturally appropriate safety initiatives;
- Improving the relationship between justice professionals and Indigenous peoples; and
- Working together to coordinate action to address violence against Indigenous women and girls.

Conclusion

Violence against Indigenous women and girls is a serious concern in this country. The causes of the violence are complex, but are closely linked to historical government policies, which led to current conditions of low socio-economic status and vulnerability to violence. There is no simple or singular solution to this issue. Stopping the violence will require the combined efforts of multiple sectors and stakeholders.

The justice system has an important role to play in preventing violence and responding when it occurs. This Justice Framework provides FPT governments with a roadmap for how the justice system can move forward to address the violence. It reflects the principles and priorities identified in collaboration with Indigenous peoples through discussions across the country.

While action will continue to be taken within the justice system, FPT Ministers Responsible for Justice and Public Safety encourage other government sectors, Indigenous and non-Indigenous communities, organizations, groups, and individuals to continue the dialogue and address the root causes of the violence by meeting the needs of victims, offenders, families and communities and developing practical ways to break the cycle of violence and abuse.

Appendix A: Statistics

In Canada, Aboriginal women and girls are nearly three times more likely to experience physical or sexual violence than non-Aboriginal women and girls. The violence is committed primarily by men, both Aboriginal and non-Aboriginal, by acquaintances, spouses, family members, and strangers and it occurs in a wide range of situations, including on reserves, off reserves and in small towns and large cities. Current statistical information is provided below.

Missing and Murdered Aboriginal Women: A National Operational Overview

In 2014 the Royal Canadian Mounted Police (RCMP) issued '*Missing and Murdered Aboriginal Women: A National and Operational Overview*', a report prepared with Statistics Canada, and with data from over 300 police forces across Canada. The report concerned police-reported incidents of Aboriginal women missing for more than 30 days as of November 4, 2013, and homicides between 1980 and 2012. Key findings include:

- There were 1,017 Aboriginal female homicide victims between 1980 and 2012, and 164 Aboriginal women missing.
- The total number of unsolved missing and murdered Aboriginal women occurrences as of the time of data collection was 225. This includes 105 cases of missing Aboriginal women categorized as “unknown” or “foul play suspected” and 120 unsolved Aboriginal female homicides.
- Aboriginal females are over-represented as victims of homicide. The proportion of Aboriginal females in the Canadian female population was 4.3% in 2011 while the proportion of female Aboriginal victims of homicide in the report period was 16%. Aboriginal women are also over-represented as missing women, with close to 11% of the total number of missing women Aboriginal.
- Aboriginal women accounted for 8% of female victims in 1984 as compared to 23% in 2012. This change in proportion is due to a decrease in the number of murders of non-Aboriginal women while the number of Aboriginal women murdered has been relatively constant.
- The ‘Solve’ rate (i.e., clearance rate) for homicides of Aboriginal females (88%) was similar to the rate for non-Aboriginal females (89%).
- As with homicides involving non-Aboriginal females, Aboriginal female victims of solved homicides typically knew their killer, with only 8% of cases involving a stranger. Fewer female Aboriginal homicide victims were killed by their spouses (29% vs. 41%), similar percentages by another family member (23% vs. 24%), and significantly more by acquaintances (30% vs. 19%). In cases of familial homicide, a higher percentage of Aboriginal female victims had a known history of family violence compared to non-Aboriginal females (62% vs. 43%).
- A higher percentage of Aboriginal females died as a result of a physical beating (32% vs. 17% for non-Aboriginal females).

- The majority of Aboriginal female homicides occurred in the western provinces – British Columbia (205), Alberta (206), Saskatchewan (153) and Manitoba (196).
- The majority of police-reported missing Aboriginal females disappeared in the western provinces – British Columbia (40), Alberta (19), Saskatchewan (16) and Manitoba (12).
- The percentage of Aboriginal female victims of homicide who were involved with the sex trade (12%) was higher than for non-Aboriginal female victims (5%). Differences were also noted on factors such as employment status and use of intoxicants.
- Aboriginal females were largely killed by males, with an average age of 30 years old. They were also more likely than those accused of killing non-Aboriginal females to have a criminal record (71% vs. 45%).

The report is available at: <http://www.rcmp-grc.gc.ca/pubs/mmaw-faapd-eng.htm>

Missing and Murdered Aboriginal Women: 2015 Update to the National Operational Overview

In June 2015, the RCMP released an update to the *National Operational Overview*, with regard to RCMP-policed jurisdictions only for homicides. Some key findings follow:

- In 2013 and 2014 there were an additional 32 Aboriginal female homicides with a solve rate of 81%.
- Eleven additional Aboriginal women went missing since the 2014 Overview time period.
- As of April, 2015, for all police jurisdictions in Canada, 174 police-reported cases of Aboriginal women remained missing, 111 in suspicious circumstances. This represents 10% of the 1,750 missing females reported on the Canadian Police Information Centre (CPIC).
- There was a 6.7% reduction in the number of unsolved Aboriginal missing person cases from the 2014 Overview (105 cases to 98 cases) across all police jurisdictions, and an 11.7% reduction in unsolved homicides (with new RCMP data only – from 120 cases to 106).
- As with homicides involving non-Aboriginal females, family violence was noted with 73% of the solved homicides of Aboriginal women.

