

**“The Disappearance of Aboriginal Women in Canada”**

By

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## Abstract

### The Disappearance of Aboriginal Women in Canada

This thesis examines the response the Canadian government has given to the public calls for inquiry into the disappearance of Aboriginal women. With over 500 missing Aboriginal women, non-governmental organizations as well as citizens of the state have urged the government of Canada to respond adequately.

Through this thesis I will use media sources, as well as non-governmental organizations reports to illustrate how long the public call for inquiry has been going on. These articles and reports will also demonstrate the response of the Canadian government. I will determine whether or not the current federal government of Canada views Aboriginal people and their communities to be part of a state of exception.

Through qualitative interviews with a non-governmental organization member I have invited this international body to share their views on how the actions of the government has shaped the disappearance of Aboriginal women in Canada. I have also engaged the leader in a series of questions allowing opinions of how the federal government of Canada should address the public inquiries, and how to prevent the further disappearances of Aboriginal women.

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Section \_\_\_\_\_ **1**

**Introduction**

**Literature Review**

## Introduction

Aboriginal women are exposed to violence on a daily basis, in fact Aboriginal women and girls are the most vulnerable to violence in Canada (Ambler, 2014, p9). Statistic Canada released data entailing Aboriginal women are more likely to be victims of violence than non-Aboriginal women (Ambler, 2014, p9). A General Social Survey (GSS) reports that in 2009 violence against Aboriginal women had doubled in the last 10 years (Ambler, 2014, p10). In 2010, a GSS released that over the previous 6 years Aboriginal women accounted for 8% of the homicide rates in Canada (Ambler, 2014, p10). The homicides are committed by a partner, family member, an acquaintance, or by a stranger (Ambler, 2014, p13). The Native Women's Association of Canada continues to gather more information into the disappearance of Aboriginal women in Canada; however the process is difficult as they speculate that many deaths and disappearances of these women remain unreported (Ambler, 2014, p13). Mr. Shawn A-in-chut Atleo, a National Chief of the Assembly of First Nations (AFN) states, "Police services need to work together to produce verifiable numbers on incidents of violence against Indigenous women and girls so that progress can be measured" (Ambler, 2014, p15). With the disappearance of Aboriginal women continuing to grow, I have chosen the topic of missing and murdered Aboriginal women in Canada as an undergraduate honours thesis.

In 2010 through the NWAC, research was conducted by an initiative called Sisters in Spirit. This group had received a federal grant of \$5million over five years to determine the causes as to the disappearance of Aboriginal women in Canada (Ambler, 2014, p11). The number that the initiative finally reported was 582 missing or murdered Aboriginal women, but these are the only known cases (Ambler, 2014, p11). Social exclusion examines structural practices that leave out particular groups because of their social or economic limitations, therefore leaving a huge gap in research which will ultimately effect results. Previous research shows that Aboriginal women are

among one group who will go missing in high numbers each year (Kiepal, 2012, p145). A recent report from the Human Rights Watch Canada published in January 2014, reported that there were over 800 missing Aboriginal women in Canada (Ambler, 2014, p13). This is a staggering difference than the report that the Native Women's Association of Canada (NWAC) released in 2009, reporting just over 520 (Kiepal, 2012, p145).

In Saskatchewan 6% of the population Canadian Aboriginal female population in their province, report 60% of its missing women to be Aboriginal<sup>1</sup>. The province of Saskatchewan takes the initiative to review its long-term missing persons' files, to interpret the trend of missing Aboriginal women within their communities<sup>2</sup>. For the purpose of this research Aboriginal women will be defined using the definition forced disappearances, "include abductions and violent crimes where the absence is unintentional on the part of the missing person" (Kiepal, 2012, p140). The NWAC in 2009 determines that the reason why so many Aboriginal women go missing each year is because of their fear of interacting with the police (Kiepal, 2012, p140). Therefore, Aboriginal people often go missing or unreported because of the social exclusion and power hierarchy that exists between the Aboriginal people and Canadian police force. Social exclusion is defined as follows, " structural processes that prevent particular people and groups from participating in the economic, social, cultural, and political activities that other people in that society access thereby resulting in a poor quality of life" (Kiepal, 2012, p141).

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<sup>1</sup>[http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-final.pdf)

<sup>2</sup>[http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-final.pdf)

Since 1896, Canadian Aboriginal women have not enjoyed the same rights equal to non-Aborigines (McIvor, 2004, p108). Pedersen et al. (2013) and Campbell (2008), argue that colonialism is a form of structural violence that is deeply woven into the fabric that makes up Aboriginal society (p1036 & p59). Aboriginal people were stripped of land, identity, even basic human rights. They were instructed to forget everything they know and have been practicing for generations. The goal of the Canadian government was to assimilate the Aboriginal population, removing the ‘Indian’ from the person. The colonization of Aboriginal people resulted in social and cultural loss as well as a breakdown in the family structure (Campbell, 2008, p59). Amnesty International highlights that through years of poor government policies and procedures, Aboriginal women have suffered the most. These policies have torn apart families and communities, the women have experienced inequalities in living situations and have received discrimination of government services which has pushed them into dangerous situations in order to survive<sup>3</sup>. The United Nations on the declaration on the Rights of Indigenous Peoples states that (Ambler, 2014, p75):

“Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions... States shall take measures, in conjunction with Indigenous peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination”

Social exclusion limits people from a broad range of social and economic activities that allow certain people to experience a poorer quality of life. Another reason why Aboriginal women

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<sup>3</sup>[http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-final.pdf)

have experienced higher rates of violence and have higher numbers of disappearances is colonialism. Therefore from these three definitions, Aboriginal people are missing because of colonialism, forced disappearances and are socially excluded from the majority of Canadian population, because of these definitions do Aboriginal people in present society fall into Agamben's definition of state of exception. Given the factors that are present in the everyday life of Aboriginal women such as, racism, social exclusion, alienation from Canadian society, one could begin to question if Aboriginal women are living in state of exception. Consequently this thesis will seek to explore the following issues: determine how the federal government of Canada has reacted to the missing and murdered Aboriginal women. Through articles from media and reports from NGO's both domestically and internationally this thesis attempts to determine if a state of exception exists for aboriginal women in contemporary Canadian society.

In order to fully explore the aforementioned issues, this honour thesis will provide an overview of literature on the following four topics: treatment of Aboriginal women in the Canadian criminal justice system, colonialism, sexism and racism, and finally state of exception. These four topics will be supported with evidence using a theoretical framework and empirical evidence. The empirical evidence will use major news sources to provide an overview on the calls of public inquiry into the missing and Aboriginal women in Canada from three non-governmental organizations: United Nations, Amnesty International, and finally Native Women's Association of Canada. The news articles have been collected using a specific key word research. The following national and local news providers will be used: The National Post, Chronicle Herald, CBC and Aboriginal Peoples Television Network.

The purpose of this research is to determine how the federal government of Canada has reacted to the missing and murdered Aboriginal women. Through articles from media and reports

from NGO's both domestically and internationally this thesis attempts to determine if a state of exception still exists in current Canadian society.

## Literature Review

### Treatment of Aboriginal women in the Canadian justice system

Balfour (2008 and 2013), is one of the more common authors of Aboriginal women studies. Balfour's research involve Aboriginal women, and sentences to Aboriginal offenders with the Indian Act; more specifically Bill C-31. Bill C-31 was an amendment to the Indian Act in the 1980s. It allowed band council members to have more control over their community life, allowing them further steps into the right to self-government. It also looked to eliminate the discrimination between Aboriginal people and non-Aboriginal people. Balfour's research is important for my study because the author highlights the rates of Aboriginal abuse as well as treatment of Aboriginal women in the Canadian criminal justice system (CCJS). Violence against Aboriginal women is at an all-time high. Balfour (2013) reports that violence is three times higher against Aboriginal women here in Canada than non-aboriginal women (p93). Aboriginal women also experience the most extreme force of violence against women (Balfour, 2008, p102). Another problem with violence against Aboriginal women is that is has become so normalized and looked over in their communities that outside people looking in do not question it, rather it is an accepted occurrence within their culture and society (Campbell, 2008, p59). What Balfour (2013) argues is how effective is Bill C-31 if half of the cases of sexual abuse aren't reported from Aboriginal women because they have a fear of the Canadian police (p94). However, if does the problem of Aboriginal women not calling the police stem from fear or rather the normalization of the violence in which they suffer? McGillivray and Comaskey (1999) as cited in Balfour (2013), report that Aboriginal women in some cases do not call the police after their victimization because they do not handle

crime reports well on a reserve. Also, what the authors mention is that oftentimes Chiefs of the reserves make the women take back their report or testimony against their abuser (p94).

