

November 26, 2021

The Hon. Marc Miller, PC, MP
Minister of Crown-Indigenous Relations
House of Commons
Ottawa, Ontario
K1A 0A6

Via Email



Dear Minister:

On behalf of the 390,000 members of the National Union of Public and General Employees (NUPGE), I'm writing to you regarding Canada's commitment to the 94 Calls to Action laid out by the Truth and Reconciliation Commission of Canada. The final report was published in 2015. NUPGE is concerned about the lack of action, or the slow action, on several of the Calls to Action, particularly those dealing with access to clean water, child welfare, justice, education, and health.

All levels of government must work together to implement the Truth and Reconciliation Commission's 94 Calls to Action. It's not acceptable to pass off a Call to Action to a different branch or level of government and assume it will be done. Too often, the concerns of Indigenous people are passed from one department to another, and they are told that their problem is someone else's responsibility. All governments must accept that they have a part to play in reconciliation and should work together.

Below you will find a listing of what the National Union feels are priority issues for all levels of government in Canada. These are issues raised within our Component unions by Indigenous members, as well as concerns expressed by many organizations representing Indigenous Peoples. Far too many of these issues are at crisis levels.

However, as an absolute given, all levels of government must work with representatives of Indigenous communities in this country in a manner that truly reflects a nation-to-nation relationship.

If some of the text in these priority issues looks familiar, it's because it's taken directly from the 94 Calls to Action in the Truth and Reconciliation Committee's final report, a report the federal government already promised to implement. Governments can't pick and choose which of the Calls to Action they implement—all must be acted upon.



Nation-to-nation discussions and collaborations are the cornerstone of returning social services to Indigenous jurisdiction. Indigenous people must be involved in every step of the process and have the final say over the decisions that will impact their lives. But without financial aid, resources, and agreement from all levels of government, these initiatives are doomed to fail.

It's not sufficient to achieve reconciliation through enacting Indigenous jurisdiction alone. Resources must be allocated. And along with resources, governments at all levels must provide annual reports to show what they've contributed and where their resources are going. These reports should be structured around goals set in collaboration with Indigenous partners. Government evaluating its performance on goals that don't make meaningful change is performative and useless.

Indigenous Peoples have been waiting too long to see real change happen. The time to act is now.

Sincerely,

A handwritten signature in black ink, appearing to be 'LB', written in a cursive style.

Larry Brown
President

cc: The Hon. Patty Hadju, PC, MP, Minister of Indigenous Services
The Hon. John Horgan, Premier of British Columbia
The Hon. Jason Kenney, Premier of Alberta
The Hon. Scott Moe, Premier of Saskatchewan
The Hon. Heather Stefanson, Premier of Manitoba
The Hon. Doug Ford, Premier of Ontario
The Hon. François Legault, Premier of Quebec
The Hon. Blaine Higgs, Premier of New Brunswick
The Hon. Tim Houston, Premier of Nova Scotia
The Hon. Dennis King, Premier of Prince Edward Island
The Hon. Andrew Furey, Premier of Newfoundland and Labrador
The Hon. Sandy Silver, Premier of Yukon
The Hon. Caroline Cochrane, Premier of Northwest Territories
The Hon. P.J. Akeeagok, Premier of Nunavut
Bert Blundon, NUPGE Secretary-Treasurer
National Executive Board

Priority Issues

Access to Clean, Safe Drinking Water

Reliable access to clean, safe drinking water is of utmost importance. There's no excuse for not making these projects the top priority. During the pandemic, governments stressed the importance of frequent hand washing. By failing to speed up the removal of boil-water advisories, the federal government put Indigenous people on those reserves at a higher risk for COVID-19. Indigenous people need clean drinking water now.

Child Welfare

In August 2021, the Canadian Human Rights Tribunal ruled regarding Jordan's Principle that Canada must fund First Nations, and the child welfare agencies that serve them, for the actual costs of purchasing and constructing buildings for providing child welfare services. It's shameful that the government has spent so much time and money fighting the tribunal's ruling, and we urge the government to come to a quick and just settlement now.

Regarding our history of colonialism and residential schools, Canadians are only getting half of the story. Many Canadians didn't become aware of the true horrors of the residential school system until the discovery of the unmarked graves. Many Canadians are still unaware of the present-day abuses being committed against Indigenous children. And how can they know the true extent of the problem when governments don't work together to publish annual reports detailing the number of Indigenous children in the child welfare system as well as the reasons for apprehending them?

52.2% of children under 15 in foster care are Indigenous, while Indigenous people make up only 7.7% of the population. Many infants enter care as soon as they're born, due to the discriminatory practice of birth alerts. Some, like former MP Mumilaaq Qaaqaaq, have called foster care a modern-day residential school system. It's easy to see the connections: Indigenous children are being taken from their parents, and in most cases, are separated from their cultures.

An investigation by the Quebec Human Rights and Youth Rights Commission found that Inuit children flown to Montreal (due to lack of resources in the North) are deprived of proper education and sometimes discouraged from speaking their own language. And under Section 43 of the Criminal Code, teachers and foster parents are allowed to physically harm children in their care as a means of correction. There are currently more children in foster care now than there were at the height of the residential school system. We must end the cycle of intergenerational trauma, which starts when children are removed from their families and communities.

The Spirit Bear Plan created by First Nations Child and Family Caring Society must be adopted by the federal government. The Spirit Bear Plan identifies 5 actions that would make a huge difference in the lives of Indigenous children. Underfunding public services for Indigenous children and families sets up the next generation of Indigenous children for failure. There can be no reconciliation when Indigenous people are provided with a lower quality of public services than the rest of Canadians.