The report is available at: <http://www.rcmp-grc.gc.ca/pubs/abo-aut/mmaw-fada-eng.htm>

Native Women's Association of Canada (NWAC), *What Their Stories Tell Us*

The April 2010 NWAC report, *What Their Stories Tell Us*, reviewed over 740 cases of missing and murdered women in Canada, of which 582 met the criteria for inclusion in the NWAC database (i.e. *the woman or girl was Aboriginal and was missing or died as a result of homicide, negligence or in circumstances the family or community considered suspicious*).¹²

- Of the 582 cases of missing and murdered women, 39% occurred after 2000 and 17% happened in the 1990s. The remainder occurred mostly in the 1970s and 80s (22 cases date from 1969 or earlier).
- Twenty percent of the cases involved missing women or girls while 67% (393) involved deaths as a result of homicide or negligence. Of the remaining cases, 4% involved suspicious deaths and in 9%, the circumstances were unclear at the time of the report.
- Charges were laid in 53% of the homicides involving Aboriginal women and girls as compared with a general clearance rate of 84% for homicides in Canada in 2005.
- Of the 261 cases where charges were laid, 23% of the women or girls were killed by a current or former spouse or intimate partner and 6% by another family member. An additional 17% were killed by an acquaintance and a further 16% by a stranger. The relationship between the victim and accused was unknown in 36% of the cases. The person charged was Aboriginal in 36% of the cases and non-Aboriginal in 23% of cases (unknown in the remaining 41%). Where information was known (149 cases), half the cases involved women with no connection to the sex trade.
- Between 2000 and 2008, 153 cases of murder were identified in NWAC's Sisters In Spirit database. These women represented 10% of female homicide victims in Canada over this period while Aboriginal women accounted for about three per cent of the female population of the country.
- The majority of disappearances and deaths of Aboriginal women and girls occurred in the western provinces. Over two thirds of the cases were in British Columbia, Alberta, Manitoba and Saskatchewan. More than half were under age 31 and many were mothers. Of the cases where this information is known, 88 per cent of missing and murdered women and girls left behind children and grandchildren.
- Seventy percent of women and girls disappeared from, and 60 per cent were murdered in, an urban area.

The report is available at: <http://www.nwac.ca/wp-content/uploads/2015/07/2010-What-Their-Stories-Tell-Us-Research-Findings-SIS-Initiative.pdf>

¹² The list includes cases that were not reported to police, as well as some incidents that have been investigated and declared natural or accidental deaths (sometimes by coroners), but that family members regard as suspicious.

Additional statistics on violence against Aboriginal Women

General Social Survey

2014

- According to the 2014 General Social Survey, Aboriginal women recorded a rate of sexual assault more than three times greater than that for non-Aboriginal women. The rate of sexual assault among Aboriginal women was 115 incidents per 1,000 population versus 35 incidents per 1,000 population among non-Aboriginal women.
- After controlling for all risk factors measured by the 2014 General Social Survey, Aboriginal identity itself remained a key risk factor for victimization among women.

General Social Survey

2009

Aboriginal women are almost 3 times as likely to experience violence by a spouse, acquaintance or stranger

- According to the General Social Survey on self-reported victimization, close to 67,000 Aboriginal women reported they had been violently victimized in 2009. This represents 13% of all Aboriginal women aged 15 and older living in the provinces. The rate of self-reported violent victimization among Aboriginal women was 279 violent incidents per 1,000 population versus 106 incidents per 1,000 population among non-Aboriginal women.
- Aboriginal women experienced close to 138,000 incidents of violence, and they were about 2.6 times more likely than non-Aboriginal women to have been a victim of a violent crime. This was true regardless of whether the violence occurred between strangers, acquaintances, or within a spousal relationship.

Close to two-thirds of Aboriginal female victims are aged 15 to 34

- Sixty-three percent of Aboriginal female victims were aged 15 to 34. This age group accounted for just under half of the female Aboriginal population (aged 15 and older) living in the provinces.

Aboriginal women in the provinces are almost three times as likely to be victims of spousal violence

- Aboriginal women with a current or former spouse were almost 3 times as likely as non-Aboriginal women to report being a victim of spousal violence in the previous five years (15% versus 6%). They were also more likely to have been injured as a result of the violence (59% versus 41%), and more likely to report the most severe forms of violence. As well, Aboriginal female victims of spousal violence were more likely to fear for their lives (52% compared to 31% of non-Aboriginal females).

