

1. Seeking Justice for Indigenous Peoples in the Legal System (December 10, 2019)



**Calls to Action
#42, #50, and #55**

Article 40

The first workshop session after the Grassroots Gathering was focused on the Justice and Legal systems in Calgary. They had an attendance of 10 people. In order to have participants prepared for the sessions, they were asked to respond to prepared questions on the subject topic when they registered for the event. This helped aid the Circle in tailoring the sessions to meet the needs of those in the workshop.

Here is a summary of the questions that they asked participants prior to the session:

1. Write down in 2 to 3 sentences your understanding of how racism impacted Indigenous people of Canada.

- I think of Canada often as racism with a polite face. Racism has had a profound impact on Indigenous peoples in Canada from historical beginnings to present day. Racism erodes a sense of identity, self-esteem, and confidence, and damages [people] individually and collectively on an emotional, physical, and spiritual level.
- Segregation – two tier systems; multi-generational racism – when non-Indigenous people have little knowledge of past events.
- How can you write down the impact on Indigenous people of Canada in 2-3 sentences? Astronomical and horrific act that is still going on today.
- Racism/supremacy kills Indigenous people through systemic and direct racism. Communities remain isolated & neglected and individuals live in marginalization.
- Stereotypes around their culture; “kill the Indian”; not being able to practice their spiritual, cultural and traditional beliefs.

- Racism has prevented Indigenous peoples from access to school, health care, basic needs and services. It has also prevented employment opportunities and contributes to isolation.
- Racism has influenced policy and procedures of every system in Canada. These racist ideologies and the imbalance of power impacts Indigenous and people of colour negatively and will continue if not checked.
- Systemic discrimination; colonization through residential schools; unsafety, example child services.

2. Using 2-3 sentences write down your understanding of how discrimination has effected Indigenous people in Canada.

- Discrimination – long standing and pervasive. Has isolated and held back Indigenous peoples. Discrimination is systemic.
- Discrimination is a tool used to control Indigenous peoples by creating barriers in every way possible towards this group of people.
- Not able to fulfill true potential in work, personal life, housing, emotions.
- Discrimination isolates Indigenous people and removes safety for engagement in society in healthy ways. Isolation creates barriers to services thus quality of life.
- Systemic barriers – healthcare, justice, school; stereotypes and biases toward Indigenous people are rooted in the Indian Act.
- Racial profiling of Indigenous people causes discrimination in urban communities.
- Because this exists, folks in power don't know that they uphold these ideologies and make systems unsafe.

Within the session, the group spoke about the lingering barriers that exist despite multiple reports, efforts, and even funding opportunities that have emerged over the years to address the ongoing concerns felt by many.

The continuation of colonial systems was identified as a major barrier. Colonization and colonial ideas and practices are embedded in the justice system, the governance and funding systems, as well within service-providing organizations. The safety and well being of many Indigenous community members is often at stake. In order to discuss the way forward, dialogue was centered around the need for systems to be immersed in Indigenous communities and ceremonies, and to have education opportunities for all peoples, including those members of settler society who have been separated from their own cultures and histories.

One participant commented that we need to be more critical of the policies and procedures in place and learn to work together. "We complicate things unnecessarily. Introduce humanity back into our workplaces. Get rid of hierarchies. We need to model what we want. There is more than one way to do things. Indigenous Peoples have had to learn to walk in two-plus worlds. Learn how to be friends and to be human."

Much discussion surrounded the impact of the courts and the discriminatory justice system on the youth in our community – where western law is more often about punishment, rather than the restorative justice of traditional Indigenous law. There has been some movement to better understand the impacts of intergenerational trauma in pre-sentencing of Indigenous peoples as a result of Gladue¹ reports and people felt that restorative justice practices and sentencing circles would benefit all peoples in society, not just those who are Indigenous.

The acknowledgement that there is still a lot of work to be done was ever-present, and Elder Kelly Good Eagle reminded everyone that ceremony and smudge protects us all in these difficult spaces, and provided everyone with a song and prayers in closing.

¹ Gladue Primer, 2011. Retrieved from: http://www.cba.org/CBA/cle/PDF/JUST13_Paper_Shields_GladuePrimer.pdf