

Gwayakwaajimowin: Truth Telling

Police Responses to Sexual Violence in Urban Indigenous Communities
 OFIC Research Series, Volume 5 - Spring 2017



OFIC

Ontario Federation of Indigenous Friendship Centres

About OFIFC

Founded in 1971, the Ontario Federation of Indigenous Friendship Centres (OFIFC) works to support, advocate for, and build the capacity of member Friendship Centres across Ontario.

Emerging from a nation-wide, grass-roots movement dating back to the 1950's, Friendship Centres are community hubs where Indigenous people living in towns, cities, and urban centres can access culturally-based and culturally-appropriate programs and services every day. Today, Friendship Centres are dynamic hubs of economic and social convergence that create space for Indigenous communities to thrive. Friendship Centres are idea incubators for young Indigenous people attaining their education and employment goals, they are sites of cultural resurgence for Indigenous families who want to raise their children to be proud of who they are, and they are safe havens for Indigenous community members requiring supports.

In Ontario more than 84 per cent of Indigenous people live in urban communities. The OFIFC is the largest urban Indigenous service network in the province supporting this vibrant, diverse, and quickly-growing population through programs and initiatives that span justice, health, family support, long-term care, healing and wellness, employment and training, education, research, and more.

Friendship Centres receive their mandate from their communities, and they are inclusive of all Indigenous people – First Nation, Status/Non-Status, Métis, Inuit, and those who self-identify as Indigenous.

Learn more about the work the OFIFC does to support Friendship Centres at www.ofifc.org.



Gichi miigwech, Niā:wen to all the courageous Indigenous women who came forward to share their journeys, their expertise and passion for ending violence against Indigenous women. We are also deeply grateful to the Fort Frances United Native Friendship Centre and the Hamilton Regional Indian Centre for organizing and hosting the gatherings. Your outstanding commitment to creating safe spaces for Indigenous community was deeply appreciated. We are also thankful to the officers who worked with us on the project, particularly Treaty 3 Police and the Hamilton Sexual Assault Team. Thank you for your expertise and your commitment to working with Indigenous communities. Finally, we would like to extend our gratitude to the participating service providers who support and advocated for Indigenous victims of sexual violence throughout the difficult journey.

Prepared by Ontario Federation of Indigenous Friendship Centres (OFIFC) 2016

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Project Background

“These are not just made up stories; these are our lived journeys, our real experiences.”
Gao:Wageho, Bear Clan Mother

From March to August 2016, the Ontario Federation of Indigenous Friendship Centres (OFIFC) gathered perspectives from two urban Indigenous Friendship Centre communities, Hamilton and Fort Frances, as well as local police sexual violence units, hospitals, shelters, and other community stakeholders, on how to remove barriers to reporting processes experienced by Indigenous victims of sexual violence. This research project, Gwayakwaajimowin, was funded by the Ontario Ministry of Community Safety and Correctional Services (MCSCS) with the overall goal to increase instances of positive, culturally-responsive outcomes in police investigations of sexual assaults.

Gwayakwaajimowin is an Ojibwe word that means: *telling things correctly according to one's own truth*. Truth, in this regard, is a principled space created through an understanding of Indigenous teachings. Truth, from an Indigenous perspective, is not an imposed objective observation. Truth is an experiential, relational process of coming to understand a situation based on one's own journey, roles, responsibilities, and position in the stages of life.

Gwayakwaajimowin aimed to:

- Examine current reporting practices and barriers related to reporting sexual violence;
- Identify institutional processes that inhibit prevention of, and recovery from, sexual violence in Indigenous communities; and,
- Help law enforcement and support services honour their responsibility to align with the provincial government's mandate to end violence against Indigenous women and girls

Gwayakwaajimowin research was not focused on the problems and issues experienced by Indigenous people as victims of sexual assault, but rather on the institutional processes that contribute to systemic barriers and those that create positive outcomes in addressing sexual violence. Gwayakwaajimowin research identified key points in the relationship between police and other support services including local Friendship Centres, as well as police interactions and responses to Indigenous victims/survivors of sexual violence.

Two Friendship Centres in Ontario drove Gwayakwaajimowin research to ensure that both rural and urban perspectives were balanced. The Fort Frances United Native Friendship Centre and the Hamilton Regional Indian Centre hosted gatherings over several days. Over 50 participants, comprised of Indigenous survivors of sexual violence—both those who have gone through the court process and those who have never reported—Indigenous youth, Elders, shelter service providers and counsellors, nurses, and mental health practitioners took part in the study.

As well, law enforcement officers from Hamilton and Treaty 3, and OPP regional sexual assault investigators took part in follow-up information sharing sessions to review local community-driven recommendations and elaborate on key institutional practices that were identified as posing barriers. OPP representative for the northern region, Treaty 3, and the Hamilton police services sexual assault team all provided key insights into the process.

The final portion of the research included a gathering in Toronto for participants from both Fort Frances and Hamilton as well as community Elders and stakeholders, to review the combined recommendations and collaborate on the research report. Knowledge sharing and dissemination of the recommendations in each community completed the project.

The Sexual Victimization Legacy in Ontario

In comparison to non-Indigenous people, sexual victimization of Indigenous women and girls increases over time; Indigenous women are three times more likely to be sexually assaulted (NWAC, 2015). Race and gender creates a double-jeopardy for Indigenous women: a two-fold discrimination that increases vulnerability and doubles the risk of violence for Indigenous women (Smith, 2012). Research demonstrates the correlation between specific socio-political factors and the risks of sexual violence, such as low social-economic status, high unemployment and substance use, and low education. These key indicators are most prevalent in the social conditions of Indigenous communities in Canada (Scrim, 2010). In 2007, the Sexual Assault Audit Steering Committee examined the Violence Crime Linkage Analysis System (ViCLAS) and found that victim profiling categories “reinforced racist and sexist stereotypes and mythology about sexual assault, the women who experience the crime and the men who commit it” (Bain, 2010). As a result of the social shame and stigma, as well as systemic barriers attached to victims of sexual violence, sexual violence remains one of the lowest reported crimes, with less than 5% being reported to the police (Perreault, 2015).

Crown Reporting Procedures in Ontario

In Canada, there are two types of Crown reporting procedures. More common, as in Ontario, is two-step “charge screening process” whereby the police lay the charge, bringing forward evidence to the Crown who decides if they can take it to court. The Crown is guided by two fundamental principles: 1) whether there is a substantial likelihood of a conviction, based on evidence provided by police by way of a Crown Brief (or through private information by way of a Justice of the Peace); and, 2) whether the case meets the public interest, as outlined by the Ministry of the Attorney General. In this process, the police decide whether or not there is enough evidence to lay a charge. However, as a result of incomplete legislative knowledge, this process sometimes leads to mischarges, erroneous charges, or a lack of appropriate charges. For example, the police interviewed in this project relied heavily on corroboration as evidence in order to go forward with charges of sexual assault and will forgo a charge altogether if they do not receive enough “corroboration” that they believe will count as evidence towards conviction. However, according to section s.274 of the Canadian Criminal code, corroboration is not required for a sexual assault conviction.

In British Columbia, New Brunswick, and Quebec, a “pre-charge screening” process is employed, whereby the Crown decides whether or not to go forward with a charge and not the police. Pre-charge screening diminishes long court delays and wait times, two deterrents to reporting as stated by this project’s Indigenous community members. Pre-charge screening also ensures that the appropriate charges are laid, cancelling out erroneous charges.

Research Framework

This research follows the community-driven and trauma-informed approach of the OFIFC's **USAI Research Framework**. The USAI Research Framework emphasizes four principles:

1. **UTILITY:** Research inquiry must be practical, relevant, and directly benefit communities;
2. **SELF-VOICING:** Research, knowledge, and practice are authored by communities, which are fully recognized as knowledge holders and knowledge creators;
3. **ACCESS:** Research fully recognizes all local knowledge, practice, and experience in all their cultural manifestations, as accessible by all research authors and knowledge holders; and
4. **INTER-RELATIONALITY:** Research is historically-situated, geo-politically positioned, relational, and explicit about the perspective from which knowledge is generated

USAI Research Framework, OFIFC 2016



USAI-grounded research welcomes principled partnerships, ethical cooperation, and meaningful collaboration, providing guidelines to protect integrity of Indigenous Knowledge.

Tracking Institutional Practices (TIP)

If there is to be change or if the problems located in the non-Indigenous judicial processes are to be avoided, then we need to know just how institutional practices are organized to produce the experiences (Wilson, 2006).

Gwayakwaajimowin worked from a culturally-relevant, Indigenous-based Tracking Institutional Practices (TIP) framework designed by OFIFC in partnership with Independent First Nations, Ontario Metis Nation and the Ontario Native Women's Association, along with Dr. Dorothy Smith, founder of Institutional Ethnography.

The OFIFC TIP methodology uses Institutional Ethnography, Institutional Analysis, and Community Mapping within a distinct Indigenous research framework.

TIP for Addressing Sexual Violence

We need to have research models that will help us figure out what to do next. We don't need anybody to tell us that Native women are getting beaten and raped in disproportionate numbers; we know that. We know that Native women don't get treated the same as white women in the legal system. What we need to know is what works and what doesn't work to protect us (Artichoker, 2002).

Sexual violence is often a "silent epidemic" in Indigenous communities making it a high-risk research topic. The OFIFC TIP research tool shifts the focus away from personal (and often triggering) disclosures of sexual violence, towards a greater understanding of institutional responses to sexual violence. While it is rooted in lived experiences, TIP does not identify individual performance, or place blame; TIP is a tool to resolve barriers and gaps in services, and thus builds stronger relationships amongst stakeholders.

Sexual violence in Indigenous communities is an intergenerational issue that often starts with sexual abuse in residential schools and continues into present day with sexual abuse in foster homes, institutions and family, manifested as incest, rape, harassment, and trafficking at all stages of life. TIP is a culturally-sensitive methodology that assists Indigenous survivors to map out their experiences in a safe and culturally grounded way, that also builds survivor capacity through an increased understanding of complex institutional processes.

Gwayakwaajimowin's use of TIP methodology assists survivors to alleviate feelings of self-blame and shame by connecting the web of events to a shared meta-narrative of experiences with institutions. As a community-driven model, TIP mobilizes proactive community strategies that:

- Recognize that institutional practices play an important part in addressing or exacerbating experiences of sexual violence;
- Track administrative institutional responses to identify points for positive change;
- Create a space for Indigenous community-driven research informed by lived Indigenous experiences; and
- Increased community advocacy expertise

TIP as a Culture-based Method

Throughout the Gwayakwaajimowin research process TIP is used as a tool to make culturally-appropriate, community-driven changes at the local and institutional levels to how sexual violence against Indigenous women and girls is addressed. TIP also provides a format for multiple stakeholders to talk about experiences and barriers towards the creation of positive changes at local and institutional levels.

