



**Missing and Murdered Indigenous Women and Girls
in Tiohtiá:ke/Montreal:
Towards a Meaningful Collaboration
between the SPVM and Indigenous Communities**

-- Summary Report --

by

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In collaboration with **Quebec Native Women (QNW)**

Cover image

As a visual representation of *Looking Out For Each Other*, we commissioned Wolastoq artist **Susan Sacobie** to create a piece of art to represent the project. She says: *“This painting is for the missing and murdered Maliseet & Mi’kmaq women that were almost forgotten. The five women in this piece represent knowledge, faith, wisdom, justice and peace. They are wearing our traditional peaked hats decorated with the double curve motifs. The wampum belt on the bottom is our promise to each woman that their lives will be remembered, celebrated, honoured. The wampum belt is also a promise to each Native woman that we have to rebuild our matriarchal standing within each of our families & communities. We must humble ourselves and learn and teach one another about who we are, where we come from and to not be silent and share our individual stories so we can empower our sisters, stay connected and strong and in turn we keep our families and communities strong. Their connecting shields are protecting us and reminding each of us that it is an obligation and a privilege to guard one another because we are all connected. As mothers and daughters, the living as well as the women who crossed the rainbow bridge we have to tell ourselves and each other our lives matter, we are important and we have to love and respect each other unconditionally and stand together.”* These words and the voices of Indigenous women will continue to guide the project.

Title

Dominique Bernier, Doris Farget and Mirja Trilsch in collaboration with Quebec Native Women (QNW), “Missing and Murdered Indigenous Women and Girls in Tiohtiá:ke/Montreal: Towards a Meaningful Collaboration between the SPVM and Indigenous Communities – Summary Report”, Montreal (2020)

Research Partners



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Financial support



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Note to Readers

The following is a summary of the final report entitled *Missing and Murdered Indigenous Women and Girls in Tiohtiá:ke/Montreal: Towards a Meaningful Collaboration between the SPVM and Indigenous Communities*. It provides the main observations and conclusions of the report. Please consult the final report for a complete analysis including points of inquiry and documents reviewed.

LOFEO and collaboration with Quebec Native Women

This report was prepared within the framework of the *Looking Out for Each Other - Assisting Aboriginal Families and Communities when an Aboriginal Woman Goes Missing* (LOFEO) project, an action research initiative developed under the leadership of the *New Brunswick Aboriginal Peoples Council* (NBAPC) and Professor Jula Hughes of the Faculty of Law of the University of New Brunswick. The goal at the very heart of this initiative is to improve our collective capacity to provide services that are efficient, appropriate and culturally adapted to the needs of the loved ones of missing or murdered Indigenous persons. The LOFEO project was created in response to a dualistic context in which, on the one hand, the issue of missing and murdered Indigenous women and girls (hereafter MMIWG) is attracting more and more attention on a national level, and on the other hand, knowledge and understanding of the cases of MMIWG in Eastern Canada continues to be limited. The project is reliant on a collaborative and participatory effort that seeks to empower communities, based on their knowledge and expertise on the ground.ⁱ

The Quebecois component of the project was created and developed through the partnership of Quebec Native Women (QNW) and professors Dominique Bernier, Doris Farget and Mirja Trilsch of the Faculty of Political Science and Law of the Université du Québec à Montréal (UQAM), with the support of the Clinique internationale de défense des droits humaines de l'UQAM (CIDDHU).

The production of empirical material was conducted on two levels: through semi-directed interviews and through Access to Information requests made to the SPVM.

This research project has a number of inherent limitations. These relate to the duration of the project, to the terms used within the framework of the research problem and to the positioning of the researchers, as they are non-Indigenous researchers and examine the research problem from a privileged external perspective.

Research Context

The disappearances and murders of Aboriginal women have long been absent from political and institutional discourse. It has been through the arduous mobilisation of families, loved ones and Indigenous women's organisations like QNW that this topic has recently received attention from the governments across Canada. This situation has been created and exacerbated by colonial politics that sought the assimilation or destruction of Indigenous peoples, and have resulted in the marginalisation of Indigenous women. This colonial violence continues to this day. It is characterised by the lack of services adapted to the realities of Indigenous lives, especially those of Indigenous women across the province and particularly in an urban context.ⁱⁱ

The National Inquiry into Missing and Murdered Indigenous Women and Girls (NIMMIWG) and the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Quebec (the Viens Commission) came to the disheartening conclusions that Indigenous women are victims of genocide and that, in the specific context of Quebec, the judicial system fails to follow up on cases pertaining to MMIWG.

