



Chiefs of Ontario Justice Sector

Anti-Racism Public Education
and Awareness Campaign



Things

You May Not Know Were

**SYSTEMIC
RACISM**

Anti-Racism Public Education and Awareness Campaign

**One Little, Two Little,
Three Little Indians,
Four Little, Five Little,
Six Little Indians ...**

7 Things You May Not Know Were Systemic Racism

CHIEFS OF ONTARIO JUSTICE SECTOR



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Chiefs of Ontario Overview

The Chiefs of Ontario (COO) supports all First Nations in Ontario as they assert their sovereignty, jurisdiction, and their chosen expression of nationhood. Guided by the Chiefs-in-Assembly, we uphold self-determination efforts of the Anishinabek, Mushkegowuk, Onkwehonwe, and Lenape Peoples in protecting and exercising their inherent and Treaty rights. Keeping in mind the wisdom of our Elders, and the future for our Youth, we continue to create the path forward in building our Nations as strong, healthy Peoples respectful of ourselves, each other, and all creation. The activities of the Chiefs of Ontario are mandated through and guided by:

- Resolutions passed by the Chiefs-in-Assembly of the 133 First Nations in Ontario;
- The Leadership Council (formerly known as the Political Confederacy) made up of the Grand Chiefs of Political Territorial Organizations (PTOs), Independent and unaffiliated First Nations; and
- The elected Regional Chief for the Chiefs of Ontario.

Background

During the November 2021 Chiefs of Ontario Special Chiefs Assembly, the Chiefs-in-Assembly passed *Resolution 21/36, Anti-Racism Work in Ontario*. Amongst other mandates, the resolution directed the COO Secretariat to seek funding to develop awareness and public education campaigns and to explore systemic conditions affecting various sectors, including Education, Health, Justice, and Social.

This resolution aims to respond to the uptick in recent years in heightened media attention and public outcry about the often-devastating impacts of systemic racism. For example, the tragic and preventable death of Joyce Echequan in a Québec hospital¹, the overrepresentation of Indigenous peoples in the Canadian legal system as both victims/survivors and accused/convicted individuals, particularly First Nations women in federal prisons², and the countless instances of Missing and Murdered

¹ <https://www.aptnnews.ca/national-news/talks-underway-to-root-out-systemic-racism-in-healthcare-system/>

² <https://www.aptnnews.ca/national-news/indigenous-women-make-up-nearly-50-of-prison-population-report/>

Keeping in mind the wisdom of our Elders, and the future for our Youth, we continue to create the path forward in building our Nations as strong, healthy Peoples respectful of ourselves, each other, and all creation.

Indigenous Women and Girls. These events do not happen in a vacuum, and they do not disproportionately happen to First Nations peoples because they “don’t know how to take care of themselves, feed themselves, raise their children, or stay out of trouble.” These **stereotypes** are a result of colonialism, racism, misinformation, and a general lack of awareness and understanding about these issues.

As a society, we have been **systematically** deprived and sheltered from the truth about these lands and how Canada came to be until very recently. Now that there is a greater collective consciousness about these issues, we must build on the momentum and push for action to implement solutions. We need to look no further than the [Truth and Reconciliation Commission’s 94 Calls to Action](#), the [231 Calls for Justice](#) from the final report of the Inquiry into Missing and Murdered Indigenous Women and Girls, the 100 recommendations in the final report from the [Upperwash Inquiry](#), and countless other recommendations, policy submissions, and court decisions. The information and pathways forward are at our fingertips, ready to be accessed. When you know better – you do better; and at this point, we do know better. We understand what systemic racism is. We understand its consequences. Reports and recommendations have been developed. And now, each of us has a role to play in calling out systemic racism and demanding, and *doing*, better.

This campaign aims to raise awareness about lesser-known systemic issues, the policy decisions that lead to them, and the solutions to dismantle and correct them. In pinpointing some of the precise policy choices that have led to these systemic issues, we are highlighting the importance of connecting apathetic bureaucratic choices and their real-world outcomes. Our hope is that this campaign and the linkages it draws both educate the public on the causes and consequences of systemic issues, and moves us away from endless loops of engagement and inquiries on these already well-studied topics.

We have enough information now to take action.

What is systemic racism?

Systemic racism, also known as institutional racism, refers to the ways in which whiteness and white superiority become **embedded in the policies and processes of an institution**, resulting in a system that **advantages** white people and **disadvantages** BIPOC (Black, Indigenous, and People of Colour), notably in employment, education, justice, and social participation.

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In a settler colonial state like Canada, systemic racism is deeply rooted in every system across the country. This means that systems put in place were designed to **benefit white colonists while disadvantaging the First Nation populations** who had lived on these lands since time immemorial. This power dynamic continues to be **upheld and reinforced** in our society, extending its impact on racialized peoples³.

Systemic racism includes racial laws, inequitable provision of services, intentional neglect and exclusion, social bias, and the ways institutional policies impact the well-being of BIPOC. This also includes the child and family welfare system, the education system, representation in governments at all levels, and healthcare, among countless other programs, services, and systems⁴.

³ <https://vpfo.ubc.ca/2021/03/systemic-racism-what-it-looks-like-in-canada-and-how-to-fight-it/>

⁴ <https://www.amnesty.ca/blog/black-and-indigenous-solidarity-against-systemic-racism/>

7

THINGS

You May Not Know Were

**SYSTEMIC
RACISM**

1. The forced evacuation of pregnant First Nations women from their communities



The issue

Having free healthcare services in the city or town you live in – or nearby – is something many Canadians take for granted. Many pregnant First Nations women often face the daunting reality of travelling long distances to give birth *alone* and *away* from their communities. This is due to the lack of government-funded maternity care in rural and remote First Nations. Travelling long distances alone puts First Nations women in vulnerable situations. They are away from their family, friends, community, and support systems. They may not receive culturally appropriate care in urban centers far from home. This process is extremely stressful and isolating and puts First Nation women and their babies health at risk. High levels of stress can increase the risk of postpartum depression and can suppress a mother's immune system.

