



Special Committee To Prevent The Abuse And Exploitation Of Children Through the Sex Trade

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**SPECIAL COMMITTEE TO PREVENT THE ABUSE AND EXPLOITATION
OF CHILDREN THROUGH THE SEX TRADE
2001**

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Humboldt

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Saskatoon Greystone

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Kevin Yates
Regina Dewdney

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The committee met at 8:30 a.m.

The Co-Chair (Ms. Julé): — We're having another guest just enter the room so we'll wait for a moment until everyone is comfortable and then we'll get started with the introductions of the people that will be giving our committee a presentation today, as well as introductions of the committee members for your benefit and for the benefit of the people here.

So just before we start we'd like to welcome Chief Perry Bellegarde here with us today, as well as other First Nations members. We're very pleased to have you here. Everything that we do and every deliberation we have, we do it out of peace and friendship and that is our focus. We hope to always achieve those two principles in our life.

So we're pleased to have Perry Bellegarde with us. And we are just going to now have introductions of the people on the committee for the benefit of our presenters today. And then we will introduce those people that will be giving us a presentation.

Before the presentation we're going to be having an opening prayer. And so we'll just go through the introductions at this time.

Mr. Harper: — Ron Harper, MLA (Member of the Legislative Assembly), Regina Northeast.

Ms. Jones: — Carolyn Jones, MLA, Saskatoon Meewasin.

Mr. Yates: — Kevin Yates, MLA, Regina Dewdney.

The Co-Chair (Mr. Prebble): — I'm Peter Prebble. I'm the MLA for Saskatoon Greystone, and I'm Co-Chair of our special committee. Welcome.

Mr. Bellegarde: — Chief Bellegarde, FSIN (Federation of Saskatchewan Indian Nations.)

The Co-Chair (Ms. Julé): — Arlene Julé, MLA from Humboldt.

Ms. Draude: — Hi. I'm June Draude and I'm the MLA from Kelvington-Wadena.

Ms. Woods: — I'm Margaret Woods, the committee Clerk.

The Co-Chair (Ms. Julé): — And we are blessed today to have Elder Rose Atimoyoo from Little Pine First Nations. Rose has willingly accepted the request to do a prayer here today to bless our proceedings. So we will ask Rose to lead us in prayer.

Ms. Atimoyoo: — Good morning everyone. I hope you have a good meeting today. In our prayers this morning we shall ask the Creator for guidance in whatever we are trying to accomplish. And also to thank the Creator that we should never forget every day for the health; and wherever you come from, that you are given a safe journey to meet here today. Shall we pray.

Ms. Atimoyoo offered a prayer in Cree.

The Co-Chair (Ms. Julé): — Now I think the more appropriate thing to do would have been to introduce our guests who will be presenting, maybe before the prayer but I apologize if I had that out of order.

Committee members and to members that are with us in the audience today, we feel very privileged to have with us Chief Marie Anne Daywalker-Pelletier from Okanese First Nations. She will be presenting the committee with some of the knowledge and understanding that she has, and also hopefully some recommendations as to how to make this very issue a better thing for the children in our society.

We also have with us Erica Beaudin. She's the program manager for Saskatchewan First Nations Women's Council. And of course, Perry Bellegarde is with us. And we hope to hear a little bit later from Elder Rose also if she would like to do a presentation for the committee.

After the presentations are done and further discussion takes place, we would invite anyone who is here with us in the room to come forward if they would like to speak and speak to us on this issue, speak together with us on this issue. Anyone is welcome to do that.

So we will proceed with Chief Marie Anne Daywater . . . Daywalker-Pelletier. Sorry.

Ms. Daywalker-Pelletier: — It's a tongue twister, is it?

The Co-Chair (Ms. Julé): — Just a moment, maybe before you start, Mr. Bellegarde will be making some comments.

Mr. Bellegarde: — So formal. Anyway good morning to the Co-Chairs Peter and Arlene, and to the members of the committee, and of course our chiefs and our elders and our reps from FSIN.

First of all it seems so tense. You know, relax, everybody, we have to put our minds and hearts together if we're going to work on this issue collectively. And even the setting is a little formal, you know, but I guess that's how you do it here in your committee and that's fine.

Just again greetings from our federation and our 73 First Nations chiefs and bands that make up our FSIN. A little history here was that we weren't formally on your committee agenda originally because our original position was we weren't going to be making a presentation, you know, until we brought it up to our First Nations Women's Council, you know, and we talked about it there and this is a priority issue. As a federation we have to make a presentation, and so I just wanted to make some comments. And thanks to Erica and the chiefs on that commission because that was the commission that was the lead role or the council within our FSIN to take up the responsibility to make this presentation to your committee.

It's not only a woman's issue; it's all of our issue. But it struck to the heart, I guess, when we talked about it at our Women's Council a couple of months back. And so, we've been working, the staff have been working pretty diligently to prepare a

package and to formalize it and to present it here so it's formally part of your record.

And so I just wanted to make those comments and thank Erica for her work, and the chiefs that were part of that Women's Council to take on the lead role for it.

The information in your kits, you have a number of pieces of information. The presentation Chief Daywalker will be presenting, I won't go there.

But I'm sure you've probably had a number of recurring themes, you know, from all your work and all the presenters, you know, that you heard over the past . . . how long has it been now, your committee's been operating?

The Co-Chair (Mr. Prebble): — A year.

Mr. Bellegarde: — A full year, you know.

And so, you know, things like poverty to drug and alcohol abuse, all of that and the wrap, and we've talked about this as well informally with some of you around this table, you know. And so, we're going to formalize a lot of the recommendations, but as well we always say put our minds and hearts together to deal with it because if we don't those social costs will continue to go up and not going to benefit anybody.

So with that, just on behalf of the Federation, I want to thank the committee for their flexibility, you know, in extending some of your time frames so we can formalize our presentation to you, you know.

So with that, again, I'll leave it short and we'll get right into the substance of the presentation. So good morning to you all. Thanks.

The Co-Chair (Ms. Julé): — Thank you, Mr. Bellegarde. We will go ahead then with the presentation. Chief Daywalker-Pelletier, please.

Ms. Daywalker-Pelletier: — Good morning and I thank the elder for the prayer.

Erica will be doing the presentation. She's our technician.

But I guess we want to . . . the recommendations that we're providing you, I guess, is from the perspective of our First Nations people. And I think we want to be part and in a position whereby our First Nations have control and be able to manage the process also and to work collectively.

In our First Nations, we do not operate as an individual. We operate as collective peoples. And by utilizing our traditional values and our traditional ways, I think, by recognizing our First Nations process will enable us to work together to achieve those goals that we set out. And those goals are to protect our children wherever they are — whether they are on the First Nations community, whether they're in the cities, or in the towns.

It's time for action, and the Saskatchewan First Nations

Women's Council has been around for many years, but not as recognized as it should be, because we've been, you know, falling short in different areas. But I think it's time that the process that is to be established, that the First Nations Women's Council be given the opportunity to work towards this goal, and that's protection of our children.

And as a First Nations leader, I take offence when our children are being abused in such a way. And I think we as peoples have these opportunities, we have the knowledge, we have the technology, we have everything at our fingertips to protect our children. And like I say, we need action.

And I hope that our recommendations will generate future consultation; will generate program and prevention programs for our children. And also to recognize that wherever our First Nations children are, that it's First Nations people that should be on the top line in managing.

And so I will get Erica to do the presentation. It's a technical . . . I know you always want technical process, and as a chief, I find it difficult to sit here in front of you in such a half a circle. And if you'll include First Nations people, we will complete your circle. So I'll ask Erica to do the presentation on our behalf, and we thank you for allowing us this time, and hopefully, in the future, that we'll continue to work together. Thank you.

The Co-Chair (Ms. Julé): — Thank you very much. Erica, please feel free to just go ahead.

Ms. Beaudin: — First of all, good morning. And I would like to extend a special thank you to Chief Perry for allowing the Women's Council to utilize the FSIN resources. We're all a team.

And I'd like to especially mention Cal Albright who was the youth . . . he's the youth justice coordinator for FSIN. And we work together and he's in the back there. So I'd like to acknowledge his hard work as well.

In front of you you'll see you have the annual report. I brought the annual report because I thought if I was a non-First-Nations person, would I know what FSIN is? And I thought well, perhaps not. I'd hear about it in the news, I'd hear about the crises. I'd hear about this and that, but I wouldn't exactly know what is the actual organization of the FSIN.

So I thought I would give a little bit of a history first so that for those who are not familiar, you'll understand why we feel that we are an organized institution . . . or an organized government and that we do have processes that we follow. And as such we should be recognized.

