

COMMISSION ROYALE SUR  
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON  
ABORIGINAL PEOPLES

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"for the record..."

**STENOTRAN**

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Aboriginal Peoples

1 Vancouver, British Columbia

2 --- Upon commencing on Friday, June 4, 1993 at 8:10 a.m.

3 MODERATOR LOU DESMARAIS: Okay.

4 We would like to begin.

5 We are running a couple of minutes behind  
6 time and I've offered to say an opening prayer. I will  
7 keep it brief. And then we would like the Vancouver Native  
8 Health Society presenters to come forward.

9 So, if you would rise, please.

10 These are my words.

11 --- Opening Prayer

12 MODERATOR LOU DESMARAIS: We now call  
13 upon two (2) executives members from the Vancouver Native  
14 Health Society and Mr. Kennard, the Vice-President, will  
15 be giving the presentation. Questions will be then  
16 answered by both himself and the President, Deborah Mearns.

17 The floor is yours.

18 MR. KENNARD: Good morning.

19 I would first like to thank the  
20 Commission for the invitation to come and present this  
21 brief to you. My name is Alan Kennard. I am the  
22 Vice-President of Native Health. I am also the Aboriginal  
23 AIDS Coordinator for the downtown east side. And I am

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1 also HIV positive. This report in front of you starts  
2 out:

3 The Vancouver Native Health Society was  
4 started in 1990 as a non-profit agency to address the  
5 following issues:

6 -Current health care systems are failing Aboriginal people  
7 as is evident in the shocking  
8 statistics that describe current  
9 levels of health and life  
10 expectancy in the Native  
11 population.

12 -The current health status of Native peoples will only  
13 improve through culturally  
14 appropriate programs and services  
15 that are designed and delivered by  
16 Aboriginal persons.

17 Vancouver Native Health is guided by a Native controlled  
18 Board of Directors and by a  
19 Traditional Healers Advisory  
20 Council. Within the context of  
21 the medicine wheel the society is  
22 able to focus on addressing health  
23 problems of Aboriginal people in

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1                   a holistic manner, and not strictly  
2                   in terms of physical illness or  
3                   injury.

4                   From its offices and store-front medical  
5   clinic, the Society is active in Aboriginal health  
6   promotion through an increasing number of program  
7   services. These include: a daytime and evening  
8   store-front medical clinic, an AIDS/HIV project, medical  
9   outreach and home health care delivery, a drop-in program  
10  for Fetal Alcohol Syndrome and Narcotic Addition Syndrome,  
11  high risk pregnant women, and a life skills and  
12  pre-employment program for Aboriginal women.

13                  In addition to these direct services,  
14  the society is involved in a number of partnership programs  
15  with other health agencies, hospitals, private industry  
16  and other community based organizations in order to provide  
17  more programs and services that promote Aboriginal health.

18                  Despite the fact that Vancouver Native  
19  Health is active in responding to the provincial government  
20  challenge that Aboriginal people must set their own agenda  
21  for the development and delivery of health promotion and  
22  care, the Society is very concerned with recent provincial  
23  initiatives in the field of Aboriginal health.

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1                   Specifically, these concerns centre on  
2 the government's insistence to implement regionalization  
3 of health care in the province with inadequate consultation  
4 from community based groups. Of particular concern is  
5 an initiative of the Alcohol and Drug program within the  
6 Ministry of Health, to utilize government-appointed  
7 Aboriginal advisory committees and host agencies to  
8 allocate and monitor a \$5 million grant program that has  
9 used over 25% of its budget to cover administration and  
10 costs. While we as Aboriginal people welcome the  
11 challenge to set agendas for Aboriginal health care and  
12 promotion, this initiative is seriously flawed.

13                   Instead of setting agendas, the major  
14 focus of the committee members has been to introduce a  
15 time consuming process which rejects up to 75% of all  
16 funding applications. Due to the fact that many of these  
17 Aboriginal advisory committee members represent  
18 organizations and agencies who are applying for these  
19 funds, committee members are open to criticism for being  
20 in "conflict of interest" situations. It is further  
21 aggravated by the fact that these committees are appointed  
22 by the government. It is the government who has divided  
23 the province into six (6) regions, with little or no regard

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1 for tribal affiliations, urban/rural or on/off reserve  
2 mixture.

3 Under the Constitution of Canada, the  
4 federal government has the major responsibility for  
5 ensuring the health of Aboriginal people. Unfortunately,  
6 they are increasingly shirking their responsibility in  
7 this area, as they are in many others.

8 To begin with, the federal government  
9 has always decided somewhat arbitrarily which Aboriginal  
10 people they were going to provide coverage for, and those  
11 that they weren't. My heritage is Metis and I am accepted  
12 by Aboriginal people as being part of this community.  
13 This acceptance does not give me status in the eyes of  
14 the federal government. It appears the government is now  
15 in the process of abandoning health coverage for Aboriginal  
16 people who choose to live off reserve as well.

17 As this Commission is well aware, the  
18 federal government has been extremely irresponsible in  
19 fulfilling treaty agreements, and there are very definite  
20 indications that they may try to abandon these  
21 responsibilities entirely. Given the lack of provincial  
22 support that we have received in British Columbia, the  
23 future prospects for Aboriginal health care in Canada do

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1 not look promising.

2                   One particular instance I believe  
3 illustrates the lack of federal commitment to Aboriginal  
4 health care. As this Commission has heard, AIDS is an  
5 increasing threat to the existence of Native people in  
6 this country. Despite the increasing threat of infection  
7 and death in our communities, the Medical Services Branch  
8 recently folded its Joint National Committee on AIDS saying  
9 that they had accomplished their work, when in fact this  
10 committee accomplished little more than holding meetings  
11 and in the end patting themselves on the back. AIDS is  
12 not about to go away because the MSB assumes they have  
13 done enough.

14                   We are now facing a much more dangerous  
15 situation as tuberculosis is again invading Aboriginal  
16 communities in Canada. The danger is particularly acute  
17 in urban areas where Native people receive the least  
18 protection, support or education.

19                   The community I live and work in, the  
20 Downtown Eastside of Vancouver, already has the highest  
21 incidence of tuberculosis in Canada. We have every factor  
22 here necessary to produce a TB epidemic: AIDS, poverty  
23 and homelessness. Unless Aboriginal people in particular



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1 can receive appropriate treatment, they will be among the  
2 first infected and the first to die. TB and AIDS could  
3 be the deadliest combination to Aboriginal people since  
4 smallpox.

5 I call on this Commission to ensure that  
6 Aboriginal people in Canada -- all Aboriginal people,  
7 status or non-status, urban, rural or reserve -- receive  
8 appropriate and adequate health care. We must decide for  
9 ourselves what that should and will be. Recognizing that,  
10 depending on our circumstances, we will make different  
11 decisions based on the real needs of each community. It  
12 is time to make these decisions based on our own beliefs,  
13 and knowledge. We are no longer willing to be disposable  
14 people. It is time we take the responsibility for our  
15 own well-being.

16 Thank you.

17 **CO-CHAIR GEORGES ERASMUS:** Thank you  
18 for your presentation.

19 I have a number of questions, if you  
20 don't mind.

21 The Ministry of Health has appointed an  
22 advisory committee. It's actually using up 25% of the  
23 \$5 million? It's using over \$1 million?

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1                   **MR. KENNARD:** Those are roughly some of  
2 the figures that we've heard that are happening. Maybe  
3 I could defer to Deborah on this one.

4                   **MS DEBORAH MEARNNS:** We haven't been able  
5 to get a lot of information around the AEC. It's  
6 interesting that at a time when the Ministry of Health  
7 is talking about devolving health care to communities and  
8 a lot of communities participate in providing health care,  
9 that they have actually centralized Aboriginal health care  
10 in this province into one (1) bureaucrat who has set up  
11 this advisory committee.

12                   And it's a committee whose process is  
13 just almost impossible to access based on its structure  
14 and we are finding it really difficult to get information  
15 on the levels of funding they have put out there. But  
16 to our understanding it is about 25% of the total budget.

17                   **CO-CHAIR GEORGES ERASMUS:** Okay.

18                   You talk about the federal government  
19 and the constitution having a responsibility for the health  
20 of Aboriginal people and you say increasingly they are  
21 shirking this responsibility.

22                   Could you explain what you are talking  
23 about by being Metis, not giving you status, and then

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1 talking about the treaty rights and so forth? Are you  
2 referring in the case of the treaties to how the government  
3 is suggesting that treaty rights are restricted to  
4 reserves? Is that what you are ---

5 **MR. KENNARD:** I am talking about the  
6 unfulfillment of treaty agreements in this country since  
7 they were done. As a Metis person I have no status in  
8 this country. I am a Cree from Saskatchewan and I'm out  
9 there somewhere in limbo as far as the federal government  
10 is concerned, as far as status or as far as any benefits  
11 or care.

12 **MS DEBORAH MEARNS:** And I think as far  
13 as the federal government -- a demonstration of how it  
14 shirks its responsibility to provide health care -- B.C.  
15 is a good example. Well, for one thing there aren't any  
16 treaties, and, two, the way MSB operates in this province  
17 is it pretty well refuses to support or become involved  
18 in any health care initiatives that are not on reserve.

19 **CO-CHAIR GEORGES ERASMUS:** Is that  
20 right? Okay.

21 Could you tell me what the reasoning of  
22 MSB has been for the Medical Service Branch to actually  
23 shut down their Joint National Committee on AIDS?

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1                   **MR. KENNARD:** They felt that over a  
2 period of the year and a half that they consulted with  
3 most of the people that were necessary to deal with the  
4 AIDS crisis. When in fact they voiced support to do that,  
5 they did not follow through.

6                   I was invited once to a meeting and given  
7 all of five (5) minutes, as a PWA. As a person living  
8 with HIV I was assured by MSB and by the Joint National  
9 Committee that they would follow up on this process, which  
10 they never did. And in fact when they had their last  
11 meeting I was called to Ottawa to go and make a presentation  
12 on tuberculosis. The day before that meeting was to wrap  
13 up and the day I was to speak I had a phone call from Ottawa  
14 saying that they felt their business was done and that  
15 they wouldn't be able to meet me the next day.

16                   **CO-CHAIR GEORGES ERASMUS:** Could you  
17 add a little bit more elaboration on why you think that  
18 tuberculosis is you know necessarily going to hit  
19 Aboriginal people any more than it would anyone else?

20                   **MR. KENNARD:** Well, Vancouver is the  
21 tuberculosis capital of Canada already. In the past year  
22 we had an extra 200 cases on the Island, on two (2) reserves  
23 on Vancouver Island. So that put the numbers up there.

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1 You couple that with the fact that there is a multiple  
2 drug resistant strain of tuberculosis now in Montreal and  
3 widespread across the United States, and couple that with  
4 AIDS.

5 We've seen that people who are HIV immune  
6 compromised or who have AIDS and who contract tuberculosis  
7 don't last any longer than 10 to 15 days. So, someone  
8 who is already severely immune compromised and connects  
9 even with just the normal strain of TB doesn't have much  
10 chance of defeating the disease.

11 **MS DEBORAH MEARNS:** Yeah, we fear that  
12 what will happen here is what is happening in the United  
13 States in inner cities where you have a large population  
14 in the inner city that are needle users, who because they  
15 don't allow needle exchanges et cetera, they have half  
16 the population is HIV positive and then TB comes in and  
17 is just decimating inner cities and filling up hospitals.  
18 And now there is a drug resistant strain because there  
19 is no mechanism to follow up to be able to distribute meds  
20 to people and make sure that they're available to that  
21 population.

22 When you look at the inner city of  
23 Vancouver, as Alan was saying, it has the highest TB in

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1 Canada, highest TB rate. Couple that with the large Native  
2 population, which is also transient so which moves back  
3 and forth to home communities at times, it really could  
4 be devastating.

5 **CO-CHAIR GEORGES ERASMUS:** But the  
6 worst link you are making is if tuberculosis is tied in  
7 with AIDS, that's the worst ---

8 **MR. KENNARD:** That's worst case  
9 scenario.

10 **CO-CHAIR GEORGES ERASMUS:** Yes.

11 **MR. KENNARD:** But tuberculosis is a  
12 problem on its own ---

13 **CO-CHAIR GEORGES ERASMUS:** Right.

14 **MR. KENNARD:** --- in this community ---

15 **CO-CHAIR GEORGES ERASMUS:** Yes.

16 **MR. KENNARD:** -- and in this province.

17 **CO-CHAIR GEORGES ERASMUS:** So how do  
18 they treat the tuberculosis that has become drug resistant?

19 **MR. KENNARD:** Well, there is no way to  
20 treat it.

21 **CO-CHAIR GEORGES ERASMUS:** There isn't?

22 **MR. KENNARD:** There is no way to treat  
23 the drug resistant tuberculosis. One of the reasons that

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1 this strain develops is that tuberculosis medication has  
2 to be taken over a period of a year. Most of the time  
3 in our community people start taking the medication, they  
4 start to feel better, maybe three (3) to six (6) months,  
5 and they quit the medication. Therefore, the TB is still  
6 active in the body and it develops a resistance to the  
7 medication that they were taking.

8                   And this is what has happened in New  
9 York, in San Francisco in the States. There are a number  
10 of cases in Montreal and I understand a couple in Toronto  
11 already. So this is a time bomb waiting to go off and  
12 it's only a matter of time until we have cases of MDRTB  
13 in Vancouver. We are exploring ways of dealing with this  
14 but it's really difficult to get the bureaucrats and the  
15 powers that be to realize they have to work with communities  
16 to make this something that we can address.

17                   Like we're putting a doctor in a van.  
18 We are going to put a doctor on wheels to get out to people  
19 in the community now. If they can work with us in  
20 developing a way we could dispense medication to people  
21 who have TB and follow them, wherever they are going and  
22 wherever they move to, so that we can make sure that those  
23 meds are taken. And I think it's up to the Ministry of

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1 Health to ensure that they're working with communities  
2 to address this issue so that we can stop the introduction  
3 of this strain of TB into Vancouver or into this province.

4 **CO-CHAIR GEORGES ERASMUS:** Okay.

5 Those are my questions.

6 Viola, did you have any?

7 **COMMISSIONER VIOLA ROBINSON:** The  
8 tuberculosis. So you are saying that the drug resistant  
9 type of tuberculosis is something that is different than  
10 the tuberculosis that was affecting people say 20 years  
11 ago or so, or is it ---

12 **MS DEBORAH MEARNES:** It develops because  
13 there is not the process out there to ensure that people  
14 continue medication over a year. So, what happens is that  
15 somebody starts to take medication, stops taking their  
16 medication, starts again, stops again. What will happen  
17 is you end up with a strain that becomes resistant to the  
18 drugs.