Policy decisions & impacts

- Health care services for First Nations who live on rural and remote reserves are provided mainly by the Government of Canada through the federal department, Health Canada.
- Health Canada's *Evacuation Policy* requires all First Nations women living on rural and remote reserves to **leave their communities** between 36 and 38 weeks of gestational age and travel to urban centers to await labour and birth.
- Although there are a few First Nations communities in Canada that have re-established community birthing, and Aboriginal midwifery is growing, most First Nations communities are still reliant on the evacuation policy for labour and birthing services.⁵
- According to the federal government, the intended goal of this policy was to reduce deaths of First Nation infants and decrease mortality rates of First Nation birthing persons. However, a hidden agenda of assimilation and continued efforts at colonization underscore this policy.⁶

⁵ <https://pubmed.ncbi.nlm.nih.gov/29439924/#:~:text=One%20Health%20Canada%20policy%2C%20the,to%20await%20labour%20and%20birth>

⁶ <https://www.northernbirthwork.com/blog/birthevacuationpolicy>

- There is no data to support that this policy has fulfilled its objective to protect the health of First Nation women and their children. Instead, results show that **poor maternal outcomes** and **infant mortality rates** are twice as high in Indigenous populations when compared to non-Indigenous populations.⁷

How to address this?

- **MMIWG Call for Justice 3.2** calls upon all governments to provide adequate, stable, equitable, and ongoing funding for Indigenous-centered and community-based health and wellness services that are accessible and culturally appropriate, and meet the health and wellness needs of Indigenous women, girls, and 2SLGBTQIAA+ individuals. The lack of health and wellness services within First Nations communities continues to force First Nations women, girls, and 2SLGBTQIAA+ individuals to relocate in order to access care. Governments must ensure that health and wellness services are available and accessible within Indigenous communities and wherever Indigenous women, girls, and 2SLGBTQIAA+ individuals reside; and
- **3.6** calls upon governments to “ensure substantive equality for Indigenous-run health services [...] This includes mandated permanent funding of health services for Indigenous women, girls and 2SLGBTQIAA people on a continual basis, regardless of jurisdictional lines, geographical location, and Status affiliation or lack thereof.”⁸

Poor maternal outcomes and infant mortality rates are **twice as high** in Indigenous populations when compared to non-Indigenous populations

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<https://nationtalk.ca/story/forced-evacuation-of-pregnant-indigenous-women-must-stop-toronto-star>

8
https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf

SANIKILUAQ

The information below was taken from a recent [CBC article](#).

“Something serious can happen, it’s not a joke.”

— JOHNNIE COOKIE,
MAYOR OF SANIKILUAQ

Sanikiluaq is an isolated community located in Nunavut. Iqaluit is the only community in the whole territory of Nunavut that can medically support childbirth. Community members of Sanikiluaq are forced to travel to Winnipeg, which is not accessible to them by vehicle, for medical treatment.

In November 2021, 35-year-old Silatik Qavvik from Sanikiluaq died in Winnipeg after contracting COVID-19 during her commute to Winnipeg for

childbirth. She tested positive shortly after undergoing caesarean surgery and was put on a ventilator. Qavvik was on a breathing machine for a month but died.

There are no direct flights between Sanikiluaq and Iqaluit, so anyone wanting to leave the community must first travel to southern Canada.

Since Qavvik’s death, there has been an outcry of Nunavut women who must travel during the pandemic for prenatal care to big cities like Ottawa, Winnipeg and Edmonton where their chances of contracting COVID-19 are significantly higher than in Nunavut. Risks like this can be diminished if isolated communities were to have their own adequate medical care.

Case Study

2. Disproportionate flooding in First Nations territories



The issue

All over the world, Indigenous communities have been placed on marginal land or in remote locations to make room for settlers, which makes these communities vulnerable to the impacts of flooding.⁹ In fact, in a recent Indigenous population survey, 2016 census data revealed that Indigenous populations occupy mostly flat, front areas close to riverfronts which are more prone to flooding.¹⁰ The most significant impact of flooding is displacement. Heavy rains cause rivers to swell, leaving homes surrounded by water and roads breached. Other impacts include damages to housing and infrastructure like roads, bridges, schools, water and sewage systems, disruptions to education due to evacuation or damage to school buildings, health issues due to mould and water damage in housing following a flood, interrupted access to cultural hunting, fishing and gathering areas, and impacts to ecosystems. Another consideration is simply the uncertainty, stress, and anxiety that this causes, such as economic uncertainty, social uncertainty, and environmental uncertainty. This adds another layer of complexity to the delivery of services and emergency management for First Nations.¹¹

Policy decisions & impact

Systemic bias in the disaster relief services and disaster risk reduction (DRR) programs offered by different levels of government, such as Canada's **Flood Damage Reduction Program** (FDRP), has contributed to the increased vulnerability of Indigenous peoples to flooding risks. A 2003 [report](#) on the topic revealed that although general roles and responsibilities for flood response in First Nations were outlined in the FDRP, it was unclear which agencies had a specific role in developing and implementing emergency plans. Further, the emergency procedures between some bands and the provincial government were also unclear.

⁹ https://www.canlii.org/en/commentary/doc/2015CanLIIDocs254#!fragment/zoupio-_Tocpdf_bk_1/BQCwhgziBcwMYgK4DsDWszlQewE4BUBTADwBdoAvbRABwEtsBaAfX2zhoBMAzZgIITMAjAEoANMmylCEAlqJCuAJ7QA5KrERCYXAnmKV6zdt0gAynlIAhFQCUAogBI7ANQCCAOQDC9saTB80KTsljJAA

¹⁰ <https://www.aptnnews.ca/national-news/indigenous-people-at-greater-risk-of-climate-change-caused-flooding-study/>

¹¹ http://floodsmartcanada.ca/wp-content/uploads/2019/02/inac_infographic_flood_affect_community_r2.png



2016 census data revealed that Indigenous populations occupy mostly flat, front areas close to riverfronts which are more prone to flooding

The report cited one case where First Nations citizens identified problems with the floodplain location of its Emergency Operations Centre and inadequate communications with other relevant parties. With respect to evacuation procedures, some band members noted that they were not treated fairly because they were relocated to an arena that offered no privacy, while non-Aboriginal flood victims were offered better temporary shelters. This is an example of **systemic bias** embedded in the program. Further, substandard community infrastructure, particularly inadequate underground sewerage systems, the obsolete water treatment plants, and dikes made of sand and gravel with serious deficiencies, have increased the flooding risk and the community's exposure to floods resulting in numerous evacuations, incurring substantial costs.

How to address this?