So first of all . . . I'm a little bit green on the Power Point by the way. The organizational structure of the Saskatchewan First Nations Women's Council. You do have the written piece in front of you. I loosely follow it. However, I tend to elaborate so you can follow it through there.

As I talk about the organizational structure of the Federation of Saskatchewan Indian Nations, you'll find a diagram on page 12

and 13 of the annual report if you'd like to actually visually see how our processes work at FSIN as I speak about them.

So the Saskatchewan First Nations Women's Council is comprised of the elected chiefs and councillors who are women in Saskatchewan. And we currently have 7 chiefs and 96 councillors serving on the Saskatchewan First Nations Women's Council.

The way that we work is — currently we work; we are in the process of organizational change — but the seven women chiefs meet every month with myself, the technician, the staff member. And we look at certain issues, policy direction, concern of the communities that are brought to our attention. And we hold three legislative or women's leadership assemblies every year. And at that time the councillors and community leaders, elders, we meet and then look at policy direction there and get community input.

Now like I said, that's currently under change, and next time we speak it'll probably be a lot different with a lot more community involvement. And of course, we always, always include our elders; in every meeting that we have, every process that we go through, our elders are always involved.

And right now we are a program under Chief Bellegarde's office. And we are, like I said, currently going through the process of becoming a separate commission in the FSIN structure. Now that's a process that ... a lengthy process, a least a year in length, where we have two ... we are allowed two readings that could get passed or could not get passed as the case may be through our legislative assembly. And then we go through the third reading at the next, if the other two get passed.

We are in the ... currently in the midst of finalizing our woman's Act which will allow us the opportunity to become a commission.

And we're entering into this formal process that will allow the council to act as a unit representing, serving, and acting in the best interests of the Indian government, of governments of Saskatchewan and their citizens.

So that's us, the Woman's Council.

Now the Federation of Saskatchewan Indian Nations is the official provincial political voice for all First Nations people in Saskatchewan.

In the past it was on-reserve, but now with certain legal court cases that, with the ... well Corbiere in particular, FSIN now, and band level, tribal council level now have to look at the off-reserve vote. Or I should say the vote ... wow, that's a slip of the tongue.

However as ... what was in the past there's funding restrictions and that's why partnerships are so important right now — working together, the governments. So that we can address these issues collectively.

And FSIN became a true federation of nations on April 16 in

'82, when a political convention was signed by all the First Nations in Saskatchewan. And FSIN represents 73 First Nations and 10 tribal councils.

This can all be found in the front, by the way; I took it from the annual report.

Now the convention Act outlines the governing structure of the FSIN. And the principle structure consists of the chiefs and assembly, the senate, the elders council and executive, an executive council, and an Indian government commission.

And other areas of the structure include an auditor general, a treasury board, five major commissions: lands and resources, economic and community development, education and training, health and social development, and justice. And we're hoping by the end of 2001, the Woman's Council will be part of that commission.

Now the executive of the FSIN consists of one chief and four vice-chiefs presently. And they are elected by the chiefs and headmen or councillors of each First Nation. They are also elected for three-year terms.

The executive of the FSIN are mandated on behalf of the First Nations to lobby, facilitate, and implement policy and programs which promote and protect their — which is First Nations collective interests — mainly to protect, promote, and enhance our treaty rights as First Nations people.

I thought I would discuss tribal council level so that you could understand the relationships that exist between each governing party because each governing party — band level, tribal council, and FSIN — we are all ... well the bands are autonomous.

So the tribal councils assist the First Nations in achieving their political, economic, social, educational, health, financial, and cultural goals. They are the political units to operate collective interests based on the jurisdiction, mandates, and direction of the member First Nations which are each of the 73 First Nations.

Now FSIN tribal councils. FSIN develops policy and lobby efforts on behalf of the people ... the First Nations in Saskatchewan while tribal councils provide the programming. Federal funds flow through FSIN to tribal councils for specific programs, which mean FSIN may get the money to distribute amongst the tribal council.

Now that's a bit about the organizational structure. In the report you will see ... well, our annual report of last year, so you will have a better understanding of exactly where the FSIN is as a government.

We'll go right into the actual presentation, the statement of the problem as we see it.

Well we know that underage children are being exploited for the sexual pleasure of those who buy their services, by the people who put them on the streets, and thirdly, by the society who turns a blind eye to the problem. So we see that they are

threefold exploited and that includes all of us I think, you know, the third.

We're suggesting a two-track approach which can operate simultaneously. The first approach is the short term and it's an immediate plan of action. We feel the root problem of the underage sex trade is that First Nations people and children have been alienated and disenfranchised which equals cultural genocide.

Agencies such as First Nations Child and Family Services are able to address these issues such as exploited children in the sex trade. However, these agencies are not adequately recognized by the province right now we feel. The FNCFS (First Nations Child and Family Services) agencies are capable of delivering programming to these children.

The province must use their legislative powers to adequately support these agencies through funding, because the tribal councils are mandated to actually have the programming. So they have those resources as in the people. They have existing programs. However, it's just very difficult for them to have these programs if they don't have funding available for other programs.

The federal and provincial governments. Currently no agreement exists between the federal and provincial government for First Nations children in crisis. We feel both governments use jurisdiction to offload the responsibility of these children.

What we mean by that is if children are sent to the reserve through the First Nations Child and Family Services agencies or else they move back to the reserve, because there's a high transiency rate, especially with families in crisis, then the provincial government just gives them, especially if they're on social assistance, money to go back to the reserve.

Now once they're on the reserve, they become a federal responsibility. However, programming isn't adequate there. Usually life is too slow. So they come back to the city. So they get money from their First Nation to move into the city to try and get some sort of employment or whatever the case may be — schooling.

And it's just a matter of the provincial and federal, you know . . . provincial/federal, not knowing or not looking at adequately addressing the problem. Because they can say, well they moved back to the reserve, or they moved back to the city. So there is no programming or money that is together, as well as an agreement that says hey, we'll collectively look at these issues.

As a result of this, there is also no First Nations participation in the solutions because it is always someone else's responsibility. And I think we're all guilty of that one.

Now First Nations governments are willing to deliver programming that will benefit all exploited sex trade children, not just First Nations. The programming would strive to deliver prevention and intervention initiatives to attack both cause and effect. We need the support of the provincial and federal governments for this to succeed.

Now we feel that if we use the statistic, 90 per cent of the underage children in the sex trade are of First Nations ancestry, we feel that we need to take control of this programming. And with the other 10 per cent it's not only just First Nations children who could benefit from our programming, but all children.

Approach two. This is a long-term approach and must be sought while approach one is occurring. It seeks the complete recognition of the First Nations treaty right to child welfare within First Nations vision for self-government.

This requires long-term discussions with federal and provincial governments within the context of the treaty commissioner's process. Now what I mean by that, or sorry, what we mean by that is we need to have recognition that we have the treaty right to look after our own children and that the federal government has the responsibility to give us resources in order to address this issue. And these are the factors that influence First Nations strategy.

The need for societal recognition. The root causes of exploited children are complex and interrelated to poverty, abuse issues, family dysfunction, and violence, and lack of cultural identity. Now I think that we're both on the same page with this because this is what was put in your interim report. We concur with this.

The exploitation of our children is a manifestation of past and present cultural genocide — residential schools, you know, the different policies, the Indian Act. We could just go down the line. The various forms of dictatorship and patriarchy, paternalism that First Nations people have endured and survived in order either to assimilate, to either just lose their identity completely. So we believe that that is the case.

Now this is a very succinct quote that I thought that I would put in there:

The original societies and cultures of the first peoples have been diminished by more than a century of colonization and the virtual dislocation of indigenous traditions, cultures and institutions. Canada, as a country, has been a very busy beaver in its determined efforts to take away Indian rights and freedoms. The prevalence of social issues and problems that now plague the original people should not come as a surprise to anyone.

Now this is our former national chief, Ovide Mercredi, in his book that he had stated this.

This kind of just backs up exactly what we had just put in the previous slide, is that we have gone through so many different sorts of cultural attacks, spiritual attacks, economic attacks, every sort of attack that you could think of. However, now it's just people are raising their hand, they're shrugging, they're saying, you know this is either an Indian issue or those are Indian kids. Why is this occurring? Why do we even have to look at this issue? And the reason is because the First Nations people are here as a result of all the different policies in the past of the government.

So the solutions that we see must be owned and controlled by

First Nations. It requires the recognition of First Nations legislation, program development, implementation, and management of First Nations programming. Now we already discussed this, that first we must be in charge of these programs. We must institute our cultures, beliefs, our traditions, for those who care to follow those. For those who don't, we are open to different aspects of programming along the same lines.