TIP is built on the cultural understating that Indigenous people have always been skilled navigators of the environment, creating vibrant and thriving communities with distinct cultures. A skilled knower makes it possible to know the currents in the urban institutional landscape while maintaining our ways of life. TIP recognizes that Indigenous Nations have different ways of strengthening those relationships and different teachings on how this should be done.



Example of the overall mapping of institutional practices from the Gwayakwaajimowin Research project, 2016

Evaluation

In order to ensure the highest standards of Indigenous research evaluation ethics, the OFIC employs the OFIC USAI Evaluation Path grounded in the USAI Research Framework. The USAI Evaluation Path is a culture-based, practical, community- determined and community-reflexive, highly participatory process that is positioned within the context of relationships to assess the usefulness of a research project, community program, or any development initiative that involves urban Indigenous communities. Community-based participatory evaluations is an implementation and process evaluation that occurs throughout the project (Appendix A) .

The Gwayakwaajimowin project encouraged community collaborations that facilitated conversations regarding the plausibility of the implementation of some of the community's recommendation. These conversations identified missing pieces necessary for a full understanding of the legal procedures involved in sexual assault cases, such as the concept of credibility that is held by legal officials and that most civilians are not aware of. The Gwayakwaajimowin project culminated in a large gathering of participants and community leaders from both research communities to collaborate on community- driven recommendations for the final report. Participatory evaluation invites all community members that are impacted by the research project to identify the viability and effectiveness of project deliverables for each stakeholder at each stage of the project.

Findings: Current Institutional Experiences of Reporting Sexual Violence

“It’s not new I’m 52 years old and it hasn’t changed in all that time. But I am very excited to see the potential to change. Maybe somewhere down the road, like maybe my grandchildren can say, “This happened to me, and I got great service”. But right now, the first thing I think of when I think of systems is that they are full of people. So, where’s your humanity? Where is your spirit? It’s like the first creation story and, like our creation stories, I feel like it’s our task to wake them back up.”

Gwayakwaajimowin Participant 2016

“There is a huge barrier, with any police system and it doesn’t matter where they’re set up, it doesn’t matter, that barrier is there. So for me, listening to this it’s exactly the same spinning wheels that I’ve been doing for a long time and I am very interested to see how long it’s going to take before it has an impact.”

Gwayakwaajimowin Participant 2016

Gwayakwaajimowin analysis, including preliminary community engagement, consultations, and literature review, indicated that “credibility issues” appear repeatedly in police reports of interactions with Indigenous women. Both literature and initial consultations made clear that a major barrier in reporting for Indigenous women is a fear of systemic racism. Narratives shared suggest that Indigenous women who report sexual assaults are discouraged from pursuing the incident if they do not look like the “perfect victim”.

Research findings also noted that police officers want timely convictions and are acutely aware of the procedural constraints that leave the most vulnerable populations unable to proceed. Gwayakwaajimowin participants expressed concern that sexual predators may target Indigenous women as a result of their known “lack of credibility” as victim witnesses. Participants stated their perspective that, in fact, sexual violence against Indigenous people was the easiest crime to get away with. These “credibility issues” are both barrier to Indigenous women reporting sexual violence and key factors in the prevalence of sexual violence against Indigenous women and girls.

While numerous Gwayakwaajimowin narratives indicate that police want to increase convictions, Indigenous women avoid reporting because they do not trust the police. As well, it was reported that cases are triaged, focusing instead on domestic assaults while the sexual assault investigations fall by the wayside. In cases of domestic abuse where sexual assault occurs, the sexual assault is enveloped by domestic abuse as a priority. In cases where children are present, child abuse becomes the prosecuted crime. Both domestic violence and child abuse crimes are easier to prosecute because they do not depend on witness credibility. All Gwayakwaajimowin community participants expressed the need to feel better connected to and supported by the police system.

Institutional Journeys

“*The only person who said what happened to me wasn't ok was the cab driver taking me to the shelter.*”
Gwayakwaajimowin Participant 2016

Gwayakwaajimowin research required an Indigenous, community driven research model that focused on the institutional barriers in order to uncover specific supports and processes that would increase positive culturally-responsive outcomes in police investigations of sexual assaults.

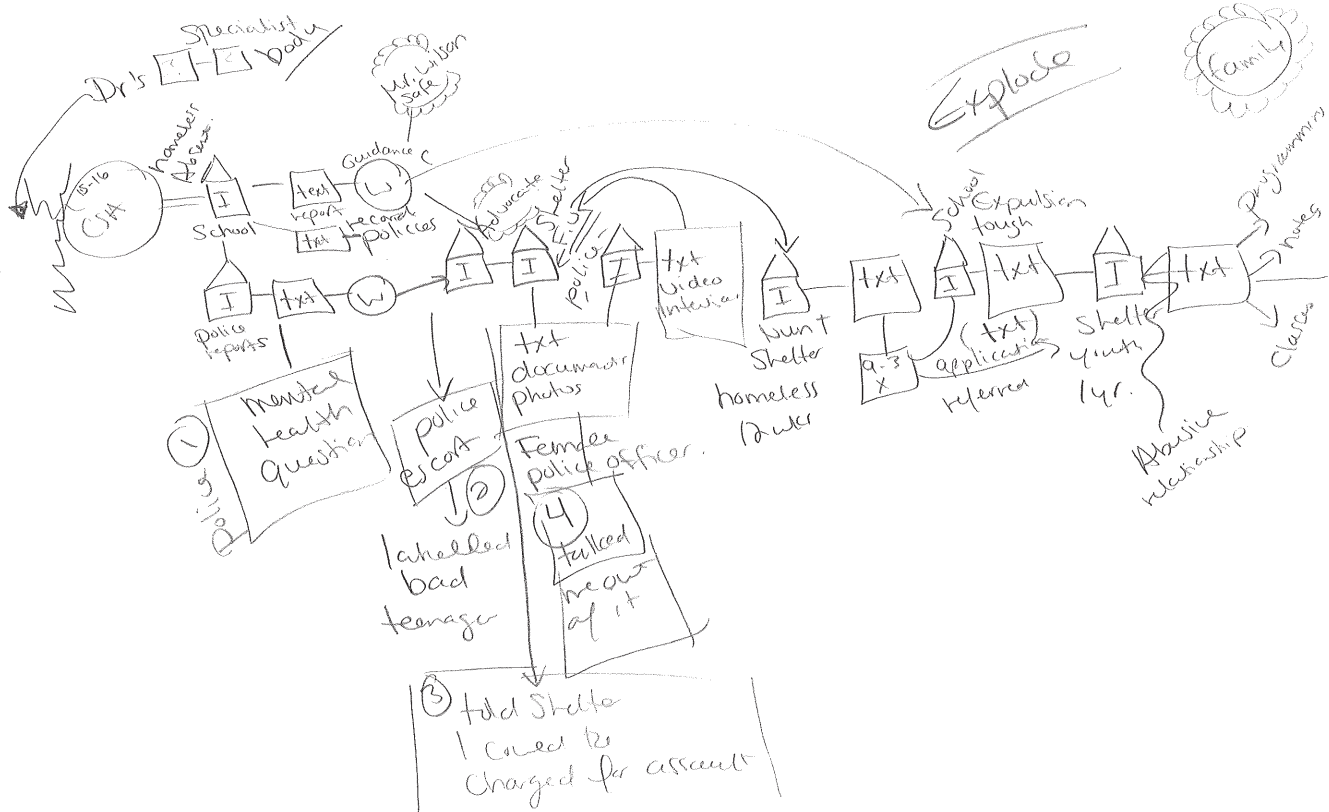
Law enforcement officers expressed a deep desire to support the victim, but many felt constrained to work within institutional process parameters that, officers believe includes a duty to report any instance where the women who come forth have children, even if the children did not witness the violence. Also noted were the constraints of only taking down an initial report for first responders and only asking questions that were allowable in the initial report. Officers first responding to the call felt compelled to show objectivity, and those involved in the investigation felt constrained in what was institutionally allowable in order to avoid tainting evidence or leading the victim to alter evidence. Both parties—police and victims—experienced trepidation with regards to victim/police relationships.

Indigenous participants in the Gwayakwaajimowin project expressed commonalities in their institutional experiences with police despite coming from a wide range of socio-demographic positions: from Elders to youth, from marginally housed and/or homeless to middle class. Gwayakwaajimowin participants experienced unanticipated negative institutional responses that included Children's Aid reporting and child

removal from the home, mental health issues arising from their institutional encounters after the experience of sexual violence, arrested victim rather than arrested perpetrator, discouragement from pursuing criminal charges, and dismissed cases due to credibility concerns. In these ways, institutional responses to sexual assault reports re-victimized Indigenous survivors.

What follows are some examples of the Institutional journey and maps shared by Indigenous Gwayakwaajimowin participants. Pseudonyms have been used for this report. While over fifty participants attended the gatherings, what follows is a small sample of the institutional journeys. The participant institutional mapping is also included in the following sample to exemplify the number of institutional processes involved in their journeys. Participants mapped out the texts, forms, and paperwork involved in the process as well as what kind of institutional work took place after the text was created. Following the chain of institutional processes, the research project was then able to pin-point key moments in the institutional journey that posed unanticipated barriers and/or launched a series of unexpected (and often negative) institutional responses. While these journeys were exceptionally painful, Gwayakwaajimowin participants were able to move past their personal pain and provide expert institutional analysis of their experience as well as identify key institutional practices that can be improved.