- **Investments in critical infrastructure** such as water, sewage, access to roads, and emergency services are a great starting place. Getting First Nations infrastructure on par with their off-reserve counterparts is an important first step towards ensuring members can live on their lands and make long-term plans for disaster risk and economic development.
- **Give Land Back** to First Nations. This would mean that First Nations territories would no longer be bound by federally imposed borders. For an incredibly educational crash-course on Land Back, check out the Yellowhead Institute's Red Paper: [Land Back](#).
- **MMIWG Call for Justice 4.1**: "We call upon all governments to uphold the social and economic rights of Indigenous women, girls, and 2SLGBTQQIA people by ensuring that Indigenous Peoples have services and **infrastructure** that meet their social and economic needs."
- Articles 8, 9, 26.1, 26.2, 28, 32.3, 37.1, and 40 of the **United Declaration on the Rights of Indigenous Peoples** (UNDRIP), which is now federal law, points to various standards that would begin to address the issue of flooding in First Nations if implemented.

PEGUIS FIRST NATION

The information below was taken from a recent [CBS article](#).

“There was pressure and resentment on the part of the settler population to remove Indigenous peoples from productive, valuable land.”

— KAREN FROMAN,
SIX NATIONS OF THE GRAND RIVER

Peguis First Nation is a First Nation located 190 kilometres north of Winnipeg. Following an illegal land surrender in 1907, Peguis First Nation was forcibly relocated to its current location near Lake Winnipeg.

Since contact, an idea persisted among settlers that First Nations were “incapable of using the land properly”. Government officials began condemning the reserve as “a drain on the prosperity of the district”, and in 1907, they devised a scheme for the reserve land to be “surrendered”.

By all accounts, the vote was questionable. It was held in September, when many mem-

bers of Peguis First Nation were away hunting, fishing, and trapping, and was scheduled on short notice. Further, many St. Peter’s residents weren’t able to fit into the small schoolhouse where the vote was held, and the vote itself was allegedly confusing, with an official at one point telling voters to choose a side based on who wanted \$90 — not who wanted to surrender their land. The outcome was close: 107 in favour, 98 against. It wasn’t a majority of the 233 eligible voters, but the government decided it had won the majority of the vote. No record was kept of voters.

The people of Peguis First Nation were displaced from the fertile farmlands near Selkirk for an area ripe for flooding. Floods in 2006, 2009, 2011, 2014 and 2021 have rocked the community. Yet, there hasn’t been any permanent flood protection seen in other communities off-reserve. The federal government has claimed it has spent millions of dollars in flood mitigation efforts while the province defers to Canada.

Case Study

3. Challenges getting loans



The issue

First Nations people living on-reserve **do not** legally **own** the land they live on, as specified by the *Indian Act*. That is, under the *Indian Act*, all land on reserves is owned by the Crown (Government of Canada), but it is given to the First Nation or the Band to **hold** as a community. This leads to significant challenges for “*Indians*” living on-reserve when it comes to building credit – or, as we commonly hear – “building wealth”, because under federal regulations, the bank cannot recognize the land or home as capital or collateral.

Policy decisions & impact

- **Section 89 of the *Indian Act*** prohibits the “charge, pledge, mortgage, attachment, levy, seizure, distress or execution” of the personal property of a First Nations person on a reserve.
- The rationale behind section 89 was to protect the reserve land base and personal property of Indians and Indian bands. In practice, however, this provision also has the effect of **severely curtailing access to secured loans**, both because of the inability of lending institutions to seize collateral and uncertainty as to whether property is “situated on a reserve.”
- Section 89 creates unique legal risks to creditors’ security interests¹² and has been a major barrier to on-reserve economic development and blocked **much-needed access to capital**.¹³

¹² <https://shorturl.at/fzA03>

¹³ <https://anishinabeknews.ca/2020/11/20/opinion-section-89-and-the-challenges-of-on-reserve-business-financing/>



So there is no way that a bank can take collateral on that. So there's no generational wealth that you can create. Because in order to create generational wealth, you need access to land, so you can build some equity."

— SHANNIN METATAWABIN,
CEO OF THE NATIONAL ABORIGINAL CAPITAL
CORPORATIONS ASSOCIATION (NACCA)

How to address this?

- There have been a number of suggestions to address this policy, including abolishing section 89 or allowing First Nations to waive the application of section 89. Through a waiver-based system, First Nations could choose whether or not to expose their on-reserve property to creditors on a case by case basis.¹⁴
- **Aboriginal Financial Institutions (AFIs)** are autonomous, Indigenous-controlled, community-based financial organizations that provide developmental lending, business financing and support services to First Nations, Métis, and Inuit businesses in all provinces and territories. Support includes business loans, non-repayable contributions, financial and management consulting, and business start-up and aftercare services. The AFI network has played a critical role in filling the financing gaps and unmet needs faced by First Nation peoples. There are currently **eight (8)** AFIs in the Ontario region.
- Meaningfully implement Articles 4, 5, 20.1, and 21 of the **United Declaration on the Rights of Indigenous Peoples**, which assert Indigenous people's right to economic self-determination and development.

¹⁴ https://www.canlii.org/en/commentary/doc/2020CanLIIDocs2539#fragment/zoupio-_Tocpdf_bk_8/BQCwhgziBcwMYgK4DsDWszlQewE4BUBTADwBdoAvbRABwEtsBaAfX2zhoBMAzZgITMAHAEoANMmylCEAlqJCuAJ7QA5KrERCYXAnmKV6zdt0gAynlIAhFQCUAogBI7ANQCCAQDC9saTB80KTsljJAA

RANCHER LOUANN SOLWAY

The information below was taken from a recent [CBC article](#).

“They all came up with the same thing ... you know, ‘Sorry,’”

— LOUANN SOLWAY,
SIKSIKA FIRST NATION

Siksika First Nation is a First Nation located 100 kilometres east of Calgary.

When LouAnn Solway decided she wanted to expand her cattle ranching business on the reserve, she approached several banks looking for a loan of between \$150,000 and \$200,000. She was turned down by all of them.

This exact type of situation occurs more often than not. First Nations people living on a reserve do not legally own the

land they reside on, as specified by the Indian Act. Solway’s ranch is located on the Siksika First Nation, so it is owned by the Crown. Banks’ reasoning for rejecting First Nations peoples’ loan applications is that under federal regulations, the bank cannot seize the property in the event of a loan default. There is no way for a bank to take collateral on reserve land.