Now we need the recognition of First Nations legislation so that we could implement and manage the programming at tribal council level. The province and the feds, the federal government, play a consultative role. That means that we all work together. And the power balance has shifted that in the sense that hey, we've seen all the efforts that are put forth. Give us the opportunity to put our agenda forward to save our children.

And this would ensure that . . . And we would hope that the province, the feds, would ensure that existing programs and resources are linked with First Nations strategies. That means off-reserve as well.

Now we felt we had put on the UN (United Nations) convention on the rights of the child. That's on page 5. I didn't put in the actual articles, but we are talking about article 34. Any amendments to child welfare legislation must recognize the UN convention on the rights of the child.

Article 34 states that . . . states parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, states parties shall in particular take all appropriate national, bilateral, and multilateral measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity. The exploitative use of children in prostitution or other unlawful sexual practices. The exploitive use of children in pornographic performances and materials. This convention dictates that all state parties must take all appropriate national, bilateral, and multilateral measures to prevent the abuse from occurring. While we can prevent the abuse from occurring, but it's also happening right now.

So the UN convention dictates to us, as governments that we should come together . . . that we have the responsibility to come together to address these issues for our children.

Input from sexually exploited children. The UN Convention on the Rights of the Child state that children have the right to expressing their own views. This means that Canada must consult with the children who are affected by the legislation. Since 90 per cent of the exploited are of First Nations ancestry, this involves input from First Nations communities. Now input is a very gentle word for what we're asking for. Input exactly is what we're doing right now, is having the input, but what we're asking for is the actual control of the programming.

The Gladue decision. This came about in 1999 and it allows for judges to take into consideration the background of the offender, in particular the Aboriginal experience. Although this is used in sentencing, it can be applied to assess why children are on the streets. New legislation must consider that all the factors that have these children in the sex trade. We feel that yes, the Gladue decision is part . . . was used in the sentencing

as in acknowledging the Aboriginal experience and using that as part of the sentence. But now we must consider what the Aboriginal experience is, the realities, before we could implement new legislation.

The Indian legal right to child welfare. The First Nations of Canada have the treaty right to provide child welfare services. This has been stated in our treaties. Indian nations have jurisdiction over their lands and their citizens regardless of their residency. This is in the FSIN (Federation of Saskatchewan Indian Nations) Indian child welfare support Act. This means that the FSIN must work in conjunction with the governments — provincial and federal governments — in order to make sure that their citizens, their little citizens, are protected regardless if they're on-reserve or off.

First Nations governments have the responsibility to provide services for the protection of children and families in need of care. This is in our Indian child welfare and support Act as well. And it's just basically what I just said.

Program and policy considerations. We believe there's a multi-faceted programming and policy formulation that needs to be looked at. It must consider factors such as age appropriateness, gender, sexuality, race, and prevention and intervention strategies.

We believe that a blanket approach will not be effective because we're dealing with a large . . . a long range of ages here. Legislation should fall in these two categories.

Fourteen years and younger. We support legislation that removes the exploited children from the streets, similar to Alberta's law. Due process and cultural sensitivity must be recognized and implemented into special programming that targets these children. There is a greater chance at success for these children to stay off the streets if they are removed from their environment.

Now I should explain this a little bit more because this is a very extreme stance to take on behalf of our First Nations people because we ordinarily do not believe in such forced removal.

We believe that those 14 and younger are actually . . . have a better chance of success of staying off the street if they're away from their family environment. Now they're . . . what I'm not saying is to be taken away from the family; we are actually saying that the whole family needs to go into some sort of treatment. Not a Band-Aid solution of taking the kid off the streets, throwing them in foster care, and having them locked up in Dale's House or some sort of treatment facility. We're talking about family, family healing in order to not have these issues present.

Fifteen years and over. These children are more likely to have been on the streets or living this type of lifestyle for at least two years. Harm-reduction strategies must be implemented with the option of forced removal if it is a life-threatening situation.

The age of consent must be raised to 16. Our stand on this is that we feel that those who are already seasoned, who have already been on the street for a while, they're not going to take

too lightly to being taken off the street. They're just going to get angry. They're not going to go into any kind of a healing process.

You know I'm speaking in generalities here, but they've lived as adults for years already by the time they get this age. Even though they are considered children, they have lived as adults. Therefore we feel that harm-reduction strategies might be more effective.

Harm-reduction strategies include — I have my notes over here, you'll have to excuse me — they do include HIV (human immunodeficiency virus) and counselling services. They include detoxification. They talk safe shelters for when these people need to get off the streets. So harm reduction strategies, as well as having the removal off the street, if it is utilized properly, and if it's a life-threatening situation.

Considerations for legislation and programming. Sexuality. The inappropriately advanced sexual knowledge and maturity must be acknowledged of these children. While this is a fact, programming must provide counselling for these children to explore issues of their own sexuality. What we mean by that is that programming must take into consideration that these children have been, basically, sexual objects for whatever the case may be; sometimes since they were 2 years old to the time they're 15, you know, they've lived through their bodies. But they're still that child underneath, and they're still exploring these issues of sexuality whether it be homosexuality . . . I don't want to say frigidity, but fear of sexuality, their own sexuality, because a lot of these children actually remove themselves from their bodies as they're performing these acts. So once they do . . . they do need counselling to explore their own sexual issues of sexuality.

Class and gender. Children in the sex trade are mostly female and are from powerless, economically disadvantaged backgrounds. Their perpetrators are mainly white, middle class men. Tougher and more creative legislation may shift this power balance, but I think this . . . we are responding in this slide to what was promoted in Saskatoon a couple of weeks ago with Kearney, who was saying — it's Kearney, right, yes right — who basically said that johns and pimps could be responsible for looking after the children that they have exploited.

Race. We feel this is a big issue. Ninety per cent of the exploited children who are in the sex trade are of First Nations ancestry. With this reality the concept of dispensable children has emerged. The safety nets provided by governments are usually race blind and therefore ineffective for First Nations children who are grossly overrepresented at 65 per cent in the youth welfare system, and 70 per cent in the criminal justice system. And I think these statistics are actually pretty low to what they actually are.

Family holistic healing. And this is a bit of what I have discussed before with the forced removal from the streets. Imperative for the families of exploited children in the sex trade to become involved in the healing process. It may be necessary to rehabilitate the entire family. Significant efforts must be made to address family dysfunction because obviously the family is in some sort of state of dysfunction if their child is on

the street being exploited.

Now this is the one that is kind of the meat, and the one we enjoyed most doing — the consequences for the johns. First Nations must have input into the legislation and other consequential actions the provincial and federal governments implement.

The johns must be treated as sexual offenders who have sexually assaulted a child. We feel that even stiffer language needs to be given to these johns so that they understand the seriousness of their actions.

The SFNWC (Saskatchewan First Nations Women's Council) and the FSIN are willing to jointly lobby with the provincial government for stiffer penalties for johns. The SFNWC and FSIN support publication of convicted john's names and workplaces in the paper. Restriction or suspension of driver's license. With restriction, we mean maybe they're able to drive during the day. Not saying that these children aren't exploited during the day, but it happens more in the evening and night. Notification in their communities of their status as child sexual perpetrators. Criminal records as sex offenders. Mandatory john school and impounding of their vehicles, because we feel they're accessories to the act.

So in conclusion, we have to say First Nations youth are the primary targets of the sexual predators. This is a result of the social and economic status of First Nations people.

Along with tougher legislation and more effective programming, the will to act — and that is very key we feel — on the laws must be present by the people who are in a position to enforce the laws. Because we can have as many laws that go up and down walls, that fill binders and binders, but unless there's a will to act on these laws, nothing will ever get done or they will never actually take responsibility for their actions.

Now First Nations processes and programs must be first utilized and empowered for the sexually exploited children. It is the government's responsibility to provide the resources and legislative changes that will protect the exploited children. This is stated in the UN Convention on the Rights of the Child. It is also the government's responsibility, based on legislation, treaty, constitution, and convention, to act decisively to empower First Nations processes.

And that is what we feel, and that is our presentation.

The Co-Chair (Mr. Prebble): — Well thank you very much, Chief Daywalker. Thank you very, very much, both of you, for a very important and powerful presentation. We're very much looking forward to the discussion. And, Cal, welcome to you. It's very good to have you here.

First of all I just want to ask if there's any comments, Cal, that you wanted to make before we begin the discussion.

Mr. Albright: — Not at this time.

The Co-Chair (Mr. Prebble): — So Erica, Chief Daywalker, would you be open to us asking questions?

Ms. Daywalker-Pelletier: — Can we have the elder speak?