19 **COMMISSIONER VIOLA ROBINSON:** Years ago  
20 they had sanatoriums, tuberculosis sanatoriums, and when  
21 somebody had that, that's where they would go and they  
22 would be treated there. Some of them stayed six (6) months  
23 to two (2) or three (3) years, until they were better,



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1 and then they were released.

2 Do you think that should be re ---

3 **MS DEBORAH MEARNNS:** No.

4 **COMMISSIONER VIOLA ROBINSON:** No?

5 **MS DEBORAH MEARNNS:** No. I think what  
6 has to happen, and what I said earlier, is that the people  
7 that are responsible for delivery of health care in this  
8 province start working with communities and start looking  
9 at creative and innovative ways of dealing with a lot of  
10 these issues in the community because there are mechanisms  
11 to do that. What we end up with is with a bureaucracy  
12 that is too rigid and not flexible enough or not willing  
13 to recognize that people like us in the community that  
14 provide services, that are front line people, actually  
15 do have some answers and know how things can be done.  
16 We just lack the support from people like the Ministry  
17 of Health and the professionals.

18 **COMMISSIONER VIOLA ROBINSON:** So, when  
19 you say "community" you mean the urban part of Vancouver  
20 as well?

21 **MS DEBORAH MEARNNS:** Whatever community.

22 **COMMISSIONER VIOLA ROBINSON:**

23 Whatever.

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1 And you have the structure to deal ---

2 **MS DEBORAH MEARNS:** We work within the  
3 Downtown east side primarily. And we're putting in place  
4 some programs that are really different and very innovative  
5 and probably not -- you won't see them elsewhere in Canada;  
6 like the doctor that we're going to actually put in a  
7 specially equipped van to get them out to people who are  
8 homeless or people living in hotels and things like that.

9 We are going to be working with the  
10 Centre for Excellence here, out of St. Paul's, to actually  
11 distribute AIDS meds through that doctor to people because  
12 we've got so many people that have AIDS in our community  
13 that aren't able to access the system as it is now. So,  
14 there are ways of being flexible.

15 **COMMISSIONER VIOLA ROBINSON:** So what  
16 you are doing, all these initiatives that you are taking  
17 on now to deliver your service, you have the resources  
18 now to do. But, what, is it limited or it is just temporary  
19 or ---

20 **MS DEBORAH MEARNS:** Well, I mean who  
21 knows with funding from governments how long things are  
22 supported. We're saying we have the mechanisms in place  
23 now. What we are faced with is convincing the bureaucrats

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1 that there are other ways and more effective ways of doing  
2 something.

3 **COMMISSIONER VIOLA ROBINSON:** Yes,  
4 okay. So it's not enough?

5 **MS DEBORAH MEARNS:** Yeah.

6 **COMMISSIONER VIOLA ROBINSON:** Yes.  
7 Okay.

8 Okay, thank you.

9 **CO-CHAIR GEORGES ERASMUS:** Thank you.  
10 I thank you for moving around on the  
11 agenda and coming so early. Thank you.

12 **MR. KENNARD:** Thanks for having us.

13 **MODERATOR LOU DESMARAIS:** The next  
14 presenters, according to the schedule, are the Association  
15 of Canadian Publishers and Theytus Books.

16 Are they here?

17 We would like to call Mr. Dennis Brown  
18 to make his presentation on behalf of the United Fishermen  
19 and Allied Worker's Union.

20 Mr. Brown, if you could please join us?

21 And once you are seated and ready to go the floor is yours.

22 **MR. DENNIS BROWN:** Well, thank you very  
23 much, Mr. Chairman.

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1                   I did give the fellow at the door some  
2 copies of our brief and if you have enough there, that  
3 would be great. If you need any more just let me know;  
4 I can get some more to you if you need them.

5                   I would just like to start off by saying  
6 that the organization I represent is the United Fishermen  
7 and Allied Worker's Union, which is a union that represents  
8 approximately 7,000 people. It's a cross-industrial  
9 union, representing not only fish harvesters or fishers,  
10 but also people who work in the processing end of the  
11 industry as well.

12                   And I would just to like to point out  
13 also that it's a union that has had a long and proud history  
14 of fighting to defend the common property nature of the  
15 industry against foreign interceptions against habitat  
16 degradation, a lot of other issues in terms of how we can  
17 promote our fisheries for the best use of the country as  
18 a whole, and certainly very involved in the idea of  
19 protecting the resource itself.

20                   Also it might be of note to you that it  
21 is an organization that has a very, very ethnically diverse  
22 membership. A large number of Native people belong to  
23 our union and have been involved for many years in the

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1 battles that I previously mentioned in fighting for our  
2 industry. We also represent a number of other racial  
3 groups and we believe we've had a long history in fighting  
4 against the very obvious ills of racism in our society.

5           Having said that, I guess the thing I  
6 want to get most quickly to you is of course the controversy  
7 regarding fishing rights out on the West Coast which you  
8 are no doubt well aware of. And of course this has been  
9 a very unfortunate polarization in our community and it's  
10 something that we would like to be the solution of -- part  
11 of the solution of rather than part of the problem.

12           However, I would like to make some  
13 distinctions between what is perhaps the simple assessment  
14 that it's just a white versus Native or a racial type of  
15 dynamic that is at play here. While there are obvious  
16 questions of racial tension associated with the struggle  
17 over fishing rights on the West Coast right now I believe  
18 that the issue is not so much one of ill around race as  
19 much as a dilemma that we are faced with in terms of a  
20 government policy which is attempting I believe to create  
21 two (2) commercial fisheries out here on the West Coast  
22 when it is not necessarily clear as to whether or not we  
23 need to have two (2) commercial fisheries.

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1                   If I may I would point out to you that  
2 the existing commercial fishery, whatever flaws we may  
3 have within it, and they are many, happens to be a place,  
4 a home, for a large number of Aboriginal peoples. Our  
5 workforce, as the brief points out, is at least one-third  
6 Native at this moment in the fish harvesting sector. That  
7 represents not only individual licence holders -- and you  
8 will notice on page two (2) of the brief you will see a  
9 number of graphs there that show the current licence  
10 holding participation levels of Native people in the  
11 herring fishery. It's somewhat over a quarter of the  
12 licence holders. In the salmon industry, it's somewhere  
13 around one-fifth. Lesser extent to some of the other  
14 fisheries, but in the roe-and-kelp fishery for example  
15 more than three-quarters of the participants in that  
16 fishery -- a relatively small one at this time but very  
17 lucrative one our Native people.

18                   But just looking at the licence holders  
19 alone is not necessarily the full, complete picture about  
20 participation because we have a number of people who work  
21 on boats who don't own licences but work for the large  
22 processing companies that own those licences, that are  
23 Native as well. And in addition to that a number of Native

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1 people work on vessels owned by non-Natives. And,  
2 finally, I would point out that one of the backbones of  
3 our industry is the Native participation in our fish  
4 processing sector and the plants in Prince Rupert -- where  
5 I believe you've already been and I think one of our  
6 representatives spoke to you there so I won't take up too  
7 much of your time there. Perhaps three-quarters of our  
8 membership in that plant setting are Native people and  
9 they enjoy the benefits of contracts and all the rest.

10                   So I wanted to give just you that little  
11 bit of an outline because part of the problem in dealing  
12 with this issue has been the statement by government  
13 officials and whatnot that Native participation in the  
14 industry has been somehow kept to a very marginal level,  
15 and the figure three (3) per cent comes up quite a bit.

16 And, indeed, if three (3) per cent were all the  
17 participation level in the industry we would have a great  
18 deal of concern. But I think that three (3) per cent is  
19 a bit of a misnomer because that reflects the participation  
20 level of what is known here as the Native Aboriginal Fishery  
21 or the Rights Fishery or some people refer to it the Food  
22 Fishery, which is a slightly different way of classifying  
23 it.

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1                   But it's not helpful to say that Natives  
2 only take three (3) per cent of the fish. In our view  
3 at this time it's better to look at it as a whole in a  
4 totality and start from there. And I would say right off  
5 the bat, that while that is not good enough and that we  
6 can work towards improving that participation level --  
7 and we have some ideas on that -- I think it's also fair  
8 to say that it's not right that so many people now seem  
9 to be focusing in on the fishing industry as though the  
10 people that work in it -- the non-Native people in it --  
11 are all people of ill will or whatever, or are unwilling  
12 to share and that sort of thing. I think that's a bit  
13 of an oversimplification of the issue at hand here.

14                   Because I think where we are having our  
15 biggest difficulty is the way in which the AFS -- that's  
16 the Aboriginal Fishing Strategy -- has been concocted by  
17 the current government -- and I think it's very helpful  
18 for you here to at least look at it, do some analysis of  
19 it I think because obviously if we are going anywhere in  
20 this society and we are going to achieve the justice that  
21 needs to be done for Aboriginal peoples in this country --  
22 we are going to have to look at the first run at this kind  
23 of an experiment and see where we have made our mistakes.

StenoTran



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1 And I want to say unequivocally here that our criticisms  
2 are not directed toward the Native people at all. My  
3 criticism and the criticism of our organization is the  
4 way the government has handled this.

5 Start off by saying that part of the  
6 problem stems from some of the legal interpretations that  
7 have apparently driven the AFS. You're very well aware  
8 I know of the Sparrow case. And clearly the Sparrow case  
9 has been of significance in terms of laying out what I  
10 believe to be very important directives for the Government  
11 of Canada in terms of their fiduciary responsibility for  
12 Native people, the need to consult Native people in all  
13 regards regarding fishing operations on our coast. Those  
14 things are good.

15 What has been troublesome to us,  
16 however, is an interpretation that isn't in Sparrow as  
17 far as we can see it, that there is a right to commercialize  
18 the Native fishery, somewhat outside of the existing  
19 commercial fishing licensing regime which we know.

20 The Sparrow case did not say that.  
21 There is yet to be a definitive statement by the courts  
22 in this country on what the commercialization rights are.

23 Who knows what that will be? There was supposed to be

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1 a Supreme Court ruling in B.C. here last week. It was  
2 delayed. Some time in this month we are no doubt going  
3 to here.

4                                   But until we do we have to take exception  
5 to the belief that somehow or other that there has been  
6 a definitive statement on this and that the AFS is just  
7 simply response to the courts. Quite frankly we believe  
8 that the AFS is a political strategy of the federal  
9 government. It has gone about changing some of the  
10 structures that we know in the industry that the industry  
11 was based around in the past regarding commercialization,  
12 and it's been done in a very faulty way because most of  
13 those discussions have been done -- well, not most,  
14 virtually all of them have been done in private, without  
15 the consultation of the industry so that we could be part  
16 of a consensus-building forum around this whole equation.

17                                   The Government of Canada, under the AFS,  
18 has made two (2) fundamental points that we have trouble  
19 with. One is the commercialization. The other is a  
20 concept of co-management which they say is necessary in  
21 order to get proper harmony in the industry or whatever.

22       It's not so much that we have an objection. Obviously  
23 we need to see a greater participation level in terms of

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1 Native involvement in management of the fisheries and  
2 whatnot.

3                   But the co-management thing last year --  
4 and I don't know how familiar you were but in my brief  
5 I go into a little bit of a description of the kinds of  
6 things that happened in the Fraser River last year was  
7 plagued, more than anything else, not by the lack of Native  
8 good will or lack of effort on their part, but plagued  
9 more by a very messy way in which the AFS was introduced  
10 last year and a lack of support from the government, a  
11 lack of control.

12                   Whole parts of the Fraser River last year  
13 were left without adequate supervision or management  
14 control. And I think that very, very badly jeopardized  
15 not only the aspirations of Native people on this coast  
16 for the fight that they so justly should be supported,  
17 but it also threatened fish stocks, it disturbed the  
18 industry itself, and once again I bring it back to the  
19 fact that the government didn't think out very clearly  
20 how co-management could work, didn't give it the kind of  
21 support and infrastructure it needed.

22                   I would like to just talk briefly -- and  
23 I know I don't want to take too much of your time -- about

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1 why we are so concerned about the AFS and then maybe try  
2 and talk about what we would see as an appropriate vision  
3 and one that would be more helpful and one that we could  
4 perhaps get a bit more harmony and consensus on.

5                   The fishing industry in our view  
6 necessarily needs to have a commercial licensing regime.

7     It's clear up until the first three-quarters of this  
8 century anyway the fishing industry out on the West Coast  
9 was run on a common property, open entry basis. My union  
10 and several other groups and the public at large lobbied  
11 against that kind of situation for a variety of reasons.

12

13                   Number one, it wasn't good for the  
14 resource to have a completely open-ended fishery.  
15 Secondly, it wasn't good for people's income because you  
16 had the moonlighter scenario or whatever. Whenever there  
17 was a good year, a lot of people would come in and cream  
18 the top of the industry. In the poor years the bona fide  
19 people would be left to the dregs. So a commercial  
20 licensing regime was introduced for the benefit of the  
21 stocks more than anything else.

22                   That commercial licensing regime,  
23 however, never was racially oriented. It was very, very

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1 simple for anybody up until 1970 to get a licence. It  
2 cost \$1.00. Anybody could get one. After the  
3 introduction of the limited entry scheme in 1969 it became  
4 more expensive to get a licence, but I would point out  
5 that there were several programs, perhaps not as good as  
6 they should have been, and we could talk about that and  
7 ways in which we can improve that, and that's part of our  
8 vision of this thing.

9                   But nevertheless there were many, many  
10 ways in which we tried to keep the Native participation  
11 in the industry up. We had purchases of large numbers  
12 of boats, licences were purchased, millions of dollars  
13 were spent, special provisions for licensing were arranged  
14 and so on. So to suggest for example that there was a  
15 sort of racially inspired context to the licensing of  
16 commercial fishers on this coast, I don't think is quite  
17 fair. I think we could always focus in on the need for  
18 better improvement or whatever, but to suggest that it  
19 was some kind of an apartheid type of approach or whatever  
20 wasn't good or isn't fair I don't think.

21                   The other thing that our fishery has been  
22 based on, aside from limited entry, was that once a  
23 commercial fishing industry licensing regime was in effect

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1 anybody who wanted to become one and was willing to meet  
2 the requirements of that licence could become so. Now  
3 what is causing problems with the new AFS regime is they  
4 are suggesting that we will have a licensing regime that  
5 will be carved out and it will be to the use -- or how  
6 would I put it -- open to Native people only. And  
7 unfortunately we are not very clear or we are not well  
8 comforted by where the whole thing is going.