Eventually, Solway went a different route and obtained a loan from an Indigenous-run financial institution called Indian Business Corporation. Shannin Metatawabin, CEO of the National Aboriginal Capital Corporations Association (NACCA), stated, “colonial powers basically removed us, gave us an Indian Act that required that we are wards of the state. So we don’t even retain any ownership of any land whatsoever.”

Case Study

4. Barriers to First Nations access to cancer screenings



The issue

In Canada, the provision of healthcare for First Nations is a **fiduciary responsibility** of the federal government. This responsibility resulted from the 1867 *British North America Act*, which made First Nations and their lands an exclusive federal jurisdiction, rather than the responsibility of the provincial and municipal governments.

First Nations participation in cancer screenings can be difficult due to the combination of limited access to healthcare providers in rural and remote First Nations and other health issues taking priority when providers are available. Strained patient-provider communication and relationships and limited trust in healthcare providers are also significant challenges. Limited physical access to cancer screening sites is another significant barrier to screening when First Nations are forced to travel long distances to health centers with the appropriate equipment and expertise. In addition to this physical distance barrier, First Nations may also lack the critical social supports to help guide them through screening processes.¹⁵ Other barriers include a lack of awareness of cancer screening among First Nations and limited culturally relevant educational resources.

Policy decisions & impacts

This policy structure whereby the federal and provincial governments are both responsible for different components of care to First Nations is highly contested and has been criticized as being a **patchwork approach**, characterized **by shifting responsibilities between federal and provincial governments** as well as a lack of accountability and clarification around responsibilities.

As policy and jurisdiction are often found to be discordant for the delivery of healthcare to First Nations, it is critical to understand the impacts that existing health policies (listed above) have on participation in cancer screening if these services are to be improved.¹⁶

¹⁵ <https://www.cancercareontario.ca/en/cancer-facts/less-breast-screening-areas-high-concentration-first-nations-people>

¹⁶ <https://www.longwoods.com/content/26132/health-policy-as-a-barrier-to-first-nations-peoples-access-to-cancer-screening>

How to address this?

- The meaningful implementation of **Jordan's Principle**.
 - Jordan's Principle is a legal rule named in memory of Jordan River Anderson, a First Nations child from Norway House Cree Nation in Manitoba. Born with complex medical needs, Jordan spent more than two years unnecessarily in hospital, waiting to return home, while the Province of Manitoba and the federal government argued over who should pay for his at-home care—care that would have been paid for immediately had Jordan not been First Nations. Jordan died in the hospital at the age of five years old, never having spent a day in a family home.
 - With the support of their community of Norway House Cree Nation and others, Jordan's family gifted his name to the creation of a child-first principle to ensure First Nations children could access the services they need without denial, delay, or disruption.¹⁷ What this looks like in practice is if, for example, a First

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<https://fncaringsociety.com/what-you-can-do/ways-make-difference/jordans-principle>

FIRST NATIONS PEOPLES IN ONTARIO

The information below was taken from a recent [National Library of Medicine](#) article.

First Nations people in the Ontario region are facing increasing rates of cancer and have been found to have poorer survival rates. Cancer screening is an important strategy to improve cancer outcomes and reduce the burden of cancer; yet Indigenous peoples in Canada are often less likely to be screened. Through screening, persons without cancer symptoms are tested to identify risks, and if needed, further diagnostic testing is offered. Several factors have been shown to limit First Nations' participation in cancer screening; these include difficulties accessing screening services, including coverage for costs of transportation to screening sites; inadequate health coverage for non-status First Nations individuals; negative

experiences with the health care system, including racism; impacts of intergenerational trauma, including experiences of residential schools, which leads to distrust of healthcare providers and resistance to engaging with the healthcare system; low levels of awareness and community-based education emphasizing the importance of screening; and limited capacity and often lack of willingness of the healthcare system to engage First Nations people in disease prevention, acknowledge patient symptoms, and facilitate early-detection activities.

Further, policies created by agencies operating across federal, regional, and provincial levels impact First Nation peoples' access to screening. Interviews found issues of jurisdictional ambiguity, appropriateness of program design for First Na-

tions persons, and lack of cultural competency, as barriers to participation in screening. Indigenous peoples in Canada continue to face pressing health inequities, including persistent disparities in health outcomes. In 2015, the Truth and Reconciliation Commission of Canada (TRC) called upon the federal government and all Canadians to take action to mitigate these health challenges. The increasing burden of several cancers among Indigenous peoples in Ontario is an example of a health challenge that must be urgently addressed, as described in the Calls to Action put forward by the TRC. The Report also called on the federal, provincial, and regional policy makers to work in collaboration with First Nations peoples to overcome barriers to cancer screening created and sustained by existing policies.