Another important piece of literature is Alaggia et al. (2008). This research discusses Aboriginal women's reluctance to call the police because of how they are mistreated. Alaggia et al. (2008) conducted a qualitative study that unpacked the responses that Aboriginal women face from Canadian police. Some women report that police were rude towards them, or didn't believe what they had to say about crime they had faced (Alaggia et al., 2008, p685). Overall the women reported feeling a sense of police failure and disrespect (Alaggia et al. 2008, p684). This is not a good report for the police to have as they are the frontline response of the Canadian legal system. There has been evidence of the police force in Regina and the women of the Aboriginal community getting along better, however Golosky (2013) asks are the federal government and the RCMP really doing enough (p7). The families are less likely to report cases of missing Aboriginal women because they feel that the RCMP offers little to no support. What Carter (2005), argues is that cases of missing Aboriginal women either get recorded as 'white' or 'other', therefore providing no accurate measurement of how many Aboriginal women are truly missing (p21). Even if the families do report cases of violence, or missing women, it takes years for prosecution to even occur and what is more likely to happen is the perpetrators walking away versus receiving a sentence (Carter, 2005, p23 ). Carter (2005) provides cases of Aboriginal women who have gone missing over the years. What the author attempts to illustrate is how long these women have been missing and what the police is doing to investigate (p20, 21, and 23).

The victimization of Aboriginal women does not end when the police are called. As mentioned earlier Aboriginal women often do not report violence to the police. What literature suggests is that Aboriginal women who do report crime have a greater chance of becoming

revictimized because of their treatment after encounters with the police. Balfour (2008), highlights studies that suggest that Aboriginal women who are victims of domestic violence experience high rates of revictimization. They are counter charged by the police often, especially in the Prairie Provinces (Balfour, 2008, p103). Alaggia et al (2008) say the treatment of Aboriginal women victims are not prepared for when they enter a court room. This is because nobody goes through the legal process with them (p686-687). Campbell (2008) suggests that most victims within the Aboriginal community feel that family violence is a silent issue among their people; white people feel free to explore and charge people who commit family violence, however people in the Aboriginal community are less likely to speak out against it (p62). Campbell (2008) would argue that perhaps the Aboriginal women do not know that they can say no to be victims and that they have rights to involve the police or social service workers, because they do not view the violence as a criminal act (p63). Which means that revictimization occurs to women even if they do not call the police. Since violence is now considered normal within Aboriginal communities, the women have a higher chance of reoccurring violence. Revictimization happens frequently to these women who suffer from intimate partner violence. (Zeller, 1999, p349).

The Western approach to law reform in Canada does not relate with Aboriginal people's beliefs, cultures and traditions of punishing crime from both common and civil legal traditions. What Hadley (2009) argues is that as Canadian law enforcement serve punishment to the Aboriginal community, they must keep in mind the history of their culture, traditions and beliefs (p110). From studies which Balfour (2008) highlights a conclusion was drawn. MacPherson ((1993) as cited in Balfour (2008)) points out: the principle reason for the failure of the criminal justice system is the fundamentally different world view between European Canadians and Aboriginal peoples with respect to such elemental issues as the substantive nature and outcomes

of justice (p106). Balfour (2008; 2013) would argue that Bill C-31 within the Indian Act has created problems with how the Aboriginal people, more specifically women are criminalized within the CCJS (2008, p104; 2013 p87). Bill-C31 was to introduce restorative justice practices back into the Indian Act and punishment of Aboriginal people. These acts of restorative justice were enabled so that punitive punishments were not always used. Furthermore “restorative justice brings together cultural and political intentions of self-determination of Aboriginal peoples and the reclamation of women’s substantial cultural role in community life” (Balfour, 2008, p106). Campbell (2008) points out that the punishment of Aboriginal people is more punitive than non-Aboriginal people. Meaning they receive penalties and punishments that may not be effective within the community justice practices (p60). The criminal justice system Campbell (2008) argues, should keep in mind the effectiveness of punitive measures within Aboriginal communities and how a different approach to punishment should be taken (p60). Campbell (2008) makes a very excellent point when arguing that removing the offenders from the community is going against the customs and traditions of Aboriginal people (p60). Which means that rather than using restorative justice practices, which are the beliefs of Aboriginal people, the criminal justice system works against the criminals and community with punitive punishments. Zeller (1999) says that there is a lot of criticism surrounding wife abuse in the Aboriginal community and there is a lack of response from the criminal justice system (p346). “Consideration of the rights and needs of women is all the more important given the lack of support and protection for abused women in many communities. It cannot be assumed that key actors will see wife abuse as unacceptable” (Zeller, 1999, p350). However, the only way to challenge the problem of the Aboriginal peoples in the criminal justice system is to draw upon alternative measures when punishment is to be met (Hadley, 2009, p109).

## Colonialism

Aboriginal women face two different fears when reporting crime; the fear of police is a problem for Aboriginal women, and also the effects that colonization has played on their people. (Campbell, 2008, p58). Colonization refers to the taking of the land, traditions, culture, beliefs, identity, and language from Aboriginal people by the Europeans (Campbell, 2008, p58). Indian residential schools also play an important role in the colonization of Aboriginal people. These schools were designed to remove any cultures and traditions from Aboriginal people. The schools which were run by the newly formed Canadian government were instructed to strip the ‘Indian’ from their persons. These schools started the process of the colonization of Aboriginal people in Canada. The main goal of the Indian residential schools was to assimilate the Aboriginal people into the newly formed Canadian way of life (Alaggia et al. 208, p679). Since research has shown that Aboriginal women experience higher forms of violence, and the most extreme forms of gendered violence, one would assume that police presence would be more significant on reserves, however the literature has proven the opposite. Balfour (2013) argues, “[...] police resources were less effective, and reserve governance seemed dismissive of women’s needs for safety” (p94). Aboriginal women experience high rates of spousal violence as compared to non-Aboriginal women.

In 2004, 21% of Aboriginal women living on reserves in Canada experienced a form of violence; 6% of non-Aboriginal women experienced a form of violence by a current, ex-spouse or partner (Balfour, 2008, p104). The extreme types of violence that Aboriginal women potentially face are: being beaten, choked, assaulted with a gun or knife or reports of being sexually assaulted (Balfour, 2008, p104; Brownridge, 2008 p363). The literature helps illustrate the opening arguments in Aboriginal women and violence. The authors also help to highlight the extreme forms of gender violence that these women face. Campbell (2008) discusses that because of the forced

institutionalization, racist practices of the Indian Act, as well as poverty that Aboriginal people still face today, are factors that contribute to a mistrust of the Canadian government (p59). Campbell (2008) also argues that the vast majority of reasons as to why violence against Aboriginal women are so deeply rooted in their communities is due to colonization and the domination that the Canadian government has played in their relationship with the Aboriginal people for many centuries (p59). Despite the literature surrounding colonization theory and links with missing Aboriginal women and women who experience higher forms of domestic violence, Brownridge (2008) argues that yes, colonization happened; but how does colonization determine why some women experience violence while others do not (p356). What Brownridge (2008) might not understand is that it is the factors and results of colonialism that have led Aboriginal women to have higher rates of violence and missing women in Canada. On September 25, 2009 during the G-20 summit, Prime Minister Stephen Harper publicly denies that Canada had ever committed acts of colonization against the Aboriginal people, “We [Canada] also have no history of colonialism”.<sup>4</sup> In the same sentence the Prime Minister also reported that our history in one of the most stable regimes, and that because we have no history of colonialism, “We have all of the things that many people admire about the great powers but none of the things that threaten or bother them. ... Canada is big enough to make a difference but not big enough to threaten anybody. And that is a huge asset if it’s properly used.”<sup>5</sup>

### **Sexism in Canada and Aboriginal women**

Due to colonialism Pedersen et al. (2013), argues that there is now an increase of gender inequalities amongst Aboriginal peoples. Balfour (2013) reports that Aboriginal people face a high

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<sup>4</sup> <http://northernwaterways.com/news/?p=1619>

<sup>5</sup> <http://queensjournal.ca/story/2009-09-29/opinions/where-was-outcry/>

rate of racism and sexism within the criminal justice system: “[...] rape myths operate to cast women as liars and temptresses and thus men are mistaken in their belief in a woman’s consent” (p95). Consequently Aboriginal women are labeled as ‘easy to sleep with’. Alaggia et al (2008) report that racism is also a persistent issue that Aboriginal people experience, especially the women. Reports from Aboriginal women are given in their study to prove how unequal their treatment is compared to the rest of society (p690-691). A study done by Alaggia et al. (2008) reports that Aboriginal communities within Canada are under protected (p690). Aboriginal women who have gone missing from the Prairie Provinces were either labelled as prostitutes or as runaways; often police would pick up Aboriginal women from reserves and drop them off in very remote locations, these became known as ‘prairie runs’ or starlight tours (Alaggia et al. 2008, p 690). The women would never be reported missing because they were runaways, labelled as prostitutes, or more commonly known as sex trade workers (Alaggia et al. 2008, p 690).