The Co-Chair (Mr. Prebble): — Yes. Elder Rose, would you like to offer your comments on this matter?

Ms. Atimoyoo: — Well I must say that this is the first time I've sat in something like this. And I'm glad to hear what I've heard because these are . . . always was one of my biggest concerns too. Like living down in Avenue P, on 23rd Street, you know, I see quite a bit of this. And we have a kohkom group, a grandmother's group; we talked about this once. But you know most of the grandmothers are helpless, old, arthritic, and diabetic, and almost helpless. Some of them are abused themselves. But this was one of our main concerns.

And I am glad, really, really, really glad to hear what I heard because we must face it today. The children are having babies. And the way I feel, it's got to be the parents. The home is the foundation. And if we send the children out to be treated, what about when they come home? What about the parents? Everything has to be treated. Like if you treat . . . if I treat myself, I have to treat within myself and out; not on the outside and to try and treat it in. I think this will have a better effect.

And I hope this goes on. I hope this doesn't stay — what was talked about here, what we heard — because that is one of the biggest problems.

And when we have children, when we have grandchildren, it's a big worry. As I say, from when my children were small and the present stage today, how that trend has changed. And it's got to be a concern for all of us, no matter what race it is.

So this is all. I hope this continues. I wouldn't want to see it stop here.

The Co-Chair (Mr. Prebble): — Thank you so much for your comments. Perry, did you have other comments that you wanted to make?

Mr. Bellegarde: — No, just to thank Erica again. It's funny sitting on this side. It just seems funny. But no, when you cut to the chase in terms of the recommendations direct to the suggestions. As you were talking, I made little notes as well in the presentation, you know.

The first one was a jurisdiction and involvement from First Nations people. Jurisdiction — we always talk about that, basically not being left out. And I'm going to summarize but ad lib and make a few more points just so the committee members feel why we stress it. We always say jurisdiction, jurisdiction, jurisdiction because the existing programming don't work if First Nations people aren't involved with the planning, organizing, and development of it. We have to have a relationship; we have to have an involvement but a connection.

These young people aren't going to get connected. We went to just last night . . . I mentioned earlier on there's a Circle of Voices program next Friday. Some of these are street kids, you know, but they're involved in plays right there. And we went to a sweat last night and it's so powerful to hear some of them speak. And some of them were on the streets but getting

connected to their identity and who they are and what they . . . you know, that's part of that process for healing.

So that jurisdiction, anything that we develop as First Nations people, we try to always include that.

I also put existing departments to work together — multi-faceted programming. And that's something we did chat about earlier on, you know, and I'm sure you've heard this before but that really is the case. Even in terms of our FSIN, we don't want to work in isolation as commissions or departments.

And the same should apply to both federal and provincial governments. You know, you call it a wraparound or I don't know what it is but . . . So Education just doesn't work in isolation. It's Health. It's got Social Services and Justice all linked, working together. That was just the other point there that I wanted to talk about.

And Erica again talked about the family treatment and the same with our elder, Rose. You can't just treat the kid, you know. You've heard that before. There's three points there about the whole family holistically dealing with it.

The fourth point. The harm reduction strategies for people that can't get into it. You know, the needle program or the condoms, HIV aids — all of that are harm reduction strategies. So I label that just in my own notes, another category, right, for things that can happen immediately.

Then the involvement include the laws, the tougher laws. You know, that's something that can really . . . we can get our heads around and plan the political strategy for coming up with tougher laws, you know, for people that really exploit children. Because that's what we've called it before — it's child exploitation, and it's child abuse is what it is. So people no matter what colour, white . . . Our own people do it as well, you know.

But it has to be dealt with. And if there are tougher laws, that might be a way. Or even shaming. You know, shaming people to let them know that this person — through their licence or through the community — did pick up an 11-year-old girl. People don't want to hear about that of course. So getting that, you know, that's a way of preventing. So the tougher law aspect for sure is something that we can get our heads around as both FSIN and the province, and the stiffer penalties for sure.

So I just wanted to make those comments and notes. And I'm sure through your presentation we want to get right into the suggestions. You know, there's the other whole issue of poverty, and what about the whole aspect of education and job training. It's all linked. It all has to be linked holistically.

So those are just my comments from this side. But to thank the Women's Council for their presentation as well. And I know we'll be talking about it on Wednesday again when we meet. It's such an important file. We really have to put our heads and hearts together to deal with this here.

So that's just some quick comments. Not that it's not important, I have to meet another one of your ministers on another health

matter so I'll have to be leaving shortly. Okay.

The Co-Chair (Ms. Julé): — Well we thank you very much for being here with us, Perry, and for offering your thoughts and your words of wisdom and suggestions to the committee. Your presence is very heartening today. We feel we — and have always felt — we want to work together as one, and I think your comments have reflected that.

We've often said these are not your children or our children or anybody's in particular, but it's our responsibility as a society to honour one another and to honour our children and do whatever needs to happen in order to bring them to a place where they can have happy and successful lives.

So thank you very much for being with us and we'll forgive you for having to leave.

Mr. Bellegarde: — Sorry, but there's learned people here that can keep the file going.

The Co-Chair (Mr. Prebble): — Thanks, Perry. Thanks a lot.

The Co-Chair (Ms. Julé): — Thank you very much. Bye-bye.

All right. I think I'll resume where Mr. Prebble left off, just mentioning that committee members will be most likely very eager to discuss this issue with you and to maybe ask some questions in reflection of what you've said.

Mr. Harper: — Thank you. First of all, I want to thank you very, very much for a very enlightening presentation; and what I personally really appreciate about your presentation, it gets right to the heart of the issue.

What you've outlined is something that I personally agree with very much and I think that there's a process here involved as . . . the process to go much beyond the victim on the street. It has to include the whole family.

Now if you were given the powers to be able to structure the programming and support mechanisms that you believe is necessary to facilitate this, what would it look like? Can you describe to us what you think the needs are today to take that child off the street and be able to provide them the support and the healing for the family to carry them through so that they be able to turn their life around and make them an active part of our society?

Ms. Daywalker-Pelletier: — Okay. Maybe I could answer that. I think First Nation communities — in the current situation — are all looking towards healing their communities and finding balance, and that includes the elders, the youth, the children, and the unborn, and the mothers and fathers.

When we look at family healing, we look at four components which is the mental, the social, spiritual, and the physical. And by utilizing the four components, we are able to provide balance within the family and start to look at the root causes of the problem — whether it's alcohol and drugs or whether it's poverty — and so on and so on, and start to heal the moms and dads and then the children.

So a program, we would need a facility. We'd need facilities to accommodate family treatment and looking at a short term and a long term, because healing takes a lifetime.

But I think we, as First Nations communities, are looking at regaining our culture and renewing our spirituality also. And our children have lost that. And we need to find ways and we need to find a balance to empower our communities. And communities are working towards that. And once the communities are in that healing process, everybody is included in that healing process. Whether the children live on-reserve or off-reserve or in other provinces or countries, the community becomes one unit.

So I would, you know, strongly believe that we would recommend family treatment centres maybe in major cities, one in Saskatoon and one in Regina, in a different area so that families have access to family treatment — the whole family. And at the same time, communities, First Nation communities are working towards that.

Again funding is an issue. But I think we need to set aside the funding issue, and we have to look at the problem. How are we going to deal with this, utilizing all the resources with everyone whether it's through Education, Justice, Social — all the different programming — how can we tie this all together so that we promote family treatment centres, family wellness centres, so that everybody takes part?

Mr. Harper: — Okay, today in the communities of say Regina and Saskatoon, there's many organizations, many agencies are delivering different types of family services. Some of them directed at the children on the street and so on and so forth. In your opinion, are these agencies meeting the needs of the community now? Are they working jointly to provide effective service for those victims of the street?

Ms. Daywalker-Pelletier: — Well like Erica said, they are band-aid solutions. I think in Regina — I'm more familiar with Regina because I'm from that area — there are so many different groups that want to solve the problem, solve our problem. And I think we need to recognize that there are controlled, I guess, in manage . . . say for Regina and the Regina Status Treaty Indian Urban Services is in existence but lacks recognition from both federal and provincial government because there's also the other groups. And we recognize that the other group, we need to come together — all of us together — to put a strategy that is going to encompass a network that will include a strategy that's for our children and youth.

And I think, like when we say we want to be recognized, I think you need to recognize FSIN has some processes that are approved by the chiefs. And those processes should be recognized by your government and by the federal government and municipal governments also, like city of Regina, city of Saskatoon. So once we get that recognition, then I think it would make it easier for . . . to include all the rest of the groups in that process.