Of the province of Quebec's major cities, Tiohtiá:ke/Montreal nowadays has the greatest Indigenous population. However, more than 90% of Indigenous people living in Tiohtiá:ke/Montreal were born or grew up outside of the city. Added to this reality is a feeling of a lack of security experienced by Indigenous people in Tiohtiá:ke/Montreal, on top of profiling and criminalisation, over-arrestation, overrepresentation in the justice system, and multiple cases of discrimination against Indigenous people on behalf of the police.

It is important to note that, according to the *Police Act*ⁱⁱⁱ, the SPVM serves as the municipal policing service in the city of Montreal. **As a result, this research focuses uniquely on the response of the SPVM.** The latter is divided into 31 neighbourhood police stations, each of which falls under one of the four main divisions (North, South, East, West). The four divisions are fully autonomous and responsible for their areas.

In 2015, the Montreal Urban Aboriginal Community Strategy NETWORK and the SPVM signed a collaborative agreement (hereafter the 2015 Agreement, or the Agreement) seeking to improve the relations and interactions between the police force and Indigenous people who find themselves within the limits of the SPVM's jurisdiction. This agreement comprised four main objectives: (1) the implementation of an Indigenous vigilance committee and the creation of an Aboriginal Liaison Officer position, (2) the expansion of the knowledge and skills of SPVM personnel regarding Aboriginal realities, (3) the implementation of a prevention program and (4) the development of a specific protocol to be engaged when an Aboriginal woman or girl is reported missing in the city of Tiohtiá:ke/Montreal.

Observations

What follows are the conclusions we have reached through a thorough analysis of interviews conducted and documents obtained by access to information requests:

- The discourse of all participants in this research project is unanimous and confirms that disappearances and murders of Indigenous women and girls are occurring in Tiohtiá:ke/Montreal;
- All Indigenous women are at risk of going missing or being murdered, and some are more at risk than others due to contributing factors such as poverty and housing scarcity;
- According to participant discourse, the phenomenon of MMIWG is especially facilitated by the lack of services, both in general and in those adapted for the Indigenous communities and their members by public services, including the SPVM. It must be noted that this alarming observation has yet to be the subject of any study and serves as a point of reflection to supplement future studies conducted by Indigenous researchers;

- There is a noted consensus regarding the necessity of collaboration between the SPVM and Aboriginal/community organisations in order to effectively combat the disappearances and murders of Indigenous women and girls in Tiohtiá:ke/Montreal. The 2015 Agreement attests to a closer relationship of these two milieux. That said, it becomes clear from the interviews that there are wildly different visions of shape this collaboration should take, as well as with regard to the efficiency of the means of collaboration that are already in place;
- Few police officers recognize the incomplete character of police expertise, nor do they recognize the essential nature of Indigenous expertise. As such, our research demonstrates that the essential elements of a successful collaboration are absent;
- One requirement to establish an efficient and appropriate mode of collaboration was sorely lacking: a relationship of trust between the interested parties. The Viens Commission recently highlighted “the deep feeling of mistrust that Indigenous peoples have towards police services”^{iv};
- There has been no doubt that some progress has been made since the Agreement was signed in 2015. Many interviewees pointed to the creation of an Aboriginal Liaison Officer position in the SPVM as a positive step. Although this is certainly a success that the institution is very proud of, this pride appears to manifest itself for some members of the SPVM as the feeling of having “solved the problem”. This feeling is not shared outside of the SPVM, as there is no evidence that work is being undertaken to prevent disappearances or murders. It was also brought to our attention that the Aboriginal Liaison Officer has an enormous workload, but that it is impossible for one person to take care of all the issues falling within this mandate. As such, there is a desire as well as a need to create an Aboriginal Liaison team;
- We have, on numerous occasions, been made aware of many within the SPVM who demonstrate openness, awareness and attentiveness towards Indigenous communities, and particularly to the issue of MMIWG. In some cases positive behavioural changes were observed following the cultural sensitivity training provided to officers. However, a disparity between stations was noted as some stations were said to be more aware and sensitive to Indigenous issues (Centre Sud, Downtown) or more open to collaboration with community organisations that serve Indigenous populations (Westmount);
- The goodwill of certain individuals, especially the Indigenous Liaison Officer, works in stark contrast to the lack of awareness or attention of many other SPVM officers. Many participants shared with us that their experiences with the SPVM varied dramatically according to the officer involved in the intervention;
- The application of the procedure to be followed in the case of a reported disappearance of an Indigenous woman or girl (hereafter, the Procedure) does not appear to be uniform, and some SPVM officers appear to ignore that one even exists: “[S]ome of them don’t know the protocol. Like, they try to inform them, but it’s just such a big machine. When they do use it, it goes well. We’re just hoping that it becomes, like, just automatic” (Interview 7, page 5).
- Individual goodwill and sensitivity are currently the cornerstones of a successful intervention. Unfortunately, not all officers have that same state of mind. This situation appears to be the