Eve's Journey



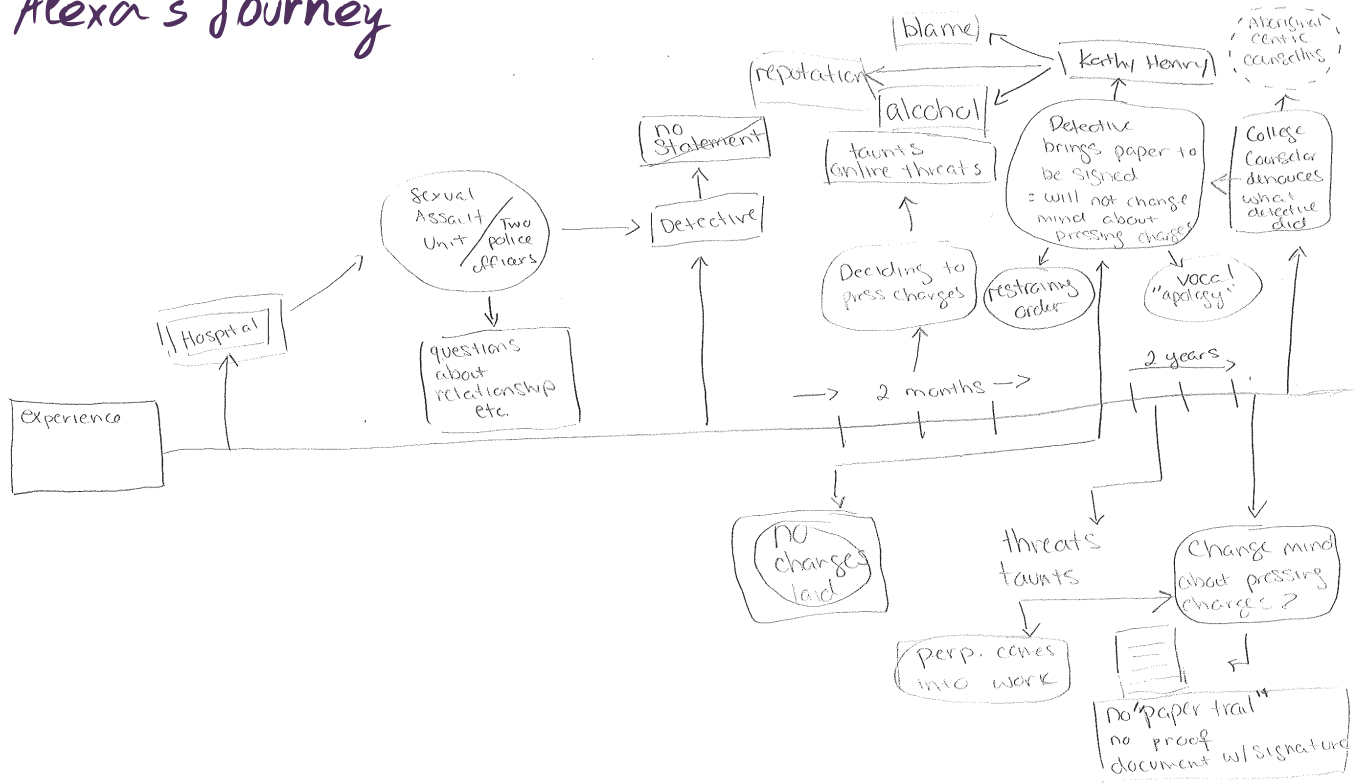
“ I felt like I had to do something because I was really afraid I felt like I couldn't go home at all anymore. So then I called the police, I was choked and strangled and hit in front of my cousin, and a friend of mine who's a year older. So then I thought that it would be okay and that the police will just speak to them as witnesses. But they never spoke to my witness and she was with me when I reported it. They just asked her was how my mental well-being was and if she thought I was maybe off, but that was the end of that. The police officer gave me a card to a shelter and that was the end of that conversation.

I followed up with the police, the officer said I could continue but at the time when I was being strangled and choked by my abuser and the big explosion happened and I had to leave home, I had that I had scratched his face so they threatened to charge me. The police said that they could charge me with assault if I proceeded with trying to have my step-father charged. I was scared. I didn't have a place to live, I was living in the shelter I didn't know anybody and so I just left it and I wanted to get to some place safe.

I went to the shelter; I was covered with bruises on my neck and my arms. So she (shelter staff) asked if they could photograph it and they started a file on me there and she called the police. And then I was given an interview with a sexual assault detective after that so I went in to make a report. I was videotaped for about 3 or 4 hours about different stuff and then I didn't hear anything for about a week.

Up until 20, an institution was the biggest part of my life. I was always in an institution of some sort; a system of some sort, welfare, school, police, court, shelters. When I looked at this I couldn't believe it because this is only four years at the time, from 16 to 20 that's when all this happened. **”**

Alexa's Journey



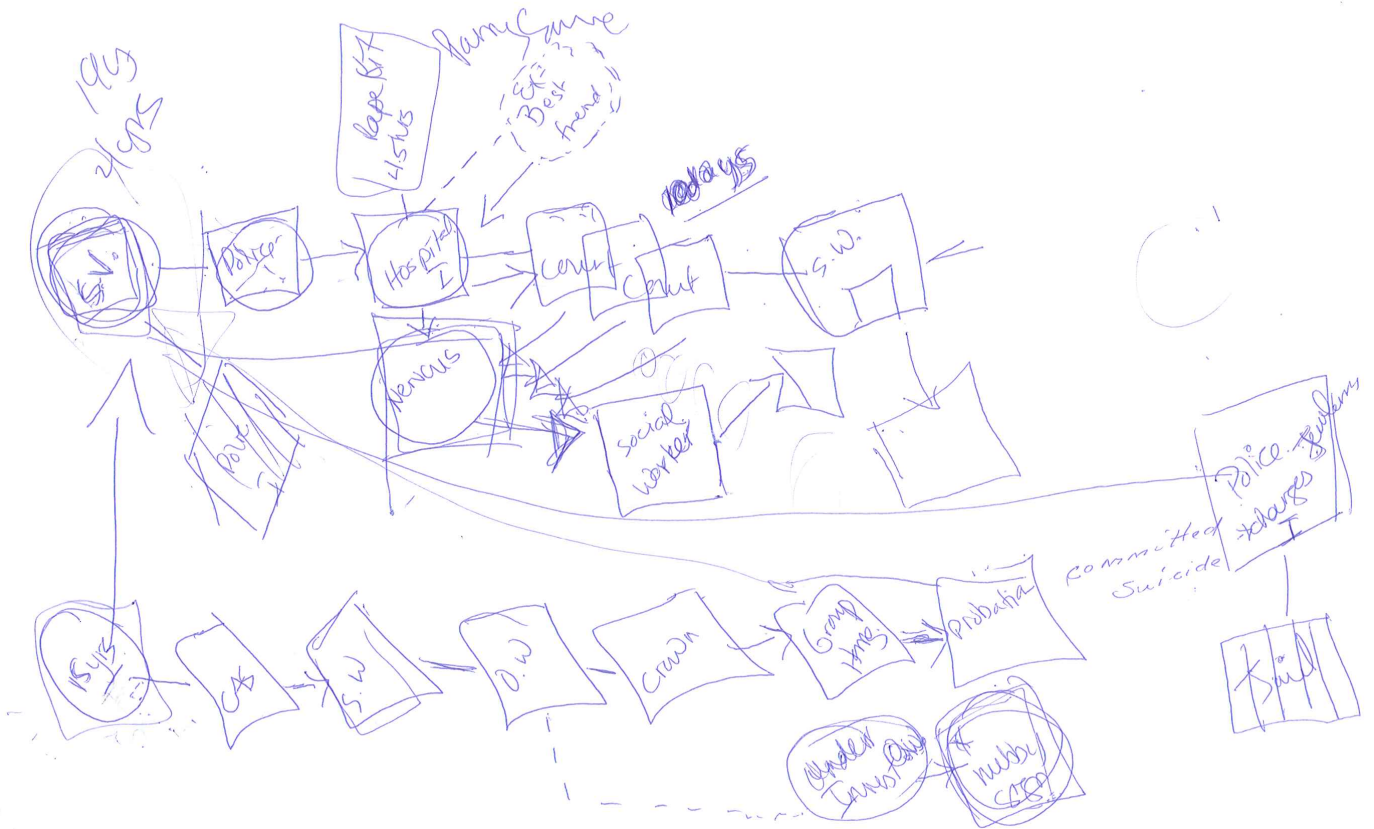
“ When the assault happened, I was so shocked. My auntie came she took me to the hospital. When we get there the staff there said this is the wrong hospital so we have to go to another hospital, because they have a special sexual assault unit so I went there. I remember it happened at like 10 o'clock at night because I'm checking messages for my mom and now it's like 2 in the morning. The doctor they did this rape kit thing.

The police came to the hospital they were questioning me. But at this point I it shut down because I knew they were not going to believe me I just knew it and sure enough, they were like, "were you drinking, had you gone out with him before? Did anyone else know where you're going?" I said that's kind of irrelevant isn't it and he said no we need to fill out the form and I didn't understand but I said okay I answered their questions and they just told me to go home. I told them who it was, but they never contacted him. So couple weeks go by and I am contacted by some detective, but she didn't take my statement - she just took it out the police note book she didn't ask me anything really.

Months go by and this cop shows up at my house. She wasn't there to talk to me about my options at all. She brought a sheet of paper that said do you know and she said I know you're not going to press charges and she said so sign this so I know you won't change your mind. I thought I had time to decide but she made me sign it and after that it just kind of gave up. Years go by and in my second year of college my first semester I started seeing a counsellor and I told her everything that happened to me and she even said they can't do that, you don't have to sign a paper.

I called the detective and I asked if I could change your mind about pressing charges and she said we don't have any records; they literally had nothing in those statements, no police reports, no investigation notes, no records of meeting with my witness; they literally had nothing except the piece of paper saying I wouldn't press charges. So that's it, they literally erased everything. ”

Jesse's Journey



“ After the assault I went to the police and that led to the hospital to have the rape kit and that was really invasive and then all forms there that were done by the police. The rape kit took probably between four and four and half hours. It was degrading and I was already wrecked as it was.

The cop that was there was an arrogant asshole. He was just on the other side of the curtain. He could hear everything. The police used me as bait because he had done this to 20 other women. For 4 months I had to talk to him and pretend that I was his friend. Then I went to court for two weeks straight and had two nervous breakdown. It was horrible, it's like you're still being assaulted.

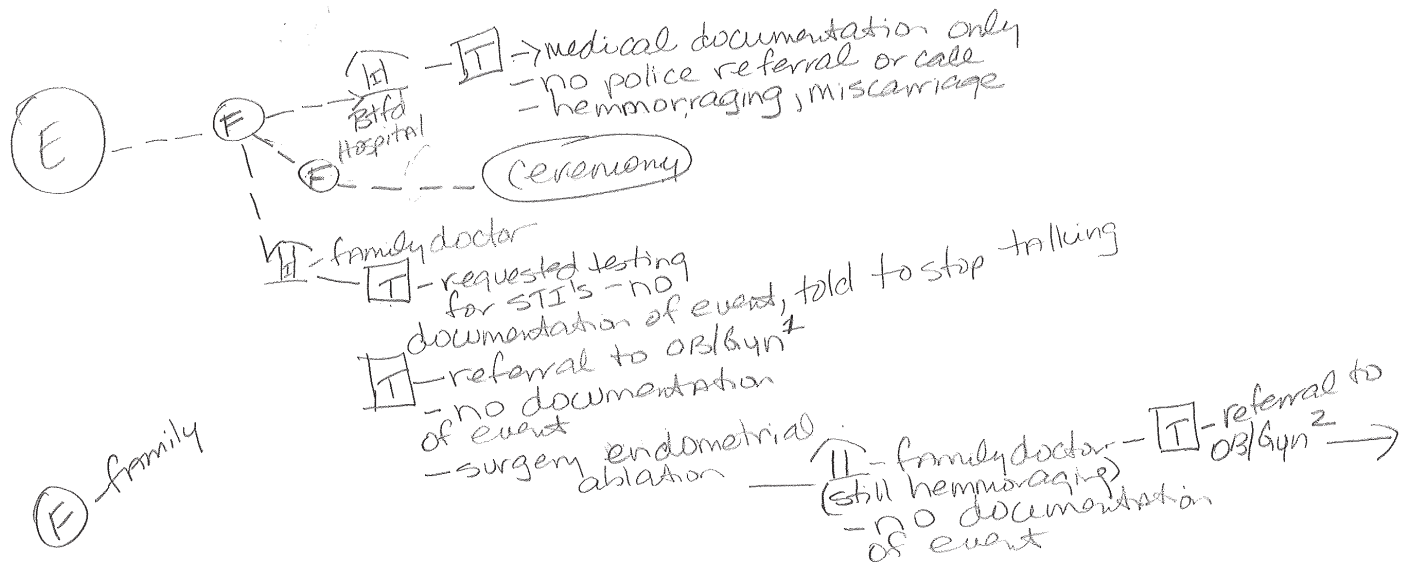
I ended up having a nervous breakdown due to having to sit for 10 days at court every day by myself for 8 hours a day and every day. They would pull out

my clothes that I had been raped in. And constantly having to tell my story and confirm that those are my clothes. "Are these your clothes are these clothes are these clothes? Is that the person?"