9                   So far as the situation occurs now under  
10 the AFS and under the regulation changes that the Minister  
11 is seeking to the Fisheries Act to implement it, any Native  
12 organization that may be eligible to a licence is at the  
13 discretion of the Minister, and in theory at least it is  
14 open-ended or it doesn't have a well defined structure.

15       And I think if we could take the issue of race out of  
16 it for a moment and just look at it from a resource  
17 perspective, it has to be one that we have to wrestle with.

18       There has to be some criteria or some control over how  
19 many permits or how many fishing operations can exist on  
20 the coast and still be in harmony with the stocks.

21                   And so I would say that if there is  
22 anything that has really caused a lot of problems with  
23 the AFS is that non-Native people are very afraid -- and,

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1 pardon me, I should correct myself and say a lot of Native  
2 people as well in the industry have some real concerns  
3 about where the Minister of the government of the day is  
4 headed with this thing and to what degree they have an  
5 appreciation for the pressures that may be brought on there  
6 and whether or not the new regulations may not open a whole  
7 avenue of judicial and legal struggle over who or who may  
8 not under the Act get a fishing privilege.

9 I tried to briefly touch on some of our  
10 concerns. I would like to now just try and wind it up  
11 by saying what we would consider to be a better option.

12 A very great part of the Aboriginal  
13 fishing strategy we support, although that doesn't come  
14 across in the media and whatnot. For example, we are  
15 highly supportive particularly of those bands in the  
16 interior of B.C. and whatnot. I think of the Shuswap,  
17 I think of the people in the Fort St. James area and others  
18 who have been the most devout and the most leading  
19 protectors and defenders of the salmon resource. And  
20 alongside of our union and others for many years of battles  
21 we fought against Kemano completion, twin tracking of the  
22 CNR and a lot of other environment projects. And I give  
23 those people absolutely full credit for the fact that we

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1 have a salmon resource that is not only holding its own  
2 but is actually increasing in numbers which is quite unique  
3 in the world.

4                   And I would like to see that the  
5 Government of Canada live up to its promises that it  
6 originally made under the AFS but denied last year due  
7 to budget concerns and whatnot for large amounts of money  
8 to be given to those Native people that are close to the  
9 spawning streams and spawning areas who wish to get more  
10 involved in the production end of the fishery. And last  
11 year there was a lot of promises put out by the government  
12 that didn't get seen in the full context. So I want to  
13 say that we are very supportive of that.

14                   And there is a number of other training  
15 programs and other related issues to the Aboriginal  
16 Fisheries Strategy where people can get in on a hands-on  
17 basis with the management of the fishery and into the  
18 production of the fishery which we 100 per cent support.

19                   On the harvesting end, however, we have  
20 some difficulty with the idea that you have to carve out  
21 a new commercial fishery in order to satisfy a clear need  
22 which we support for further need of economic opportunities  
23 here. I want to say first of all unequivocally there isn't



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1 a single voice in the industry that I have been able to  
2 find which in any way challenges the traditional fishery  
3 which is constitutionally guaranteed to fish in the  
4 traditional areas for food. We absolutely, unequivocally  
5 do not in any way object to that and we feel that that  
6 has to be number one priority, as obviously the court has  
7 said.

8                   But we believe that in terms of creating  
9 jobs for Native people on our fisheries resource there  
10 is plenty of room within the existing fishery to start  
11 a proactive program of licence purchases and vessel  
12 purchases and it could be done through a variety of  
13 scenarios which are mentioned in the brief, Mr. Chairman,  
14 in which either for example a band could buy a series of  
15 boats, have their members go out and fish those boats,  
16 deliver the fish to their own processing infrastructure  
17 on their own lands or what have you. Or, alternatively,  
18 they could go out and catch fish and deliver them to the  
19 fishing processors if they felt that that was a more  
20 economic way to approach it. But nevertheless we believe  
21 there is plenty of room for that kind of an option and  
22 quite a substantial and well developed employment  
23 opportunity exists there.

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1                   I think it's important to also stress  
2 that salmon being an anadromous species, once they enter  
3 from the salt water into the fresh water do lose their  
4 market value, although of course they can be utilized in  
5 different ways and some of the traditional methods that  
6 Native people have used in the canyon and whatnot to  
7 preserve those fish no doubt have some economic opportunity  
8 there.

9                   But by and large in the modern world the  
10 best way to get the best value for the resource is by  
11 catching it in the salt water and utilizing our very  
12 sophisticated and modern techniques of processing and  
13 whatnot to get it into the modern marketplace, which is  
14 a very competitive and perilous one at best. And I think  
15 that there is room there if we were to look at a proactive  
16 campaign to try and get those kind of licences purchased  
17 and those vessels and introduce an affirmative action  
18 program into the industry.

19                   I hope I haven't gone on too long here,  
20 Mr. Chairman. I would just like to say that we come here  
21 as people who wish to be supportive. We wish to point  
22 out to you that if we have a criticism it's because of  
23 the fear of the way the government has treated our industry,

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1 has kept them from a full sense of their vision.

2 I want to say that on this coast, up until  
3 the introduction of the AFS -- and I do not mean this to  
4 sound in any way trite or cliché -- but I believe very  
5 strongly that we had an industry here prior to the current  
6 government's program that was essentially colour blind.

7 People didn't look at another boat and say "That's an  
8 Indian boat over there," or "That's a Japanese-Canadian  
9 boat," or "That's a Vietnamese-Canadian boat." People  
10 got along fairly well in this industry; not perfectly I  
11 must admit.

12 But since the introduction of this plan,  
13 because of the sort of nefarious way in which it was  
14 adopted, we've seen a lot of polarization. And it's  
15 unfortunate now that the media plays on that and it's  
16 unfortunate that people are somehow believing that  
17 commercial fishers are somehow intolerant or racist  
18 people. I want to say that I want to distance myself  
19 completely from that and I want to work hard to help your  
20 Commission and others to find ways that we can come up  
21 with solutions. But I think they have to be ones that  
22 are realistic economically and they have to be ones that  
23 can build lasting consensus around it.

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1 I think we in the industry want to be  
2 part of the solution, not part of a problem. And I hope  
3 you can make the distinction at least about our concerns,  
4 that they are ones over government policy, they are ones  
5 around economic dislocation and fear more than anything  
6 else.

7 So, thank you very much for your time.

8 **CO-CHAIR GEORGES ERASMUS:** Thank you.

9 Thank you for coming forth and thank you for sharing your  
10 views. It's very, very important for us to hear your part  
11 of this issue.

12 So, let me see if I have this right.  
13 There are parts of the Aboriginal Strategy that you can  
14 live with and you support fairly openly: the training for  
15 Aboriginal people, the food fishery you don't have a  
16 problem with; it is the new commercial agreements. What  
17 you would suggest is, rather than doing that, that existing  
18 licenses should be purchased; that is what you would  
19 suggest?

20 Isn't the problem that some of those  
21 licences are as high as \$1 million?

22 **MR. DENNIS BROWN:** Yes, that is a  
23 problem and that's part of the nature of a limited entry

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1 scheme. It's like taxi licences out on the streets of  
2 Vancouver or whatever. When you put a limited entry  
3 privilege onto something of course you create a value there  
4 that shouldn't exist.

5                   Now, I can probably bore the Commission  
6 here with a very arcane, long speech and it's touched on  
7 briefly in my brief, about why we disagreed with the Davis  
8 plan when it was introduced. Because our union had fought  
9 for -- along with other groups in the industry and I believe  
10 the Native Brotherhood as well -- for the idea of placing  
11 the licence on the individual rather than on the boat.  
12 Because we believed that there was a bona fide fisher's  
13 structure and we laid out a whole series of ways in which  
14 you could define what that was: family members or you know  
15 history in the industry, primary income coming from fishing  
16 rather than part-time, and all the rest.

17                   The government of the day of course said  
18 "Well, no, no, that's not the appropriate way. We want  
19 to go on an entrepreneurial or a corporate model.  
20 Fishermen are going to build a great deal of equity of  
21 these licences and whatnot." If I may for a moment just  
22 tell you that one of the great tragedies of the industry  
23 is that subsequent to the Davis Plan we saw the wrong kind

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1 of boats being driven out of the industry and a great deal  
2 extra capitalization.

3                   So that is a thorny issue that we have  
4 to deal with, but nevertheless I think there is ways in  
5 which we could probably devise it so that licences could  
6 be created or purchased. I believe the government has  
7 a very strong responsibility to make sure that funds would  
8 be available to get access into the industry. And I don't  
9 think it's prohibitive but I think the key thing that has  
10 to be realized is that in order for there to be a sense  
11 of comfort here with all of this that you can't have two  
12 (2) fisheries going on.

13                   It would be preferred that, if there is  
14 going to be income or opportunity taken out of the fishery,  
15 that we are all doing it in the same way at the same time,  
16 rather than creating a new fishery. And then I guess the  
17 thing that really scares fishermen is where does that new  
18 fishery go. Does it stay at one level? Perhaps if it  
19 was at one level, that's not so threatening. But if it  
20 was to get bigger and bigger and bigger and the other group  
21 gets smaller and smaller and smaller we have some real  
22 fears there.

23                   But I agree, it's a point well taken.

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1 I think that it is difficult but perhaps there is ways  
2 in which we can look at funding arrangements or maybe even  
3 the industry being involved in part of the subsidy of the  
4 purchases of those licences through various methods. But  
5 I think that there is options there if we get down and  
6 start exploring them.

7 **CO-CHAIR GEORGES ERASMUS:** M'hm.

8 The other thing, wouldn't also the very  
9 fact that you are chasing a limited number of licences  
10 and it was publicly known that the government wanted to  
11 increase Aboriginal involvement in it, the price of  
12 existing licences would just naturally rise?

13 I mean if there was a program where the  
14 government would say "Well, you know there is a certain  
15 fishery where Aboriginal peoples content is fairly low  
16 and we want to rise that," wouldn't immediately the value  
17 of the licence -- wouldn't it be like real estate? I mean  
18 when people come into a limited market and they want to --  
19 you know that there are buyers, there's nowhere else they  
20 can go, the value would go up; would it not?

21 **MR. DENNIS BROWN:** Well, that's a good  
22 question and that's always a fear I suppose you would have.

23 But at this time I think there is quite a fair indication

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1 that there are people that are at retirement age and at  
2 the level of desiring to get out of the industry, and  
3 probably would be fairly good candidates for a transfer  
4 program like this without too excessive a speculative  
5 pressure put on the resource.

6                   You've got to remember also that one of  
7 the things that maybe is a little misunderstood by a lot  
8 of people is that the fishing industry is not the goose  
9 that laid the golden egg these days. We've got a lot of  
10 problems there and there is a lot of pressures in it ---

11                   **CO-CHAIR GEORGES ERASMUS:** M'hm.

12                   **MR. DENNIS BROWN:** --- and tough times.

13 We've got to fight the fishing companies to get a decent  
14 price. We have a struggle with the United States right  
15 now to make sure that we get a sufficient protection against  
16 their attack on our stocks. There is a lot of problems  
17 and so it isn't exactly a place that is going to attract  
18 a lot of speculators, I don't think.

19                   I think it's an industry that you are  
20 going to want to become a fisherman if you are going to  
21 get into it at all. You are going to have to want to be  
22 in it and it's going to be in your blood or -- it's not  
23 a place for somebody who is just sort of thinking like



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1 put in some bucks today and creaming off a big profit  
2 tomorrow because fishing is a tough job, it really is.  
3 Unlike a lot of the myths that go out in the media and  
4 whatnot there's not a lot of millionaires out there or  
5 people creaming off big seasons the way sometimes is  
6 thought.

7                   But I don't know. You know your  
8 question is well put and it's a concern to all of us because  
9 even if you are not a Native person looking to get in,  
10 most of the family members that I come from -- second,  
11 third generation fishers -- are having a hard time as well  
12 with the licensing scheme. It's hard to get into the thing  
13 and unfortunately we've created a system that creates  
14 artificial value and what have you.

15                   But nevertheless I think that to go back  
16 to an open-ended scheme is equally dangerous as well, so ---

17                   **CO-CHAIR GEORGES ERASMUS:** Is there  
18 something in the middle there? Is there any possibility  
19 of any increase at all of the licences?

20                   **MR. DENNIS BROWN:** I think that in  
21 theory, yes, I think there is, and I will tell you one  
22 of the ways that we could probably get there.

23                   **CO-CHAIR GEORGES ERASMUS:** Your problem

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1 is if it is open-ended?

2 **MR. DENNIS BROWN:** Well, I think you  
3 can't have an open-ended fishery because the past has  
4 proven and many, many economic studies and others have  
5 come out with it. It's that if you leave it wide open  
6 what happens is of course pressure on a common property  
7 resource gets to the point where it can't bear it. And  
8 clearly we can't go into that.

9 **CO-CHAIR GEORGES ERASMUS:** M'hm.

10 **MR. DENNIS BROWN:** What we need to do,  
11 however, is we need to find a way where we can bring some  
12 kind of a balance between an appropriate fishing level  
13 to what the resource can stand. And I might point out  
14 that we are probably still only at about two-thirds of  
15 our productive capacity on our salmon stocks in B.C. at  
16 this moment. And one of the things that is really sad --  
17 and here is one of the things that I say is the proudest  
18 tradition of the Native people on this coast, along with  
19 our union and others -- is that there has been a lot of  
20 calls through the years and a lot of fights put into the  
21 idea of maintaining a salmon enhancement program here that  
22 really can work and we can really do a good job.

23 Unfortunately, like everything, it's

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1 fallen to hard times with the budget restraints and all  
2 the rest. But we have proven technology which is world  
3 famous now on how to create more fish. And I am not talking  
4 about the expensive hatchery-type programs that  
5 politicians like for the cutting of ribbons and whatnot.

6 I am talking about things like wild stream rehabilitation  
7 programs where you actually just clean up the natural  
8 streams. Spawning channels are absolutely miraculous in  
9 their production capacity. What you do is you build a  
10 small ditch in a field somewhere, you get pristine gravel,  
11 you get water flow control, and you let the natural stocks  
12 of that stream go into the spawning channel. And the  
13 production out of that is just exponential because all  
14 you need to do to give these salmon half a chance, give  
15 them some clean water to spawn in, and they are wonderful  
16 creatures, as you know.