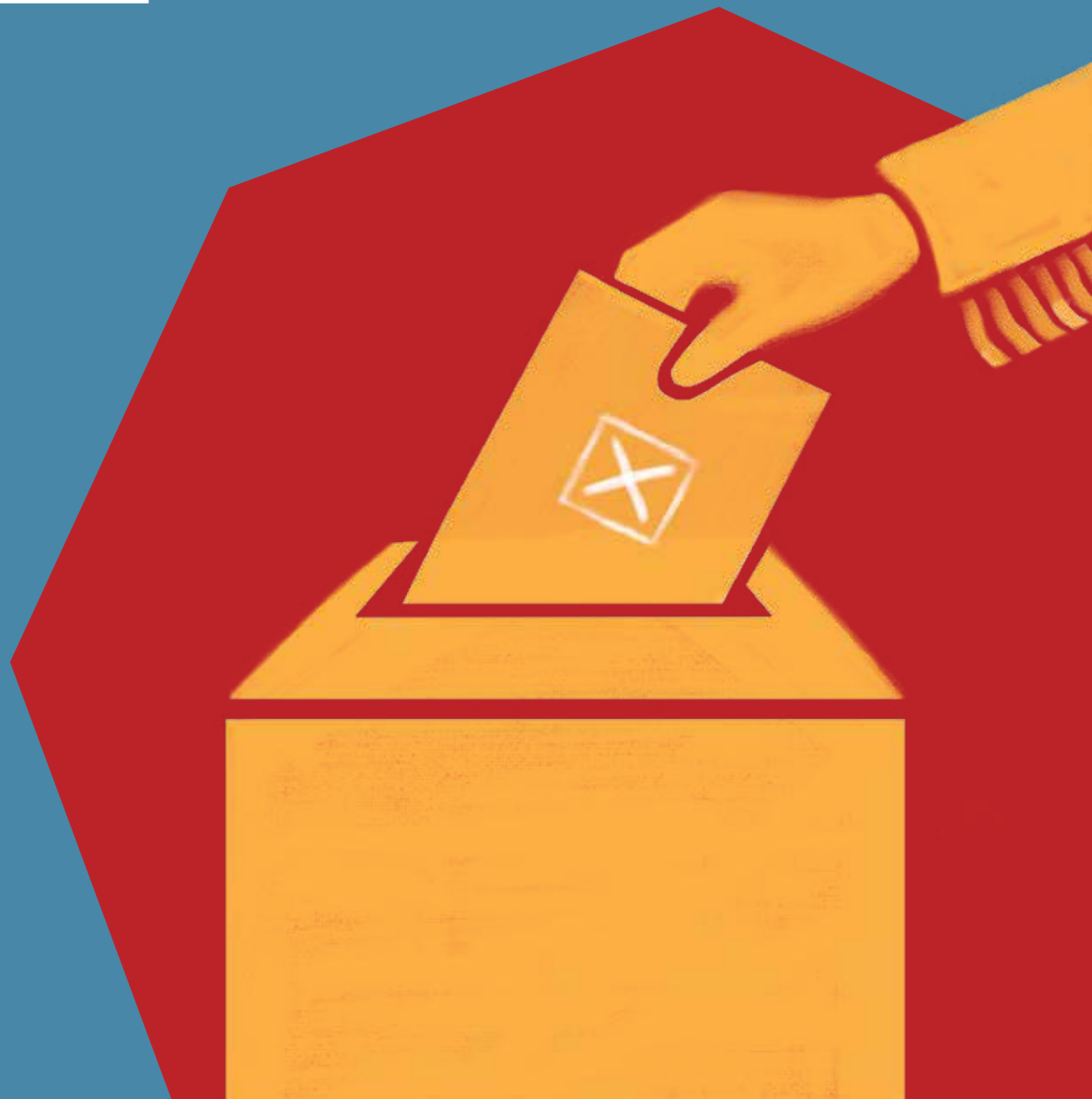
Case Study

Nations individual breaks their arm and goes to the closest emergency room, the hospital will provide care immediately and without question, and the provincial government (who is responsible for hospitals and healthcare) will then cover the cost alongside the federal government (who is responsible for First Nations care) after care is administered to the patient. This could look like the federal government reimbursing the province for the care that was provided or cost-sharing. This would likely be dependent on the type of provided care.

- Adequate and sustainable federal investments in **First Nations-led health care services** available on-reserve.
- **TRC Call to Action #19** calls on the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess long-term trends. Such efforts would focus on indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and **the availability of appropriate health services**.
- **MMIWG Call for Justice 3.2** calls upon all governments to provide adequate, stable, equitable, and ongoing funding for Indigenous-centered and community-based health and wellness services that are accessible and culturally appropriate, and meet the health and wellness needs of Indigenous women, girls, and 2SLGBTQIAA+ individuals. The lack of health and wellness services within Indigenous communities continues to force Indigenous women, girls, and 2SLGBTQIAA+ individuals to relocate in order to access care. Governments must ensure that health and wellness services are available and accessible within Indigenous communities and wherever Indigenous women, girls, and 2SLGBTQIAA+ individuals reside; and
- **MMIWG Call for Justice 3.6** calls upon governments to “ensure substantive equality for Indigenous-run health services [...] This includes mandated permanent funding of health services for Indigenous women, girls and 2SLGBTQIAA people on a continual basis, regardless of jurisdictional lines, geographical location, and Status affiliation or lack thereof.”¹⁸

¹⁸ https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf

5. Inequitable access to voting during provincial and federal elections



The issue

First Nations only received the right to vote in 1960. However, after decades of fighting for this right, First Nations continue to have inequitable access to voting.

During provincial and federal elections, voter cards are sent to Canadians in the mail with details on the locations of polling stations. If you live in an urban center, polling stations are generally quite accessible and are located within walking distance or by a quick car ride. However, for many First Nation citizens who reside on-reserve, voters often have to drive more than 30 minutes to their polling stations, or those who live in rural or remote areas don't have access to polling stations at all.

Policy decisions & impacts

- Election Canada's [Policy on the Selection of Suitable Polling Locations](#) has no mandatory criteria for polling stations in rural and remote First Nations, creating a grey area for what is acceptable.
- Election Canada's current practices of hiring Community Relations Officers (CROs) do not provide enough

THE 2021 FEDERAL ELECTION IN THE KENORA RIDING

The information below comes from [this report](#) from Elections Canada.

In the riding of Kenora, three fly-in First Nations (Cat Lake, Poplar Hill, and Pikangikum) had their local polling locations cancelled ahead of Election Day despite being planned and advertised on the voter information cards sent to electors.

Once the federal election was called, and upon learning about a conflict with hunting and cultural activities in these First Nations with on Election Day, the returning officer replaced the Election Day poll with a one-day advance poll. This change was not communicated clearly to electors or to First Nation Leadership. Elections Canada headquarters only became aware of this change on Election Day – when it was too late to take corrective action.

The incident in these three First Nations points to a need for Elections Canada to review

“It makes me feel like I don’t matter, like my vote doesn’t count. It’s like, you know, ‘We’ll set it far from you so you don’t get to vote, and it’s not easily accessible for me to go vote.’”

how it plans for and delivers public education and election services in First Nations communities.

In response to complaints from First Nations citizens, Elections Canada launched an inquiry and commissioned a report into why First Nation voters in Cat Lake, Poplar Hill, and Pikan-gikum were denied the right to vote. Problems identified in the report include: (1) the absence of in-person advance voting services for those who could not vote on Election Day; (2) insufficient engagement and understanding of community needs; (3) lack of on-the-ground knowledge and operational intelligence; and (4) inadequate communications.

The report also stated that Elections Canada “recognizes that First Nations electors face unique barriers to participating in federal elections, and continually strives to remove them. These barriers can be even

higher in remote communities, where election services are often more logistically complex and difficult to deliver. For example, there is often a limited number of suitable polling places and election workers that are available.”