result of a lack of common vision and institutional engagement on behalf of the SPVM with regard to the fight against the issue of MMIWG in Tiohtiá:ke/Montreal.

Three essential lines of inquiry

1. The SPVM: an accountable institution?

It is of utmost importance that we continue to raise questions about the accountability of the SPVM.

The assertion that the response of Quebec's police services, including the SPVM, does not always adhere to the principles of diligence and non-discrimination, and in some cases functions in direct violation of these principles, is not a new one. It has, amongst other instances, necessitated the implementation of the Viens Commission^v and is also clearly outlined in QNW's 2015 report.^{vi} However, the numerous allegations of this nature do not, as of yet, appear to have resulted in any major institutional consequences for the position adopted by police services. This suggests that the failings of the system are seldom recognised and/or corrected. Please consult the complete report for further details.

2. A collaboration that relies on the recognition of Indigenous expertise?

Although the SPVM is certainly capable of excellent practices in terms of collaboration, some interviewees made us aware of several factors that tend to counter the consideration and recognition of Indigenous expertise within its institutional framework and during police intervention.

The absence of effective recognition of Indigenous expertise results in a lack of comprehension of the issues at hand, leading in some cases to a poor assessment of a given situation by SPVM officers. This lack of recognition translates to the incapacity of the SPVM to adequately identify the needs of Indigenous people, especially women, and is counterintuitive to the collaborative principle that is founded upon approaches that are culturally relevant and safe. Furthermore, many interviewees critiqued the lack of Indigenous representation amongst officers and amongst those who are responsible for adopting broad guidelines.

3. A collaboration that respects non-discrimination and substantive equality?

Prejudice and racism towards Indigenous people from the greater population of Montreal and the discriminatory treatment of Indigenous people by public services in Quebec and in Tiohtiá:ke/Montreal have already been documented by various other research projects.^{vii} The data that we have collected demonstrates that these prejudices and discriminatory practices are equally present within the framework of SPVM intervention with Indigenous people, particularly with Indigenous women.

Several interviewees raised the concern that disappearances of Indigenous women and girls are not taken seriously and made us aware of a general bias towards Indigenous people who file complaints with police. Many participants also attested to the over-judicialization and racial profiling that homeless Indigenous women are subject to. It appears that MMIWG are perceived as being responsible for or deserving of such a fate based on their social status.

Apart from the illegal nature of discrimination and the unacceptable character of interventions that are grounded in prejudice on behalf of public services, the sheer number of accounts that describe cases of prejudice and discrimination reinforce the feeling of mistrust that already exists, making a healthy collaboration between the signing parties of the 2015 Agreement difficult to achieve.

Recommendations

1. Indigenize the response in favor of a human rights-based approach

A human rights-based approach implies that the SPVM and its officers are responsible for respecting the rights of Indigenous people. It also implies that these authorities must base their responses on the principles of non-discrimination, inclusion, dignity, participation and the empowerment of Indigenous communities and their members. These principles encourage a healthy and respectful collaboration, and are directly related to fundamental rights. As a result, they are binding legal obligations for the SPVM.

This study has revealed that the phenomenon of MMIWG in Tiohtiá:ke/Montreal is symptomatic of a profound gap between the declared intentions of the directors of the SPVM to remedy the situation and the breadth and efficacy of the measures put in place to do so. It also became clear that the understanding of this phenomenon on behalf of the SPVM continues to be deficient. It is important to understand that as long as the response of the SPVM does not, or not sufficiently, take into consideration the diversity of Indigenous realities and does not adequately respond to the needs expressed by the urban Aboriginal community of Tiohtiá:ke/Montreal, the SPVM will continue to leave its obligation to protect human rights unfulfilled.

