

**Recommendations submitted to the Standing Committee on the Status of Women
by Quebec Native Women Inc. (QNW)**

December 7, 2017
Kahnawake, Quebec

Quebec Native Women Inc. (QNW) is a non-profit organization that aims to defend the interests and improve the living conditions of indigenous women in Quebec—whether they live in an urban setting or in a community—by promoting non-violence, healthy and holistic wellbeing, fair and accessible justice, and female leadership.

QNW works not only with women, but also with organizations, federal and provincial institutions and government representatives; in particular, to act as the spokesperson for the countless women who are victims of injustice.

The rapid growth in the number of Indigenous female inmates is a major issue for us as it affects many Indigenous women and their families and communities.

First, it is important to understand the context in which the involvement of indigenous women in the criminal justice and correctional systems has evolved over time, and how their overrepresentation in these systems has resulted in an intergenerational cycle of custody and institutionalization (i.e., the impact of the *Indian Act*, residential schools, children being taken into the care of youth protection services, etc.). For most Indigenous people, this represents the continuation of an all-too-common personal history marred by trauma and problems resulting from colonial policies and practices.

1. EDUCATION AND AWARENESS

Given the aforementioned, our first recommendation is to provide systematic and mandatory education and awareness programs on Aboriginal history and issues for all justice partners, including lawyers (recommendations 37 and 38 of the TRC), police officers, judges, correctional officers, program officers, probation officers and workers in halfway house. We believe that, by being aware of and educated about Aboriginal social history and issues that are specific to Indigenous people, stakeholders working with Indigenous people will be able to make positive changes to their own practices and to help change internal policies that impact Indigenous women who are involved in the justice system or who are incarcerated. This recommendation echoes the statement made by the Office of the Correctional Investigator in its 2016–2017 annual report, namely that, “CSC does not provide staff with adequate guidance or training on how Aboriginal social history should be considered in case management decisions.” (Office of the Correctional Investigator, p. 49, 2017).

2. INCREASED RISK FACTORS

The second recommendation is to reduce the marginalization of Indigenous women in prisons and penitentiaries, due in part to historical and socio-economic factors. Being marginalized often results in increased risk factors (based on risk-assessment principles) and in being classified as a medium or maximum security risk. Marginalization and the realities of Indigenous women are therefore viewed as a risk since risk factors are evaluated “objectively” and independently of the individual’s socio-historical background. Realities that affect a significant number of First Nation and Inuit women, such as intergenerational trauma, alcoholism, violence and abuse, lower education levels, job insecurity, and a

history of depression and/or attempted suicide, are associated with a higher risk level. Indigenous women are much more likely to be classified as higher security risks (Corrections Statistics Committee, 2015). These labels are also a barrier to reintegration (or recovery) for these women, who need it most.

For example, healing lodges (provided for under section 81) are only available to Indigenous women who have a minimum security classification, that is, a very small number of these female inmates (Corrections Statistics Committee, 2015). Indigenous women with higher security classifications, and therefore greater and more complex needs, do not have access to this kind of program. It is counterproductive to isolate these women and not provide them with the necessary support. In our opinion, this could cause additional mental and physical trauma. Efforts must be made to either (1) facilitate access to this type of program for women who have a medium or maximum security classification or (2) take into account the background and specific realities of First Nation and Inuit women when assessing individual risk. These resources must be used to their full potential.

3. MORE CULTURALLY-SPECIFIC RESOURCES

Our final recommendation is to establish culturally-sensitive and relevant services and resources that are available on an ongoing and regular basis. There is a significant lack of structure and no safety net for these women once they are released.

The halfway houses in Quebec do not meet the needs of Indigenous women released on parole. Financial resources must be allocated to ensure that support is available to these women, and that this support is appealing and culturally-sensitive and -specific. In addition to hiring Indigenous caseworkers, all workers—be they Indigenous or non-Indigenous—must be given training on Indigenous history and issues. Too often, staff are not equipped to effectively support Indigenous clients.

Lastly, it is important to remember that many Indigenous women do not apply for parole and are usually released on statutory release. Several gaps, especially the lack of human and financial resources, mean that there are very few rehabilitation and/or support services specifically geared toward Indigenous women in both urban and community settings. Without adequate support, these women are even more prone to isolation, job insecurity and poverty (especially when they leave the penitentiary or prison), and continue to engage in behaviours that put them at risk of quickly having run-ins with the justice system and that jeopardize their healing. Resources must be allocated to communities, so that women can get help in their community and so that communities can offer these services. Resources must also be allocated to urban centres because women who have been incarcerated often end up in urban centres once they are released. In some instances, communities do not want to take on responsibility for former inmates (because they do not have the time, money, resources, etc., or because they have other priorities). Sometimes, these women choose not to return to their community (because of shame, isolation, violence and so on). There are few resources or safe environments available to these women. Given their socio-economic and historical background, Indigenous women must have a release plan prepared ahead of their conditional or statutory release. The success of this plan is obviously dependent on support services and resources.

References:

OFFICE OF THE CORRECTIONAL INVESTIGATOR (2017), [*Annual Report 2016–2017*](#), Department of Public Safety Canada.

CORRECTIONS STATISTICS COMMITTEE (2015), [*Corrections and Conditional Release Statistical Overview 2015*](#), Department of Public Safety Canada.