A factor that contributes to IPV Brownridge (2008) argues is patriarchal dominance. These men have been colonized to the ‘European Canadian patriarchy’ which was introduced to them as their land was being taken over by the European settlers. Not only were the men introduced to a new form of patriarchal dominance by the European settlers, but the ways in which the Aboriginal men governed the land and their communities was now being ruled by white settlers; the men ultimately took their frustrations out on the Aboriginal women, forming vicious cycles of violence (Brownridge, 2008, p 356). This change is different than what the women and men of the community are used to because their traditions and cultures were different than the Europeans (p356). What is interesting is the results which Brownridge finds in his 2008 research. He notes that Aboriginal women and non-Aboriginal women experience the same rates of patriarchal dominance in a 2004 GSS survey (p363). Therefore, how significant is a patriarchal society when

violence against Aboriginal women is concerned. One could argue that because of lower employment rates, higher rates of substance abuse, isolation, and lack of education play a higher role in violence against Aboriginal women. Fiske (2006), says that the state also plays a role in the treatment of sexism against Aboriginal women.

What is damaging to Aboriginal women is the stigma's that come with reporting violence against their spouses. Aboriginal women can often feel shame in reporting violence against them, they make up excuses as to what happened rather than tell the truth and report the crime. Essentially they suffer in silence as to not bring shame upon their families, feel humiliation, or fear of community members from reporting criminal matters (Campbell, 2008, p63). The fears that Aboriginal women face is not only from the communities members, but fears of what will happen to their families: loss of children, loyalty of community, the loss of family support once a spouse is placed in jail, threats and loss of personal privacy (Campbell, 2008, p63). These factors intimidate Aboriginal women from reporting the violence they experience, ultimately resulting in unequal treatment. Previously mentioned, Bill C-31 was designed to improve the equality of men and women who were Aboriginals. If women are afraid of calling the police and reporting violence then how well is Bill C-31 working. It appears as though it is working against the Aboriginal women in a myriad of ways resulting in unequal treatment from police, community members and their families. To empower women to testify in court victim statements were introduced as part of the sentencing process (Alaggia et al. 2008, p679). This means that rather than women having elevated chances of revictimization, they can explain to the court their side of the story, how they felt, and the potential possibilities for healing (Alaggia et al. 2008, p679). The argument is presented that women often get the chances to heal and experience a form of vindication from the

justice system, and ultimately reduce the victim blaming that often times takes place within the court room (Alaggia et al. 2008, p679).

### **State of Exception**

Agamben argues that a state of exceptions is when certain constitutional guaranteed rights and protections are suspended so as to confront a clear and present danger to the state. His ideas of state of exception are not limited to events such as the holocaust and their suspension of the law, however Agamben's work can be dated back to Roman law, Lincoln in 1862, the bombings of Pearl Harbour and finally George W Bush 2001. This proves that his state of exception theories are applicable in the Western World.

“The state of exception is the political point at which the juridical stops and a sovereign unaccountability begins; it is where the dam of individual liberties breaks and a society is flooded with the sovereign power of the state [...]” (Durantaye, 2009, p338). Aboriginal people of Canada have been victims of the state for many years. In the initial colonization of Aboriginal communities the state removed their rights to live as they please, to practice religion as they choose, and to have political sovereignty within their communities. For the Canadian history of treatment of Aboriginal people, their state of exception started with the removal of them from the land onto the reservations, the Indian Residential Schools. They have been marginalized and alienated from the rest of the Canadian population. Soon after the colonization of the Canadian Land the Aboriginal people became unwanted, unpopular, and inconvenient to the Canadian government. The Indian Residential Schools were designed to assimilate the Aboriginal population to the systems and beliefs of the Canadians. The removal of status of women before Bill C31 was also a way to eliminate the Aboriginal population because if there were not anymore Aboriginal women or

children due to loss of status, less Aboriginal children would be born; a slow but sure use of state of exception.

Durantaye (2009) would argue that the West has long lived in a state of exception; however citizens of the West would never assume this (p337). From this definition a state of exception regime can be compared to the work of the Nazis and the Jews, George W. Bush after 2001, and the imprisonment of detainees in Guantanamo Bay (Durantaye, 2009, p337). Durantaye (2009) argues that the state holds enough sovereignty to enforce who experiences the same rights and freedoms as everyone else, “[...] even if this codification includes an extralegal realm that is not, however, explicitly illegal; it is a state of exception in which certain constitutionally guaranteed rights and protections are suspended so as to confront a clear and present danger to the state” (p339). Colonization was a tool the state used to eliminate the threat of the Aboriginal people. The state eliminated their beliefs, cultures and traditions and assimilated them to the ways of Canadian settlers. Their rights and freedoms were not protected by the state, and this further continues today with Aboriginal women’s fear of calling the police, high numbers reported of sexual assault, and a large number of missing Aboriginal women.

These four topics of literature are very important when discussing Aboriginal women’s history within Canada. The literature review highlights that colonization has worked to eliminate all rights and freedoms of Aboriginal people in Canada. It also shows that the state did not protect Aboriginal people from harm during the early colonization period, forcing them into a state of exception. The Canadian government saw Aboriginal people to be a threat to the state therefore, eliminating all rights and freedoms of Aboriginal people made the population easier to control. The colonization of the Aboriginal people also forced Aboriginal women to become more vulnerable in Canadian society. The gender inequalities which were created due to colonialism

have had a last effecting on the Aboriginal people. It placed women at a disadvantage then the men. The European culture instilled their values of a patriarchal society, meaning the way the Aboriginal culture governed their communities became influenced by the new Western society. Bill C-31 was designed to eliminate the patriarchal society that formed after colonialism in Aboriginal communities. It allowed Aboriginal women and children to regain their First Nations status, to protect them in the court of law by allowing the use of restorative justice as the band council and elders saw fit, and allowing band councils to have more control over their communities. Ultimately allowing the Aboriginal communities to exist in equal footing with the rest of Canadian society, exempt from a state of exception.

Section \_\_\_\_\_ 2

**Rationale**

**Methods**

## **Methodological Approach**

As identified within the literature, Aboriginal women experience heightened feelings of sexism, racism and unjust treatment from the Canadian political and law enforcement authorities. It has been noted that these feelings that Aboriginal women have are vastly different than non-Aboriginal women. From this information I have drawn the conclusion that the Government of Canada has been ignoring calls from non-governmental organizations to aid in the disappearance of Aboriginal women. My thesis will focus on gathering more information from United Nations, Amnesty International and Native Women's Association Canada who have already publicly stated their concerns towards lack of government response. These responses have been gathered from major news outlets such as: CBC, The Globe and Mail, and APTV. I have been asking that you respond on behalf of the non-governmental organization that you represent. This will be worked into my thesis by comparing how the government of Canada has responded to public calls for inquiry into the missing and murdered Aboriginal women. Therefore, conducting a qualitative research study on Aboriginal women will help to establish a framework into the disappearance of women in Canada. Furthermore, the information I am attempting to gather has potential to provide a voice for Aboriginal women in Canada. It will also help to shed light into the treatment of Aboriginal women in Canada when the police are involved. Through the use of social exclusion, colonialism, and socio legal exclusion, the research question is designed to understand how the Aboriginal women feel about the Canadian authorities and official responses to the missing Aboriginal women.

It is important to conduct research from NGOs because they have been gathering information on missing and murdered Aboriginal women for many years. They have specific departments within their organizations who have access to first-hand information about the questions that I will be asking them. The participants will have knowledge of the limitations that

Aboriginal people face within Canadian society. Therefore, their interviews and the information they chose to share will be full of information which is beneficial to my research. Qualitative research methods, for my research, are beneficial for this study because it allows the research to gather more information than numbers provide. Qualitative research methods tells a real life story, shares experiences and explain and unfolds a research questions; something that quantitative research methods and numbers do not do.

### **Data Source**

The data source will be interviewing non-governmental organizations who have spoken out against the federal government of Canada. Since I started university I have been interested in the treatment or Aboriginal women. When I advanced into upper years of education I noticed that there was a limitation of research involving Aboriginal women. Since the number of missing and murdered Aboriginal women keeps growing, and Canada has been urged numerous times to start a public inquiry, I need to focus my questions to be very specific and information gathering.

### **Ethics**

The intent of this project is not to put participants at risk, however there is a possibility that participants may experience negative social or personal consequences. For instance while participating in the interviews you may be at risk of reliving difficult memories based on previous interactions with police or state authorities or your work in the field. These memories could trigger flash backs, embarrassment, or anger and frustration. I would also like to acknowledge that your participation will be anonymous as an extra layer of protection. At no point will you be asked to share any information against your will or better judgement. As a voluntary participant it is your right to choose if you want to answer the questions.

I have received research ethic approval from the Saint Mary's University Research Ethic board. Please see appendix one for REB approval, plus all of the required documents given to each participant upon interview.

### Limitations

The limitations faced are not enough responses from NGO's both locally and internationally. This is due to the volume of work that they have. Although I have constantly been sending emails to NGO's and getting recommendations from participants that I do interview, there is no guarantee that I will be able to speak to everyone that I want to. Another limitation that I faced was not getting research ethic approval fast enough. Since a change of topic mid-way through my research, a new ethic approval was required. Therefore, this delay in my research set back the time spent emailing NGO's for a request of interview.