But when you say First Nations children, I really believe that 90 per cent of them are First Nations, and that I, as a leader, have the responsibility to ensure that we're involved, I'm involved,

or our people are involved, are at the forefront in doing the planning and design of the program that needs to be developed.

Mr. Harper: — One more question, Peter, if I may? I fully support your statement of the need for lobbying the federal government to stiffen the laws around ... affecting child predators. Would you also suggest that the laws, as far as those individuals who are responsible for putting the children out on the street, pimping, should they be strengthened too, along with the johns?

Ms. Daywalker-Pelletier: — Yes we do. Just last week, there's another issue I think that hasn't been addressed, is gang related. And I had a presentation that was done at my community, and become ... well I was aware, but more aware now, that the gang-related incidents you know are controlling our children on the street also. And we need to look at that inclusively with what we're doing here.

And all facets need to be punished for using our children. I guess we can't ... How do we emphasize this to everybody? Everyone that's involved has to be punished because they're abusing our children. That's our future.

What kind of future are we going to have if we don't stop it? You know, we're going to end up with crime. When I'm 60 years old, and my children are 60 years old, we're not going to even have a future for them if we don't do anything about it now. I think everybody needs to be punished. And stiffer penalties for all those are involved, I support that. It's very serious, and especially when it comes to First Nations children. To me it's very serious and we've got to act, and we need to work together. I don't know how else we can emphasize this.

Mr. Harper: — Thank you very much.

Ms. Draude: — Thank you very much for your presentation. It was very powerful. And the statement, I think, that was made by Chief Daywalker was really insightful when you talked about the half circle that we have and it's not going to be completed until we work together. And I think one of the aims of the committee is to make sure that we do work together.

I have three questions. First of all, I have to admit that this decision, I think you call it the Gladue decision, I don't know what it is. Could you tell me?

Ms. Beaudin: — I could explain it a bit and then I could give you the Web site where you can find it. Cal is a lot more familiar with the Gladue decision. I could speak a bit about it but Cal does have the more in-depth knowledge of this.

The Co-Chair (Mr. Prebble): — Cal, if you'd like to come up and join us at any point, feel very free to do that.

The Co-Chair (Ms. Julé): — It's important, Cal, that you come to one of the microphones so if you ... (inaudible interjection) ... Sure.

Mr. Albright: — Okay, the Gladue case, actually the Gladue case was about a young ... I believe she was from Alberta, who had been charged with manslaughter. She had never been

charged before and her ... It was an abusive situation. Her sentence got appealed all the way to the appeal court because of the situation, because of being in an abusive situation. The Supreme Court agreed that it was important to look at the Aboriginal factors of her background, like the special circumstances arising from being an Aboriginal person.

So that's the first time I think we've had Supreme Court law say that when we're dealing with Aboriginal people, when judges begin to sentence ... when judges now sentence Aboriginal people, that they have to look at their Aboriginal backgrounds as well as other circumstances when they come out with an appropriate sentence.

So I think that's ... What we're suggesting here is that because we have such an overrepresentation of young people that are of First Nations ancestry ... And I think to be fair, it's, I guess ... I don't see the situations that are occurring. I think there needs to be a more proactive, a stronger First Nations presence in the eradication, if you will, of the sex trade.

I think that we've done ... we've shown that we can do it already. It wasn't that long ago, if you recall, there was a homelessness study done here in the province. That was done by First Nations people. And that resulted in the federal government recognizing they weren't going to ... the homelessness dollars had already been allocated but they decided to allocate funds to here in Saskatchewan because of that report.

I think that there are other notable situations where First Nations are now ready. See, part of what we're told lots is that as First Nations people you need money to develop capacities. Well we've developed our capacities and we're now ready to deliver, I think, strong essential services and to get our people in place. And we just look at the local tribal council here in Saskatoon with what's going on on 20th Street. You know, I think those are effective examples and exciting examples of what can happen.

And I see that this issue is also something where we can come together. And we're not saying we want to do it in isolation. We know that we need legislation; we know that there are other people out there that know how to work these kids.

And I even think that perhaps there needs to be ... maybe even we need to look at developing some kind of training. Because how do you become the Jacqui Barclays of the world, for instance, who many of you know. A very skilful lady, I think. And you know, I think she could be a really effective trainer for our First Nations people who maybe have a strong cultural background, and you know, who also have come from the streets themselves.

But I think that the way we try to bring about these kids to the realization that there is a better way out there for them and there is hope, you know, I think that's what we're trying achieve.

Ms. Draude: — I know that one of the things that we've had a lot of controversy over when we were at our committee meetings is the realization that even abused children may be abused by family members but they still don't want to leave

their family. I mean that's just natural. You want to stay with the people that you feel love you and that you love.

So you're recognizing that we should be healing the family. But what happens if the family doesn't want to go. And I'm going to compare it to being an alcoholic when there's no sense going to treatment unless you want to go there.

So can you see how we can get around the issue of getting a family to go if there's really no desire about the real problems underlying it and why they should be going?

Ms. Daywalker-Pelletier: — I think one of the things that we might be compared to is spirituality. I think a lot of times our First Nations people have lost it, not completely lost it, but were always compared to spirituality as religion. It isn't.

So once we start to heal the spirit and heal the components of our circle, the different elements, no matter what happens in the family, there is always a light at the end of the tunnel. No matter how bad it is the family is still the most important aspect of any child. And we believe that we have to empower our families; we have to give them that recognition. And we have to believe in them — not throw them away — we got to believe in them.

And I think that's our understanding, that's our culture, and that's how we believe. And once we find all the pieces and bringing those pieces together, we will make that family recognize their weaknesses and their strengths. And that's when you start to mould through spirituality, through culture, introduction of the elders and working together. Like mom and dad is not the only family — there's grandparents, there's extended family.

And the family comes in to a community. So we're all there. Whether it's in my community, I still believe in a family that . . . you know, I believe in them because they are a person and recognizing that, as a chief I recognize that. And I don't . . . I'm not higher than them or powerfuller than them — I'm equal with them.

So recognizing that and working with them I think it's achievable, if we are given the chance to manage that and to work with that. It's a long road but I think we can achieve that.

Ms. Atimoyoo: — Yes, I might add to this too. It's so true what Chief Daywalker said. Again, I say . . . like the question that you asked, it's got to be worked from the home. See, a lot of these homes, the children have no supervision. The parents are away a lot. And there's all kinds of addictions — drugs, alcohol, bingo. You name it, it's there. There's addictions in everything.

And we have no choice but to work from the home. And it seems to me — and I hear it too — that they're always short of social workers. To have a good social worker, to have an elder, and this has to be a network affair — networking.

And no matter what, I always say, to work in and out. That's right. Spiritualism, the belief. We have to try. It's such a hard work to clean our inner selves and out. Nobody's perfect but at

the same time it's a hard . . . This is a hard road ahead of us — very hard. But as I say time and time again, we have to dig our heels in and work together because our children are our future leaders. And we can't really reach the goal 100 per cent but if we reach even a quarter, half, that's a lot. And oh, I would like to see this.

I'm so glad to see women leaders with . . . Men leaders are good. I don't want to put you down but we need women leaders too. It's got to be sort of equal. A woman is a powerful person and I'd like to see that. Thanks for being here too. So I'd like to add that.

Ms. Beaudin: — Yes further to Chief Daywalker and Mrs. Atimoyoo, I would like to expand on the use of the elders. We feel that elders are the key people that would help us counsel these families.

Mrs. Atimoyoo spoke about social workers. Well, in some regards our elders are our social workers. We would see elders as the key people because you would see even the most hardened people sit in respect of elders when they go and speak with them. And if we utilize our elders into counselling these families, into getting this help, we feel that this would be more effective than getting departments involved, in social workers, youth justice, justice people, judges. We feel that elders are the key.

Mrs. Atimoyoo, this morning we were talking about her Kohkom's group. And along with addressing children, we have to look at also elders and elder abuse as key to what needs to empower our elders to help our children in our families. Because these are people that want to help, that need to help. However, their situations may be that they can't help.

If we give them the resources, if we give them adequate living allowances, whatever the case may be, then they would be able to go and be the people that they were meant to be — counselling I mean, you know, with our children.

Ms. Draude: — I just have one other question. And I wanted to share with you, first of all, because maybe you think I seem like I'm hard, but I'm trying to ask some of the difficult questions because we have to answer them as well. I believe in people. I believe in the goodness of everyone. And I'm a mom and a grandmother, and I think at the end of the day we all hope that our grandchildren are going to have a great future together.

So I have one other issue that's going to make you think that I'm a real cranky person, but I'm not. One of the things that I'm a little disappointed that I didn't hear was the acknowledgement that we need more education, and not just for First Nations people but for White people so we can understand the situation better.