Ultimately, the report concluded that the lack of planning for accessible and convenient advance voting is the root cause of the incident. Elections Canada apologized to any elector who was unable to vote because of the gaps in voting services and the breakdowns of communication.

However, Elections Canada’s apology did not provide the electors of these First Nations a renewed opportunity to cast their vote in the election.

For further reading on this issue, see CBC’s article: [Remote First Nations see more barriers in voter card errors, polling station confusion](#)

Case Study

For many First Nation citizens who reside on-reserve, voters often have to drive more than 30 minutes to their polling stations, or those who live in rural or remote areas don't have access to polling stations at all

time for adequate input and planning into what First Nations need to adequately participate in an election. The role of a CRO is to increase election awareness, assist with the search for suitable polling locations and help make the necessary arrangements to set them up, and ultimately assist in making electrical processes more accessible to a targeted community.¹⁹

- There is a general lack of process and protocol in the chain of communications between Elections Canada, the Returning Officer, CROs, and other staff within Elections Canada, as well as the electorate. This is a policy choice. Strong policies have clear communications protocols embedded within them.

How to address this?

- **Update Election Canada's *Policy on the Selection of Suitable Polling Locations*** to include appropriate guidelines for voters living on rural and remote First Nations through **co-development with First Nations**.
- Implement alternative voting options like **advanced polls**, particularly in more remote areas.
- **Adequate time and resources to hire First Nations Community Relations Officers**. It may be appropriate for First Nations interested to hire someone from their First Nation to provide advice to Elections Canada on how best to meet the needs of the community during elections.
- **Clear communications processes and protocols** on how to handle unforeseen issues to ensure a holistic approach is taken to resolve issues, without compromising access to voting during elections.

¹⁹ <https://www.elections.ca/content.aspx?section=emp&dir=eco&document=cro&lang=e>

6. Fatal fires on First Nations reserves



The issue

Fatal house fires are unfortunately common experiences for many First Nations due to overcrowding, poor housing conditions, and a critical lack of fire safety and prevention services. In fact, according to Statistics Canada, people living on reserves are **10x** more likely to die in a fire.²⁰

According to a [report](#) from the Office of the Chief Coroner, the source of fatal fires on First Nation reserves is “undetermined” because 45% of the time, the damage from the fire is so significant, compared to 27% in non-First Nation communities. In part, this is because by the time emergency services attend the site of the fire, **too much damage has already been done** to determine the source.

Policy decisions & impacts

- The *Indian Act* determines how housing is created and distributed to First Nations. The federal government has jurisdiction over housing on-reserve, meaning that it is their responsibility to provide First Nations with adequate resources to build and maintain housing, and it is the First Nation’s responsibility to administer the funding. Unfortunately, housing on-reserve is grossly underfunded, leading to dilapidated housing, and significant overcrowding due to a lack of available housing, and long waitlists.
- Lack of investments in all-season road access infrastructure. Many First Nations lack year-round road access and must rely on boats, frozen roads or plane access. This contributes to increased barriers for emergency services to access reserves.
- Highly flammable materials are used in First Nations who don’t have year-round road access. For example, 55% of these remote First Nations use fibre tiles in ceiling construction, as they are less expensive and are easier to transport long distances to their rural or remote locations.²¹

²⁰ https://publications.gc.ca/collections/collection_2021/statcan/CS2-54-2021-eng.pdf

²¹ <https://www.ontario.ca/document/ontario-chief-coroners-table-understanding-fire-deaths-first-nations>

SANDY LAKE AND SIKSIKA FIRST NATIONS

The information below was taken from a recent [Global News](#) article.

“The silver bullet really is that First Nations communities need to have the means, ability and capacity to address the problems within each community.”

— BLAINE WIGGINS,
EXECUTIVE DIRECTOR OF THE
ABORIGINAL FIREFIGHTERS
ASSOCIATION OF CANADA FROM
WILLIAMS LAKE, B.C.

Sandy Lake First Nation is an Oji-Cree First Nation located in northern Ontario.

On February 5, 2022, Grant Meekis, 9; Remi Meekis, 6; and Wilfred Fiddler, 4, died when their home was engulfed in flames. Their parents and three other siblings survived the blaze. A similar story exists in southern Alberta where three people, including a six-year-old, from Siksika First Nation were killed in a fire on the same weekend.

Sandy Lake officials reported that lack of adequate water lines and equipment prevented crews from using hydrants, which hampered firefighting efforts. Monias Fiddler said the community, where many people use wood stoves and chimneys, has self-contained breathing apparatus for firefighters, but there was no oxygen available for the devices.

Experts say dedicated funding for First Nation-led education and prevention programs, as well as smoke detectors in every home on reserve, could make all the difference. A Statistics Canada study found First Nations people living on reserves were 10 times more likely to die in a fire than non-Indigenous people. It also found First Nations people were four times more likely to be hospitalized because of a fire-related injury. The high number of fires is linked to insufficient housing, inadequate access to firefighting services, and scarce funding to maintain the ones that do exist.

Case Study

In a statement, Ontario Regional Chief Glen Hare said that the findings from the Office of the Chief Coroner highlight the “critical need for First Nations to have access to adequate housing, fire safety education, and fire protection services and equipment in order to keep community members safe [...] We must address systemic issues that contribute to the ongoing fire-related deaths, inadequate housing and infrastructure and outdated fire safety and suppression equipment. These fatal fires can be prevented, and it is not the only reason why First Nations are in need of improvements in housing, infrastructure and water.”

Source:

<https://chiefs-of-ontario.org/nan-coo-identify-priorities-as-report-links-systemic-issues-to-fire-deaths-in-first-nations/>

How to address this?

In response to the report from the Office of the Chief Coroner mentioned above, Nishnawbe Aski Nation (NAN) and Chiefs of Ontario worked together to identify key priorities for major improvements to fire safety and prevention:

- Increase fire safety awareness and education through Amber’s Fire Safety.
- Implement a standardized service delivery model across NAN and First Nations in the Ontario region.
- Ensure community infrastructure and housing conditions are acceptable and built to code.

According to Statistics Canada, people living on reserves are

10x

more likely to die in a fire

Although Nishnawbe Aski Nation First Nations were front of mind in the development of these key priorities, they could be applied to any First Nation in the Ontario region, particularly those located in more rural or remote areas.