### Methods

I have employed several qualitative methods during this process. In the first stage of my research I have been collecting and analysing data from federal government sources to explore their position on missing and murdered aboriginal women in Canada. I have employed critical discourse analysis to analyse this data and develop an understanding of the government position. It is important to keep in mind for my research that the term Aboriginal will be defined to include all peoples of First Nations decent, including Metis.

In the second phase of my research I have been conducting a qualitative media analysis of four major Canadian media sources (encompassing print, television and online media) representing local, federal and Aboriginal communities: Chronicle Herald, The Globe and Mail, Aboriginal Peoples Television Network (APTV), Canadian Broadcasting Corporation (CBC). I have used

specific search criteria to identify relevant stories. The information gleaned from this process will be used to measure the coverage and public opinion on the issue of missing and murdered Aboriginal women in Canada.

In the final phase of my project I have seek to interview non-government organisations who have publically expressed an opinion on the issue of missing and murdered women in Canada. I have employ an internet search to identify these groups and then reach out to them based on their publically expressed opinion. I have in fact already identified the following agencies for inclusion: United Nations, Amnesty International, and Native Women's Association Canada (NWAC). While conducting the interviews I have employ semi-structured questions, pre scripted questions. I have also ask the participants if they know of any other agencies that have spoken publicly that I should contact. By employing this snowball technique I hope to identify any lower profile groups that my internet search may not uncover.

Section \_\_\_\_\_ **3**

**Theoretical Background**

**Empirical Evidence**

### Theoretical Background

Colonialism is not a new theme within Aboriginal studies. Colonialism has been a reality for many centuries, and as my current research of literature shows, still goes on today. Since 1896, Canadian Aboriginal women have not enjoyed the same rights equal to non-Aborigines (McIvor, 2004, p108). Pedersen et al. (2013) and Campbell (2008), argue that colonialism is a form of structural violence that is deeply woven into the fabric of Aboriginal society (p1036 & p59). Aboriginal people were stripped of land, identity, even basic human rights. The goal of the Canadian government was to assimilate the Aboriginal population, removing the ‘Indian’ from the person. The colonization of Aboriginal people resulted in social and cultural loss as well as a breakdown in the family structure (Campbell, 2008, p59). Before the European settlers took over the land from Aboriginal peoples, the women of the indigenous culture were highly valued (Pedersen et al., 2013, p1036). When the Europeans took over Aboriginal women were devalued. They were not allowed to sign treaty forms, land rights and altering the gender relations between men and women (Pedersen et al. 2013, p136).

The colonialism of Aboriginal peoples started with the first European settlers to come to Canada. The newly established government body of Canada found the Aboriginal people to be an uncivilized group of inhabitants. The government decided to assimilate the entire population, which meant taking control of everything the Aboriginal people did in their lives. The Canadian government forced the Catholic religion on them, moved them to reserves and segregated communities. The children of the Aboriginal communities were then put into schools where the ways of the European Canadians were forced upon them, “In order to progress towards civilization, Aboriginal peoples needed to be imbued with the principles of industry and knowledge through formal education” (Kirmayer et al. 2003, pS17). Everything was stripped from these new students down to their clothes and food. They were forced into boarding schools located in complete

isolation in rural parts of Canada (Kimayer et al. 2003, pS17).

In 1867, Canada adopted the British North America Act, which is an act of Parliament from the United Kingdom. The act was based on numerous drafts and input from the leaders of the British North American colonies (Hurley, 2009, p1). In 1867, the British North America Act was formally changed to the Constitution Act, which Canada still follows today. Since 1867, there have been numerous changes to this important piece of legislation. For the purpose of this research, the most important changes were those made to ‘protect’ and ‘aid’ the Aboriginal people of Canada. The constitution is seen as organized pieces of fundamental framework within which a governing institution can operate, and how governments can act and laws can be formed and passed (Hurley, 2009, p1). Since so much of the power was left within the governing bodies hands, little sovereignty was given to Canadian Aboriginal peoples. Therefore, it was not until the Government of Canada created a document in 1982 called the Charter of Rights and Freedoms. This document was eventually adopted into Constitution Act. The Charter of Rights and Freedoms included literature about the protection of Aboriginal peoples.

Finally another important piece of legislation added into the constitutional framework is the Indian Act. The Indian Act is a subsection 91 of the Constitution Act. The early Indian Act allowed the government to control Aboriginal peoples, to be accomplished through management of land, membership and local government, with an ultimate end goal of assimilation (Hurley, 2009, p1). Today however, the Indian Act, “defines who is an Indian and regulates band membership and government, taxation, lands and resources and money management, among other matters” (Hurley, 2009, p1). As with any piece of legislation or constitution throughout the years it will make change as society moves forward. The Indian Act has Bills which fall within it. These Bills are designed to help and protect the Aboriginal people of Canada. Some of these Bills have

been designed around court cases, have come from the guidance of the Minister of Indian Affairs, or there are situations where the Canadian Federal Government has enacted a Bill. Bill C-31 is an important piece of legislation that calls for the equality of Aboriginal men and women. This piece of legislation says that women should regain their ‘Indian Status’ if it was lost through marriage. The women would have the same treatment from the Canadian government as the men, and the removal of discrimination against Aboriginal people would also come into effect.

Social and economic relations to the state provides a framework of violence against Aboriginal women. With the views of the liberals in Canada this violence only seems to get worse. The state gave power to the Aboriginal communities’ leaders to determine a wide variety of governing laws. These powers included, limitations of identity, membership privileges, as well as a power struggle between men and women (Fiske, 2006, p249). When an Aboriginal women is arrested and removed from the family situation the emotional impact is not only on the women being taken away, but the family members themselves. Often the family members being left behind can suffer an emotional and financial loss, often time the family can lose a women who normally takes care of the whole family, especially those families who live in isolated areas or reserve communities. Liberal democracy embrace the importance of individualism, freedom and rights. Liberalist, “define cultural differences as being rooted in a coherent identity. Furthermore, liberal concepts assume that personal well-being exists within an individual identity” (Fiske, 2006, p250). If we apply the liberal concepts to Aboriginal women, they do not seem to match the situation at all. What is interesting is that liberalist see a person as an individualist, with freedoms and rights. They also see identity and well-being embodied in each individual, however with Aboriginal women is this the case? Can liberal democracy be equally applied to Aboriginal women as it is to non-Aboriginal women?

Social exclusion is a concept that refers to, “structural processes that prevent particular people and groups from participating in the economic, social, cultural and political activities that other people in that society access thereby resulting in a poor quality of life” (Kiepal et al., 2012, p141). Since it does not appear that Aboriginal women experience the same rights and protections from the state and from the CCJS as non-Aboriginal women it can be argued that these women be referred to as a state of exception (Durantaye, 2009, p335). “The state of exception is the political point at which the juridical stops and a sovereign unaccountability begins; it is where the dam of individual liberties breaks and a society is flooded with the sovereign power of the state [...]” (Durantaye, 2009, p338). The rights and freedoms of Aboriginal women which were designed within the Indian Act have failed. They do not allow for proper judicial procedures and enough sovereignty from the state for Aboriginal women to be properly protected as victims. The rights and freedoms and the experiences that non-Aboriginal women are granted do not seem to apply to Aboriginal women.

In the case of Aboriginal people they fall into one, if not all aspects of social exclusion. Kiepal et al. (2012), reports that because Aboriginal people are considered to be part of the social exclusion in Canada, they average a higher missing population (p145). Aboriginal women in Saskatchewan are overrepresented in police data for missing women (p145). Aboriginal people face drastic levels of Low Income Cut-off. 22% of the Aboriginal population live below the poverty line, compared to 11% of the national average (Kiepal et al., 2012 p145). The cultural differences that Aboriginal women face versus non-Aboriginal women are the differences in rates of violence, missing women, as well as social and economic backgrounds. Non-Aboriginal women do not fear the police or Canadian Federal Government, however it is the opposite for the

Aboriginal women. It is clear that the Aboriginal women fight more battles against the state than non-Aboriginal women.

### Empirical Evidence

With the recent, more public, concern for Aboriginal women's safety across Canada, the federal government of Canada had received three separate visits from non-governmental organizations concerning the human rights of Canadian citizens, in 2013 alone. The reports from all three of these international bodies are expected to be produced later this year. The visits from these NGOs has sparked an international movement from various states, urging Canada to get heavily involved in taking action towards violence against Aboriginal women. In 2013, the United Nations (UN) held Canada and the federal government responsible for the disappearance of Aboriginal women in Canada. Since this report by the UN has been released, nine different states from around the globe, including New Zealand, Norway, and Switzerland<sup>6</sup> have urged Canada to start acting towards a review of ending violence against Aboriginal women<sup>7</sup>. The Committee Against Torture recommended to Canada in 2012, "enhance its efforts to end all forms of violence against Aboriginal women and girls by, inter alia, developing a coordinated and comprehensive national plan of action, in close cooperation with Aboriginal women's organizations [...]"<sup>8</sup>. Again in 2012, the Committee on the Elimination of Racial Discrimination reported a concern to Canada that, "Aboriginal women and girls are disproportionately victims of life-threatening forms of

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<sup>6</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>7</sup> <http://m.theglobeandmail.com/news/politics/canada-to-reject-un-panels-call-for-review-of-violence-on-aboriginal-women/article14406434/?service=mobile#/!/>

<sup>8</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

violence, spousal homicides and disappearances”<sup>9</sup>, this committee urged Canada to take action, including an established national database on missing and murdered Aboriginal women, also a consultation with Aboriginal women and the organizations to form this database<sup>10</sup>.