17 And yet we've seen these programs and  
18 SEP starve for funds and fall by the wayside and we see  
19 a government that is more and more inclined to go for a  
20 cost recovery type approach. And in fact in many cases  
21 instead of putting money into the salmon enhancement  
22 programs they say to the commercial fishers "We're going  
23 to close you down and you are going to sacrifice some of

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1 your fish this year and we are going to build up our stocks  
2 that way." And then unfortunately what happens is we see,  
3 while we are building our stocks go up, the American fishery  
4 growing at a greater and greater rate of expense, the high  
5 seas fishery and all the rest.

6 I guess what I am trying to come around  
7 to, Mr. Chairman, is that there is room to grow with our  
8 salmon industry and I would say this much: I think I would  
9 be one of the first to suggest that if we could get some  
10 consensus in this industry and we could get on with  
11 improving our salmon stocks that I would suggest that we  
12 build into that equation a licensing scheme where Natives  
13 would have the first choice on whatever expansion we could  
14 make for example. That's one way we could look at it.

15 Clearly I don't think non-Native people  
16 would have any problem with that and I think if we could  
17 look and explore those kind of options, because the return  
18 on your investment dollar for SEP -- Salmon Enhancement --  
19 is very high I believe, compared to some government  
20 programs where we waste money so futilely. Salmon  
21 Enhancement is a good, good budget expenditure and I think  
22 that I would be willing to sit down at any time and try  
23 and carve out an arrangement where, if we could increase

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1 the resource base, clearly we would be happy to see the  
2 entrance level of other people into the industry and  
3 particularly the priority would be on Native people as  
4 being a positive thing.

5 **CO-CHAIR GEORGES ERASMUS:** M'hm.

6 **MR. DENNIS BROWN:** And having said that,  
7 however, all that rosy talk notwithstanding, we sit at  
8 this very moment and we see the Kemano Completion Program  
9 going ahead and we are looking at maybe a quarter of the  
10 water on the Fraser River watershed being threatened by  
11 one (1) project in one (1) ill-conceived government plan.

12

13 And as we speak we see the urban sprawl  
14 in the lower mainland gouging away at the last of the  
15 wetland marshlands in the Fraser River. We are down to  
16 less than 30 per cent now of the marshlands in the world's  
17 greatest salmon producing river. We are still getting  
18 a lot of salmon out of there but how long can we can go?

19 And yet nobody is necessarily to blame. We all just live  
20 here. But as a society as a whole we are really impacting  
21 on that resource.

22 And if I had another comment -- and  
23 perhaps I am getting off base here but if I have one (1)

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1 thing that I feel that has been the real tragedy of this  
2 thing -- and I am prepared and I put the offer out to any  
3 Native person here -- if we could find a way to reestablish  
4 the alliance that used to exist between Native people and  
5 non-Natives on the fight to preserve those salmon I would  
6 do anything to do that. Because I think this particular  
7 AFS, for whatever reason, has really poisoned relations  
8 here. It's created unhappiness and fear and mistrust and  
9 I think the government has played on it. Perhaps it's  
10 part of their overall agenda.

11                   You may be aware, Mr. Chairman, that the  
12 government came out with a discussion paper about a year  
13 or two (2) ago. It's called Vision 2000. It was one of  
14 the most frightening papers we've ever seen.

15                   The government says it was just a  
16 discussion paper but nevertheless it was written by high  
17 ranking technocrats within the Department of Fisheries  
18 and Oceans. And the vision that they had was not the vision  
19 your people or my people would want to share I believe  
20 because it was talking about rationalizing the industry,  
21 reducing the participation levels in the fishery -- not  
22 expanding it like we'd like to do -- talking about  
23 re-structuring the industry so that we could get on with

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1 hydroelectric projects and get on with rediverting rivers  
2 and all the rest of it. And somehow a token fishery would  
3 residually be protected throughout.

4                   That's the American model. That's the  
5 way they treated the Columbia River. At this time there  
6 is dozens and dozens of power dams in the Columbia River  
7 and their fishery is absolutely bankrupt. That's why  
8 their preying so much on our fishery now in the Canada/U.S.  
9 treaty talks.

10                   But what they did down there is they said  
11 "We can have our cake and eat it too. We can dam the rivers  
12 but we'll have fishways and ladders and all the rest."  
13 Well, I say that's a crying shame and if I had any fear  
14 it's that there is a government agenda here which is largely  
15 a corporate one to destabilize our existing resource  
16 industries. It's hurt Native people very badly the way  
17 we've approached the interior people, the Carrier Sekani  
18 and others that have been disaffected by this. And I  
19 believe that we've got to get back to a vision which says  
20 the fish come first, employment opportunities come first,  
21 and not allow the fact that we are going to fight over  
22 a few fish here under the AFS to divide us, but find some  
23 way to bring back some consensus and whatnot and work

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1 together.

2 **CO-CHAIR GEORGES ERASMUS:** Okay.

3 One of the criticisms that was aimed at  
4 you was that you weren't in fact seeing the U.S.  
5 encroachment on the fishery as a big problem, but you have  
6 been mentioning it a number of times this morning. I am  
7 just wondering have you been doing that before and it's  
8 just that you weren't heard or ---

9 **MR. DENNIS BROWN:** Yes, well, if I may,  
10 Mr. Chairman, I would just like to give you a little  
11 background.

12 Our union has a long history on the  
13 Canada/U.S. treaty. The talks started some 15 or 20 years  
14 ago and in fact it was our union at the verge of the signing  
15 of the existing treaty that was the last voice in opposition  
16 to it because we warned about many of the dangers of the  
17 treaty.

18 The treaty in itself in theory is not  
19 a bad one because it says that each country shall harvest  
20 production to the level of its production. However, it's  
21 hard to sometimes sort out whose fish belong to who and  
22 the equity picture over the last eight (8) years from the  
23 treaty has been one in which the Americans continue to



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1 increase their interception of our stocks quite a bit  
2 higher than the interceptions that we make of theirs.

3 But nevertheless if the treaty had have  
4 been enforced there were some bright spots to it,  
5 particularly around the Fraser River, because it gave  
6 Canada finally the option of rebuilding its stocks in an --  
7 at least in theory -- in an unfettered way. Because in  
8 the past what our fears were: if we build up the Fraser  
9 to its historical potential, like I mentioned earlier ---

10 **CO-CHAIR GEORGES ERASMUS:** Yes.

11 **MR. DENNIS BROWN:** --- we'll just be  
12 giving it away to another country who sits there and  
13 parasitically attacks it.

14 So we did have the Americans in the last  
15 eight (8) years under a cap, fishing cap. In the last  
16 four (4) years they were permitted 7 million fish over  
17 the last four (4) years. What Canada did was quite  
18 miraculous, I must say, Mr. Chairman. In those eight (8)  
19 years we took that fishery from an average of I believe  
20 30 million fish or -- 20 to 30 million fish over a four  
21 (4) year period to where we are now up to about 60 million  
22 over a four (4) year period. We have doubled the runs  
23 because we had that comfort to put extra fish on the grounds

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1 and whatnot.

2                                 But nevertheless the Americans are  
3 attacking us and they are making a very big pitch  
4 politically. It's a big issue down in Washington State  
5 and whatnot. But I guess the point I am trying to make  
6 here is that for many, many years we have been on the  
7 forefront of this issue and have been critical of our  
8 government. In this round we are supportive, saying  
9 "Stand tough." They are, but unfortunately it seems that  
10 whenever the crunch comes down somebody somewhere in the  
11 External Affairs office or somebody behind the scenes says  
12 "Well, let's not rock the boat. We've got NAFTA and we've  
13 got all these other things. We got all kinds of  
14 continental grievance to work out. We got other concerns,  
15 so let's not create a big row over some fish."

16                                 **CO-CHAIR GEORGES ERASMUS:** M'hm.

17                                 **MR. DENNIS BROWN:** I would just point  
18 out also that we have a campaign unfortunately which hasn't  
19 been picking up the imagination of the media anywhere near  
20 as much as some of the other campaigns, including our fight  
21 around the AFS. It's called "Salmon for Canada" in which  
22 just about every group in the industry -- and we did make  
23 overtures to the Native community as well to come on-side

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1 on it -- and that campaign has taken out delegations of  
2 rank and file fishermen to virtually every municipal  
3 council in B.C.. We've been to see virtually every coastal  
4 MP, MLA and others. And so far the response has been very  
5 good in the sense of defending Canada's equity and  
6 defending the principles of that treaty, at least to  
7 implement it.

8                   Trouble is it's tough to fight a fish  
9 war with the United States because the resource suffers.  
10 Because that's what it's come down to this year, and after  
11 last year the only way we're going to wake the Americans  
12 up is to have a situation where you get into the unfortunate  
13 situation of fishing harder offshore on stocks, which may  
14 help you in one way but it hurts lesser, weaker stocks  
15 and mixed stocks that go in, and many times you even disrupt  
16 your own terminal fisheries. People closer in to the  
17 rivers and whatnot won't get the fish. And so a fish war  
18 strategy is a kind of an unfortunate way to go.

19                   I personally have been recommending, and  
20 our union has, to the government that they not only consider  
21 a fish war, but they consider an economic counterattack.

22 For example, denying Alaskan fishermen -- all of whom  
23 come through our inside passage to get up to that very

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1 lucrative fishery that they enjoy on our stocks up at the  
2 top end of the continent. We don't even have to be  
3 disrespectful to do that. All we'd need to do is just  
4 say that everybody that comes through our water has to  
5 live up to our Coast Guard regulations. That's just  
6 lethal. Let alone saying "If you are going to continue  
7 to plunder our stocks, you don't get fuel privileges,"  
8 and all the rest. Unfortunately, the government doesn't  
9 consider those kind of things as being valid. I personally  
10 think that if we are going to fight to defend ourselves  
11 as a country and our sovereignty, sometimes you have to  
12 get a little tough; you can't just do it through words.

13                   But I guess to make a long story short,  
14 Mr. Chairman, what I am trying to say is we have a lot  
15 invested in this issue. We fought it for years and we  
16 consider it clearly the number one issue on the coast --  
17 not the Aboriginal Fishing Strategy, although the  
18 Aboriginal Fishing Strategy has seized a lot of people  
19 in the media and there is a lot of concern there. I think  
20 that clearly in the long term there is a greater threat  
21 externally.

22                   But at the same time the Aboriginal  
23 Fisheries Strategy does pose a problematic issue to us

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1 in -- if I can leave you with this thought -- it's not  
2 so much the goal that appears to be contained within the  
3 Aboriginal fishery of creating opportunities for Native  
4 people as much as the way it's being done. And if we could  
5 find better ways and different ways -- and I don't think  
6 the AFS that the Tory government has created is the only  
7 way necessarily. I think we could probably get from here  
8 to there where we want to go and probably achieve it in  
9 a lot better method, but ---

10 **CO-CHAIR GEORGES ERASMUS:** Thank you  
11 for your views.

12 Viola, do you have any questions?

13 **COMMISSIONER VIOLA ROBINSON:** Yes, I do  
14 have a few questions and mine are probably going to be  
15 a little bit different here.

16 When you were speaking you were talking  
17 about what you were supporting in Aboriginal fishing and  
18 you alluded to Sparrow. And you said Sparrow does not  
19 mean commercial fishing. And I think I heard you say that  
20 it's in the courts now and it's being determined by the  
21 courts?

22 **MR. DENNIS BROWN:** Yes.

23 **COMMISSIONER VIOLA ROBINSON:** If the

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1 courts were to decide that it did mean -- it was interpreted  
2 as being commercial, how would that change your thinking,  
3 or would it?

4 **MR. DENNIS BROWN:** Well, obviously if  
5 the courts were to rule that, that's the law and we would  
6 have to comply with that.

7 I would like to draw your attention to  
8 page 10 of our brief and just quote you just one (1) small  
9 paragraph from what the Justice said in the Sparrow case.

10 It's in the middle part of that page 10 and he says:

11 "The presence of numerous intervenors representing  
12 commercial fishing industry  
13 interests indicates the  
14 possibility of conflict between  
15 Aboriginal fishing and the  
16 competitive commercial fishery  
17 with respect to economically  
18 valuable fish such as salmon. We  
19 confine our reasons to the meaning  
20 of the constitutional recognition  
21 and affirmation of existing rights  
22 to fish for food, social and  
23 ceremonial purposes."

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1                   That's all I mean. At that point the  
2 judge said that we can't decide it. However, I will say  
3 that he did say in that same judgment, and several other  
4 Justices have alluded to it, that we should start  
5 negotiating how we can solve the question of how you create  
6 economic opportunity. And we are willing to do that.

7                   **COMMISSIONER VIOLA ROBINSON:** Okay.

8                   And I think my next question will go to  
9 that because I am a little mixed up here because it seems  
10 to me you don't support two (2) separate commercial  
11 industries and you don't want an open-ended fishing. So,  
12 to me a licensing means some form of control.

13                  **MR. DENNIS BROWN:** Yes.

14                  **COMMISSIONER VIOLA ROBINSON:**  
15 Self-government, we have heard across this country,  
16 Aboriginal people want self-government and they want  
17 self-determination. They want self-sufficiency.  
18 Self-sufficiency is a part of self-government. And  
19 they're depending on resources to get self-sufficient.  
20 And in this part of the country fishing is a resource,  
21 as well as forestry.

22                  And yesterday we heard from another  
23 group that appeared here. They said that they didn't

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1 approve as well of two (2) separate commercial fishing  
2 industries, but they said one (1) is adequate. They were  
3 suggesting that the existing commercial fishery could  
4 adequately accommodate Aboriginal people who were  
5 interested in getting into that industry; right?

6 **MR. DENNIS BROWN:** M'hm.

7 **COMMISSIONER VIOLA ROBINSON:** Now,  
8 what's the difference? Because if you had two (2) fishing  
9 industries, it's going to be the same kind of control they  
10 could licence -- and I am talking now from an -- and you  
11 said you were interested in promoting economy -- from an  
12 economic point of view if there were training for the  
13 Aboriginal people to have their fisheries officers, to  
14 administer their own licensing, and to fish enhancement  
15 programs, and it would create work for their people, and  
16 even the licensing revenue could go back into their own  
17 community to make them self-sufficient.

18 I don't see the difference. If there  
19 is one difference, the revenue for the fishing gear would  
20 go some place else, not back to them. But you know I don't  
21 see how you can ---

22 **MR. DENNIS BROWN:** If I may I will just  
23 try and perhaps try to answer, at least from our vantage



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1 point.