I think if everybody in this province will have heard what we have heard in the last year as committee members, we'd have gone a long way to solving the problem. Because we hear not just about why the children are on the streets, but some of the things that we could be dealing with.

So is there any part of your presentation or your thoughts of

looking towards solving this problem. And I know it's a huge problem that can't be solved overnight and maybe not totally solved in my lifetime. But is there any thoughts of how we could get the education issue to everyone in the province, and is it something that you will be trying as a women's council and through the FSIN?

Ms. Beaudin: — I think that what we feel is our education is educating first our people, because 90 per cent of the children are First Nations and we have to have the services. Because we don't need the education as First Nations people. Because the children on the street, they're our sisters, our brothers, our aunts, our uncles, sometimes our parents. You know, there is no need for education per se within . . . that a problem exists within our communities. The education factor lies in promoting healthy lifestyles, in promoting education skills and training — issues such as that. And I think that would be our first issue that we would be looking at, as opposed to educating mainstream society that the problem exists.

Ms. Draude: — Okay. I just wanted to make sure . . . I wanted to educate people as to why the children are on the street. That's really my concern, is letting everybody know, whether it's understanding within ourselves . . . because whether you're First Nations or White, why are children on the street. So that's where I wanted to address the problem. Why are the children . . .

Ms. Beaudin: — Through public education. That is one of the mandates of the FSIN as a political institution is to educate mainstream society on all of our treaty rights, the issues that we're facing.

So as part of the FSIN, we do see ourselves in a role. However, it's not known right now.

Ms. Daywalker-Pelletier: — Well I know through our First Nations Women's Council, like you mentioned, we have 7 women chiefs and I think it's 98 councillors. Through that process, we will be reporting back to them. And that will be an education session for them and also to keep them abreast of what's going on and what's happening and to have our communities recognize that.

So in our system, we would be providing information back to the people that we're speaking for and, hopefully . . . like to me, I'm not afraid to talk about the issue of child prostitution. It needs to be publicized. It needs to be made public. And as a leader . . . you know, that's our youth. I really believe that, you know, we're not emphasizing enough of the problem. You know, we should have a splash in a newspaper about child prostitution; you know, about the people that are doing it; you know, making a statement. I'm not afraid to do that, you know.

And I think we need to come together somehow and organize publications and educating our parents and directing our parents that this is available. There's parenting classes here. There's this going on. I think we need to come together jointly to promote that, to promote healthy living. So we can all do that.

And I think that's what we're talking about when you talk about education. We need to be all educated properly. Not hearsay,

let's speak the truth.

And when you talk about the johns, let's talk about the johns, you know, and let's don't hide behind a curtain. Let's name them; let's tell who it is. Because we've got to bring shame. This is very shameful for men to do this, taking our young Indian girls. So, you know, I see it on the street and we're helpless. So, you know, I really believe that education is one of the key things here.

So with that, you know, I'm glad I'm here to have participated. But I hope that there is results, not a, not another report. We've seen too many reports, you know.

The Co-Chair (Mr. Prebble): — We're very conscious of that, Chief Daywalker, yes. And I agree with you very much. Carolyn, I know you had a comment and then Kevin, you have questions.

Ms. Jones: — Thank you. You want to do . . . I just . . . you want to do questions before my comment or can I make my comment?

The Co-Chair (Mr. Prebble): — No, I want you to make your comment.

Ms. Jones: — Okay, thank you. I'm going to limit my questions because so often our gracious Co-Chairs forego questions in favour of other committee members and don't get an opportunity. So I'm going to not ask many questions, but I'm going to thank you very much for your presentation and for your willingness to work with us.

I think in terms of the education component, it's important that the general public be educated. But I think it's also important, as you'd learn in john schools or as they teach in john schools, that this is a case of child sexual abuse. We rarely use the word prostitution if we can avoid it. And in many instances, my understanding is that johns have not understood that what they're doing is sexual abuse. They believe that it's fine if they pay for it.

And so education in that area is an important component; education of the general public that this is not prostitution, that it's sexual abuse.

And I also am very concerned about the education of all parents in sexual abuse of their children. So I think you recognize and we recognize that in many instances it starts as a child — you mentioned some as young as two years old — and that starts in the home, or it's permitted in the home. And so that's another very important component of the education part of this, I think.

So I simply want to thank you for your presentation, for your frank comments, and answers to our questions, and I'm going to pass on to Peter. And I also wanted to apologize that I have another engagement and I'm going to have to run shortly, so it's not out of any sort of disrespect if I leave. So thank you.

Mr. Yates: — I'd like to start by thanking you very much for your presentation, and the decisiveness in some of the recommendations and directions that you are in fact putting

forward.

Because it makes our job much easier — as we look at these issues — if we have a position from our Aboriginal brothers and sisters and friends on where we should take some of these issues and where we should go on some of them. Because, as with any group, we've been getting some mixed messages. And so if the FSIN comes forward taking a position, it makes it easier for us to under . . . you know, to sort through the mixed messages. That's a very important issue for us; very, very important.

I'd like to start by asking a question. One of the things that you'd advocate is raising the age of consent to 16 and over. Could I ask why you wouldn't have considered making that 18 and over? Being a father and several things, I'd like . . . you know, I could see some real grounds to move that to 18. Is there any particular reason why you recommended 16?

Ms. Beaudin: — I think that it was a situation where we deliberated and we thought about it. And we have 15 and over, and we were talking about seasoned people on the streets, and I think that since . . . The reality is that a lot of First Nations people who are on the streets, for whatever reason it may be, have lived lives as adults for many years by the time they hit 15 or 16 — a lot of responsibilities, whatever the case may have been at home; through responsibility, through sexual abuse, whatever the case is — and we felt that 16 was a more realistic age rather than 18.

I'm a parent as well. My children are a little bit younger, and I know that at 18, we're now allowed the right to vote on . . . like with our First Nations, so that's considered the age of adulthood or consent for First Nations people right now. Eighteen, being able to vote, so . . .

Mr. Yates: — My concern was in the issue of power and balance particularly. Some 16- and 17-year-olds are quite mature, but some others are not. And the difference between, you know, a 30- or 35- or 40-year-old male and a 16-, 17-year-old girl, there's still considerable difference in power and balance. And so that's why I was looking at the age of 18 as perhaps being more reasonable. I was just looking for some comments why you chose 16.

Ms. Beaudin: — Well how about we go for 18 and then we'll probably get 16.

Mr. Yates: — That's the reality I guess of what happens, you know.

Ms. Jones: — A negotiator.

Mr. Yates: — But that's often the reality. And I'm glad to hear your support of tougher legislation because you can't have sat through what we've sat through in the last year without having some fairly strong feelings about this issue.

And I thought I understood the issue, having worked in Social Services in the corrections field for a number of years, that I had a feel for the issue. Well I can tell you, I didn't have a feel for the issue until sitting on this committee. And you can't have

sat on this committee and listened to everything we've listened to in the last year without having some fairly strong feelings about this issue.

And last but not least, I have a question to . . . basically it's a process question. When we as a committee make a recommendation which will be in the next few months and then it goes to the next stage of the government looking at what they're going to do, how do you see the FSIN and First Nations community fitting into involvement in that? What's the next steps? Like how do we get involvement in the next step to the process?

Ms. Daywalker-Pelletier: — Well right now it's FSIN along with Saskatchewan First Nations Women's Council, joint. I think Chief Bellegarde has initiated that the First Nations Women's Council would deal with this issue and carry it through. And we would also work with Chief Bellegarde in a joint effort. So you know, it's all inclusive with FSIN.

Mr. Yates: — If we wanted to make, to run by recommendations by somebody or consult with somebody on particulars, recommendations, who would we go to? Would we go directly to . . .

Ms. Daywalker-Pelletier: — I think you'd go to Erica as our program manager, and she would speak with Chief Bellegarde also.

Mr. Yates: — Okay, and she would check with the rest of you and send me the information? Okay, that's important for us to know. Thank you very much. And once again, a very, very good presentation.

Ms. Beaudin: — Thank you. And I also wanted to perhaps talk a bit about when we talk about tougher legislation because I know I saw some raised eyebrows when we discussed forcibly removing children off the street who are 14 years and younger. Because we have nothing but the utmost caring and love for our children, however, we feel that although they may be sexually mature, they're not mentally and spiritually mature enough to know that they shouldn't be on the streets if they are.