7. Bright spot: The end of high school streaming



The issue

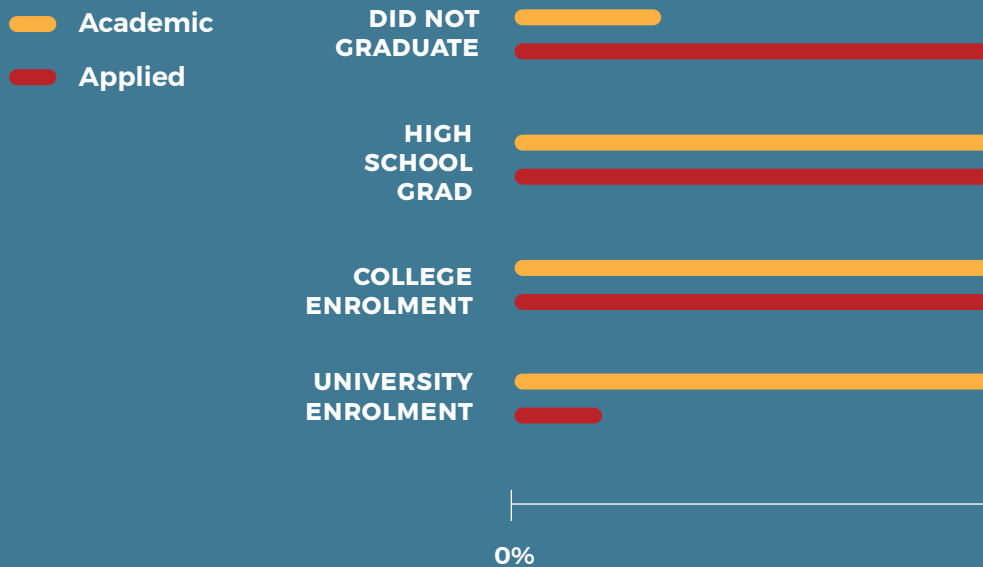
High school streaming is a practice where students, based on their perceived abilities, are encouraged by educators to choose between academic courses (leading to post-secondary education) or less rigorous courses (leading directly to the workforce).²² This means that students are focused on deciding whether they are destined for college, university or trade school in their freshman year of high schools – at only 14 or 15 years old.

The problem with “perceived abilities” is that they depend on the perceiver. Each perceiver – or person – has their own conscious and subconscious biases, opinions, perspectives, and societal conditioning. Further, the criteria that determines which

Post-Secondary Pathways for Ontario Students in Grade 9 Academic or Applied English and Math

Source:

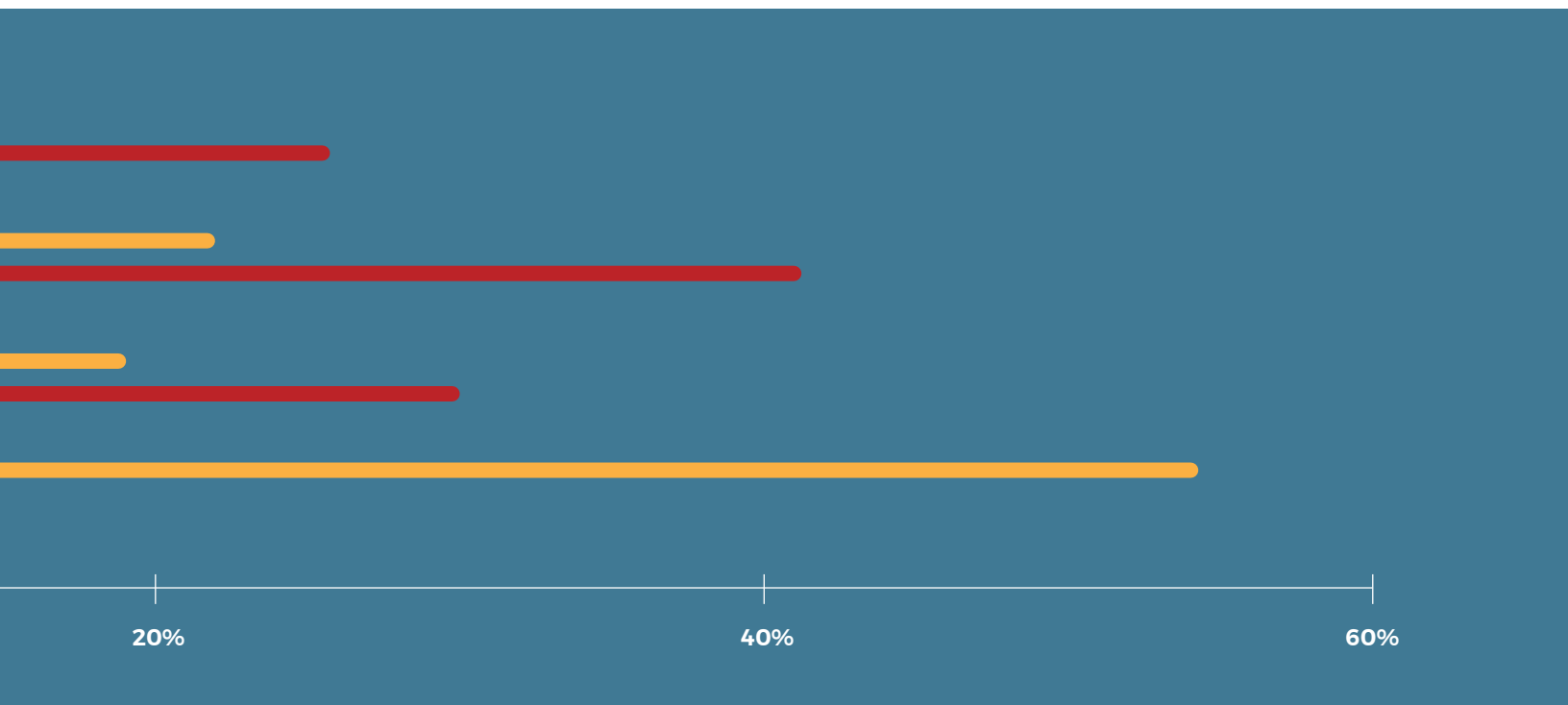
<https://on360.ca/policy-papers/how-to-end-streaming-in-ontario-schools/>



²² <https://thetyee.ca/News/2022/01/26/Vancouver-To-End-Education-Streaming/>

stream is most suited for a particular student was developed by the colonial education system – with attributes of whiteness as the focus and standards.