2                   First of all probably the single biggest  
3 reason why we have a clear sense of a difference as it  
4 were, to use your words, is that the fishery, if  
5 commercialized in the Fraser canyon, is quite a bit  
6 different than a commercial fishery in salt water areas.

7                   The first thing about it -- and I don't  
8 think it has anything to do whether it's Native people  
9 or what colour of people it is -- if they are fishing around  
10 the Fraser canyon, if you know the territory, it is a very  
11 difficult place to enforce a fishery. And I don't suggest  
12 for a moment that the vast majority of the participants  
13 in that fishery have ever been people that wanted to break  
14 the law or abuse the rights; they haven't been. In fact  
15 there have been people fishing on that river since time  
16 began and the resource has not been suffering from it.

17                   But the example that happened last  
18 year -- largely due to government poor policy and whatnot --  
19 was a lot of people took advantage of a new opportunity  
20 to cash in and make some money out of it and we saw runs  
21 of fish that were severely put to the test in terms of  
22 what they could support. Part of that is because the  
23 Fraser River Canyon is such a long and very dangerous piece

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1 of territory and it's very hard to watch it and monitor  
2 it and supervise it without fish as it were slipping out  
3 of the system.

4                   It's a lot different in the commercial  
5 fishery. If you have a fishery out in the open water it's  
6 very easy through flyovers or surveillance or whatever  
7 to see the fleet out there; the boats are much more obvious.  
8 So enforcement is one very big difference.

9                   The other one is, as I said earlier, not  
10 stemming from anything that Native people have done, but  
11 the vagueness of the commercial strategy that the  
12 government has in terms of where it might go or how far  
13 it's going. For example, if we could sit down and it was  
14 said to us that a certain number of fish is what's going  
15 to be commercialized in the canyon because the people in  
16 the canyon they only have that place to catch fish, there's  
17 nowhere else they can go, they have good markets for it  
18 and whatnot, probably there is a way that that could --  
19 and I am not mandated to say this but I'll say it  
20 personally -- probably that could be negotiated into the  
21 mix.

22                   But that's not what's being said here.  
23 What's being said is we are going to create a new licensing

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1 regime. We don't know who is going to get those  
2 privileges. We are not allowed to be involved in the  
3 negotiations. All going to be at the discretion of the  
4 minister. There has been no criteria for who will get  
5 them and there has been no vision of where we are going  
6 to end up. So far as we know it could just be a completely  
7 open-ended thing.

8                               So that's where we're having some  
9 problems then when you ask me what's the difference.

10                              **COMMISSIONER VIOLA ROBINSON:** M'hm.

11                              **MR. DENNIS BROWN:** And so I think there  
12 is a lot of work that has got to be done and I don't say  
13 that all the doors are closed here but I would point out  
14 to you, though, that a great number of the people who have  
15 been the leading exponents of commercializing the inland  
16 fisheries are actually indeed themselves currently  
17 commercial fishermen in the outside fishery. It's not  
18 as though it's not feasible for them to take advantage  
19 of the other fishery.

20                              Now, don't get me wrong also. I know  
21 the difference between that and the traditional fishery  
22 which we support must go on in the home territories where  
23 people live that have done that and their families have

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1 done it since the beginning of time. But I think you have  
2 to at least consider the difference in terms of  
3 enforcement, in terms of the kind of opening up and  
4 uncertainty that we have because our Government of Canada  
5 won't tell us. We try to find out where they are taking  
6 this thing and they don't tell us.

7 And I don't blame the Native people for  
8 that. In fact the Native people have actually been more  
9 generous to us in terms of saying "Well, we'll try to tell  
10 you what's going on, but we don't have any official mandate  
11 to do that." And so in a way we feel like we've been turned  
12 into a bit of a scapegoat in this thing.

13 So I don't know if that answers your  
14 question ---

15 **COMMISSIONER VIOLA ROBINSON:** I  
16 guess -- well, I think it does partly.

17 Well, as far as some kind of a strategy  
18 that is going to lead to some kind of a solution to this  
19 big problem, has your organization made an approach to  
20 sit down and try to -- in a forum -- to try to talk some  
21 of these problems out?

22 **MR. DENNIS BROWN:** Yes, in fact we have  
23 but if I might I'd just like to tell you that part of the

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1 problem -- you know the media tell us you know -- like  
2 the media exploits this issue in my opinion. They like  
3 the big flashy story and more often than not instead of  
4 reporting what I and others say they get into the big  
5 inflammatory things about people are going to be fighting  
6 each other and there is going to be bloodshed and all this  
7 other stuff.

8                   But anyway, they tell us continuously,  
9 we get a steady diet "Why don't you sit down with the Native  
10 people and meet with them?" And I agree. That's good.

11       And I probably have quite a bit of contact with many of  
12 the leading officials on the other side. I mean I have  
13 undying respect for people like Ernie Crey and others who  
14 have been good opponents to us on this issue and I hope  
15 that he has that respect for me.

16                   Trouble, though, is when you sit down  
17 and meet now, when you get people together -- and we have  
18 done that, the LFFA group has got together -- it's a  
19 survival coalition and we've met in other contexts. We've  
20 met with people like George Watt and other people. You  
21 have a hard time moving anywhere on the thing because you  
22 got into this sort of scenario which is: we want to talk  
23 to you but we're not really mandated to talk to you today

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1 because this is a nation to nation type negotiations and  
2 it's very complicated.

3                   Next thing you know the whole  
4 constitutional structure of the country is riding on it  
5 and I quite frankly sympathize very deeply with any Native  
6 leader who would try to sit down in a direct one-on-one  
7 kind of thing with the complications we have today and  
8 try and sort out a fish issue. I don't blame them for  
9 that because there's so much riding on it and part of that  
10 is government -- how would I put it? I am searching for  
11 the words -- but the way the forums have been created.  
12 I don't see an awful lot of effort being put into this  
13 by government, for example, to lend some legitimacy to  
14 those kind of one-on-one meetings. When we have them they  
15 kind of let -- they are kind of left dangling up in the  
16 air because we go "Well, we don't really have the authority.  
17 We have nowhere to move." Maybe what needs to happen  
18 is there has to be an approach by government that says  
19 "We're going to lend legitimacy to an open dialogue between  
20 non-Native people and Natives."

21                   First example I could use would be the  
22 kind of example we had in the Canada/U.S. Treaty  
23 negotiations in the past. One of the obvious things which

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1 I support about -- and I will say I have been part of the  
2 demand that we be at the bargaining table in the past,  
3 but I will also say that I also realize why we weren't  
4 successful in getting that because there is a fear on the  
5 part of the Native people that if you get all of this out  
6 in the open it's going to get into the press and all the  
7 rest. And if I was negotiating, if I'm negotiating a  
8 fishermen's union contract, I don't want that to happen  
9 either.

10 But one thing that you could look at  
11 would be the model that we used with the Canada/U.S. Treaty  
12 where there were advisors brought into the process. They  
13 were sworn to secrecy, confidentiality, but at least they  
14 had an idea of what was going on and they could put their  
15 expert opinion into the workings.

16 What we have had under the AFS is none  
17 of that, unfortunately. The best minds of the fishing  
18 industry, the people who like myself have good will on  
19 this, are not allowed to be there. These discussions are  
20 taken in private and unfortunately what we get is a  
21 government version of things.

22 I see George Watt is here and he has said  
23 in the past and I agree with him wholeheartedly, that if

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1 we could find a way where his people and my people could  
2 get together and then we could go to the government and  
3 say "Here's a solution," I would believe that would be  
4 the greatest thing of all.

5                   But unfortunately right now it's all at  
6 a very nebulous and unstructured level and I'd like to  
7 see more ways in which we could lend support, perhaps even  
8 bring in expert people who are expert in the question of  
9 conflict resolution and mediation to help us. Maybe what  
10 we need to do is draft out a vision for both sides, a wish  
11 list.

12                   Obviously not everybody is going to get  
13 everything they want, but maybe we need to have a crossover  
14 where we can see where we are all coming from, then we  
15 need to look at ways in which we could build some methods  
16 of communication, some infrastructure, how we could share  
17 information and whatnot, and perhaps we could go somewhere  
18 with that. But the idea of just sitting down face to face  
19 with one group and then being caught up in this thing of  
20 "Oh, it's nation to nation," or you know "We're not mandated  
21 to do it here. It's going to be happening in another room  
22 somewhere else," has been frustrating for us.

23                   **COMMISSIONER VIOLA ROBINSON:** Thank



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1 you.

2 **CO-CHAIR GEORGES ERASMUS:** Well, I  
3 would really like to thank you for coming forth and being  
4 very frank and honest and open with us.

5 **MR. DENNIS BROWN:** Thank you, and I hope  
6 that your Commission is successful and I would hope that  
7 as I say again that we will be part of a solution in the  
8 future.

9 Thanks very much, Mr. Chairman.

10 **CO-CHAIR GEORGES ERASMUS:** Thank you.  
11 We have a list of people that are going  
12 to present ---

13 **MR. GEORGE WATT:** Is it okay to answer  
14 questions of this witness?

15 **CO-CHAIR GEORGES ERASMUS:** Not in this  
16 forum. If you want to do it privately, you certainly can.

17 Okay. We would like to call upon the  
18 representatives of the Society for Native Indian Fire  
19 Fighters of British Columbia for all First Nations in B.C.  
20 These gentlemen were good enough to give up their time  
21 yesterday on a promise that they would be on today.

22 While they are coming up I will just do  
23 a bit of housekeeping. The representatives of the

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1 Association of Canadian Publishers and Theytus Books are  
2 here as well. They will be on next, after this  
3 presentation.

4 **MODERATOR LOU DESMARAIS:** Are you alone  
5 today? You know the routine? Make your presentation and  
6 then some questions will be asked by the commissioners  
7 and then that will be ---

8 **MR. CLIFFORD AZAK:** Okay.  
9 Thank you very much.

10 I would like to take this time to thank  
11 the Commission representatives for this opportunity to  
12 make a presentation on behalf of the Native Fire Fighters  
13 and the Aboriginal people of B.C. And I would like to  
14 thank their support staff for the work that they have done  
15 to get us on the agenda.

16 I will start on page 19 of the proposal  
17 that we have submitted. And on that page you have the  
18 "Bibliography of Society of Native Indian Fire Fighters."  
19 That's a bit of a history on where we originated.

20 In 1984, First Nations fire chiefs  
21 identified common on reserve fire protection concerns and  
22 formed an ad hoc committee to seek out solutions for:  
23 !no support for fire and safety programs or a low priority

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1 from band councils for the  
2 programs;  
3 !no fire protection by-laws for guidance;  
4 !fire protection funding not being utilized for its  
5 intended purpose.

6 By 1985 "devolution and  
7 self-government" was added to the vocabulary of First  
8 Nations and the concerns for fire and safety escalated.

9 On October 12, 1986, with a potential  
10 membership of 2,000 plus, the Society of Native Indian  
11 Fire Fighters of B.C. was officially inaugurated and  
12 registered with the Ministry of Consumer and Corporate  
13 Affairs, Victoria, B.C.

14 The main purpose of the Society are:  
15 (a) to promote fire protection in all its forms on Indian  
16 reserves in the Province of British  
17 Columbia;  
18 (b) to provide training and education for the public benefit  
19 in fire prevention and fire  
20 fighting.

21 That is a history of the Society of  
22 Native Indian Fire Fighters.

23 The document that we submitted is a

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1 proposal to devolve fire and safety programs presently  
2 being administered by Public Works Canada. First of all  
3 the objective is to undertake the responsibility of  
4 regional and fire safety programs for First Nations in  
5 the Province of British Columbia and is submitted by the  
6 Society of Native Indian Fire Fighters of British Columbia  
7 for all First Nations of B.C. with myself, Clifford Azak,  
8 being the President of the organization, Norman Brooks,  
9 Vice-President, Ken Pryce, Secretary Treasurer.

10                   And I would like to add at this point  
11 in time that I am the President of the Aboriginal Fire  
12 Fighters Association of Canada which was structured about  
13 three (3) years ago but due to financing could not continue  
14 to meet on a regular basis.

15                   On page two (2) you have the Table of  
16 Contents but I will be reading through page by page.

17                   The Introduction.

18                   To reduce life and capital losses from  
19 the ravages of fire on Indian reserves it is necessary  
20 to increase fire safety awareness and the concern for fire  
21 risks, and to provide appropriate prevention and response  
22 measures to fire incidents for all First Nations reserves  
23 in British Columbia.

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1                   Historically, First Nations fire losses  
2 have been several times higher than other Canadian  
3 communities where public fire protection services are  
4 provided as a recognized community service. Indifference  
5 and low priority by various levels of government have been  
6 a major contributing factor to this situation.

7                   The fact that First Nations fire losses  
8 in B.C. have declined dramatically since the early 1980's  
9 is due primarily to:

- 10 a) the development of a professional regional fire and  
11   safety program and program  
12   funding;
- 13 b) the formation, equipping and training of First Nations  
14   volunteer fire departments on many  
15   Indian reserves;
- 16 c) the professional services of Regional Fire and Safety  
17   Officers.

18                   The Society of Native Indian Fire  
19 Fighters of B.C. is an organization which provides support  
20 for all First Nations. However, the Society is dedicated  
21 to the promotion of fire safety awareness, and the delivery  
22 of fire programs, because the Society believes that fire  
23 deaths on First Nations reserves are still high in number.

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1                   On Appendix 3, page 3A, "Fire Death Rates  
2 on Reserves (Death per 100,000 persons)." During the  
3 1970's, First Nations fire deaths on reserve were six (6)  
4 times the national non-reserve average. And in the  
5 seventies, up until about '79 the averages were quite high  
6 and you know you reflect back to the inauguration of the  
7 Society of Native Indian Fire Fighters and the heavy  
8 concentration of fire suppression programs highlight I  
9 guess the positive aspect of the implementation of the  
10 programs.

11                   First Nations recognizes the Society as  
12 a regional body, free of political influence, to provide  
13 advice and leadership in the fire and safety program for  
14 all Bands, tribal councils, and First Nations fire  
15 departments. First Nations are concerned that this  
16 important service be maintained and enhanced in all  
17 developments of devolution and self-government of First  
18 Nations.

19                   While present guidelines prefer to  
20 devolve programs to a tribal council or to individual  
21 bands, a regional organization is required in order to  
22 acquire and maintain special technical expertise and  
23 skills within the First Nations communities.

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1 First Nations are concerned for regional  
2 fire and safety and understand the special circumstances  
3 of and about their communities and the requirements to  
4 deliver an effective, successful fire and safety program.