I was in court alone, without any preparation or support. Victim witness was never brought in. I'm now referred to a social worker involved because I'm deemed mentally unstable because of a nervous breakdown and I'm no longer credible for the courts which then led to more systems. In the end I got stabbed and now have 4-6 inch scar across my ribs. He got 7 years and only did 3 because of good behavior; a slap on the wrist really.

”

Julie's Journey



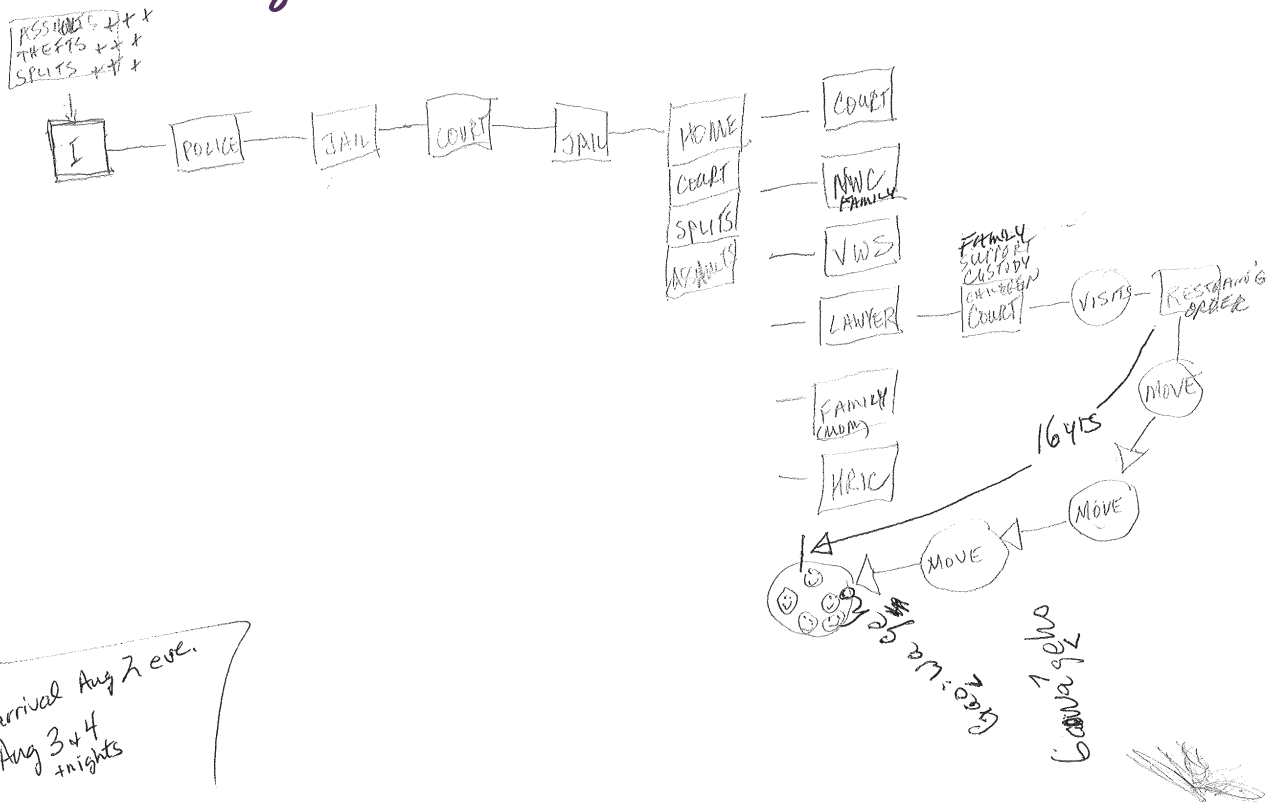
“ I was violently sexually assaulted. My sister took me to the hospital. The doctor just treated my medical conditions even after we told them what has happened but there was still no call to police. I called my family doctor to make an appointment and I told him that I've been sexually assaulted and I wanted to be tested for STI. He told me that I needed to stop talking and he had not received any record of the assault and that he couldn't follow up on allegations of sexual assault because that's not what he was there for. My sister didn't understand the medical process, but she knew what to do culturally and so culturally she had called the family and she took me to a ceremony as well. That had mentally and emotionally helped me heal.

I go back to family Dr for blood work results and because I was still hemorrhaging. He referred me to an OBGYN. I went to the OBGYN and I told my story again. He says that's not on this referral form

and I was like okay - but I think it's something to do with the assault because I was hemorrhaging ever since. He didn't refer me to any services or the police weren't called. Back to my family doctor and he made his referral to another OB/GYN. I told her what had happened; the assault, the miscarriage, the hemorrhaging, the surgery and that they still couldn't stop the hemorrhaging. She says that the assault is not that in my file anywhere. She says the only thing I can do at that point is to have a full hysterectomy...

I kept telling them the whole story and nobody at any point in time said we should call the police or we should call victim services - nothing. I was fortunate enough to be able to have my cultural component there and have the women support me and it made a big difference for me and I know that it did.”

Cate's Journey



arrival Aug 7 eve.
Aug 3 & 4
nights

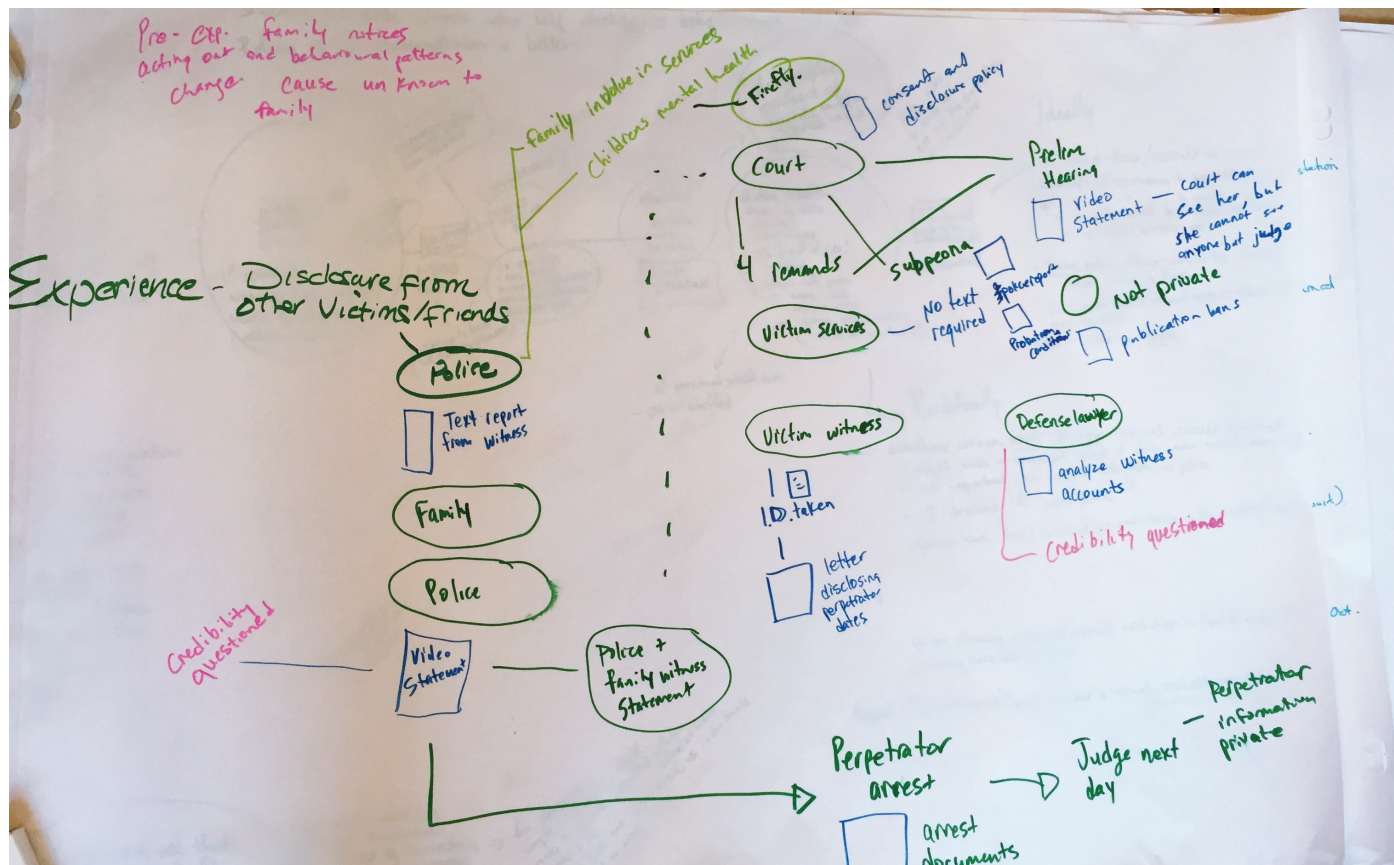
“ My husband was an alcoholic and he was always beating me. The cops would be called but nothing ever happened. I always tried to make things work but it was endless. He tried to start a fight with my brother and because I've seen him like that before all I could think was, no not my brother. I went into the kitchen and got a knife and I stabbed him and stabbed and stabbed and stuff but somehow in my head I was thinking not his heart and then I was thinking but not my brother, not my brother. I stabbed him 14 of 15 times.

Then we went out and the cops grabbed me there was like 4 of them and they just pinned me right on the cruiser. They all just grabbed me and put me in the cruiser. Then they took me to police station and I was there all night and they just kept questioning me and questioning me over and over what happened, what happened? I had to stay in jail for weekend; I came up in court and they just let me go on my own recognizance. They gave him the okay for him to move back into my apartment without even talking to me.

It was just an endless I was just getting so tired of it. A few years later when I got pregnant when I told him he pushed me down the stairs and I miscarried. So when I got pregnant again I didn't tell him about it. He just kept doing things, so many times he just abused us all the time. By then I was just so fed up with everything and I said to myself, I will not just be another statistic.