Now we support this type of legislation only if there are programs that are available to these children. That these children aren't going into foster homes, that these children are going into programs that are culturally sensitive; maybe going back to their communities, going to parts of their families that are not involved in the lifestyle that we're trying to remove them from. So we're talking about actually First Nations controlled programming or involvement rather than putting them into Dales House or some sort of provincial institution. That we do not advocate.

The Co-Chair (Ms. Julé): — Thank you Erica, and thank you to Elder Rose, and thank you very much to Chief Daywalker for all of your comments and your loving insight. It's pretty evident that you have a deep, deep love for your children and recognize the importance for making sure that children are well and that they're having an opportunity to create lives, along with their elders, that do their life dignity and justice. And it's reflective of the reason the Creator has put them here.

So there are so many questions and so many thoughts that come to mind when we're discussing all of these things. One thing that is sure, it has been recognized and I think primarily by the women — both Aboriginal and non-Aboriginal — in our society and particularly in Saskatchewan, there are children have been left behind. And there's a number of reasons for it.

We can know those things and it's important to know why this is happened. But it's in my interpretation, my feeling, that we know that but we don't dwell on that just too terribly long because there is no time left.

So it's important that we move ahead. In order to move ahead, there have to be some things spoken out. I've mentioned before that, you know, that we hope to work always in peace and friendship because that's the way societies that are healthy and that are progressive work together. So we put aside or I put aside in my mind, all colour, creed, and race, and religion, and remember that we are first human beings and that we are here to love and care for each other.

But there are questions of truth and honour that have to be brought forward. And as we were going through some of the discussion about how we are going to do things, I was listening to Chief Marie Daywalker. And, Chief, you had mentioned that it was important that you felt that we need to have facilities that will look at all components of healing.

On the other hand, I'm hearing that we need a network of service providers such as a wraparound process that will . . . provides all the services that children and families need.

So I guess we just need to be very clear on what you're asking here, because from what we've heard come to the committee — not only today but on days prior to this — was that it would be better to work in the homes of families, okay, in order to help all family members. And so specific facilities in Saskatoon for instance, and in Regina and so on, to work with families seems to be contradictory of the other statement. So I bring that forward for your consideration as to how we deal with that.

Anyway, I want to get back to talking about truths that we see out there, and the very fact that it's important to you as First Nations people that families are considered as a unit in the community, and that the whole family is assisted in their healing where necessary.

I've heard a comment come from one of you that gangs are part of the people that are pimping our children and they must be punished. Part of my knowledge is that those gang members are often First Nations people. So we have to come to terms of whether or not the best way is to punish them or to recognize that they too are in need of healing, and that they are members of somebody's family. And then we look at the process that you've mentioned of having family healing.

Sometimes that avenue has been taken and people continue to harm other people and our children. So I think we have to come to terms with . . . if punishment is a necessary component of this, what kind of punishment would be most successful in helping one to realize that they cannot continue to harm children?

So the johns, yes, they are perpetrating this issue but so are pimps. And many times, pimps are the parents of those children. Many times, pimps are brothers, sisters, uncles, aunts. Many times, pimps are gangs. Many times, pimps are transient people that come from one province to the other.

And so if we're going to say that pimps, gang members, those people need to be punished for continuing to sexually abuse our children and physically abuse them and harm them beyond repair sometimes, then do we categorize these pimps and say that if they're First Nations people, they belong in a healing circle? If they're not First Nations people, they belong in jail or they belong in some other form of punishment?

I need your comments on that and I think it's really important that we try to clarify those things, because we don't want to be making recommendations that are not for the best of everyone here.

Chief Daywalker, can I have your comments, please.

Ms. Daywalker-Pelletier: — I guess, for many years, as First Nations people, you adopted us into your system and we've tried to live within your system, whether it's policy or laws. So when we talk about a healing approach for families, we are saying that we want you to recognize our system so that you can learn by our system.

And when you talk about pimps and, sure they're First Nation people, and when you talk about punishment, a lot of times the punishment is getting that person to recognize themselves because they don't want to recognize themselves. And when you talk about healing, that's where healing begins, within themselves. So it's a different approach.

Like, I think you don't really understand what we're talking about because we've always been living by your rules and by . . . we've learned to live and I've learned to live by your rules, you know, and following your system.

But we have the First Nations on this side that are telling you okay, we've always had a system. We had our system of respect. We lived in harmony. We lived in balance. And that's been destroyed through whatever and we acknowledge that.

Now we're here. We're learning and we've gone back to our culture and our traditions and healing; we've healed our spirit. Now we want to show you and we want you to recognize that we have a system in place, and that's called healing.

So when you talk about punishment, that's where we would bring our First Nations people that are offending or whatever. We would bring them back into our circle. Like the elder said, you got to bring them back, have to come back.

So it's a long process and sometimes people don't understand the thoughts and how we say it. And family, you know, like it's a fact that First Nations people are moving to cities and, you know, for a better life — supposed to be. But at the same time, communities back home are developing so that they can bring back their people. You know, trying to have good housing, good roads, good water — everything. But again, resources.

So we need to recognize that there is people that are never going to leave the cities. You know, it's their home; it's their community. So what do we do? As a leader, how do I address that so that I can assist these people living in the city?

And we start with the family. And family needs support, all kinds of support. Whether it's a healthy family, they still need support. You know, we deal with negative families. What about the healthy family also, their children, their grandchildren? Maybe their grandchildren will be exploited by sex. We don't know.

But let's put in programs for prevention, education. And it's a long process, and family treatment would be used for those that are very dysfunctional. You know, there's components where you can bring families in for different areas. Sexual abuse, that's a big area that is not talked about in families. But as we heal as First Nations people, we'll be able to heal those wounds.

So it's a long process and you know, like, having a place for our . . . maybe not a treatment centre, maybe a place of gathering for our First Nations people. Like our elder here, they have a little group in town. How many knew that they get together? Ask her how much money do they have — \$16 for them to get together. But they get together to talk about things that are happening. How come we're not using them? So let's find a place for kohkoms. Let's find a place for kimosoms. You know let's create a place, a safe place, for these people so that the families can come in and heal.

And then there's other organizations. If we put all our money together we can have a nice place. You know we put up big convention centres to hold meetings. Why can't we spend money to bring families together? So you know, it's a First Nations perspective. It comes from the heart, not from the mind. When we speak, it's from the heart.

Ms. Beaudin: — Chief Daywalker is speaking from a cultural point of view. I'd like to address it from more of an academic point of view.

When you're discussing what is the difference between accountability strategies for johns and pimps, I would like to bring into consideration the fact of gender and class. Now first of all gender needs to be brought in because these are males despite race, despite the race, that are dominating females. Now that being said, and we acknowledge that for the most part, because we do have male prostitutes that are on the street as well.

The difference between the classes with the johns and the pimps need to be taken into consideration here. We are living in a mainstream class system which means that we . . . Actually I'll go into that after. What we need to do is look at the Gladue case which Ms. Draude had asked about, where it has to be taken and be convicted, or the people that are going up for charges have to have their Aboriginal realities or their Aboriginal situation looked at.

Now in terms of mainstream society, we have the people that are going up on pimping charges as coming from, if you will, the lowest rungs of mainstream society whereas the johns that

are, sorry, the johns that are going up for charges are not from the lowest rungs of society because they probably don't have money in order to . . . or I shouldn't go into there.

But anyway, we're looking at the power balance here; the people that are being convicted of soliciting and the people that are being convicted of putting children out on the street, there is a very big power balance or power difference that needs to be balanced out if we want to look at them as both perpetrators.

Now where do you bring the pimps to this point and perhaps the johns to this point, where we have the equal responsibility for what they are doing. Now these pimps often come from the same sort of economic, social, reality dysfunction as the people that they are perpetrating as well.

Now their situation has to look into account . . . and healing strategies in order to make them even aware of what they're doing is wrong perhaps. Make them aware that they need to be accountable for these actions. Because by implementing healing strategies we're not saying that these people should not be accountable for their actions, but — because we strongly feel that these people should be accountable for their actions — however, the accountability needs to be fair, not equal with the johns and the pimps.

The Co-Chair (Ms. Julé): — I hear what you say. I just know . . . I think of all of this from every woman's or mother's perspective, and I put myself on both sides of the equation and on both sides of everything when I think about how to heal society of this.

And I often think well, if my son was the son . . . was the person rather that was out there pimping or connecting with the john or whatever to exploit a young girl, how would I feel about . . . what would we do to help him because obviously he's sick? You know, he's sick for doing that. So the sickness comes from somewhere and you know, what would I want to happen with my own son, what kind of strategies for healing?

Whether or not . . . I mean I was born, I think, non-Aboriginal this time, but whatever it is, I would want the same consideration given for my son as for other sons irregardless of what has happened in recent history because my son is sick for some of the same reasons, even though it wasn't the real visible sort of apartheid situation he was in.