To overcome these obstacles, the SPVM must indigenize its response to MMIWG. In short, this translates to (1) valorising the expertise and recognising the needs of Indigenous communities and organisations in Tiohtiá:ke/Montreal, and (2) understanding Aboriginal contexts in Tiohtiá:ke/Montreal and taking them into consideration in any and all interactions with members of Indigenous communities.

First, it must be noted that the *United Nations Declaration on the Rights of Indigenous Peoples* states that Indigenous people have the right to participate in decision-making that impacts their rights. This implies that a human rights-based approach to the fight against MMIWG requires the inclusion and active participation of Indigenous communities, which has been discussed by several interviewees. The 2015 Agreement was meant to trigger the implementation of these principles. Unfortunately, several elements of the Agreement never came to fruition, or if they did, remain deficient.

Furthermore, the SPVM's obligation to protect the right to life and safety of Indigenous women and girls is not limited to simply finding a missing woman, but also extends to prevention work^{viii}. Evidence suggests that the SPVM does not entirely fulfill its obligation to undertake prevention work, if at all, but rather that it holds Indigenous organisations responsible for such work.

On this point we wish to be very clear: Indigenous organisations in Tiohtiá:ke/Montreal operate with very, very few resources. Not only is it unrealistic to believe that these organisations can find the solution to this crisis alone, but under no circumstances can their services and actions alleviate the

responsibility of the SPVM where prevention is concerned. It is absolutely essential to work in a complementary manner and in direct collaboration with Indigenous organisations.

A human rights-based approach also implies that an understanding of Aboriginal contexts in Tiohtiá:ke/Montreal is necessary for adequate interaction and intervention with Indigenous communities. In order to achieve this, changes must be undertaken on an individual level as much as on an institutional level regarding police intervention. This requires clear and firm commitment at the institutional level to recognise and correct the systemic injustices experienced by Indigenous people.

One way to accomplish this is to promote awareness of, on one hand, the history of Indigenous relations with the State and police services, and on the other, of the needs of Indigenous communities and their members. This awareness on behalf of SPVM officers can be achieved through training, notably cultural competence training, and the cultivation of knowledge acquired at all levels of police services.

Though the SPVM proceeded with cultural awareness training sessions for officers following the signature of the 2015 Agreement, we were unable to determine the exact content of these training sessions and to evaluate their relevance. However, it must be emphasized that a single training session of a few hours will not result in the development of sensitivity and attention to the challenges lived by Indigenous communities, and that this training should be ongoing throughout the police officer’s career. The goal is to ensure that all SPVM officers possess the skills to communicate effectively with all victims of violence and with the families of missing and murdered persons, and to ensure that all communication between the SPVM and the public is effective.

2. Key elements of an improved response

Throughout the current structure of collaboration between the SPVM and Indigenous organisations there exist the seeds of a willingness to work together that are growing through past experiences and that is important to highlight. However, what follows are certain conditions that must be met in order for the SPVM’s response to MMIWG in Tiohtiá:ke/Montreal to improve. Based on the empirical evidence that we have gathered, we have identified 8 key elements that require concrete action on behalf of public authorities and the SPVM. These elements have already been addressed throughout this summary report, either explicitly or implicitly, and are outlined in the following table. Please see the final report for more details.

	Recommendation	Explanation
1.	The SPVM must put forth an approach that is clear, coherent, that recognizes the binding nature of the 2015 Agreement and denotes a sincere and systemic engagement on behalf of the institution.	In the absence of such an approach, doubts as to the efficacy of the SPVM’s response to MMIWG and to the willingness of the institution to work towards a healthy and respectful collaboration with Indigenous communities will persist.
2.	The SPVM must implement a system that permits data analysis and the development of follow-up indicators regarding racial profiling.	The subject of racial profiling must be integrated throughout the SPVM’s plans, programs and practices in an effort to combat systemic profiling.