5 The Society is the logical choice to  
6 assume the devolved duties.

7 Appendix B on page 4A, "First Nations,  
8 Total Property Loss (1981-91), National and B.C. Region."

9 You have three (3) different stats here: you have the  
10 B.C. value 1991, the national reported value, as well as  
11 national value in 1991. During the 1980's the national  
12 average loss was \$13,800.00 in B.C., with B.C. averaging  
13 \$1,540.00. Today, B.C. has the lowest property loss  
14 average compared to other provinces.

15 And at this point I would like to note  
16 that you know with the inception of the Society of Native  
17 Indian Fire Fighters and the high profile that the fire  
18 and safety protection has received.

19 On page five, "Background."

20 2.1 FIRE LOSSES

21 Historically, the national per capita  
22 life and property fire losses for First Nations have been  
23 significantly higher than the non-Native average. Prior

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1 to 1980 B.C. Region suffered significantly higher per  
2 capital losses, both in life and property, than the  
3 national First Nations average.

4                   The implementation of a professional  
5 fire and safety program in the late 1970's subsequently  
6 reduced fire losses in B.C. to today's relatively low  
7 levels as indicated in Appendix C, "Fire and Deaths, and  
8 Appendix D, "Dwelling Loss."

9                   There are -- and the correction hasn't  
10 been made in the documents that you have received here.

11       These stats came off of -- I can't remember exactly where  
12 it was but there are 196, not 312, First Nations communities  
13 within B.C., with a 1991 "on reserve" population of 44,355,  
14 but these depending on I guess the interpretation of First  
15 Nations and you know their staff is subject to change.  
16 These communities are mostly small in size, remote, in  
17 rough terrain with limited access, all of which undoubtedly  
18 have contributed to the higher fire loss figures.

19 2.2                   NEEDED RESOURCES

20                   First Nations recognize the fact that  
21 fire and safety methods are not status. As community needs  
22 change, equipment and training requirements change, new  
23 volunteer fire fighters join existing and newly



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1 established fire departments, there is a continued need  
2 for a professional re-assessment of training and equipment  
3 requirements. New methods are constantly being  
4 introduced to increase individual and community fire  
5 awareness and to maintain active fire department  
6 participation, thus it is essential to provide  
7 professional advice and assistance to First Nations if  
8 implementation is to be assured. There is a need to extend  
9 fire awareness to all First Nations ---

10 Appendix C, "First Nations Fire Deaths  
11 (1980-1991)." You have the B.C. average on the lower line  
12 and the national average on the upper line. During the  
13 1970's B.C. claimed 50 per cent of the national average  
14 for loss of life on Indian reserves. However, during the  
15 1980's B.C. loss of life dropped to 20% of the national  
16 average.

17 And, again ---

18 **CO-CHAIR GEORGES ERASMUS:** You mean it  
19 dropped lower than the national average?

20 **MR. CLIFFORD AZAK:** It dropped to 20%  
21 of the national average. During the seventies we were  
22 responsible for 50% of life loss on the national average  
23 for Native peoples.

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1                   Appendix D, "National First Nations  
2 Dwelling Loss (1981-90)," and the reported values, the  
3 reported value and the value in 1991. Seventy (70) to  
4 ninety (90) per cent of all reported fire incidents involve  
5 private dwellings. And the information received on  
6 property losses, the amount of property losses, are not  
7 fully reported; only a portion of those losses are reported  
8 to the department.

9                   And these are department stats that we  
10 are dealing with, so it's not a true, an accurate figure.

11                  And in some situations they just don't get reported and  
12 is accepted.

13 --- through professional regional fire and safety -- this  
14 is on page six (6) -- through professional regional fire  
15 and safety officers who will advise bands, tribal councils  
16 and First Nations fire departments on the delivery of an  
17 indepth professional fire and safety program.

18 2.3SPECIAL QUALIFICATIONS

19                   As a First Nations society, we  
20 understand and are especially sensitive to historic and  
21 social factors which impact on tribal and intertribal  
22 relationships. We will use this knowledge and sensitivity  
23 to effectively deliver a professional fire and safety

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1 program by recognizing and utilizing traditional social  
2 attitudes and culture. We believe we can instil increased  
3 awareness and respect for fire in First Nations children  
4 and community leaders.

5 Page seven (7), Section 3.

6 3.1 ESSENTIAL TO MAINTAIN

7 It is essential to maintain quality and  
8 continuity in the fire and safety program. This essential  
9 service must have the recognition and support which have  
10 been accorded by First Nations to other essential services,  
11 such as education and health programs.

12 B.C. Region's successful fire and safety  
13 program has substantially reduced fire losses, however  
14 this program may develop a low profile and may easily be  
15 ignored when other issues require solutions and funding.

16 Our people cannot afford the luxury of ignoring fire and  
17 safety or of adopting an unprofessional fire and safety  
18 program, or the gains which have been made over several  
19 years will quickly be lost and not easily regained.

20 3.2 DEVOLVE TO THE SOCIETY OF NATIVE INDIAN  
21 FIRE FIGHTERS

22 In 1984 when devolution and  
23 self-government were first discussed, the foresight of

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1 First Nations Fire Chiefs initiated the formation of the  
2 Society of Native Indian Fire Fighters of B.C.. The  
3 objective of the Society was to assure fire and safety  
4 program of all types be continued, and with the goal of  
5 convincing all levels of government to accept the Society  
6 as the authority to administer and be accountable for fire  
7 and safety programs within the Province of British  
8 Columbia.

9 First Nations and the Society of Native  
10 Indian Fire Fighters of B.C. recognize that fire related  
11 deaths are still the major cause for loss of life and  
12 serious injury. First Nations and the Society intend to  
13 reduce these figures to the lowest possible denominator.

14 Page eight (8), Section 4, "Programs."  
15 4.0 Programs considered to be transferrable  
16 at the present time.

17 4.1 PARTNERSHIP IN DEVELOPMENT

18 a) Participate in establishing the Level of Service

19 Standards for fire and safety  
20 programs and the appropriate level  
21 of funding.

22 4.2 FIRE SERVICES DEVELOPMENT AND MANAGEMENT ADVISORY

23 SERVICES

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- 1 a) Promote the adoption of appropriate fire and safety  
2 by-laws, codes and standards, for  
3 buildings, structures, and  
4 infrastructures.
- 5 b) Planning of professional fire services delivery in all  
6 aspects of community fire safety  
7 including, budget forecasting,  
8 budget management, insurance  
9 coverage, inspections and  
10 training.
- 11 c) Maintain statistical fire loss records.
- 12 4.3 TECHNICAL ADVISORY SERVICES
- 13 a) Assist in the interpretation of fire safety codes and  
14 standards.
- 15 b) Assist with the acquisition, operation and maintenance  
16 of fire detection alarm and  
17 suppression systems, fire  
18 department pumpers, ancillary  
19 equipment and communication  
20 systems.
- 21 c) Assist by reviewing and negotiating written fire  
22 protection agreements between  
23 First Nations communities,

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1 non-Native municipalities and fire  
2 protection district.

3 Page nine (9).

4 4.4FIELD OPERATIONS

5 a)With Labour Canada, coordinate and liaise fire  
6 inspection services for existing  
7 community buildings, schools and  
8 other public facilities.

9 b)Assist First Nations to implement proper procedures for  
10 the inspection of all new building  
11 construction in accordance with  
12 the requirements of fire safety  
13 codes and by-laws.

14 c)On request, conduct fire protection surveys for Indian  
15 reserves to identify fire and life  
16 safety requirements.

17 d)Assist with Fire Cause Determination investigations for  
18 fire incidents causing death, or  
19 serious injury or fires of a  
20 suspicious nature.

21 4.5TRAINING

22 a)Provide fire fighting training to a  
23 standard equal or better than the

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- 1 B.C. Volunteer Standards.  
2 b) Provide fire awareness presentations to community  
3 gatherings and school assemblies.  
4 c) Provide procedures for assessing compliance to codes,  
5 regulations and by-laws.

6 4.6 SPECIAL EVENTS

- 7 a) Coordinate and assist with the Fire  
8 Awareness Poster Contest for all  
9 band schools from kindergarten to  
10 elementary grades, competing at  
11 district, regional and national  
12 levels.  
13 b) Coordinate and assist with the district, regional and  
14 national fire fighters  
15 competitions.  
16 c) Organization of workshops and seminars to advise First  
17 Nations fire fighters of the  
18 developments in fire protection  
19 and in the Society.

20 On page 11, Section 5, "Resource  
21 Requirements."

22 5.1 Resources required and listed duties.

23 1) Board of Directors

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1 2) Manager of Operations

2 3) Fire Safety Officers

3 4) Support Staff

4 5) Office and Facilities

5 6) Training Site

6 7) Travel Funds

7 8) Field equipment, vehicles, pumper (infrastructure).

8                   And 5.2 is subject to change with the  
9 consultative process and the recommendations that we have  
10 received. We are just winding down from a consultation  
11 process with all the First Nations bands throughout British  
12 Columbia to get endorsement for this process, for the  
13 proposal.

14                   And this is kind of a guideline for us  
15 to follow in finalizing the structure of the Society.  
16 So, I will just go through -- I will just leave it at that,  
17 as Section 5.1, because the rest is subject to change,  
18 but that is a rough outline of what we are going to have  
19 when we are finished.

20                   **CO-CHAIR GEORGES ERASMUS:** Fine.

21                   **MR. CLIFFORD AZAK:** Page 13, "Cost of  
22 Transfer."

23                   And you have detailed costs and



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1 everything that is in this document has been sent out to  
2 First Nations throughout British Columbia.

3                   And the point that I want to make in  
4 Section 6 is a total of 617. And when we first went to  
5 the Department of Indian Affairs our budget was double  
6 what you see on there, but you know their direction was  
7 that was a deal breaker, that the other option that they --  
8 they had two (2) options: one to devolve to an organization  
9 that was ready to take over the program; the other one  
10 was to disperse the funds that were available for training  
11 programs to the bands.

12                   And you will look on Section 6.4:  
13 "Programs." Programs have been set at \$240,000.00. The  
14 realistic -- what has been set out for programs this year  
15 is \$180,000.00. Now, if they were to go with their  
16 original intent, which is to transfer those funds directly  
17 to the bands, you know when you look at the figures of  
18 196 bands, that's not a whole lot of money that they are  
19 handing over to the bands to continue and maintain the  
20 services that we're trying to provide as documented in  
21 this proposal. And with all the programs that they could  
22 presently deliver it only meets five (5) per cent of the  
23 needs of First Nations throughout the province.

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1                   The "Accountability" on Section 7, page  
2 13. The Society will be accountable for all funds received  
3 and expended. Reports will be submitted as per Treasury  
4 Board regulations.

5                   Page 14 is subject to change. Again,  
6 this is a proposal and it's not written in stone.  
7 "Qualifications of Staff."

8                   Page 15 as well is information on how  
9 the structure will be funded and changes are going to be  
10 made when we finalize the consultative process with B.C.  
11 bands and tribal councils throughout British Columbia.

12                   On page 17 -- and, again, we are still  
13 dealing with the programs that are being delivered through  
14 Public Works Canada from the Department of Indian Affairs.

15                   But at this point in time the fire chiefs do have some  
16 control as to the type of programs that they would like  
17 to be delivered. No longer are these programs being  
18 prescribed but they are being subscribed by the fire chiefs  
19 throughout British Columbia.

20                   The first one being the "Band Fire Safety  
21 Code of Canada." Again, this is quite a lengthy document  
22 but it's there to serve as a guide. You know it's not  
23 there to be adopted as is, although some bands at different

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1 levels are adopting it you know as a Fire and Safety Code  
2 with social housing being implemented and having no other  
3 code in place to control the structures and type of  
4 structures and how they are constructed.

5 !Fire Department Operational Plan

6 !Fire Fighter Competitions

7                   Now, you will note Fire Fighter  
8 Competitions the program receives \$60,000.00. Now, in  
9 the past, since '84, since just prior to the Society  
10 organizing and being registered with the province, to date  
11 we have roughly about 20 per cent of all fire departments  
12 that are active on a regular basis, and most of that is  
13 due to Fire Fighter Competitions. It's the only thing  
14 that keeps them active as fire departments. They look  
15 forward to the district competitions where they all gather  
16 in certain districts, and then the regional competition  
17 which will be held in Fort St. James this year and national  
18 competitions will be on the East Coast. And if it were  
19 not for that we would probably be down to five (5) per  
20 cent of all fire departments that have fire suppression  
21 equipment.

22                   And the fire competitions are based on  
23 what fire fighters would actually be required to do in

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1 a normal call. So it's not just an event you know that  
2 is there as a luxury but it hones the skills of fire fighters  
3 and volunteer fire fighters at that. To date we have  
4 roughly three (3) per cent of B.C. fire fighters are paid,  
5 fire chiefs. Only three (3) per cent. And it is  
6 staggering you know that with the volunteer fire chiefs  
7 that we have, these people are reprimanded like paid fire  
8 chiefs in the event that you know mistakes are made and  
9 lack of cooperation between Chief and Council and the fire  
10 department.

11 Another program being delivered, and  
12 this is done by the Department of Indian Affairs solely  
13 with cooperation of a few First Nations, and that is the  
14 Fire Safety Poster Competitions.

15 !Inspection of Public Buildings and Schools

16 !Fire Investigations

17 !Advisory services in emergency communications,

18 purchasing of ancillary fire

19 equipment, fire truck pumpers and

20 the requirements of fire halls

21 !Live burn fire exercises on reserve

22 !Coordinate all fire training conducted by the Justice

23 Institute of British Columbia,

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1 Fire Academy, Emergency Health  
2 Services Academy, consultants and  
3 private individuals.

4 On page 17A, Appendix F, you have the  
5 flow chart of the Society, providing we are successful  
6 in taking over the fire and safety programs throughout  
7 British Columbia.

8 On page 18 you have the "Long Term  
9 Goals."

- 10 1.Promote fire safety awareness and  
11 training programs at First Nations  
12 schools.
- 13 2.Promote and develop emergency service  
14 standards in fire, rescue and  
15 safety for First Nations.
- 16 3.Develop professional First Nations  
17 instructors.
- 18 4.Assist in establishing First Nations  
19 emergency services expertise at a  
20 national level.

21 And while we are on Number 4 there, some  
22 of the points and the concerns coming up with the fire  
23 chiefs is emergency services. In the absence of emergency

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1 preparedness -- I have not had the opportunity to hear  
2 from health care professionals as well as I guess First  
3 Nations leaders -- but it is my understanding that the  
4 department is in the process of negotiating with provincial  
5 emergency programs to provide emergency services. And  
6 there is no mention of emergency preparedness for First  
7 Nations band, at the band level, in the event of a major  
8 disaster. Now, for example floods.