A 2018 report from the Ontario Human Rights Commission referred to a “child-welfare-to-prison pipeline” that is due to the long-term effects of being placed in care, having higher rates of youth homelessness, lower levels of post-secondary education, low income, and high unemployment, and increased prevalence of chronic health problems for children. The data is right there; the current system is failing Indigenous children. We cannot allow it to continue failing future generations. The federal government must provide the resources to ensure all children see the full benefit of Bill C-92.

Justice System

Indigenous peoples are disproportionately incarcerated in provincial and federal prisons. 31% of provincial/territorial inmates are Indigenous, and 29% of federal inmates are Indigenous. In some provinces, the percentage of Indigenous inmates skyrockets to 75%.

This is not a new problem. In April 1988, the Manitoba Government created the Public Inquiry into the Administration of Justice and Aboriginal People, commonly known as the Aboriginal Justice Inquiry. The inquiry was created in response to 2 incidents: the 1971 murder of Helen Betty Osborne (who was abducted, raped, beaten, and stabbed over 50 times with a screwdriver), and the 1988 death of John Joseph Harper (the executive director of the Island Lake Tribal Council, who was shot during an encounter with the police). The inquiry issued its report in the fall of 1991, which included 296 recommendations to fix the racism in Manitoba’s justice system. 30 years later, the majority of the recommendations have not been implemented, and the same problems remain.

This points towards systemic racism in the justice system: from the over-policing of Indigenous people, to the underrepresentation of Indigenous people in the judicial process, to mandatory minimum penalties, to racial bias in verdicts. Bill C-22 would have eliminated many of the mandatory minimum penalties under the Criminal Code and restored more judicial discretion in sentencing. Unfortunately, this bill was treated as a low-priority item and was given only a few hours of debate, dying on paper when the 2021 federal election was called.

There have been dozens of studies and decades of research that show prison rehabilitation does not work. Canada’s criminal justice system is in desperate need of an overhaul, and Indigenous people need community sanctions that will provide realistic alternatives to imprisonment. More funding is needed to build healing centres and to support Indigenous people in halfway houses and during parole. Culturally relevant

services are needed for Indigenous inmates to address the root causes of their law breaking. We need lawyers who have studied the history of Indigenous Peoples and the law (including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, treaties and Indigenous rights, Indigenous law, and Indigenous–Crown relations).

Education

There are gaps in practically every public service delivered to Indigenous people. Across the country, there are backlogs of prospective Indigenous students who can't get into university because there aren't enough public funds, or because scholarships are awarded only to full-time students.

Additionally, many Indigenous people are unable to get a satisfactory education on a reserve that allows them to go to post-secondary school or work off the reserve. There is also a lack of programs available for enhancing job skills, education, and training for adult Indigenous people.

There is no mandate that requires Indigenous content to be built into provincial education curriculums. Indigenous content in schools should not be elective, nor should it be limited to only social studies and history. Indigenous content should be included in all subjects because Indigenous people have made contributions to all subjects.

A current example of the discrimination Indigenous students face is how the free menstrual products program was recently enacted in Ontario. Despite this being a public-private partnership funded by Shoppers Drug Mart, Indigenous schools in Ontario will not receive any free menstrual products due to Indigenous schools being under federal jurisdiction. Though the federal government has since announced that menstrual products will be provided for free in Indigenous schools, there never should have been a distinction to begin with. The provincial and federal governments had ample time to work on a joint plan and announcement that wouldn't have othered Indigenous students in the first place.

Health Care

Health care and well-being are another area where government is failing Indigenous Peoples abysmally. From Brian Sinclair, to Joyce Echaquan, to Georges-Hervé Awashish, to the thousands of anecdotal accounts from Indigenous people, it's clear that there's racism in our health care systems. There are obvious examples, like racist comments from medical professionals. But there are more subtle forms as well, like failing to recognize the distinct health needs of the Métis, Inuit, and Indigenous people who do not live on reserves. Racism in our health care systems can't be curbed until there is cultural competency training for all health care professionals, and until governments make a point of hiring and retaining Indigenous health care providers in all levels of service. Indigenous patients should have access to an Indigenous healer or Indigenous healing practices if requested. Fetal Alcohol Spectrum Disorder (FASD) is

estimated to occur more often in Indigenous births, but no government agency compiles that data. Indigenous groups have already done significant research and work in making culturally appropriate FASD information pamphlets and prevention initiatives, but they need funding to continue their work and expand their reach.

People's mental and emotional health needs and their spiritual care are severely underserved. Indigenous people are 3 times more likely than non-Indigenous people to commit suicide, with Métis 2 times more likely, and Inuit 9 times more likely. Healing centres need funding and mental health practitioners need cultural competency training, particularly on the history of residential schools and their legacy.

Addressing Poverty and Substandard Living Conditions

Poverty, food insecurity, unsafe drinking water, lack of education, unsafe housing conditions, poor health, substance abuse, and over incarceration—these problems feed into each other and create a web of inequality for Indigenous people. We recognize that current governments do not share all the blame; this is the legacy of Canadian colonialism. But it's the job of current governments to end the cycle here.

The responsibility of reconciliation does not fall solely on the shoulders of the federal government: provincial, territorial, and municipal governments all have a part to play. Many Indigenous people living in urban areas access public services provided by the provinces and territories. And even in areas where provincial and territorial governments don't have jurisdiction, they can make a difference by advocating for the federal government to step up and take action.