The cops would come but they wouldn't take him away or anything. By then I had to move, I just couldn't take it anymore and in that time I went to court and got custody of the boys. I went to the Native Women's Centre. We went through court and they ordered him to pay half this paycheck. He said you won't see a cent but when the boys don't need you anymore I'll take care of you and so I guess as long as the boys need me I'm alive. Since then we've moved a few times, I think like 4 times, the boys are growing up.

Family Member

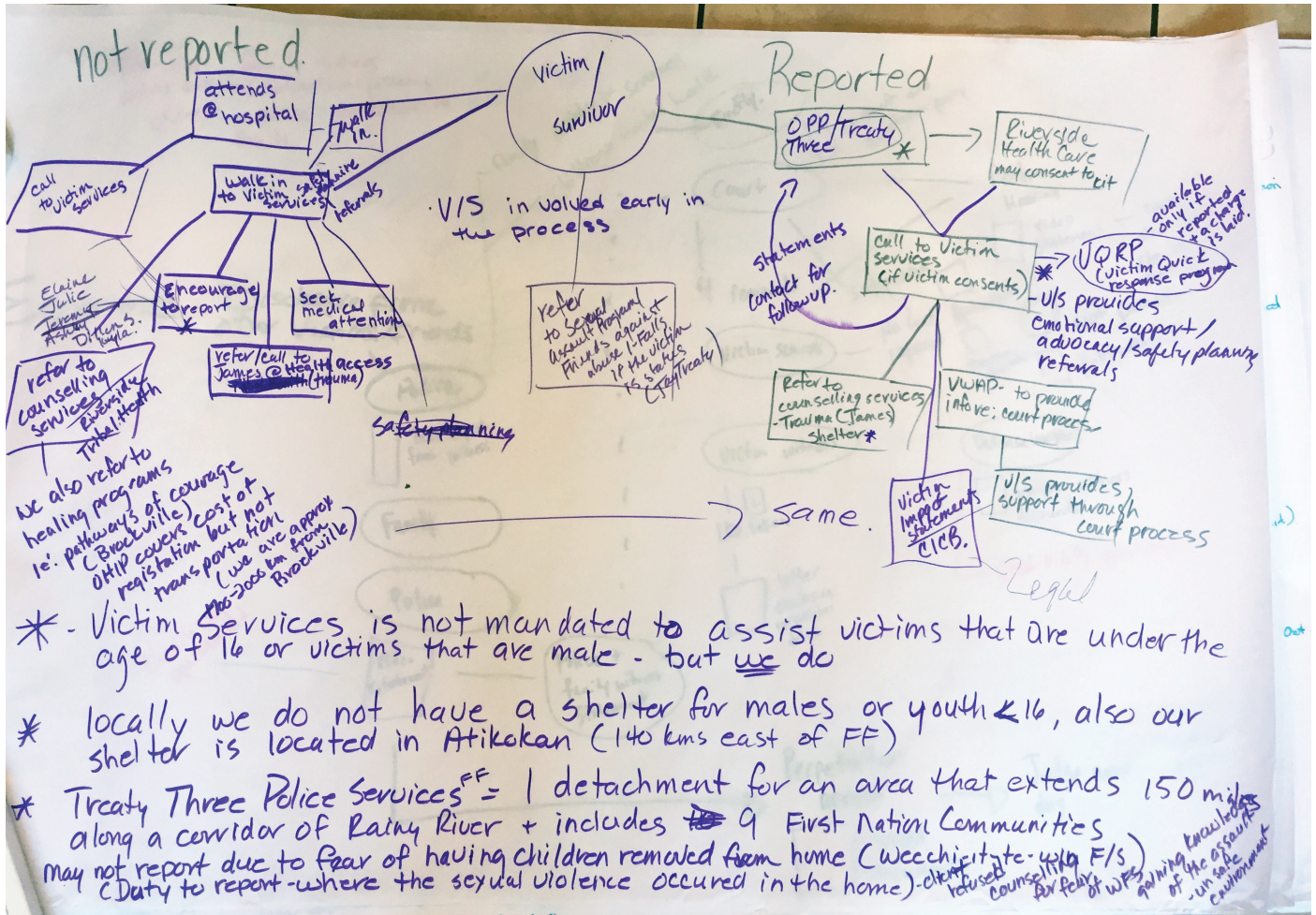


“ So the police call us. That evening, I phone her at work. I say, “you know, I know what happened. And, it’s okay. We’ll get through this, but we need to do a statement.” So she agrees, we do a bigger statement in the basement (of the police headquarters). She’s in the other room doing a video statement, and I’m in another room, watching, listening to everything come out for the first time. So, everything makes sense now. So we do the video statement and at that point, her credibility is questioned. She is 15 years old at the time. They ask, “how often do you drink? How much do you have to drink? Where are your parents? Didn’t you have to be home at a certain time?” Stuff like that. You know, I felt like I should have been there... but just to have to hear that what he did to her, and you know he bought booze for young kids that weren’t of age. That’s how he got them, that’s how he got them to come to where he was. So then (the police) pick him up. He appeared before the judge the next day.

If you don’t have the supports, if you don’t know what they are... the resources that are out there, if you don’t know, nobody can assist you. And, then, you’re alone. I attended about every remand service, every remand that he had. That’s when we were involved with Victim Services and, at that point, I believe that is when Victim Witness gets involved, after he’s been formally charged. They give the kids the option of doing a video statement. You know, behind closed door but they tell the victim that you can’t tell anybody in the courtroom but the perpetrator can see you. So I mean, that’s not right.

She goes in with that fear already. Knowing that he’s on the other side and he can see her, but she can’t see him. And then his defense lawyer will make her look like a liar. ”

Victim Services Staff



“ On my unreported side, more often than not, we will go to the hospital right away. We get a call and we'll go to the hospital and we will meet with the person. If they don't want to report, we talk to them, encourage them to report, but often for many reasons they don't want to report. I've shared a story about a young person who was sexually assaulted... so fearful that they (CAS) will find out and that her mom will not get those other kids back. She's just afraid they'll find out if she reports She just doesn't want it out there. We do have a counsellor because we're an alternative Victim Services site, but I will refer them to whoever may be out there.

Victim Services is not mandated to assist victims under the age of 16 or victims that are male but we will provide that service because there's nothing else to refer them to. So, we still provide services. We don't turn people away based on age.

We don't have a shelter for males specifically or youth so that can become another problem especially if they are under the age of 16.”

Overview

“It’s not just one situation where the woman’s journeys was just one thing— it’s a multitude of different institutions interacting as a result of the sexual assault. But during all those interactions, the sexual assault was put on the back-burner. Instead of letting the victim be the victim and focusing on that, it’s a punitive system as a result of that.”
Gwayakwaajimowin Participant 2016

There were various institutions involved throughout the Gwayakwaajimowin participant’s experiences, these included hospitals, shelters and legal officials or police. However, the police were most often the entry point into the process. Analysis of these organizations and institutions identifies policies and procedures that require public reform. This analysis generated by Gwayakwaajimowin participants unearthed policy and regulation shortfalls that result in compromised public service, transparency and accountability to regulations when supporting Indigenous victims of sexual violence.

Project data analysis linked similar mandated organizations that support sexual assault victims, such as Victim Services (mandated to work in collaboration with police departments) as also creating barriers in the process. For instance, in a Fort Frances court case Victim Services arrived to meet the victim thirty minutes prior to her court testimony; in Hamilton, victim services are not able to provide immediate assistance due to the number of sexual assault investigations. A similar practice was uncovered with the lack of communication between hospitals and legal officials where hospital staff ignored the criminal sexual assault and focused solely on medical injuries. These issues, while critical in the process of reporting sexual assaults fall outside the scope of this study and may require further investigation. Several themes directly related to police procedures did emerge. What follows is an analysis of key themes related to police processes.

Disbelief from Law Enforcement

“I feel like there’s gotta be a way to make some change. Because what happens is that one person’s experience has a ripple effect with everyone else they come in contact with and this is why people are not talking to the police.”
Gwayakwaajimowin Participant 2016

I feel like there’s gotta be a way to make some change. Because what happens is that one person’s experience has a ripple effect with everyone else they come in contact with and this is why people are not talking to the police.

“But this is exactly why people don’t want to do it. You gotta tell the police, you tell the doctor you got to tell the crown; you gotta repeat your story so many times, so what happens with people is we’re conditioned that if you have to keep repeating they are implying that you’re lying. So if you can’t tell the same story consistently every time because after so many times you may start forgetting minor details. It’s then implying that you’re lying and they’re going to catch you in a lie so whether it’s the police to the hospital or the crown or with the lawyers or whatever the main condition is that you’re lying and they’re going to catch you. So all these institutions in my mind work together because of the forms they have aren’t the same; they ask different questions on different things so they asked you about this or they ask you about that but it’s not working cohesively and it all has their different agendas and their liabilities so you get well “you told this one this and you told that one that so you must be being dishonest and it’s like no these questions are different. but they don’t get that so its ways to make you feel that you’re being deceptive and dishonest and you have no credibility because nobody from the starting point to the end ever says to you, ”it’s okay I believe you and it’ll be ok”
Gwayakwaajimowin Participant 2016

Almost all of the participants in this study reported feeling like they were not believed and expressed feeling like they were being asked trick questions to “catch them in a lie”. Many shared that their personal history would be brought into the conversation, thus, their victimization was no longer the focus point. Others shared that it was their family history and reputation that that was often used against them. One officer told a woman she must be lying “because if her brothers knew they would’ve done something about it”.

“*We have to make sure that we don't make value judgments on what we're given. We're there to collect evidence, subjective and objective. I shouldn't be laying a charge if I don't believe my victim.*”
Law Enforcement Officer

Referrals to Support Services

Throughout the entire institutional process, from initial responses to a sexual assault allegation to proceeding with investigations and charges, officers are not required to follow up with referrals to support services. Despite the officer’s standard practices of providing written information about referral services, very few of the women interviewed in this study considered the written information an adequate referral. In some instances, there was not even a paper referral. One young college student was left alone in a room for six hours while waiting to proceed with the video disclosure without any knowledge of available support services. None of the Indigenous participants were referred by police to culturally appropriate services.

Survivors Did Not Feel Protected

Many participants noted that, even with continued calls for police protection they were told there was nothing police can do to make the harassment stop. Some were told they should ignore the calls. In one case, a young woman was coerced by police into signing a “release,” stating she would not be pursuing charges against the perpetrator. When she followed up regarding the statute of limitation she was informed that “there was no paperwork, except the release”. Women were often not given officers’ names, badge numbers or case files.

They often felt like they were pushing for an investigation, and were only told “if we learn something, we’ll let you know”. When calling in their assaults, many were left waiting for hours, and in one case, several days for someone to show up.

Credibility

One of the perceived deciding factors by police for pursuing charges of sexual assault is the credibility of the victim. This research project uncovered that credibility is not just determined by the initial police responder’s perspectives on the victim, but is in fact influenced by officer’s assumptions of what the Crown will and will not proceed to prosecution with. In other words, police determinations of a victim’s credibility are heavily influenced by their interpretation of what the Crown prosecutor will accept or reject.