9                   And some of the problems as we get into  
10 existing agencies is that First Nations cannot apply  
11 directly to the Provincial Emergency Program for training  
12 of any sort because the mandate of the Provincial Emergency  
13 Program is for provincial people that belong to provincial  
14 organizations.

15                   5. Establish paid fire and safety  
16                   officers in each zone to conduct  
17                   train and inspection programs.

18                   6. Develop and promote programs in  
19                   emergency first responders,  
20                   rescue, fire and safety, emergency  
21                   preparedness, forest fire fighting  
22                   and sea rescue.

23                   7. Establish a Society of Native Fire

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1                   Fighters of British Columbia  
2                   diploma for presentation to  
3                   participants completing a  
4                   recognized fire, rescue and safety  
5                   training program.

6                   8. Develop a training site consisting of  
7                   a classroom, fire hall, pumper, and  
8                   an outside area for hands-on  
9                   training.

10                  9. Promote and develop a standard uniform  
11                  logo and badge for First Nations  
12                  fire departments.

13                  And Number 19 is the Bibliography in  
14                  which I led off with and Number 20 is replies you know  
15                  for endorsement or any questions that you have to the  
16                  proposal. And this was, when we first started out,  
17                  directed to bands and tribal councils when we started the  
18                  proposal process.

19                  I guess some of the concerns, some of  
20                  the questions I will get into, existing fire and protection  
21                  agencies outside of the programs presently being delivered  
22                  by the Public Works Canada on behalf of First Nations with  
23                  the Department of Indian Affairs, and the first one being

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1 the B.C. Fire Commissioner's Office.

2                   And an example of that is you know in  
3 a fire that is of a suspicious nature or a fire causing  
4 death. Like the Provincial Emergency Program the first  
5 priority of the commissioner's office is provincial people  
6 that are governed by provincial agencies. And in order  
7 for a fire chief to get in an inspector or an investigator --  
8 because there are virtually none in existence within the  
9 Native population -- there are avenues and loopholes that  
10 a fire chief must go through. And one of them is to go  
11 through the RCMP and get the RCMP to request an  
12 investigation. And there are other programs you know in  
13 less serious nature but still we are second rate you know  
14 according to their programs. You know we just don't fit  
15 into their policies.

16                   The Justice Institute of British  
17 Columbia again is a provincial agency and we've had  
18 experiences with the Justice institute and there was  
19 opportunity for a lot of programs to come through the  
20 Justice Institute. But there were some problems that were  
21 encountered that just couldn't be overcome and some of  
22 the programs that they said they would deliver, for  
23 example, would be inflexible dates: they would put a



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1 training program on the West Coast in July and August when  
2 most of the people are out in the fishing ground and there  
3 are not very many people at home, so that the programs  
4 could be an effective one for the people on the West Coast.

5 Things like that in nature.

6 The Labour Canada Fire Commissioner is  
7 another agency, and again you know it's -- they're not  
8 directly mandated. They are there upon request and you  
9 know their role is not fully understood by First Nations  
10 throughout B.C.

11 Public Works Canada. Again, the  
12 programs that presently are being administered by Public  
13 Works Canada that originally were started and were  
14 administered directly through the Department of Indian  
15 Affairs. And when they were moved to Public Works Canada,  
16 the fire and safety officers, the regional fire and safety  
17 officers had their wings clipped. There were some  
18 services that were necessary but they couldn't provide  
19 because of regulations within the Public Works Canada  
20 sector.

21 And I guess the important point you know  
22 after identifying the existing agencies -- and you know  
23 it's common knowledge that fire protection and fire safety

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1 have been in existence in North America for quite some  
2 time but due to the state of Native peoples and -- I don't  
3 like to use the word but -- the dysfunctional state of  
4 the majority, you know some of these agencies just don't  
5 know how to speak to First Nations. And they are probably  
6 100 per cent effective in their own environment, in a  
7 non-Native environment such as Vancouver, but when you  
8 get them out into a reserve with the problems that exist  
9 there, they are probably as low as 60 per cent effective  
10 and not culturally sensitive.

11                   So the Society has no intention to  
12 reinvent the wheel in any respect. Our intention is to  
13 make these programs more effective and use a cultural  
14 perspective approach wherever it is beneficial.

15                   And some of the points, then, some of  
16 our experiences -- and I have been around British Columbia  
17 as a Native instructor with the Justice Institute, is that  
18 you can't -- or some Native bands will not accept the term  
19 "fire fighter." It goes against their culture to fight  
20 fire, their respect for fire. So, just the term in itself  
21 you know creates conflict and it's the understanding or  
22 insight into the cultural perspective that we hope to be  
23 more effective with the programs that are going to be

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1 delivered.

2                   The solutions. We've submitted a list  
3 and that list was done in haste. I will go down the list  
4 of solutions and recommendations that we would like to  
5 make to the Commission. The first one is that First  
6 Nations and the federal government recognize that the fire  
7 service is essential. That First Nations and the federal  
8 government endorse the Society's initiative.

9                   The next one, that INAC recognize the  
10 additional resources required to ensure that the First  
11 Nations and the Society's goals and objectives are  
12 supported.

13                   On your copy of the next one that I am  
14 about to read we've re-worded it. This is how it reads:  
15 "That First Nations utilize the funds they receive for  
16                   fire education and prevention."

17                   Now, the funds that I am talking about,  
18 the funds that you see here, are directed to provide an  
19 advisory role and make training programs available to  
20 bands. But bands do presently receive funds for fire  
21 protection directly from the Department of Indian Affairs,  
22 but very little of those funds are utilized in fire  
23 protection. And even the bands that don't have fire

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1 suppression equipment receive funds for fire protection  
2 which can be used in education and education of their own  
3 people.

4                   The next one is that the development  
5 process be standardized for all programs. And having had  
6 to have dealt with the development process in trying to  
7 take over this program there is really not a process or  
8 a procedure that we are aware of or other First Nations  
9 taking over these programs. And it is very difficult for  
10 us to be trying to operate in a hand and mouth operation  
11 where we are constantly going back to the department  
12 justifying.

13                   And with things like the Charlottetown  
14 Accord coming down, we get snowed under quite heavily with  
15 just trying to maintain present programs. And it is  
16 difficult to access Chief and Council when they are all  
17 busy at these seminars and workshops, trying to deal with  
18 the day to day business and the problems created because  
19 of the lack of a process within the department to devolve  
20 these services and really trying to identify somebody that  
21 can be accountable to us in this process.

22                   So those are the recommendations that  
23 we would like to make to the Commission at this time.

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1 Thank you very much.

2 **CO-CHAIR GEORGES ERASMUS:** Thank you  
3 for your presentation. It's very, very well done. It  
4 is certainly proves that since you have been organized  
5 you have saved lives. That's really a very serious venture  
6 you are involved in.

7 And you kind of made me wonder about  
8 housing in general because the government you know has  
9 a housing program on one side, and here we are burning  
10 at least \$9 million worth of housing every year.

11 **MR. CLIFFORD AZAK:** Yes.

12 **CO-CHAIR GEORGES ERASMUS:** If we just  
13 had better fire protection we might actually have more  
14 existing stock lasting a bit longer, and saving more lives  
15 obviously too.

16 I really appreciate your presentation.

17 I just had one (1) small question. In relation to  
18 emergency services you were saying the access to training,  
19 the existing training -- I wasn't quite clear what the  
20 problem was that you couldn't access existing training,  
21 that provinces or whoever is already putting in place.

22 **MR. CLIFFORD AZAK:** I guess the problem  
23 exists in my experience as ---

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1                   **CO-CHAIR GEORGES ERASMUS:** You have  
2     tried to get in? You can't get in?

3                   **MR. CLIFFORD AZAK:** Yes. You know we  
4     have to take a non-Native from a local community close  
5     by in order to qualify and put him on the register in order  
6     to qualify for provincial training, any kind of provincial  
7     training. We are talking here specifically with search  
8     and rescue. These are the basics that are required. And  
9     from where I'm from mushroom picking is a big thing and  
10    we get people from Vancouver that are going out in the  
11    woods and getting lost. You know that's our -- it becomes  
12    our responsibility to go out and find these people. And  
13    that's just one example.

14                   Emergency preparedness for floods or a  
15    major catastrophe, bus accident, really doesn't exist.  
16    And we're finding that you know some of the weaknesses  
17    with the B.C. Ambulance Association because they are  
18    union-oriented you know it brings along more problems.

19                   **CO-CHAIR GEORGES ERASMUS:** M'hm.

20                   **MR. CLIFFORD AZAK:** In some of my  
21    travels in the past back to Manitoba and that we're finding  
22    out that you know it would probably be more suitable for  
23    the fire service to begin to develop emergency medical

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1 technicians and emergency medical transportation to meet  
2 the demand of First Nations.

3                   And the talks that are happening even  
4 on the national perspective was emergency preparedness.

5     The government is beginning to do away with those programs  
6 and yet we're right at the point where we need those  
7 programs as First Nations. Now they are talking about  
8 devolving those to -- or transferring those  
9 responsibilities to the province; and we have historically  
10 problems with dealing with the province.

11                   **CO-CHAIR GEORGES ERASMUS:** Good.

12                   Thank you.

13                   Viola, do you have any questions?

14                   No, I guess not.

15                   Well, I thank you for an excellent brief  
16 and a good subject because I don't think we've heard a  
17 lot in this area -- but of course we are travelling in  
18 three (3) teams, so I'm not really sure of all the  
19 presentations. But certainly I haven't heard one like  
20 this before so I really appreciate the fact that you have  
21 come forth.

22                   **MR. CLIFFORD AZAK:** I guess one other  
23 point. I mentioned that I was the President of the

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1 Aboriginal Fire Fighters Association and I feel like a  
2 pilot without a plane to fly in you know on the national  
3 level.

4                   Nationally we have a representative from  
5 back east in Ontario and Quebec as well, plus members from  
6 each of the provinces. But they are still waiting for  
7 new funding to surface so that we can get together and  
8 meet and discuss the problems in the -- the national leaders  
9 in what directions should be taken.

10                   As you have said you know, it really  
11 hasn't become common language enough for people like in  
12 Native housing and the Housing Council to begin to  
13 understand the full scope of what is really happening.  
14 Only recently did the B.C. Native Housing Society begin  
15 to understand that you cannot talk about more new housing  
16 dollars without protection for these homes.

17                   **CO-CHAIR GEORGES ERASMUS:** Yes.

18                   Thank you.

19                   **MODERATOR LOU DESMARAIS:** Just before  
20 you go, I wonder if you could leave us a copy of the  
21 recommendations that you made? We don't seem to have  
22 copies of them. Did you give them up front?

23                   **MR. CLIFFORD AZAK:** I gave them up



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1 front.

2 **MODERATOR LOU DESMARAIS:** Okay, thank  
3 you.

4 One other housekeeping thing before we  
5 go on. Russell Kwasistak had indicated he wanted to  
6 intervene during the time that Mr. Brown was making his  
7 presentation. We couldn't allow that based on time and  
8 Russell has since sat down and wrote out some points.  
9 He wanted them read out. We aren't able to do that at  
10 this point, although the commissioners accept his  
11 submission as a written submission for the record.

12 We now would like to call upon Karl  
13 Siegler, the President of the Association of Canadian  
14 Publishers, along with Mr. Greg Young-Ing, representing  
15 Theytus Books. I understand that this is to be the last  
16 presentation of these presentations here in Vancouver,  
17 so gentlemen if you can come forward and occupy the chairs  
18 to my right?

19 Our procedure is to just allow you to  
20 get right into your presentations. Please identify  
21 yourself at the start and you know it will be followed  
22 by questions.

23 **MR. KARL SIEGLER:** Good morning. My

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1 name is Karl Siegler. I am the President of the  
2 Association of Canadian Publishers, which is a cultural  
3 association and a professional association of  
4 Canadian-owned book publishing companies in Canada.

5                   We have a written submission which I have  
6 left at the front. I don't want to go through this  
7 submission again, since I am assuming it will be read.  
8 I do want to take a couple of minutes to talk around this  
9 submission and contextualize it perhaps in a form more  
10 broadly than the paper allowed.

11                   We live in a society, in a culture, in  
12 a country, in which the highest form of legitimization  
13 of voice is publication: writing and publication. Whether  
14 we like it or not that's the fact of the matter. I don't  
15 think that there is an association in the country which  
16 understands the implications of that kind of observation  
17 as profoundly as the Association of Canadian Publishers  
18 for a very specific reason. Up until the 1960's a  
19 distinctly Canadian cultural voice in what was then and  
20 is still today Canada's two (2) official languages was  
21 not fundamentally distinguishable from the colonial voices  
22 that one heard speaking through those Canadian voices.

23                   The colonial voices I am referring to

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1 of course are Great Britain and France, and increasingly  
2 the voice of American cultural and imperialist domination.

3                   It is in the late sixties and early  
4 seventies that the Association of Canadian Publishers was  
5 formed with the express purpose at the time, initially,  
6 to lobby the Government of Canada for assistance programs  
7 and methodologies and budgets which would accord to  
8 publishers in Canada's two (2) official languages special  
9 status.

10                   This support was successfully achieved  
11 and it was lobbied for based on an understanding that the  
12 Canadian market for public expression through publishing  
13 was too small to afford Canadians a legitimate public voice  
14 in a market where prices of published material were  
15 determined by Great Britain, the United States and France.

16                   There is no question in anyone's mind  
17 that had we not been successful in achieving the kind of  
18 government support programs and financial assistance that  
19 we began to achieve in the early seventies there is  
20 absolutely no question that Canadian publishing as we know  
21 it today and the increasingly distinctive Canadian voice  
22 which is different from our colonial heritage would exist  
23 today. No question whatsoever.

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1                   Our colonial past of course,  
2 increasingly in the fifties, sixties and seventies,  
3 shifted from its original roots in Great Britain and France  
4 to a kind of cultural colonialism emanating from our  
5 neighbour to the south, the United States of America.  
6 So, in addition to achieving positive support from the  
7 Canadian government to create a space in which Canadian  
8 voices -- distinctly Canadian voices -- could be heard  
9 we also took defensive action with the creation of the  
10 Free Trade Agreement and now under the NAFTA where the  
11 Association of Canadian Publishers played the leadership  
12 role in organizing cultural industries throughout Canada  
13 to create what is known as the cultural industry's  
14 exemption under both free trade agreements. This was done  
15 with the explicit purpose of preserving a distinct and  
16 unique voice for Canadians in both official languages.