So what I'm saying is, the basis of that illness would be that my son has either a learned behaviour or whatever the case may be, that has brought him to doing what he's doing.

So without going into a lot of deliberation over it, I would like to see that whatever strategies are employed — and certainly the voice of First Nations people is so important in this and I think you've mentioned already that you have . . . 90 per cent of the children out there are First Nations — but that whatever programs and delivery of those programs and services are available would be for non-Aboriginal people. If it's a healthier way, it would be, maybe very commendable to look at that way for all of society, for those people involved in this activity, whether they're the perpetrators or the victims.

So I appreciate what you're saying and time is going on. I have some other questions to ask of you about on- and off-reserve situations and how programming can deal with that. And I think what I'm going to do, obviously in the future, and Mr. Prebble most likely will too, and hopefully we'll have a chance to talk with you further about this, but we will probably put questions forward to you, Erica, just in the upcoming future here.

So thank you very much for being here. I appreciate you being here with the committee today and talking to us on this very important issue of child sexual abuse. Thank you. Mr. Prebble.

The Co-Chair (Mr. Prebble): — Yes, thanks, Arlene. We are facing, unfortunately, major time constraints, for which I apologize. We're supposed to be out of this room in a few minutes, and that is very unfortunate because I'm feeling that we're just getting to the point of a crucial stage in the discussion that really needs to continue. And I'm actually . . . I would personally be interested in continuing the discussion with you in the near future.

There's a lot of your recommendations that I'm very comfortable with and very supportive of. And there are three areas that I would like to . . . that I would really benefit from your advice on, and I just want to mention them now so you can be thinking about them because I don't think we'll . . . we have time to fully explore them today.

But one is your advice on . . . Fundamentally here, as you pointed out in your presentation, one of the things that's driving this serious problem that we have is that it's primarily non-Aboriginal men who are exploiting primarily Aboriginal children. Mostly First Nations children, but also Metis children, and so obviously there's a major element of racism at work here. And if you have any advice to us on what we might recommend with respect to initiatives that the province can take to combat racism, we would welcome that advice and take it very seriously. So that's my first comment.

My second comment is with respect to your recommendation, which I think is a very interesting and innovative proposal. We've been struggling with this whole question of whether to . . . whether the best path is to, for the protection of children in our province who are being sexually exploited, is to remove those children from the street, forcibly in the sense that they have to leave the street — I don't mean forcibly in any other way, they'd be treated in a loving way once they left the street. But we've been struggling about whether we make them leave the street, and if so, who would do that. Or whether to, in effect, initiate a series of harm reduction strategies that would seek to protect them but not make them leave the street.

And I think your proposal is a really interesting one which I'd like to discuss a lot more. And I think in discussing it we need to talk about, you know, the pros and cons that other groups have raised. And in many ways it might be interesting for you and ourselves to look back through the transcripts at comments that organizations have made pro and con on this. But it's a very interesting proposal, so I thank you for it. And I'd like to discuss that further.

And third, I'd like to . . . I'm supportive of your comments

around family healing. I think we do need to address the needs of the whole family. I think my colleague and other Co-Chair, Arlene Julé, has raised the question about the fundamental way in which we approach this. And Chief Daywalker, I really appreciated your answer. I mean I think we've got a number of models that are being proposed to us about how we approach this; wraparound is one of them. You've raised another one, which may be the more appropriate one particularly as it pertains to First Nations children. We need to discuss that more.

And we need to deal, I think, and this is the thorniest issue and as Cal knows one that I've struggled with in the Saskatoon context, about, I have no problem at all with the notion that First Nations government through tribal councils, which are primarily responsible for programming, should play a much bigger role in this process. And I think that the question to sort out then, on that presumption, is exactly what is that role? And I would appreciate your views on this. And again I think we need to discuss this in another setting. So I'm going to arrange for a follow-up meeting that at least for sure I will be at.

And that is, does this mean that the existing actors who are working on this issue at a community level or non-Aboriginal organizations that often involve their community organizations that involve a lot of First Nations and Metis people, but they're not tribal council organizations.

And if you look in Saskatoon and Regina and Prince Albert, you'll see all kinds of these organizations involved in this issue. Some of them primarily represent the non-Aboriginal community but lots of them have a lot of First Nations people involved in those organizations.

And I guess what I'd like to know from you is: are you proposing that you partner with these organizations and basically become a major player in Saskatoon, Regina, and Prince Albert?

I would suggest you're already a major player in Saskatoon. The tribal council in Saskatoon is a major player on this issue and exerts a lot of influence in terms of how issues get addressed, and could potentially exert more and could play a major role in terms of the family healing process.

The tribal council already runs a safe house. It could play, you know, it could play a major role in terms of what happens with children 14 and under who are removed from the street, if we went ahead with that. It could play a major role in terms of the family treatment process. It could play a major role in terms of alternative employment for Aboriginal youth who've been sexually abused on the street. It's well positioned to play a major role in all those areas.

In Regina, for instance, if I could just use Regina as a contrast, I think it's fair to say — although maybe Chief Daywalker you might want to correct me on this — but I don't see RTSIS (Regina Treaty Status Indian Services) right now as positioned to do that on this issue. I think — and please correct me if I'm wrong — but I think RTSIS hasn't been centrally involved in this issue.

And when I talk to people in Regina who live in the

neighbourhoods who are being impacted by this, they are looking — and these are First Nations people — they are looking to other community organizations in which First Nations people play a major role to be the lead actors on this issue in Regina.

So the role of RTSIS is less clear. And clearly RTSIS needs to come into the process but I'm having a hard time imagining RTSIS being the major player in the process yet. I could see that happening one day but I can't see it happening six months from now, if you know what I mean.

And I think I really therefore want to spend some time discussing with you not the question of whether RTSIS should be involved, you don't have to persuade me of that ... (inaudible interjection) ... But yes, as Kevin raises, there's capacity issues.

I mean I could see RTSIS being a major player four or five years from now. But I think right now a lot of Regina people would say, what? They're going to take over all these services? We think — and they would name three or four other organizations in which First Nations people play a major role right now — we think these other organizations from our vantage point are the lead actors right now and we would see them, you know, delivering the services.

So I just, I'm feeling the need ... I think you understand that it's not that I'm philosophically unsympathetic to what you're saying, but I'm having difficulty understanding how it would work in practice for RTSIS, for instance, to just kind of move in and take over, if you know what I mean. And I think there would be a ... I just don't think it would be supported.

I think on the other hand there would be a lot of interest in seeing RTSIS become a major stakeholder at the table.

So I think we need to just spend more time talking about this and I'd welcome your comments. Obviously at some point, some non-Aboriginal organizations are going to have to step aside to make way for tribal councils playing a much larger role in this process.

But I think what the transition is really needs to be talked about; and exactly what the role of the tribal councils would be in each neighbourhood, I think, in each city, needs to be thought about carefully.

And I would like to spend more time talking about that with you because it has major implications in terms of recommendations that we make for funding. No question about the fact that tribal councils need more resources to be major stakeholders of this issue. Exactly what role tribal councils play in each city, I think, really needs some careful thought, and it seems to me that the FSIN has to play an important role in that discussion and so do the tribal councils.

So if you've got any comments on any of the issues I've raised right now, I'd welcome them. But what I'd particularly welcome is another meeting so we can discuss them more seriously.

Ms. Atimoyoo: — I have an appointment. I've got to go. So thank you very much for allowing me to come and sit with you ...

The Co-Chair (Mr. Prebble): — Thank you, Rose.

Ms. Atimoyoo: — ... and to open up with a prayer.

The Co-Chair (Mr. Prebble): — We're very honoured by your presence. Thank you.

Ms. Atimoyoo: — And please don't mind every time I ask to say the prayer; I like to use the language, my language. And with that, may the Creator's blessing be with you and the work that you are doing. I'm glad we're coming together on this. This is a big responsibility and we need a loud voice and networking, and to understand us, to understand you, and to have respect in our way of life.

So with that, God's blessing.

The Co-Chair (Mr. Prebble): — Thank you.

The Co-Chair (Ms. Julé): — Thank you very much.

The Co-Chair (Mr. Prebble): — Did you have comments you wanted to make before we close, Chief Daywalker?

Ms. Beaudin: — I think that we agree that we should further meet at another time.

The Co-Chair (Mr. Prebble): — Yes, I think that's the right path to take.

Thank you so much. Cal, thank you for being here. Erica, thank you. Chief Daywalker, thank you very much for a wonderful presentation.

So we stand adjourned.

The committee adjourned at 10:40 a.m.