On March 26, 2013 a special government committee met for the first time. This committee has been given the task of organizing a study on the missing and murdered Aboriginal women in Canada. In February of the same year, the House of Commons passed a motion (Ambler, 2014, p6):

That the House recognize that a disproportionate number of Indigenous women and girls have suffered violence, gone missing, or been murdered over the past three decades; and that the government has a responsibility to provide justice for the victims, healing for the families, and to work with partners to put an end to the violence; and that a special committee be appointed, with the mandate to conduct hearings on the critical matter of missing and murdered Indigenous women and girls in Canada, and to propose solutions to address the root causes of violence against Indigenous women [...]

The committee consists of twelve government members organized the study along three main themes: “violence and its root causes, front-line assistance, and preventing violence against Aboriginal women and girls” (Ambler, 2014, p6).

Niki Ashton, a Manitoba New Democrat Party (NDP) MP states in the CBC that these recommendations and the plan for action fall short of a call for inquiry on the missing and murdered Aboriginal women in Canada. She highlights that this issue is not specific to one province, but to Canada as a whole<sup>11</sup>. In the Report of the Special Committee on Violence Against Indigenous Women the NDP reports that the party was hopeful that this document would bring

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<sup>9</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>10</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>11</sup> <http://www.cbc.ca/news/canada/manitoba/report-on-violence-against-indigenous-women-falls-short-says-mp-1.2564166>

forward issues regarding Aboriginal missing and murdered women and the potential that these recommendations had however, when the reports was introduced the NDPs were left to be disappointed (Ambler, 2014, p75). The NDP's highlight that a lack of recognition of First Nations communities and from NGO's who support the public call for inquiry, from Canada means that the legal and political community will not be able to bring its national inquiry (Ambler, 2014, p76). This means that the federal government must work together with all bodies to ensure that all sixteen recommendations can be met.

In response to the Invisible Women: A Call to Action report released by the Conservative government, the Liberal party thought that women and girls should be able to come before parliamentary members and express what they have gone through, their families, and their communities (Ambler, 2014, p79). Unfortunately, this did not happen; parliamentary members refused to honour testimony from witnesses and the Liberal party questions how effectively this call to action will be handled if the current government cannot take the time to listen to witnesses (Ambler, 2014, p79). Both the NDP and Liberal parties urged the government of Canada to provide an adequate budget essential for aiding in the call to action process.

In February 2014, Amnesty International put together a document which outlines and addresses the issues of violence surrounding Aboriginal women. The paper targets the Canadian federal government saying that they have yet to implement a national response which outlines a comprehensive and coordinated set of goals to address the national human rights crisis which so many countries and NGOs have urged the federal government to do<sup>12</sup>. Amnesty International

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<sup>12</sup>[http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

reports that due to decades of poor government policy, Aboriginal women and communities have broken down and become impoverished, opening them up to being extremely vulnerable to a form of attack<sup>13</sup>. This non-governmental organization has also reported that police forces across Canada have failed in implementing the necessary measures to protect Aboriginal women. They say police have done so by lack of: training, investigative protocols, and also their own accountability mechanisms, which would aid in ending bias of how to adequately respond to the needs of the Aboriginal families and communities when a women is reported missing<sup>14</sup>. Amnesty International reports that the federal government plans to spend \$10 million dollars in the next 5 years to address the issues of violence surrounding Aboriginal women. This money, the federal government says, will go towards police programs across Canada to track missing persons in general. Amnesty International reports that they do not focus on the particular patterns of Aboriginal women, however it focuses on women as a whole. The federal government has also delayed important funding which greatly impacted the “Sisters in Spirit” initiatives, which advocates and draws attention to the violence against Aboriginal women, a project that was first created by the federal government itself. Finally, the federal government, “refusing to develop a comprehensive national action plan on stopping violence women and girls—even though Canada has played a key in United Nations resolutions promoting such national action plans as standard for all nations to adopt”<sup>15</sup>.

James Anaya, who conducted a special investigation of Aboriginal people in Canada on behalf of the UN reports, insisted: “the federal government should set up a national inquiry into

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<sup>13</sup> <http://www.amnesty.ca/our-work/issues/indigenous-peoples/no-more-stolen-sisters>

<sup>14</sup> <http://www.amnesty.ca/our-work/issues/indigenous-peoples/no-more-stolen-sisters>

<sup>15</sup> <http://www.amnesty.ca/our-work/issues/indigenous-peoples/no-more-stolen-sisters>

the disturbing phenomenon of missing and murdered Aboriginal women”<sup>16</sup>. Anaya reports that numerous Aboriginal people whom he spoke with across Canada express a severe lack of confidence in measures the federal government currently has in place for dealing with the problem of missing Aboriginal women. Elissa Golberg, Canada’s ambassador to the United Nations says that, “Canada is proud of its human-rights record, and our peaceful and diverse society”<sup>17</sup>. Canada had received 162 recommendations from Cuba, Iran, Belarus, and Russia through a Geneva based UN Forum, “but the Harper government has been skeptical in part because it allows countries with dubious rights records to criticize Canada”<sup>18</sup>. These recommendations included issues such as poverty, immigration, criminal justice system, and prostitution. 40 of these 162 recommendations were rejected by Canada, amongst these “a series of resolutions calling on Canada to undertake sweeping national reviews of violence against Aboriginal women”<sup>19</sup>. In July 2013, a meeting was held with provincial and territorial leaders, urging Prime Minister Steven Harper to launch a national public inquiry into the missing and murdered Aboriginal women in Canada<sup>20</sup>.

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<sup>16</sup> <http://www.theglobeandmail.com/news/politics/un-human-rights-investigator-says-canada-needs-inquiry-into-missing-aboriginal-women/article14870214/>

<sup>17</sup> <http://www.theglobeandmail.com/news/national/canada-to-reject-un-panels-call-for-review-of-violence-on-aboriginal-women/article14406434/>

<sup>18</sup> <http://www.theglobeandmail.com/news/national/canada-to-reject-un-panels-call-for-review-of-violence-on-aboriginal-women/article14406434/>

<sup>19</sup> <http://www.theglobeandmail.com/news/national/canada-to-reject-un-panels-call-for-review-of-violence-on-aboriginal-women/article14406434/>

<sup>20</sup> <http://www.ctvnews.ca/canada/premiers-call-for-inquiry-into-missing-aboriginal-women-1.1381821>

With the recent disappearance and murder of Loretta Saunders, an Aboriginal women in Nova Scotia, Cheryl Maloney president of the Nova Scotia Native Women's Association has reported that Canadians think the Aboriginal women who go missing tend to be prostitutes, sex workers, be on drugs, and even have mental illnesses. However, this young women's story was different. She was a young Aboriginal student, proving that it isn't just troubled Aboriginal women who go missing. "Maloney is calling for a national inquiry into missing Aboriginal people, for both men and women"<sup>21</sup>. On March 5<sup>th</sup>, 2014 a petition will be delivered to Parliament in hopes that this will shed light on the missing and murdered Aboriginal women in Canada. The petition was signed by over 23,000 Canadians supporting the call for the federal government to take action against missing Aboriginal women in Canada. Since the most recent disappearance of an Aboriginal woman in Canada, the demands for the federal government of inquiry towards Aboriginal women has come to the surface.

On March 5 the public call for inquiry towards violence against Aboriginal women was not approved yet again by the federal government. Susan Martin was a mother to a murdered Aboriginal woman in April 2002, "Our children are being targeted... We have to stop it. So I'm asking you. I've been here for a long, long time doing this. I'm asking you, please back us up. Let's make a loud ruckus and change this in Canada" (Ambler, 2014, p4). After the disappearance and murder of yet another Aboriginal women in Nova Scotia, the NWAC lobbied at parliament to have their voices heard and a public inquiry into the missing Aboriginal women passed by the federal government. A report has been drafted by a special committee made up of 6 conservatives parliamentary secretaries outlining 16 recommendations to aid in the end of violence against

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<sup>21</sup> <http://www.cbc.ca/news/canada/nova-scotia/loretta-saunders-slaying-should-open-canada-s-eyes-native-group-1.2553267>

Aboriginal women had been tabled during a house of commons meeting<sup>22</sup>. The committee's recommendations forms a list of 7 very specific topics that would aid in preventing violence against Aboriginal women and Canada. These recommendations came on behalf of families and witnesses who were able to attend the parliamentary discussion. Although it is important to remember that many families were not consulted or could not make the discussion to have their voices heard. They wanted the report to include recommendations which would aid in making a real difference to the lives of Aboriginal women in Canada (Ambler, 2014, p4). The committee agreed that these actions must consider the following 4 actions; "women must actively participate in developing solutions; solutions must be holistic in nature; programs and services must be culturally and geographically adaptable; solutions must be developed and offered at the community level- we must help communities acquire the tools they need to find their own solutions" (Ambler, 2014, p39). The recommendations are outlined in Appendix 1.