According to law enforcement officer’s feedback during this study, a good victim—based on their orientation towards what a Crown attorney will accept—is someone who is:

- vulnerable but not mentally unstable;
- heterosexual;
- articulate;
- demure, open, honest and able bodied;
- does not have addictions or mental health concerns, tattoos, piercings or funny coloured hair;
- does not have a history of interacting with the police or CAS; and,
- the assault was by a stranger.

The image of the “good victim” influences police impressions of who is a credible witness and thus which cases are pursued for legal convictions and which ones are dismissed. Indigenous women experience much higher disparities across the range of social determinants of health, including higher instances of mental health issues, poor educational attainment, poverty, poor health and chronic diseases, addictions, CAS involvement, and prior involvement with the police. More often than not, given these disparities, Indigenous women do not meet the subjective perception of credibility used to pursue investigations into sexual assaults. Participants shared that even when they had corroborating evidence, often officers would caution them not to pursue conviction because of credibility issues warning that the victim would get “shredded on the stand”.

Police First Responders

“They weren’t in a hurry to get there, but they sure are in a hurry to get out of there.”
Gwayakwaajimowin Participant

As discussed, institutional procedures require the gathering of facts, evidence, and determining victim credibility. This begins with police first responders when the policy and mandate is to simply obtain demographic information. A call to the police is not a call to immediately open an investigation. Rather, the immediate duty and mandate, as outlined by OPP policy, is to provide emergency support. Further, though OPP explicitly hold “accountability” as one of their values, there is no accountability between victim and first responders. As such, police officers first responding to calls feel free to begin the investigation right at the moment when the victim is in shock, having just suffered an extremely traumatic event. Instead of providing safety and security, as well as informing the victim that an investigator would follow up shortly, victims feel re-traumatized, confused, and left vulnerable from the initial contact with police services.

Many women feel that the first response of the police department was insensitive to their trauma, thus turning them away from cooperating and/or seeking out further police services.

Duty To Report

Participants expressed that a deep fear of having Children’s Aid Society and/or Native Family Services such as Weetchi-it-te-win Family Services involved was a barrier to reporting. The “duty to report” institutional policy is interpreted by police to mean that anytime a child is at the scene of the crime, no matter if they were in danger or witnesses, or even if they were asleep in their beds while the incident occurred, every service provider is mandated to report to CAS.

This launches a CAS investigation typically focused on the victim’s ability to parent the children rather than working to support the victim in protecting her children from the abuser. Often victims of sexual violence want to involve police in order to protect their children from an abuser, but are instead targeted for investigation and blamed for putting the children at risk to begin with.

“I’ve shared a story about a young person who was sexually assaulted who, at this point in her life, had aged out of care. She was back in the home with her mom but still has a couple of younger sibs who are in CAS custody. She will not report it because her younger sibs are in care and CAS will say, “my mom didn’t provide a safe environment.” She will not report that sexual assault because she is so fearful that the CAS worker there will hold that against her mom and keep those kids in care.... (if) she goes to the police, well, she’s just afraid they’ll find out. I said, we don’t to have to report because you’re this age. “No, they’ll find out!” She’s so fearful that they will find out and hold it and that her mom will not get those other kids back.”
Gwayakwaajimowin Participant 2016

Another participant elaborated on how this fear of CAS and children being taken away demonstrates the roles institutions play in cycles of violence. Child Apprehension Services have “so much power” that women are no longer reporting sexual or domestic violence in the hopes of keeping their families together. As one participant says: “It’s such a big, vicious cycle, because we know how damaging violence is for kids”.

“The very system that you would look to for safety, is the system that comes at us, separates us and will come along and pull children out of this home into this home. Just arbitrarily! And if you ask for an explanation, they’ll tell you, ‘well, we don’t have to give you an explanation.’
Gwayakwaajimowin Participant

Gwayakwaajimowin Recommendations

Gwayakwaajimowin participants identified relationships with police services as a critical factor in the well-being of Indigenous victims of sexual violence; relationships with police services had a profound effect on their experiences with other institutions, sometimes for many years after initial police involvement. Participants who had positive experiences with police services were able to establish institutional support systems including safe housing, victim services supports, and successful follow-through with trial procedures. Participants who had negative experiences with police services spent years in crisis and experienced further re-victimization encounters with institutions such as Children's Aid, shelters, and schools. Thus, negative police encounters progressed to poor outcomes across a range of social determinants of health. All participants agreed that the officers who attended the first call played a significant role in determining whether a victim had a positive or negative experience. Gwayakwaajimowin recommendations cover a range of institutional processes from first responders to court and focus on key barriers to the reporting process for Indigenous victims of sexual violence.

Recommendation 1: Establish Trauma Informed Practices for First Responders

Gwayakwaajimowin participants identified that police first responders play a critical role in whether a victim has positive or negative encounters with police services overall. Encounters with police first responders influence the victim's decision to pursue charges and/or seek further support. In order to ensure that victims have a positive encounter with police first responders, trauma-informed practices that recognize the multifaceted and complex issues involved in reporting sexual violence must be established and formally operationalized.

1.1. Increased involvement of victim services during the initial report

Gwayakwaajimowin recognizes that police first responders often arrive at the call only to obtain initial demographic information and a general description of the sexual assault. However, victims reported a sense of disinterest from police at this stage and felt that there was no emotional support or validation at the time of disclosure. Lack of emotional support and validation at the time of disclosure deters the victim from pursuing charges. Initial police responders must take into account the victim's emotional wellbeing by ensuring that necessary supports are in place during and after the initial report. Victim Services or similar services must be made available during the initial report. Some police services have a similar procedure already established with their mental health units.

1.2. Operationalize trauma-informed, culturally competent approaches

Mandatory trauma-informed training should be incorporated into police college training as well as provided locally on an ongoing basis to on-duty law enforcement. Cultural competency training should be delivered by local Indigenous-led agencies and provide experiential opportunities that strengthen relationships between police officers and local Indigenous communities. To ensure continuity of trauma-informed approaches, police first responders should also be provided with trauma-informed language to use during

the initial report. Trauma informed approaches should include a review of current questions asked during the initial report to ensure that the wording does not negatively effect the victim. As noted by Gwayakwaajimowin participants, police first responders often question the victim's choice of clothing, potential substance use, Children's Aid involvement, outstanding warrants, and/or the nature of the relationship with the perpetrator to such a degree that victims feel that it was implied that the "victim asked for it". Police first responders—not trained in sexual assault investigations—require an enhanced formal trauma-informed questionnaire and training that acknowledges the traumatic experience without influencing or tainting the evidence.

1.3. Implementation of victim safety plans

Police first responders should ensure that a safety plan is documented in the initial report and followed up on during the investigation. Whether this is coordinated with Victim Services or not, the officers must collaborate with appropriate support services by documenting that a safety plan is in place. This will not only ensure that the victim is protected from further violence, but also that police services formally operate as an integrated service within a network of community supports. Every law enforcement agency should develop formal relationship agreements with a range of culturally-specific community supports.

1.4. Development of on-line evaluation of police services

Ensuring that the victim has a voice in how police services are conducted in the community provides a more balanced approach to the relationship between victim and officers. Creation of an on-line confidential evaluation of police services will ensure police service transparency and accountability, as well as improve police-community relationships. An on-line feedback portal with a flexible and confidential process for rating experiences with officers should be established across the province.

1.5. Development of an on-line option for initial reporting

In order to provide a safe and accessible option for reporting sexual violence, on-line initial reporting should be available to victims of sexual assault. This report will go directly to the sexual assault investigators. Safety plan templates should be included in the process as well as alternative options for contacting the victim and a step-by-step guide for erasing the on-line history similar to what many rape-crisis centres provide on their websites.

Recommendation 2: Address Indigenous Victim Credibility

Often, Indigenous women do not meet the perceived standard of credibility used to pursue investigations into sexual assault. Officers identified an informal, highly subjective metrics of credibility, including the victim's mental health, age, education, class, race or ethnicity, and history of involvement with police as influencing whether the incident was worthy of investigation. This standard needs to change. Indigenous women experience a range of factors that stem from historic trauma: poverty, mental health, homelessness, involvement with the criminal justice system, Children's Aid, and poor education attainment. These factors increase Indigenous vulnerability to sexual violence. Rather than Indigenous women's experiences of historic trauma decreasing Indigenous women credibility, mechanisms should be put in place to document these vulnerability factors in a way that in fact increases victim credibility.

2.1. Gladue Principles applied to Indigenous victims of sexual violence

Gladue principles currently applied to Indigenous people charged with a criminal offence include the requirement of a court to take into account the offender's Indigenous background. A similar mechanism should be applied to Indigenous victims of sexual violence to support evidence that they are more vulnerable to sexual violence. This mechanism should be implemented throughout the entire process from investigation to court order to increase victim credibility and sense of safety within the justice system process. During the investigation and the court process, unique systemic factors must be considered as playing a large part in increased victim vulnerability. The types/line of questioning and victim services that are offered must be circumstantially appropriate for the victim in light of the victim's particular Indigenous heritage and/or connection to heritage. The judge must take judicial notice at the broad systemic and/or historic background that affects Indigenous victims of sexual violence as well as their experience of historic and intergenerational trauma.

The establishment of Gladue principles to the sexual assault victim witness process will positively change Indigenous victims' experience by providing a viable means to increase victim credibility rather than experience further discrimination, and improve relations between police and Indigenous communities. The application of Gladue principles to Indigenous victims of sexual violence will also lend stability to trial proceedings and outcomes in Northern Ontario communities, where, as one participant described, there is a "travelling road show" between crown attorneys and judges that leads to inconsistency.

Recommendation 3: Implement Indigenous Victim Court Supports

Indigenous victims of sexual violence face barriers within the court process due to a lack of culture-based court supports. While this issue has been addressed in providing Aboriginal courts and court workers to Indigenous people charged with an offence, limited culture-based supports are available for Indigenous victims. Gwayakwaajimowin participants recommend that each police service develop specialized teams to support Indigenous victims of sexual violence. These teams should be made up of existing Indigenous service providers as well as new positions similar to the existing Aboriginal court workers. Police representatives who attended the Gwayakwaajimowin information sessions also suggested that these civilian teams could assist with some of the administrative tasks involved in sexual assault investigations, freeing up investigator time to support more rapid investigative processes.

3.1. Establishment of Indigenous Victim Court Support Teams

Indigenous Victim Court Support Teams will provide follow-up support for victim safety plans, advocacy, court preparation and liaison activities with police services. Indigenous Victim Court Support Teams should have an effective understanding and comprehensive training around the court-system as well as cultural protocols and resources at the local level. Indigenous Victim Court Support Teams would ensure victims have access to holistic wraparound services that take the unique needs of Indigenous victims of sexual violence into account. Teams should also provide community-based education to Indigenous services and advocate for increased awareness of interrelated issues such as victim compensation, special priority housing, victim services, and third party reporting. Indigenous Victim Court Support Teams must include members of the Indigenous community and should liaise with Clan Mothers, Elders, and other traditional people to support Indigenous healing practices for victims of sexual violence.