3.	The SPVM must develop a protocol specific to all cases of MMIWG and applicable to any and all interventions with Indigenous women and girls.	This protocol must be developed in continued collaboration with Indigenous women and their organisations in Tiohtiá:ke/Montreal.
4.	The SPVM must explore methods that are culturally safe and relevant in an effort to build cooperation, a culture of partnership and to establish a relationship of trust with Indigenous people.	This requires a genuine and effective acknowledgment of the role of police services in Canadian colonial history and in the perpetuity of discrimination, and it requires the mobilisation of Indigenous expertise. A sincere and well-supported dialogue based on mutual understanding, between the SPVM and all the signing parties of the 2015 Agreement, regarding the content and frequency of the training sessions that are made available to SPVM officers throughout their careers must be encouraged and opened immediately.
5.	The concept of substantive equality and the different shapes that it can take when applied within the context of police intervention, must be mastered by all members of the SPVM.	A reflection on the right to substantive equality must be included in the training sessions offered to SPVM officers. Furthermore, complete and transparent respect of the principle of substantive equality requires the SPVM to publicise available remedies in the case of discrimination in such a way that is clear and accessible.
6.	The SPVM must develop an Indigenous liaison team, with adequate Aboriginal representation amongst its members, to effectively distribute the responsibilities and workload amongst several persons.	Such a team would ensure the accessibility of services (especially in a linguistic context), representation and the legitimacy of measures taken by the SPVM.
7.	A working task force that involves the SPVM as well as Indigenous organisations based in Tiohtiá:ke/Montreal, such as Quebec Native Women, must be created without delay.	This task force would analyse incident reports about the disappearance or murder of an Indigenous woman or girl.
8.	Continued financial support for Indigenous organisations in Tiohtiá:ke/Montreal must be committed and ensured.	Suffering from general under-funding, Indigenous organisations offer numerous services that should otherwise be undertaken by public authorities. Financial resources should be mobilised to support the sustainability of these services. We wish to reiterate that public authorities are required to offer adequate funding to all public services without discrimination.

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- ⁱ Marie Battiste, “Research Ethics for Protecting Indigenous Knowledge and Heritage”, in Norman K. Denzin, Yvonna S. Lincoln and Linda Tuhiwai Smith, *Handbook of Critical and Indigeneous Methodologies*, LosAngeles, SAGE Publications, 2008, page 508.
- ⁱⁱ Quebec Native Women, “Nānīawig Māmawe Nīnawind. Stand With Us. Missing and Murdered Indigenous Women in Quebec” (2015), online (PDF) <<https://www.faq-qnw.org/wp-content/uploads/2016/11/Naniawig-Mamawe-Ninawind-Stand-with-us-Oct-2016-engl-FINAL.pdf>>.
- ⁱⁱⁱ Police Act, RLRQ c P-13.1
- ^{iv} Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Quebec: Listening, Reconciliation and Progress, “Filing of the Report” (February 16 2020), Online : <<https://www.cerp.gouv.qc.ca/index.php?id=53&L=1>>, page 255.
- ^v Final report of the Viens Commission, *supra* note iv.
- ^{vi} Quebec Native Women, *Nānīawig Māmawe Nīnawind*, *supra* note ii.
- ^{vii} “55 % des Autochtones ont déclaré avoir été victimes de discrimination à Montréal (ODENA 2015)”, Native Montreal, “Mino Madji8in : en action pour le mieux-être des autochtones dans les villes” (2017), page 10, online (pdf): <http://www.nativemontreal.com/media/Publications/Memoire_Mino_Madji8in_Montreal_Autochtone.pdf>. This occurs within a context wherein “une proportion significative de la population québécoise (25 %) entretient encore une perception négative (4,5 %) ou plus ou moins positive (21 %) des Autochtones”, Pierre Noreau cites on page 14. Further, “Le racisme envers les peuples autochtones est patent à Montréal [...] les réalités autochtones sont souvent occultées dans l’espace public. Elles sont invisibles dans le système éducatif, absent de l’espace culturel francophone”, Office de consultation publique de Montréal, “Compte-rendu des échanges avec les intervenants autochtones” (2019) on page 2, online (PDF): <https://ocpm.qc.ca/sites/ocpm.qc.ca/files/pdf/P99/6.4_notes_echanges_avec_les_intervenants_autochtones.pdf>.
- ^{viii} Inter-American Commission on Human Rights, *Missing and Murdered Indigenous Women in British Columbia*, Canada, OEA/Ser.L/V/II. Doc. 30/14, Washington, 2014, online (PDF): <<https://www.oas.org/en/iachr/reports/pdfs/Indigenous-Women-BC-Canada-en.pdf>>.