Amnesty International released a report in February 2014, they report that, "[...] the many calls for action made by Indigenous peoples' organizations, civil society groups, provincial and territorial government leaders, Parliamentarians, and international and national human rights bodies, the Canadian government has failed to implement a comprehensive and coordinated national response in keeping with the seriousness and pervasiveness of the threats faced by Indigenous women and girls"<sup>23</sup>. Despite the violence that Aboriginal women face, the Canadian government in 2014 have still not answered the public call to action. The report from Amnesty international discusses that in a survey from 2009, ten provinces surveyed, Aboriginal women still

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<sup>22</sup> <http://www.cbc.ca/news/politics/no-call-for-national-inquiry-in-mps-report-on-aboriginal-women-1.2563854>

<sup>23</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

faced three times more violent crimes than non-Aboriginal women<sup>24</sup>. The report highlights that government policy for Aboriginal families and communities has left them broken apart, and very poor. There still exists deep rooted discrimination from the Canadian government towards Aboriginal people, and these policies and procedures have pushed Aboriginal women into dangerous living situations<sup>25</sup>; “Acts of violence against Indigenous women and girls may be motivated by racism, or may be carried out in the expectation that society’s indifference to the welfare and safety of these women will allow the perpetrators to escape justice”<sup>26</sup>. In other words, people who commit crimes against Aboriginal women will likely walk away, or never be caught. We’ve seen these situations arise because of newspaper articles and testimonies from hundreds of Aboriginal families. The families recognize that the response for their missing loved ones is not effective in bringing justice to the perpetrator or closure for the families members, Amnesty International has gathered testimony from families who say that they experience bias from police members, or the suspicious death that families have go ignored by the police<sup>27</sup>. This leads families to not seek justice because they know they will not get it, and their voices will go unheard<sup>28</sup>.

The report from Amnesty International discusses that police data bases are inadequate when they gather information or data on Aboriginal women. Statistics Canada says that homicide cases from around the country fail to record in police data bases whether the individuals are Aboriginal or not<sup>29</sup>. Therefore, according to Amnesty International and Statistics Canada, there is

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<sup>24</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>25</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>26</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>27</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>28</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>29</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

not an exact number of missing or murdered Aboriginal women. Amnesty International discusses that in order for a national action plan to effectively move forward, the country needs to address gaps in policies, programs, and services. An active established action plan will also aid in Canada's international human rights<sup>30</sup>. A national comprehensive plan for Canada will have to have ample funding and the federal government must take full responsibility for the past and present actions that have happened against Aboriginal communities and their women<sup>31</sup>. Ideally Aboriginal organizations, communities, and their women's input will require the national action plan to be effective as well: "it must provide an effective forum for these expert voices to be heard and their recommendations implemented<sup>32</sup>. Much like the Liberal and NDP party leaders, Amnesty International suggests that Aboriginal communities and organizations must be present during discussions of missing and murdered women in Canada.

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<sup>30</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>31</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

<sup>32</sup> [http://www.amnesty.ca/sites/default/files/iwfa\\_submission\\_amnesty\\_international\\_february\\_2014\\_-\\_final.pdf](http://www.amnesty.ca/sites/default/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf)

Section \_\_\_\_\_ 4

**Results**

**Conclusion**

## Results

A-1 was the only participant who responded to the request for interview. The work that A-1 has done over the last twelve years has been to promote the safety and ensure the rights of Aboriginal peoples. A-1's organization engages members to become active citizens within human rights issues, through education and outreach to other organizations. This can be done through engaging members of parliament. The second part to A-1's organization conducts research surrounding Indigenous peoples across Canada. This research involves broad roles of police and their outcomes within the criminal justice system and how Aboriginal people are consistently over represented in the Canadian criminal justice system. This organization also unpacks how racism, colonialism and history of discrimination comes into play with Aboriginal people. This organization actively promotes the rights of Aboriginal people within the United Nations Declaration of Indigenous people. A-1 says that the rights of the missing women surround the three elements of research mentioned above. How Aboriginal women's rights play into the Canadian criminal justice system through the nation's history with racism, colonialism and history of discrimination with Aboriginal communities. This organization continues to focus on the ground level of non-Aboriginal communities working harmoniously with Aboriginal communities in trying to shift public attitudes.

The second question directed at A-1 was about the importance of missing and murdered Aboriginal women in Canada. A-1 responded by saying that the missing Aboriginal women in Canada is one of the most pressing human rights issues. A-1's organization sees the rights of Aboriginal women a human rights crisis because Canada as a whole has failed to address the missing and murdered Aboriginal women through adequate justice. This organization's research on violence against Aboriginal people only began twelve years ago. The organization thought

this would be a one off project with research and a campaign for one to two years, however the issues surrounding violence against Aboriginal women became a top priority.

The federal government of Canada has not done enough in addressing violence against Aboriginal women A-1 discusses. The government is already aware of the issues surrounding violence against Aboriginal women. Their response has been so slow and keeping with the ‘status quo.’ The state has not taken the reasonable measures to protect Aboriginal women’s rights, even though there is twelve years’ worth of literature and research done by not only A-1’s organization, but by others. Due diligence is something that A-1 mentions frequently, and Canada’s failure to respond in a due diligence manner. In international law states have a responsibility to prevent violence against women and this is not happening in Canada; the federal government or any government has not met the test of due diligence according to A-1. A-1 says that since the state of Canada has not met its required obligations of due diligence according to international law, the issue of violence against women can be seen as falling under the Convention against Torture, Cruelty and Human Treatment. The government has not taken action to prevent the violence, and protect the victims. No government in Canada right now, A-1 argues, can take claim right now that they have done enough to prevent violence against Aboriginal women.

The issue of violence against Aboriginal women is of the utmost seriousness. There have been more initiatives at the provincial and municipal level, but none at the federal level. This is done through measures of policing, and because there is no measures taken when reporting missing and murdered Aboriginal women, there are no accurate numbers of missing and murdered Aboriginal women. A-1 stresses the importance for police forces to start reporting and recording violence against Aboriginal women. If this is not done, we cannot start to improve the

efforts made by police to handle crime against Aboriginals. Because of these measures there is an uncoordinated responses.

The federal government says that another inquiry is not needed because we do not need more study we need more action. However, their action is inadequate reports A-1. There is a gap between what the federal government says is their response and what is needed. They say they have responded but they do not know enough to match the issues in which they are responding to. The federal government is correct in saying that we have had a lot of research done both domestically and internationally through various NGOs however, none of the recommendations from these studies have not been met. A public inquiry is an opportunity to meet a fundamental pillar of justice, the acknowledgement of the harm. This will allow the victims to have their voices heard, and stated on public record, but it can also gather researches for particular recommendations given from the study. Public recognition in the harmful treatment of Aboriginal people over previous decades is a step in the appropriate direction to deal with violence against women.

The previous two parliamentary studies conducted in Canada have called forward Aboriginal women from communities in hopes to hear testimony about treatment of themselves and their loved ones. The government has not taken this seriously and has not listened to these women. A-1 says that the new report released by the federal government in March 2014 is absolutely ‘shameful’. It does not listen to the accounts of the Aboriginal women, therefore cannot provide reasonable measures or recommendations if voices of the victims are ignored. A-1 discusses the importance to put resources behind independent reviews made in Canada to further aid the government’s response on violence against Aboriginal women, these reviews could provide a sense of credibility for the Aboriginal communities.

A-1's organization is concerned that a call to inquiry can delay proper action needed to end violence against Aboriginal women and could exhaust the resources of the affected communities. The inquiry needs to have proper credibility from the very beginning in order for it to succeed within the Aboriginal communities and the state of Canada. These recommendations need to have a commitment to being achieved. A-1 argues that from all of the recommendations that we currently have because of past studies, the state could gather these lists and combine them into one. This would not waste time and would provide a larger scope into violence against Aboriginal women and how the nation can move forward to carry these recommendations out. A-1's organization argues that police data and data collection needs to be an issue that is addressed right away.

When answering question seven (outlined in appendix three) A-1 discusses how Canada has a very big presence at the international level, especially when issues surrounding human rights is discussed but more specifically violence against women. At the UN General Assembly on violence against women, Canada has a voice in discussing how there should be more of a domestic response on this issue. A few concepts at the international level have been that there needs to be funding attached to resolutions. Unfortunately, Canada has been a hypocrite at the international level because their responses to violence against women at the UN General Assembly does not match the steps they have taken at home; "Canada has consistently refused to have a national action plan within Canada; and it is extraordinarily hypocritical to stand up for women's rights on the international stage but say that we don't have to have the same standards at home." says A-1. Which means that Canada is further harming Aboriginal women of their human rights.