Unfortunately, streaming rarely leads to pathways for students to work their way from lower-level courses into academic streams. While most students who take academic courses in Grade 9 transition into post-secondary preparatory courses in senior grades, and three-quarters directly transition to college or university post-graduation, many students in the applied stream face significant barriers accessing post-secondary education and training, with less than one-third directly transitioning to college and only 3% to university. In turn, Ontario schools have created an environment of two tracks: one channels students to higher education and another that often leads to higher levels of dropouts and low-wage labour positions.²³



²³ <https://on360.ca/policy-papers/how-to-end-streaming-in-ontario-schools/>

Destreaming means that students are no longer separated into academic and applied streams. Destreaming as an approach requires a distinct shift in pedagogical practices and assessment to ensure improved equitable outcomes for all students. This will prepare students for university, college, apprenticeship and workplace pathways, providing more post-secondary options for students.

Source:

<https://www.ddsb.ca/en/programs-and-learning/resources/Documents/Secondary/De-Streaming-and-Inclusive-Grade-9.pdf>

Policy decisions & impacts

The information below comes from this YouTube video:

[A Brief History of Academic Streaming in Ontario](#)

- Academic streaming is rooted in the education system of post-World War II Ontario. The Hope Commission of the early 1950s promoted “ability grouping” and the building of special education schools.
- In 1961, three educational streams were created: (1) Arts and Science; (2) Business and Commerce; and (3) Science, Technology, and Trades. Vocational schools were built across the province to develop the workforce and accommodate the children of the Baby Boom – particularly those deemed with “lesser ability.” It quickly became clear that those vocational schools were “dead-end programs.” In Toronto, these schools consisted almost entirely of students from racialized, working class, or single-parent families.
- In the early 1980s, a new secondary school curriculum was created with courses at the (1) advanced; (2) general; and (3) basic levels. Students from marginalized backgrounds continued to be encouraged to enroll in lower-streamed programs.
- A government-commissioned report in 1988 recommended **destreaming** to combat increasing dropout rates. Destreaming started in 1993.
- A [1996 Toronto School Board study](#) found that destreaming led to moderately positive results for student attendance and achievement.
- When a new provincial government was elected in 1995, the education system was restreamed in 1999 into the streams as we know them today: (1) academic; (2) applied; and (3) essentials.
- For First Nations students, this has led to an overrepresentation in the applied

stream²⁴, disproportionate rates of dropouts, as well as lower academic performance and graduation rates.²⁵ As mentioned above, students who graduate from non-academic streams are less likely to graduate within four years and are less likely to apply for postsecondary education.²⁶

How this was addressed

Streaming most often affects students from low-income and racialized families. In response, various groups and coalitions have been advocating to end streaming in Ontario schools.

One example is the **First Nations Lifelong Learning Table** (FNLLT), a forum for Ontario's First Nations Leadership and the Ontario government and its ministry leaders to identify, prioritize, discuss, and work to address issues and opportunities related to First Nations lifelong learning in the provincial education and training sector.²⁷ First Nations representatives on the FNLLT have been longtime advocates calling for an ending to the streaming of First Nations learners in Ontario. Another example is the **Coalition for Alternatives to Streaming Education** (CASE), which has been working since 2013 to host community events, conduct community-based research, and on public education and knowledge mobilization. CASE has identified six recommendations that are critical to effectively ending academic streaming in Ontario, including implementing the TRC Calls to Action on Education.²⁸ To learn more, visit their website at <https://www.endstreaming.org/>.

Thanks to the ongoing advocacy by groups like the FNLLT and CASE – and many others – in July 2020, the province announced its intention to end grade 9 streaming, starting with math in September 2021. According to recent evidence from the Toronto District School Board, destreaming efforts are producing positive results. More specifically, over the last four years, Academic Pathway participation has increased by over 10%.²⁹

²⁴ <https://on360.ca/policy-papers/how-to-end-streaming-in-ontario-schools/>

²⁵ <http://dtp.r.lib.athabascau.ca/action/download.php?filename=mais/mariorocchettaProject.pdf>

²⁶ https://d3n8a8pro7vhmx.cloudfront.net/socialplanningtoronto/pages/1728/attachments/original/1541612433/Streaming_Report-September-v1.1-web.pdf?1541612433

²⁷ <https://education.chiefs-of-ontario.org/priorities/lifelonglearning/>

²⁸ https://static1.squarespace.com/static/5ee2aedfd4916c68b6bb2c26/t/623c92d49c1ecd2e26c4c42a/1648136916999/CASE_FactSheet_V11.pdf

²⁹ *ibid*

VANCOUVER, B.C.

The information below was taken from a recent [The Tyee](#) article.

“There is a lack of support, a lack of political will, a lack of understanding... discrimination and white privilege plays into it a lot. It’s very disheartening to see.”

— DIANA DAY,
LEAD MATRIARCH OF THE
PACIFIC ASSOCIATION OF FIRST
NATIONS WOMEN

Streaming is a practice where students, based on their perceived abilities, are encouraged by educators to choose either academic courses leading to post-secondary education or less rigorous courses that will prepare them for the workforce.

Critics have argued that streaming unfairly puts Indigenous students into applied learning tracks, limiting their future prospects and entrenching inequity in the school system.

In British Columbia, Indigenous students are overrepresented in special alternate programs that have a reputation of not leading to university. They’re more likely to receive a School Leaving Certificate, for students who don’t have the credits required to receive a high school diploma, and they’re more likely to be assessed as having a learning or behaviour disability than their non-Indigenous peers. Indigenous students make up 11% of the B.C. school population and represent over 40% of students enrolled in alternate programs, which are designed to meet the needs of more vulnerable students.

The Vancouver School Board has made two announcements in 2021 regarding changes to honours and gifted programs that it says will improve student access and equity, including phasing out math and science courses and shrinking elementary gifted education programs.

Case Study

CONCLUSION

Call to Action

We hope that the seven issues outlined in this report help to give you a better sense of the different ways systemic racism manifests itself in Ontario and Canada.

In addition to this background document, the Chiefs of Ontario have prepared some graphics that can be shared on social media to highlight some of these systemic issues.

We invite you to share this document widely, use it in lesson plans, start a conversation with your inner circle, or use this information to advocate for the implementation of the solutions that we know are out there.



<https://chiefs-of-ontario.org/>