Recommendation 4: Improve Third Party Reporting

Third party reporting is often confused with anonymous reporting. Third party reporting allows service providers or community members to report a violent incident without requiring information about the victim. The third party reports identify perpetrator information so that occurrences are logged towards possible trend establishment. Police who attended the Gwayakwaajimowin information sessions stated that increased 3rd party reporting significantly assists future investigations

with victims who report a sexual assault by the same perpetrator and also provides important information for establishing trends through ViCLAS (Violent Crime Linkage System). Every 3rd party report is logged as an occurrence; the more occurrences that are logged about the same perpetrator, the greater the likelihood of establishing corroborating evidence and increasing the prospect that the incident will go to trial. Gwayakwaajimowin participants noted that, if more Indigenous victims were aware that 3rd party reporting assists to protect the community from further sexual violence, there would be increased reporting from Indigenous communities.

4.1. Provide training and resources to Indigenous service providers

Ongoing training and resources to indigenous service providers will increase professional and community awareness of tools that support police investigations, when women are unable to disclose their assault to the legal sector.

4.2. Update information on third party reporting

Information should be developed for service providers such as, social workers, addiction workers, and housing workers to explain that providers are able to make third party reports to police without compromising the victim's confidentiality. Many professionals fear that 3rd party reporting violates a client's confidentiality and puts them or the community at risk of becoming targets for retaliatory violence. Information must be made available to address and rectify these concerns.

Recommendation 5: Improve Sexual Assault Investigation Practices

Gwayakwaajimowin participants expressed concern that police organize their work around perceptions about what the Crown will or will not bring to court. Statements like "you will get shredded in court" or "the Crown won't like you because you are a problem student" were shared by almost all Gwayakwaajimowin participants. An in-depth review of police-crown relationships, including a review of training for both parties is required. Victims should also be made aware of the police/Crown processes at the beginning of the investigation rather than waiting for victim witness programs to share the information. Often, victim witness programs are not available until the case is in the courts. This, for many Indigenous victims creates increased barriers and prevents victims from accessing important information at the onset of the investigation.

5.1. Increased transparency and role clarification during investigations

At no point in the process should sexual assault investigators

provide personal opinions about the Crown’s interpretation or provide what may be interpreted by the victim as legal advice. At the investigation stage, the police should ensure that the victim is aware of the process and remains informed at every stage. While there are often a number of smaller steps involved, victims should at least be informed of the general process. For example, victims should be made aware that the process often has three stages: first, the police investigate and, if sufficient evidence is collected, lay charges, based on their interpretation and application of the Criminal Code. Second, the police deliver to the Crown Attorney relevant information and evidence that the Crown Attorney evaluates to determine whether the charge is sustained to Court or not. Where warranted, the Crown Attorney may ask the police to investigate further and/or gather further evidence, so as to determine whether to proceed to court or not. Many Gwayakwaajimowin participants felt that at no point were they made aware of this process and that more often than not, the process is halted at the initial stage. Alternative processes, such as pre-charge screening should be considered.

5.2. Cultural competency training for Crown Attorneys

Crown Attorneys must be made aware of vulnerability factors that affect Indigenous victims of sexual violence as viable supporting evidence of credibility. Crown Attorneys must also have training to recognize how experiences of trauma may affect a victim’s performance in court. Culturally competency approaches by Crown Attorneys are required to mitigate cultural misunderstandings during trial proceedings. Increased awareness of both cultural and trauma-based behaviour of Indigenous victims during the court proceedings will assist Crown Attorneys in strengthening the reliability and credibility of witness accounts.

Recommendation 6: Improve Duty to Report Procedures

Often, Indigenous women report incidences of sexual violence only to have their children apprehended due to institutional personnel misunderstandings of what the “duty to report” to Children’s Services means. Gwayakwaajimowin participants spoke at length about the negative long-term effects of this misinterpretation. Officers who attended Gwayakwaajimowin information sessions also shared their feelings of being bound to a mandate where “their hands are tied” even when children were not present or did not witness the incident. The typical interpretation from “higher-ups” according to many police attendees was to call Children’s Services anytime an Indigenous woman with children reported a sexual assault “no questions asked”. This meant that, Indigenous victims of sexual assault felt punished for coming forward about the sexual violence. Indigenous victims are trapped; either they continue to be

victimized and put their children at risk of witnessing the violence (but get to keep their kids), or if they flee the abuse to protect their children and report the incident, Children’s Services are notified. Gwayakwaajimowin participants noted that they had their children apprehended once Children’s Services were notified. The current police interpretation of “Duty to Report” creates extreme suffering for Indigenous victims with children and continues a cycle of violence.

6.1. Review of police training on the Child and Family Services Act

Gwayakwaajimowin participants noted an overall lack of understanding by police services of the Child and Family Services Act with regards to duty to report. Participants unanimously agreed that Indigenous women are often reported to Children’s Services when they have already fled the abuse in order to protect their children. Participants explained that the fear of needless child apprehension is one of the biggest factors preventing Indigenous women from reporting sexual assault or seeking shelter services.

6.2. Police should play a role in prioritizing customary care

As per Section 208 and 2011.2 of the Child and Family Services Act, if an Indigenous child cannot remain with their mother/parent, extended family placements—including Indigenous conceptions of what extended family means—must be prioritized. Police investigators who report a child in need of protection should provide Children’s Services with a list of potential extended family identified by the victim.

Recommendation 7: Implement a Joint MCSCS-MAG Indigenous Technical Table on Sexual Violence Practices

The court system does not adequately respond to Indigenous victims of sexual violence. As such, an Indigenous technical table must be established by the Ministry of Community Safety and Correctional Services (MCSCS) and the Ministry of the Attorney General (MAG) to provide expert advice in all future policy changes implementation strategies. Gwayakwaajimowin participants identified a number of areas for the MCSCS- MAG Indigenous technical table to address:

7.1. Review wise-practices for Indigenous victim witnesses and implementation of Gladue principles

Indigenous self-directed processes should be reviewed, developed, and assessed. Participants recommended a number of cultural practices that should be included throughout the system such as involvement of Elders and Traditional people as part of court preparation.

Gwayakwaajimowin participants also recommended a review of victim testimony practices and legislation to determine the feasibility for victims to give testimony in a private space without perpetrator present. Further, participants recommended a review of instances where video disclosures in investigations lead to the circumvention of section 276 of the criminal code (Rape Shield Law) as well as a review of the extent and timing of cross examination. For example, cross-examiners who take advantage of the last 15 minutes of court, after the Crown's opening questioning, prevent any communication between the Crown attorney and the victim. Often several months may pass between the opening statements and the cross examination of victim witnesses, leaving victims unprepared and unsupported. Participants shared concerns about existing witness testimony practices stating that the current process re-traumatizes the victim.

Gwayakwaajimowin participants unanimously supported the establishment of Gladue principles for Indigenous victims of sexual violence. The Technical table should address the necessary policies and procedures across ministries for its implementation.

7.2. Review the Police Services Act for the establishment of specific approaches for working with Indigenous victims of sexual violence

Gwayakwaajimowin participants stated that a review of the current Police Services Act should also include a sentencing and probation conditions review toward mitigation of current practices that heighten risk for other members of the community.

Gwayakwaajimowin participants also noted the need to develop safety strategies for Indigenous victims living in small communities during the police investigations.

7.3. Review police hiring practices and training

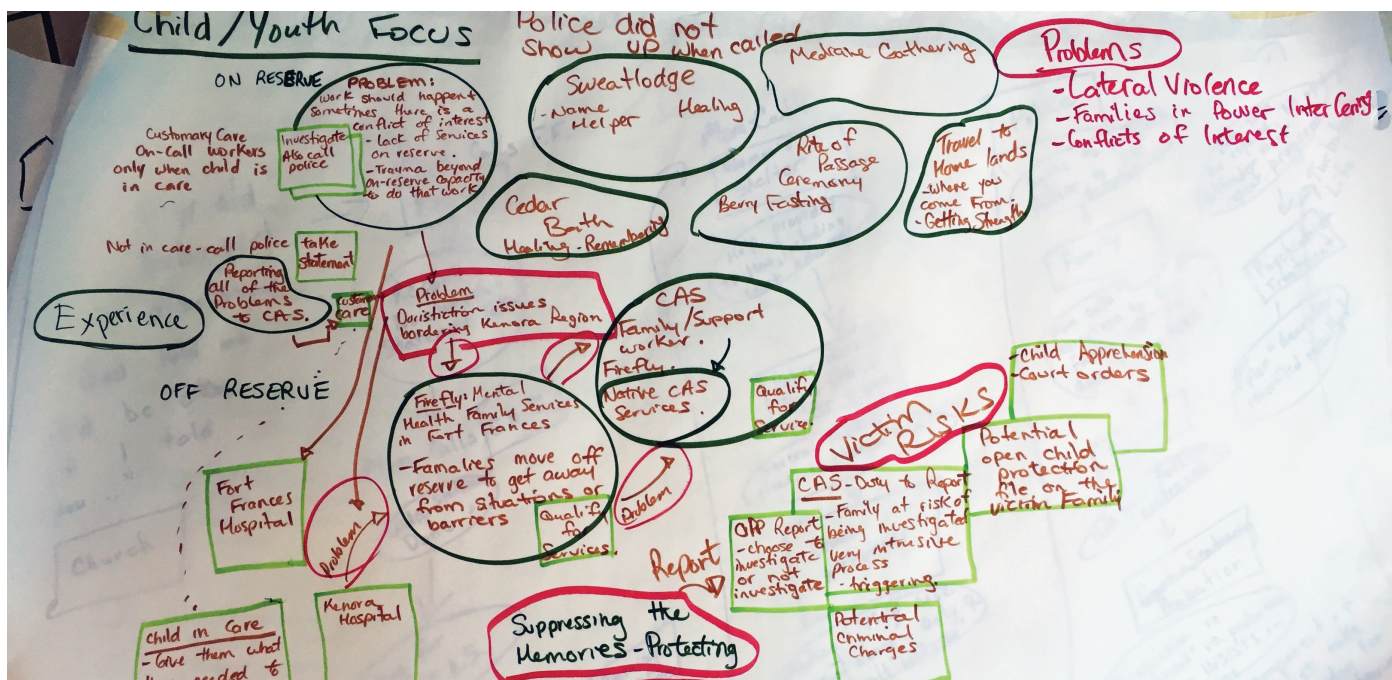
Participants recommended that screening processes for recruits should give preference to people who have life experience with at-risk or high-risk communities as well as an understanding of Indigenous communities.

A police training review should include an Indigenous panel of experts for Indigenous trauma informed practices. Gwayakwaajimowin participants noted the current training as inadequate and ineffective.