When discussing the legal obligations of Canada, A-1 says that Canada is not taking responsibility for the historical violations which is argued to have pushed Aboriginal women further into harm's way. A-1's organization sees a clear link with the risk of violence for Aboriginal women and how residential schools, the 60's scoop, and Aboriginal people in state care. The state has consistently severed the ties between Aboriginal people's communities and their heritage. This creates further social inadequacies between non-Aboriginal people and Aboriginal people. A-1 questions what the state is doing to set things right. This is answered further in claiming that Canada has repeatedly said as a nation we need to move on from what happened in the past against Aboriginal people and communities; Elissa Golberg, released a statement saying that, "Canada is proud of its human-rights record, and our peaceful and diverse society"<sup>33</sup>. What is interesting about Canada and violence against Aboriginal women A-1 points out, is that the perpetrator in the crimes towards these women, is the one setting the terms in how to resolve and end the violence. Canada has failed to deal with violence against women because as the perpetrator they are setting the terms.

Agamben's ideas of state of exceptions formed for Canada initially with the removal of Aboriginal land, and the placement of Aboriginal peoples into Indian Residential schools. Alienation of the Aboriginal population from the European settlers seemed to be the way into creating a segregation of populations. The Aboriginal people were stripped of their identities, their Indian status, their cultures and beliefs. They were brought up the Canadian way. The rights and freedoms of the Aboriginal people were not upheld by the newly formed Canadian government. In the interview with A-1, we discuss how the Canadian government is still taking

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<sup>33</sup> <http://www.theglobeandmail.com/news/national/canada-to-reject-un-panels-call-for-review-of-violence-on-aboriginal-women/article14406434/>

away land rights from Aboriginal people, the lack of protection which surrounds Aboriginal women. Although the status of the Indian women has been changed since the formation of Bill C-31, the Aboriginal people are still marginalized and alienated from the rest of Canadian population. Aboriginal communities are generally isolated and located from urban centres, there still exists deeply rooted stereotypes between Aboriginal and non-Aboriginal peoples, and the rights and freedoms of Aboriginal peoples are limited because of the over representation of the federal prisons, and the growing population of missing Aboriginal women.

The empirical evidence section chronicles the media findings, the NGO reports highlight that the recently released government document of recommendations to the state falls short of a call for inquiry. An important pillar A-1 argues is the acknowledgement of historical practices of discrimination and racism from previous decades as well an open forum to allow communities who have been affected by the disappearance of women to come forward and voice their opinions and concerns. As A-1's interview details, the voices of the victims have been ignored even though they were allowed to speak openly, but an acknowledgement has yet to happen. This highlights the lack of Canadian government response, and opens the issues against Aboriginal people to an international level.

Durantaye (2009) argues that the state holds enough sovereignty to enforce who experiences the same rights and freedoms as everyone else, “[...] even if this codification includes an extralegal realm that is not, however, explicitly illegal; it is a state of exception in which certain constitutionally guaranteed rights and protections are suspended so as to confront a clear and present danger to the state” (p339). Colonization was a tool the state used to eliminate the threat of the Aboriginal people. The state eliminated their beliefs, cultures and traditions and assimilated them to the ways of Canadian settlers. Their rights and freedoms were not protected by the state,

and this further continues today with Aboriginal women's fear of calling the police, high numbers of sexual assault reported, and a large number of missing Aboriginal women. A-1 illustrates Canada's use of state of exception today by pointing out that the state has consistently severed ties between Aboriginal peoples and their communities, and also through the legal reform policies that have brought protection for the women against violent crimes. The state has continuously pushed aside recommendations from NGO's to eliminate the violence against Aboriginal women domestically. The federal government will not acknowledge the past history of Aboriginal people here in Canada, therefore avoiding a major pillar in the steps towards resolution. Legal obligations of the state has been avoided as well; Canada needs to take responsibility for the historical violations which have pushed Aboriginal women further into harm's way in order to avoid legal action.

Police reform was highlighted in the literature review on treatment of Aboriginal women, however A-1 pointed out that the data reforms and the way we gather information also needs to systematically change. The first contact with police when a family believes that their loved one is missing is done through missing persons Canada. A-1 shows the importance of having a system built to record the reported missing women however, this cannot be done properly yet because our data systems do not support this information gathering. Amnesty International discusses that in order for a national action plan to effectively move forward, the country needs to address gaps in policies, programs, and services. The RCMP policies are lost peoples policies, people who are lost in the woods, or people that have a mental illness. They are not build around people who have been criminally taken. Since these policies and procedures are built for more common instances, police aren't trained properly to handle criminal missing person's cases, and A-1 says that often times these officers respond out of racism because they have never been instructed on how to

properly reply. Some women report that police were rude towards them, or did not believe what they had to say about their victimisation (Alaggia et al., 2008, p685). Overall the women reported feeling a sense of police failure and disrespect (Alaggia et al. 2008, p684). This is not a good report for the police to have as they are the frontline response of the Canadian legal system. The families are less likely to report cases of missing Aboriginal women because they feel that the RCMP offers little to no support. What Carter (2005), argues is that cases of missing Aboriginal women either get recorded as ‘white’ or ‘other’, therefore providing no accurate measurement of how many Aboriginal women are truly missing (p21). Canada and the police forces, both federally and provincially need to stop saying that these women have just run away and will shortly return and start responding adequately and quickly to meet the needs of the victim and the families.

### Conclusion

Canadian citizens are not the only people who need to change their attitudes and perceptions about Aboriginal women; the government of Canada needs too as well. The government needs to take serious consideration for all the recommendations that have come out from NGO reports and their own reports as well. The first pillar of a public inquiry is acknowledgement of the historical past. The second, is to allow women, victims, and Aboriginal communities be involved in the inquiry process as well a public forum where they can express how they’ve been victimized. The police data bases both provincial and federal need to improve to accommodate data taking of missing Aboriginal people. Evidence previously discussed indicates that the federal government is still unsure how many missing Aboriginal women there are. This does not bring justice to the perpetrator or closure for the victims, families and communities.

There can be little doubt that Aboriginal women of Canada are trapped in a state of exception. The Canadian government does not protect the rights and freedoms of the Aboriginal women as the state should. This is evident in the interview data when discussed the lack of legal obligations of Canada towards international human rights. Since there is a lack of tracking the missing Aboriginal people through the criminal justice system, it is evident that the police as well as federal government show a lack of support or concern for Aboriginal women when they are reported missing because there isn't even a data system that accurately records their status. Every time there is a public demand from a government body about a public inquiry into the missing Aboriginal women, the governments never involve the Aboriginal peoples or organizations they belong to. The government does not support the rights and freedoms of Aboriginal women, this is clear because of the increasing number of missing women within the state. They have been alienated through the police data bases and because of the location of their reserves are so far removed from urban city centres. The lack of support through not engaging the communities, victims, and Aboriginal organizations in compiling and following through with the recommendations that have been released over the years further proves the lack of concern for Aboriginal women from the Canadian government.

Section \_\_\_\_\_ **5**

**Appendix 1**

**Appendix 2**

**Appendix 3**



## Appendix 1 B

### Sample Recruitment form:

Face to Face interviews:

Hello (person's name),

My name is Carrigan Desjardins, I am a fourth year criminology student at Saint Mary's University in Halifax Nova Scotia.

Under the supervision of Dr. Ashley Carver, I am currently working on my undergraduate honours thesis which is attempting to understand how advocates for Canadian Aboriginal women feel about official Canadian responses to the missing and murdered Aboriginal.

My research entails interviewing local and international non-governmental organizations on their views. I have contacted you because your organisation has made public statements about the issue that I am researching. I am in hopes that the interest you have expressed in the plight of Missing and Murdered Aboriginal women will provide me with insights that are important to the production of my thesis work.

If you are interested in participating in either a telephone or skype interview or if you have any questions about my project please do not hesitate to contact me at:

1 902 401 3892

carrigan.desjardins4@gmail.com.

Thank you for your time and considered participation

Carrigan Desjardins

## Appendix 1 C

### **The Disappearance of Aboriginal Women in Canada**

I understand what this study is about, appreciate the risks and benefits, and that by consenting I agree to take part in this research study and do not waive any rights to legal recourse in the event of research-related harm.

I understand that my participation is voluntary and that I can end my participation at any time without penalty.

I have had adequate time to think about the research study and have had the opportunity to ask questions.

Please note that a secure source for transcribing all of the information gathered during the research process will be used.