Aboriginal women in the territories are more than three times as likely to be victims of spousal violence

- Consistent with the findings from the provinces, Aboriginal women in the territories were more than three times as likely as non-Aboriginal women to report being victimized by a spouse in the past 5 years (18% versus 5%). While gender breakdowns by Aboriginal identity were not possible for non-spousal violence, rates were generally higher among Aboriginal people (252 versus 145 incidents per 1,000 population among non-Aboriginals).

About three quarters of non-spousal violent incidents against Aboriginal women are not reported to police

- About three-quarters (76%) of non-spousal violent incidents involving Aboriginal women were not reported to the police, a proportion that is similar for non-Aboriginal women who are victims of non-spousal violence (70%).

Close to seven in ten Aboriginal victims of spousal violence did not report the incident to police

- Close to 69% of Aboriginal women who were victims of spousal violence said they did not report the incident to police. This was similar for non-Aboriginal women (76%). The most common reasons cited by Aboriginal women for not reporting the incident to police included feeling that the incident was a personal matter, not wanting to involve police, and dealing with the situation in another way. Non-Aboriginal female spousal violence victims cited similar reasons for not reporting to police.

2014 Homicide Survey

- Aboriginal female victims continue to account for an increasing proportion of all female homicide victims. From 2001 to 2014, the average rate of homicides involving Aboriginal female victims was 6 times higher than that of homicides involving non-Aboriginal female victims (4.82¹³ per 100,000 compared to 0.81¹⁴).
- Between 2001 and 2014, police-reported rates of homicides involving Aboriginal female victims were higher in the prairies (7.16 per 100,000 population in Manitoba; 6.01 per 100,000 in Saskatchewan and 6.79 per 100,000 in Alberta) than the overall rate in Canada (4.82). The rate of Aboriginal female homicides in Saskatchewan was 11 times higher than that of non-Aboriginal females (6.01 per 100,000 compared to 0.54), the second largest difference in the country after Yukon.
- In 2014, police reported solving more homicides involving non-Aboriginal female victims compared to those involving Aboriginal females (87% compared to 80%).
- More than half (53%) of the solved Aboriginal female homicides reported between 1980 and 2014 were committed by family members, including current or former legally married spouses or common-law partners or other family members. This is slightly lower than the percentage of non-Aboriginal female homicides committed by a family member (60%). A larger proportion of Aboriginal female homicides were committed by acquaintances (26%) compared to non-Aboriginal female homicides (21%). A similar proportion of homicides were committed by strangers among Aboriginal female victims (8%) and non-Aboriginal female victims (10%).
- Over 9 in 10 Aboriginal and non-Aboriginal female victims knew the persons accused of their homicides in 2014, however, differences emerged in the type of relationship between the victim and accused. For example, a greater proportion of Aboriginal female homicide victims were killed by a family member other than a spouse compared to non-Aboriginal

¹³ Rates are calculated per 100,000 Aboriginal female population by geographical area.

¹⁴ Rates are calculated per 100,000 non-Aboriginal female population by geographical area.

females (38% versus 23%), while a lower proportion were killed by a spouse or ex-spouse (33% versus 45%).

- While spousal homicide is more prevalent among females than males regardless of Aboriginal identity, the divide between males and females was wider among non-Aboriginal victims (45% of non-Aboriginal female victims were killed by a spouse or ex-spouse in 2014 compared to 1% of males). This compares to 33% of Aboriginal female homicide victims and 9% of Aboriginal male homicide victims.
- More non-Aboriginal female victims (88%) were killed in a residence than Aboriginal female victims (66%). A higher proportion of homicides of Aboriginal females occurred on a street, road, or a highway compared to homicides of non-Aboriginal females (17% compared to 1%).
- According to the 2014 Homicide Survey, the risk of becoming a homicide victim was highest for those aged 35 to 44 years among Aboriginal females (8.62 per 100,000 population) and non-Aboriginal females (1.06).
- According to the 2014 Homicide Survey, between 2001 and 2014, police-reported rates of homicides involving Aboriginal female victims were higher in the three territories (7.00 per 100,000 population in Yukon; 7.19 per 100,000 in the Northwest Territories and 12.26 per 100,000 in Nunavut) than the overall rate in Canada (4.82). The rate of Aboriginal female homicides in Yukon was 12 times higher than that of non-Aboriginal females (7.00 per 100,000 compared to 0.58), making this difference the largest in the country.

The above-noted statistics were sourced from a number of publications, including: CCJS, Measuring violence against women: Statistical trends, Juristat Article (February 2013); Violent victimization of Aboriginal women in the Canadian provinces, 2009 Juristat Article (May 2011); Criminal victimization in the territories, 2009 Juristat Article (January 2012); Criminal victimization in Canada, 2014 Juristat article (November 2015); and Homicide in Canada, 2014 Juristat article (November 2015).