Participants agreed that more work needs to be done to create a province-wide frameworks for improving police relationships with Indigenous communities. The technical table should review on-going training options, formal relationship agreements, and evaluation practices.

7.4. Assess the viability and effectiveness of cultural liaison positions

The technical table should review the effectiveness of current municipal services that employ cultural liaisons and explore the viability of cultural liaison service expansion to include strengthening relationships between municipal services, OPP, and Indigenous Police Services.



Example of a survivor's map of institutional practices from the Gwayakwaajimowin Research project, 2016

Conclusion

Gwayakwaajimowin operationalizes the USAI Research Framework as a means to identify key issues and barriers in sexual violence reporting and support services accessed by Indigenous women and girls.

Findings and recommendations for Gwayakwaajimowin were developed with Elders, Knowledge Keepers, local Friendship Centres involved in the project and community members, as well as other community stakeholders. These community-driven recommendations aim to ameliorate the relationship of police and other support services with Indigenous people who are accessing sexual violence reporting and support services.

Institutionally, police services have existing processes for responding to reported sexual violence. Other institutions, such as hospitals, provide additional sexual violence support services for Indigenous women and girls. The Tracking Institutional Processes (TIP) approach employed in Gwayakwaajimowin highlights that navigating these institutional services can be complex for individuals and perpetuate inaccessibility due to institutional barriers and gaps in service provision.

By examining police and associated support services through institutional procedures and policies, Gwayakwaajimowin demonstrates that institutions must develop and implement strategies that shift institutional procedures and policies toward accessible, culture-based, and community-driven processes.

Appendix A: Participant Evaluation

Principle I: Utility

“I feel good about this because it brings changes to the policies and that’s what it has to be sometimes.”
Gwayakwaajimowin Participant

Gwayakwaajimowin inquiry was practical, relevant, and directly benefited communities in that this project immediately and directly increased community research and self-advocacy capacity within police services through increased knowledge of both the barriers that preclude sexual violence and harassment reporting as well as deter and undermine report movement toward adjudication.

The project’s findings are immediate resources that benefit communities and build local capacity in that, if adopted, community-driven final report recommendations will support increased police service cultural competency, decreased institutional barriers to sexual violence and harassment reporting, and increase Indigenous women and girls’ capacity to report sexual violence and harassment in a safe and culturally respected way. These recommendations will thus lead to increased convictions and, by extension, decreased Indigenous vulnerability both in their communities and in the justice system.

Gwayakwaajimowin also generated knowledge that is useful and relevant to communities and people involved in research activities. This includes increased knowledge of police services’ assets and limitations, increased strength towards self-advocacy, strengthened sense of personal experience, and improved understanding of the polices and supports available to strengthen positive outcomes for women and girls who experience sexual violence and harassment.

Communities noted they felt good about their input into the research project and how the project is run as well as what outcomes were expected from the project, with positive feedback across communities throughout the various project stages and phases.

“I think the project was useful in the fact that the women got to understand that institutions across the board took away their right to be victims.”
Gwayakwaajimowin Participant

Principle II: Self-voicing

“We did the best that we can working within the framework that they put on us. Now we have to have some input into that policy that they put on us. It’s the right thing to do.”
Gwayakwaajimowin Participant

In accordance to the USAI principle of Self-voicing, Gwayakwaajimowin research, knowledge, and practice are authored by communities. Communities are also fully recognized as Knowledge Creators and Knowledge Keepers.

Gwayakwaajimowin Knowledge production, authorship, and dissemination constitute a political process to decolonize Indigenous Knowledge and praxis in that all elements of the project from inception to data collection to data analysis to final report production was implemented based on community-driven, culturally-relevant and culturally-specific principles and practices. Outcomes reflect community requirements and culturally-relevant recommendations that, if adopted will support Ontario-wide truth and reconciliation approaches.

All Gwayakwaajimowin community voices framed this projects research reality; all research activities were self-determined; all research findings were authored by communities Gwayakwaajimowin. Gwayakwaajimowin research moved beyond “inclusion” and “engagement”; communities constructed and authored their knowledge and defined their own actions and required outcomes.

Community feedback throughout the project revealed feelings of control and ownership over the process, the project and the project outputs and outcomes as well as an overall comfort with the process.

“That’s the beauty of it, at no point in time were we told “no.” What about this policy, might have to change the wording, but we were never told anything we said or wanted to recommend, we were allowed to them; say whatever you need to say and we will figure out how to fit it in here. No one was condemned or penalized or treated derogatively [sic] for what they said. And we found somewhere to put it.”
Gwayakwaajimowin Participant

Appendix A: Participant Evaluation

Principle III: Access

“ Well you invited everyone from grandmothers, clan mothers, to just people. So there was no limitation that only the professionals could attend or all those different venues where they try to say... you went to the people. The grassroots of it. And you incorporated everyone... it was everybody that would make up your community that was invited. There wasn't any discrepancy between knowledgeable and less knowledgeable. ”

Gwayakwaajimowin Participant

In accordance to Access USAI principle, Gwayakwaajimowin fully recognized local knowledge, lived experience, community narratives, personal stories, and spiritual expressions as reliable and valid forms of authored research, both as researched reality and as methods that included community gatherings, Elder participation, traditional opening and closings, inclusion of traditional language, traditional drumming, gift giving and tobacco acceptance. No mediators or cultural translators were required for Gwayakwaajimowin to interpret or validate local Knowledge, actions, and reflections because, as per USAI guidelines, communities authored their own knowledge, actions and reflections. Community participant feedback noted a sense of project participation as healing, restorative and beneficial to their community

“ For some of these women, it was the first time they had shared their stories and how that had effected them and where they are at today; and that helped a few of them be like, ‘oh this is how I am here. Now what can I do?’ And for me, that’s why I’m in healing and wellness. Because that’s healing. That benefits the community. ”

Gwayakwaajimowin Participant

“ It strengthens, this circle of people coming together. I keep adding from the first circle to here: we’re breaking that isolation and coming together. It strengthened something for me. Community, mostly. ”

Gwayakwaajimowin Participant

Principle IV: Inter-relationality

“ The sexual assault was not an isolated incident. It wasn't just one thing; it was a domino of things that led into other interactions with other institutions. If the sexual assault never happened, those interactions may never have happened. ”

Gwayakwaajimowin Participant

“ I like that it took lots of people, but sharing youth, clan mothers, women in social work, women who are mothers; a combination of different roles; but I love that there are people great at policy so I learn that! Shift from the Island View, the mentality of being alone and isolated and overwhelming pressure to being here where it’s inter-relational and has good timing. There are all these ways that it starts to pull the systemic things together. ”

Gwayakwaajimowin Participant

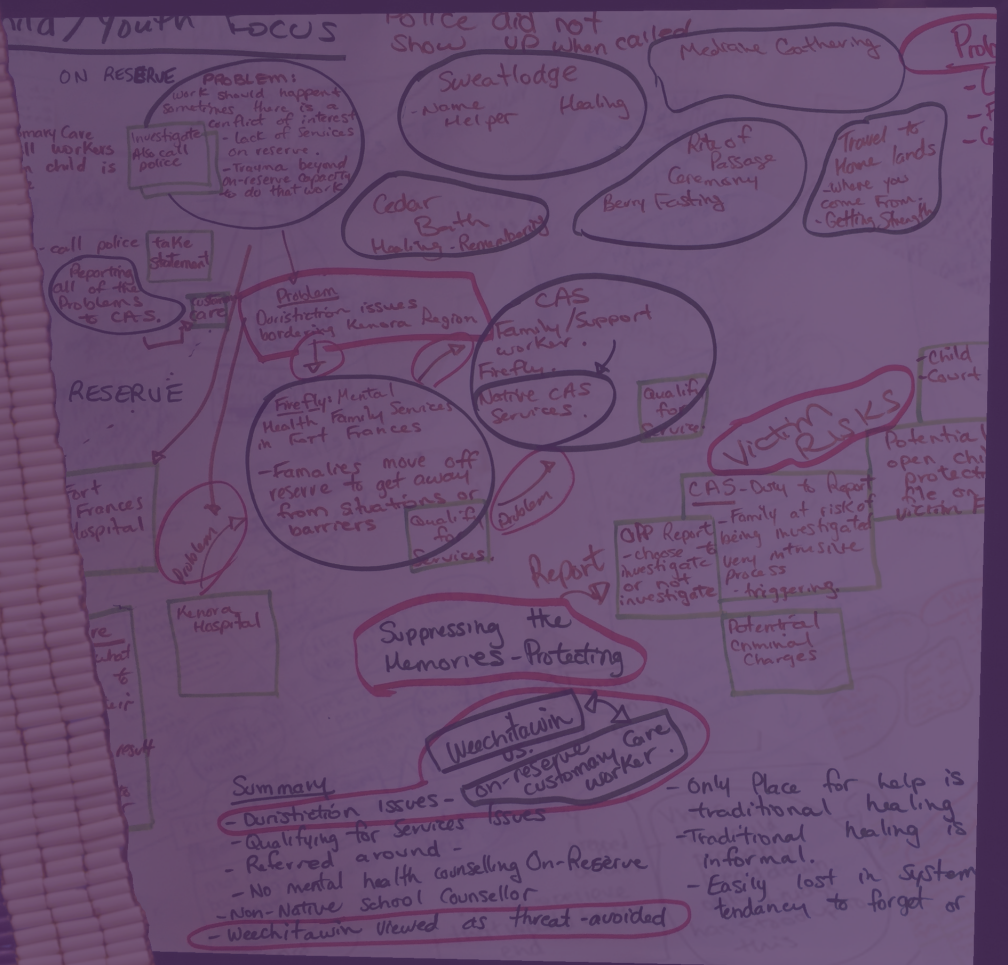
Gwayakwaajimowin research was historically-situated, geographically positioned, relational, and explicit about the perspective from which knowledge was generated. This project recognized that all knowledge and all practice are situated within all relations; there is no objective knowledge or neutral praxis and thus worked from an historical context to Indigenous knowledge and praxis that are inseparably linked to Indigenous identity and all its interrelated socio-political expressions. This is to say that Gwayakwaajimowin placed research activities within the context of trauma-informed practice that recognizes Indigenous women’s experiences as directly connected to inter-generational trauma, colonialist norms and ingrained social and internal racisms. These realities were recognized at each stage of project planning and data collection as well as data analysis and project evaluation.

“ You get to talk about hospitals, CAS, community resources... it’s not just one situation where the woman’s journeys was just one thing— it’s a multitude of different institutions interacting as a result of the sexual assault. But during all those interactions, the sexual assault was put on the back-burner. Instead of letting the victim be the victim and focusing on that, it’s a punitive system as a result of that. Now we have a better understanding of why women don’t report, don’t talk to police; everyone has told their friends what happened, so they tell their friends, “Don’t do it!” [Tell the police.] It’s a ripple effect, understanding how all this institutions interact to make a negative— that the assault wasn’t really discussed. ”

Gwayakwaajimowin Participant

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