#### Participant

Signature : \_\_\_\_\_ Name \_\_\_\_\_  
(Printed) : \_\_\_\_\_ Date : \_\_\_\_\_

(Day/Month/Year)

#### Principal Investigator

Signature : \_\_\_\_\_ Name \_\_\_\_\_  
(Printed) : \_\_\_\_\_ Date : \_\_\_\_\_

(Day/Month/Year)

**Please keep one copy of this form for your own records.**

## **Appendix 1D**

**Carrigan Desjardins**  
**Honours Student, Criminology**  
**Saint Mary's University**  
**[carrigan.desjardins4@gmail.com](mailto:carrigan.desjardins4@gmail.com)**  
**902-401-3892**  
**REB# 14-177**

Hello,

I am a fourth year criminology student at Saint Mary's University. I am currently working on my undergraduate thesis on the disappearance of Aboriginal women in Canada. The goal of my research is to conduct a qualitative research study on Canadian Aboriginal women in order to establish a framework into the disappearance of Aboriginal women in Canada. It is my goal from the research to provide a voice for Aboriginal women in Canada.

You have been invited to participate in the study of the disappearance of Aboriginal women in Canada. The information that is provided by the organizations in this research study is a sensitive issue, therefore this form serves as a measure to ensure your safety and protection as a participant. This form is also providing you with all the information needed to participate in this research study. Your signature at the end of this form ensures that you understand the nature of the study, research process, and your willingness to participate.

This research study was approved by the Saint Mary's University Research Ethics Board (REB# 14-177). If you have any concerns or questions about the ethical matters or for more information about the Saint Mary's University Research Ethics Board you can contact them at: 902-420-5728 or [ethics@smu.ca](mailto:ethics@smu.ca)

If you have questions or concerns about this study, please contact me, Carrigan Desjardins at: 902-401-3892 or [carrigan.desjardins4@gmail.com](mailto:carrigan.desjardins4@gmail.com). You can also contact my thesis supervisor Dr. Ashley Carver at: 902-420-5874 or [Ashley.carver@smu.ca](mailto:Ashley.carver@smu.ca).

### **Purpose**

As identified within the literature, Aboriginal women experience heightened feelings of sexism, racism and unjust treatment from the Canadian political and law enforcement authorities. It has been noted that these feelings that Aboriginal women have are vastly different than non-Aboriginal women. From this information I have drawn the conclusion that the Government of Canada has been ignoring calls from non-governmental organizations to aid in the disappearance of Aboriginal women. My thesis will focus on gathering more information from United Nations, Amnesty International and Native Women's Association Canada who have already publicly stated their concerns towards lack of government response. These responses have been gathered from major news outlets such as: CBC, The Globe and Mail, and APTV. I will be asking that you respond on behalf of the non-governmental organization that you represent. This will be

worked into my thesis by comparing how the government of Canada has responded to public calls for inquiry into the missing and murdered Aboriginal women. Therefore, conducting a qualitative research study on Aboriginal women will help to establish a framework into the disappearance of women in Canada. Furthermore, the information I am attempting to gather has potential to provide a voice for Aboriginal women in Canada. It will also help to shed light into the treatment of Aboriginal women in Canada when the police are involved. Through the use of social exclusion, colonialism, and socio legal exclusion, the research question is designed to understand how the Aboriginal women feel about the Canadian authorities and official responses to the missing Aboriginal women.

### **Procedure**

After reading the introduction and purpose of the research study, I would like to invite you to participate in a telephone or online interview process. I will ask you to provide shared experience, feedback, and opinions on behalf of your NGO on questions regarding the treatment of Aboriginal women and the Canadian governing authorities. Please note that this interview will be recorded for the purpose of transcribing at a later date. The interview process should take approximately an hour of your time, although this could vary depending on your answers and time constraints. If you desire, a copy of this undergraduate thesis can be sent to you upon its completion.

### **Risks**

The intent of this project is not to put participants at risk, however there is a possibility that participants may experience negative social or personal consequences. For instance while participating in the interviews you may be at risk of reliving difficult memories based on previous interactions with police or state authorities or your work in the field. These memories could trigger flash backs, embarrassment, or anger and frustration. I would also like to acknowledge that your participation will be anonymous as an extra layer of protection. At no point will you be asked to share any information against your will or better judgement. As a voluntary participant it is your right to choose if you want to answer the questions.

### **Voluntary Participation**

As outlined in the Research Ethics Board guidelines, your involvement in this research study is completely voluntary. This being said, please do not feel pressured or forced to participate in this study.

### **Withdraw**

As a participant you have the right to withdraw from this research study at any time. You may withdraw without fear of penalty or repercussion. If you withdraw all you need to do is let me know that you no longer wish to participate with the interview process and the interview will end immediately. In the event that you prefer to withdraw/end the interview, you have the option of having all your data and responses removed from this study. Please note that if you wish to have your information removed you must contact me before March 30, 2013. After March 30, 2013 I will be unable to remove your information.

**Signature**

I \_\_\_\_\_, understand the purposes of this study and appreciate the risks and benefits. I have been provided sufficient time to review this request for participation by Carrigan Desjardins in the study “The Disappearance of Aboriginal Women in Canada”. Lastly, I fully understand that my participation is strictly voluntary and that I have the right to withdraw at any time during my connection to this project.

Participant's Name:

Signature:

Date:

## Appendix 2

The following 16 recommendations are as follows (Ambler, 2014, p39-41):

*Awareness Campaign:*

### Recommendation 1

That the federal government learn from the stories of the families of missing and murdered Aboriginal women and girls and work with the provinces, territories and municipalities to create a public awareness and prevention campaign focusing on violence against Aboriginal women and girls in Canada.

*Support for the family of victims:*

### Recommendation 2

That the federal government continue strengthening the criminal justice system to ensure, among other things, that violent and repeat offenders serve appropriate sentences.

### Recommendation 3

That the federal government maintain its commitment to develop the Canadian Victims Bill of Rights including initiatives aimed at making the criminal justice system more responsive to the needs of victims, such as keeping them informed and providing them with appropriate standing, access and assistance throughout the process.

### Recommendation 4

That the federal government implement a national DNA-based missing person's index.

*Support for communities:*

### Recommendation 5

That the federal government continue to support programming and legislation that allow Aboriginal communities to respond to violence.

### Recommendation 6

That the federal government continue to support programming and legislation that allow Aboriginal communities to respond to violence.

### Recommendation 7

That the federal government examine options to address poverty as a root cause of violence against Aboriginal women and girls by empowering Aboriginal people through economic development opportunities and jobs and skills and training.

### Recommendation 8

That the federal government engage First Nations communities to examine how to improve supports for shelters and front-line services on reserve for victims of violence.

## **Recommendation 9**

That the federal government support provincial, territorial and First Nation childcare agencies in their responsibility to ensure effective and accountable service delivery.

### *Police Services:*

## **Recommendation 10**

That the federal government in cooperation with municipal, provincial and territorial governments examine the possibility of collecting police data on violence against Aboriginal women and girls that includes an ethnicity variable.

## **Recommendation 11**

That the federal government engage Aboriginal communities and municipal, provincial, and territorial governments to improving procedures among police services to facilitate multipartite investigations.

## **Recommendation 12**

That the federal government encourage Aboriginal organizations, the Canadian Police College and municipal, provincial and territorial governments to improve police officer training, including continuing education, to foster cultural understanding and sensitivity.

### *Violence against women and girls:*

## **Recommendation 13**

That the federal government continue to take appropriate action to reduce human trafficking and to reduce the violence and harm associated with prostitution.

### *Other Supports:*

## **Recommendation 14**

That in implementing the public awareness strategy on substance abuse, the federal government target support to Aboriginal communities.

## **Recommendation 15**

That the federal government examine opportunities to improve the incorporation of best practices into existing programs and services available to Aboriginal women and girls.

### *Moving to action:*

## **Recommendation 16**

That the federal government implement all of the recommendations above in a coordinated action plan.

## Appendix 3

### **Interview Questions**

1. Do you have any questions about any of the paperwork I have asked you to sign today?
2. Do you have any questions about my thesis or this interview process?
3. What type of work does your NGO do in relation to the indigenous peoples of Canada?
4. Does the NGO you work for consider the missing and murdered aboriginal women issue an important topic?
5. How does your organization characterise official actions taken by provincial and federal governments with regard to the missing and murdered aboriginal women issue?
6. What is your organization's opinion of the Canadian federal government's position on a national inquiry into the missing and murder Aboriginal women of Canada?
7. In your organizations opinion is there anything that the Canadian federal government can do in order to address the missing and murdered Aboriginal women issue?
8. Does your organization feel that this issue is indicative of any serious legal issues between aboriginal peoples and the justice system in Canada?
9. If there was anything that the interviewee would like to add that may not have been covered in the questions.

Section \_\_\_\_\_ **6**

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## Research Ethics Board Certificate Notice

The Saint Mary's University Research Ethics Board has issued an REB certificate related to this thesis. The certificate number is: 14-177.

A copy of the certificate is on file at:

Saint Mary's University, Archives  
Patrick Power Library  
Halifax, NS  
B3H 3C3

Email: [archives@smu.ca](mailto:archives@smu.ca)  
Phone: 902-420-5508  
Fax: 902-420-5561

For more information on the issuing of REB certificates, you can contact the Research Ethics Board at 902-420-5728/ [ethics@smu.ca](mailto:ethics@smu.ca).