17                   The most recent interesting cultural  
18 event in Canadian history was to my mind the failed  
19 Charlottetown Accord. And the reason I believe that this  
20 event in Canadian history was so important was for a single  
21 reason, a single purpose. And that was that there was  
22 an attempt in the Charlottetown Accord to recognize  
23 officially that Canada in fact was not created by two (2)

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1 founding nations. That the historical facts of the matter  
2 are in fact that Canada is a country comprised of three  
3 (3) founding nations.

4                   Although the Charlottetown Accord  
5 failed the Association of Canadian Publishers as an  
6 explicitly cultural organization does recognize that  
7 Canada took a major step forward in that particular aspect  
8 of the Charlottetown Accord in recognizing the cultural  
9 presence and legitimacy unfortunately at a time far past  
10 when this should have occurred.

11                   But we feel that the public of Canada  
12 has accepted at least the intent, the cultural and  
13 spiritual and political intent, of that attempt to  
14 recognize that Canada was comprised not of two (2) founding  
15 nations but of three (3), and that the Aboriginal voices  
16 in Canada do have a legitimate political, cultural and  
17 economic role that ought to be recognized by explicit  
18 public programming and public policy.

19                   It's in that context that the  
20 Association of Canadian Publishers asked to make a  
21 presentation to this Commission. It's in that context  
22 that I am here to support the initiative and the  
23 presentation of Mr. Greg Young-Ing from Theytus Books.

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1                   **MR. GREG YOUNG-ING:** Greg Young-Ing,  
2 the manager of Theytus Books.

3                   I wanted to state at the beginning that  
4 some of the things I have to say may not necessarily  
5 represent the position of the Association of Canadian  
6 Publishers. Theytus Books is a First Nations owned and  
7 operated publishing company who is a member of the  
8 Association of Canadian Publishers.

9                   Some of the points that I am going to  
10 go over take into account the fact that publishing can't  
11 be just looked at separately but you have to look at what  
12 happens before and after the act of publishing, and that  
13 is the exercise of writing and what happens to the published  
14 books in the book market.

15                  I am going to go through some background  
16 of the experience that Aboriginal peoples and in particular  
17 Aboriginal authors have had publishing in Canada.

18                  Traditionally Aboriginal cultural  
19 knowledge is transmitted and documented primarily through  
20 the oral tradition but also through such things as dramatic  
21 productions, dance performances and they are documented  
22 on such artifacts as wampum belts, birch bark scrolls,  
23 totem poles, petroglyphs and masks. This is the

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1 Aboriginal way of transmitting knowledge and of recording  
2 information and history. If publishing is understood to  
3 be the dissemination and documentation of information on  
4 a wide scale, this was the method of publishing employed  
5 in North America for thousands of years before  
6 colonization.

7                   Not only are the traditional Aboriginal  
8 method of information transmission and documentation in  
9 sharp contrast with European methods but the content of  
10 the information is also radically different. Vast pools  
11 of knowledge encompassed in the oral tradition comprise  
12 unique bodies of knowledge with distinct Aboriginal  
13 content. The expression of this cultural material by  
14 Aboriginal people constitutes what can be referred to as  
15 the Aboriginal Voice.

16                   The value of Aboriginal story-telling  
17 is well appreciated by anyone, Aboriginal or  
18 non-Aboriginal alike, who has witnessed the poetry and  
19 wisdom in the words of the Elders -- even when spoken in  
20 the English language. Although much of it remains  
21 unwritten, the oral tradition contains highly meaningful  
22 worlds populated with fantastic inanimate animal, human  
23 and spirit characters who act out some of the most

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1 fascinating tales in world literature today.

2                   Similarly, the intense drama and  
3 intricate costume in traditional dance performances done  
4 by Aboriginal people easily rivals any production done  
5 in a Canadian theatre house.

6                   But perhaps more importantly the body  
7 of knowledge and literature of Aboriginal people contains  
8 valuable paradigms, teachings, and information that can  
9 benefit all the world family of nations. Indeed, sectors  
10 of the scientific and academic establishment have recently  
11 begun to come to the realization that Aboriginal knowledge  
12 is an integral part of the key to human survival.

13                   The devastating impact that the  
14 residential school system has had and continues to have  
15 cannot be underestimated, nor can the scope of the ongoing  
16 problems it has created. At these schools Aboriginal  
17 children were exposed to culturally alien curriculum and  
18 taught that the teachings of their ancestors were pagan  
19 and uncivilized and that the world view they had developed  
20 in their formative years was illegitimate and wrong.

21                   The traditions of the First Nations were  
22 not contained whatsoever in the curriculum. Instead, the  
23 children were indoctrinated into relating to traditions



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1 and historical events based in Europe. It has also been  
2 frequently noted that the standard of education in  
3 residential schools was lower than in the Canadian public  
4 school system.

5                   This schooling system was hardly a  
6 training ground or a vehicle for promoting Aboriginal  
7 writers. The effect of the residential school system was  
8 to almost stifle the Aboriginal Voice by denying  
9 generations of children access to their own cultural  
10 knowledge while instilling them with negative perceptions  
11 of their cultural identities.

12                   According to the First Nation author,  
13 Lee Maracle, the residential school system produced  
14 language-less generations who had their own languages  
15 beaten out of them while at the same time being denied  
16 the opportunity to learn an adequate level of English to  
17 enable them to write.

18                   The deep-rooted psychological effects  
19 that the residential school experience had on the First  
20 Nation child was not only carried through into adult life,  
21 but embedded through generations in ways that we may never  
22 know or fully understand. However, these were the  
23 conditions that the vast majority of Aboriginal people

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1 were enduring during the era that Canadian literature and  
2 the Canadian publishing industry was in its early stages  
3 of development.

4                   The unique contribution that the  
5 Aboriginal Voice could make to world literature is in many  
6 ways potentially more valuable than the potential  
7 contribution of Canadian literature. In spite of this,  
8 as is the case in most sectors of Canadian industry, economy  
9 and society, Aboriginal peoples have been historically  
10 blocked out from equitable participation in the publishing  
11 industry.

12                   In some ways this has been more damaging  
13 than marginalization in other sectors because it has had  
14 the effect of silencing the Aboriginal Voice and paving  
15 the way for a rash of non-Aboriginal writers to profit  
16 from the creation of an erroneous body of literature  
17 focusing on Aboriginal peoples which is based on  
18 ethno-centric racist and largely incorrect presumptions.

19                   Early writings about Aboriginal peoples  
20 were done by missionaries like John McDougal in the 1800's,  
21 and anthropologists like Diamond Jeness around the turn  
22 of the century, and literary writers like James Fenimore  
23 Cooper and Steven Leacock in the early 1900's, all of whom

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1 spoke of Aboriginal peoples as an inferior, vanishing race.

2 The insight that the majority of these writings provided  
3 into the cultures of Aboriginal people is comparable to  
4 that in the portrayal of Aboriginal peoples in a Hollywood  
5 western movie.

6 Later on, charlatans such as Grey Owl  
7 and Long Lance came to considerable notoriety lecturing,  
8 writing and publishing while masquerading as Indians.  
9 The Canadian and North American public would have been  
10 far better off knowing nothing at all of Aboriginal peoples  
11 than to be exposed to such kitsch literature. Still, even  
12 today the pattern set by Leacock are now carried out by  
13 contemporary Canadian writers like W.P. Kinsella and Anne  
14 Cameron, and the ghosts of Grey Owl and Long Lance still  
15 live through the so-called "plastic shaman" writers like  
16 Lynn Andrews and Adolph Hungry Wolf.

17 A more recent development has been a wave  
18 of writing by non-Aboriginal academics: Frank Cassidy,  
19 Boyce Richardson, Thomas Berger, Michael Ashe, Sally  
20 Weaver, Menno Bolt, Anthony Long. Many of these authors  
21 are involved in higher level academic institutions and  
22 have established themselves as experts in Native studies.

23 The majority of these writers are knowledgeable and

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1 supportive of Aboriginal peoples' political aspirations  
2 and they must be credited with some increased public  
3 awareness.

4                   However, these academics do not promote  
5 an Aboriginal Voice, nor do they speak for Aboriginal  
6 peoples' unique perspective on the issues. Their writing  
7 often reduces the emotionally, historically and culturally  
8 charged issues to dry information laid in legalise and/or  
9 academia.

10                   Furthermore, by creating so-called  
11 schools of experts on Aboriginal studies who are relatively  
12 low risk to Canadian publishers, they often saturate the  
13 market with books about Aboriginal peoples not by  
14 Aboriginal peoples, and this has the effect in the  
15 publishing industry often of blocking out the Aboriginal  
16 Voice.

17                   Although Aboriginal literature has had  
18 to struggle through a number of debilitating factors  
19 including cultural and language barriers, residential  
20 schools, discrimination in the academic establishment,  
21 competition from non-Aboriginal authors, alienation in  
22 the publishing industry, and a lack of  
23 Aboriginal-controlled publishing under these conditions

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1 it is not surprising that in the Canadian publishing  
2 industry Aboriginal literature has gone from being  
3 virtually non-existent to its current position being  
4 delegated a low profile, marginal space.

5                   The late Mohawk author, Pauline Johnson,  
6 was the first Aboriginal author to be published in Canada.  
7 She published four (4) books in the 1900's and was actually  
8 one of the most prominent poets of her day, Aboriginal  
9 or non-Aboriginal. To this day she still holds the  
10 distinction of being the Aboriginal author who gained the  
11 highest level of notoriety in the literary world in Canada.

12                   However, the Pauline Johnson phenomena  
13 was not to be a catalyst which would open up the publishing  
14 industry to Aboriginal literature. Rather, in hindsight,  
15 her success as an Aboriginal author must be viewed as an  
16 aberration. After Pauline Johnson's untimely death in  
17 1913 almost six (6) decades were to pass before another  
18 Aboriginal author would be published in Canada.

19                   In the late sixties and early seventies  
20 an explosion of Aboriginal literature followed the upswing  
21 of political resistance and organization. The Cree  
22 writer, Harold Cardinal, stunned the publishing world with  
23 his unrelenting and articulate denunciation of Canadian

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1 Indian Policy with his book The Unjust Society in 1969.  
2 The Odawa author Wilf Pellettier seemed to come out of  
3 nowhere publishing three (3) books in as many years; Two  
4 Articles in 1969, For Every North American Indian Who  
5 Begins To Disappear I Also Begin To Disappear in 1971,  
6 and his classic No Foreign Land in 1973. An anthology  
7 of essays by Aboriginal people entitled The Only Good  
8 Indian edited by Waubageshig and Lee Maracle's  
9 autobiographical Bobbi Lee: Indian Rebel both came out  
10 in 1970. Red on White, Marty Dunns' biography of another  
11 Aboriginal author Duke Redbird, was released in 1971.  
12 A number of important books by Aboriginal authors followed,  
13 including Chiefly Indian by Henry Pennier in 1972, The  
14 Fourth World by George Manuel, 1974; My Heart Soars by  
15 Chief Dan George in 1974, Prison of Grass by Howard Adams  
16 in 1975, and Maria Campbell's classic autobiography  
17 Halfbreed in 1973.

18 If a general comment were to be made of  
19 these books it could be said that they tended to be  
20 characteristic of protest literature, political in content  
21 and angry in tone. The vast majority of this rash of  
22 Aboriginal literature almost seemed to be lashing out in  
23 the face of the Canadian establishment after years of

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1 oppression and the silencing of the Aboriginal Voice.

2                   The quantity of the writing by  
3 Aboriginal people in this period can be attributed not  
4 only to the political activism of the day but also to the  
5 related fact that this was the first generation of  
6 Aboriginal people not to be subjected to residential  
7 schools, many of whom were able to learn to write in  
8 university and college. This tended to have the effect  
9 on some of the work of presenting Aboriginal issues in  
10 a European-based writing style.

11                   In retrospect, in terms of the numbers  
12 of books published, this era could be seen somewhat as  
13 a heyday in Aboriginal publishing. Indeed much of the  
14 interest from the Canadian publishing industry in this  
15 era can be attributed to the novelty value of seeing the  
16 first wave of books written by Aboriginal people. In the  
17 late seventies and early eighties the frequency of books  
18 published and written by Aboriginal people tapered off  
19 dramatically. Some of the more notable books of this  
20 period were Betrice Culleton's In Search of April Raintree,  
21 Basil Johnson's Moose Meat and Wild Rice, Chief John Snow's  
22 These Mountains Are Sacred Places, Poems of Rita Joe and  
23 Daniel David Moses' book of poetry Delicate Bodies.

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1 Although books written by Aboriginal people were sporadic  
2 in this period this period was important because a form  
3 of Aboriginal literature with its own distinct identity  
4 began to take place.

5                   Throughout the 1980's and early 1990's  
6 writers like Lee Maracle, Jeannette Armstrong, Ruby  
7 Slipperjack, Beth Cuthand and Thompson Highway have  
8 further developed Aboriginal literature to the point that  
9 it now stands out as a distinct body of literature. The  
10 Ojibwa author/poet Kim Blaeser has pointed out several  
11 characteristics of contemporary Aboriginal literature.  
12 It gives authority to the voices of all people involved  
13 in this story instead of a monological voice speaking out  
14 as if it had ultimate authority. It gives authority to  
15 the voices of animals and messages given by the spirits  
16 and natural phenomenon. It stretches across large spaces  
17 in time, ranging from ancient times to the present to the  
18 future, displaying the Aboriginal concept that all time  
19 is closely connected and that actions transcend time.

20                   Lee Maracle's novel Sundogs is written  
21 in a style which she herself calls "Contemporary Aboriginal  
22 Voice" written cover to cover with no chapter breaks where  
23 she often jumps out of the story line, off on a tangent,



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1 the relevance of which does not necessarily become  
2 immediately apparent. This is similar to the storytelling  
3 oratory style of an Elder speaking.

4                   Jeannette Armstrong shocked some people  
5 who are preoccupied with gender politics by writing her  
6 novel Slash from a first person perspective assuming the  
7 character of a man. This, she later explained, was based  
8 partly on the Aboriginal cultural belief that each gender  
9 is capable of assuming the characteristics of the other.

10 Thompson Highway's plays have astounded the drama world  
11 in their ability to go from the metaphysical domain to  
12 the domain of reality and even feature characters  
13 transcending domains. These examples all illustrate how  
14 Aboriginal philosophy and traditions are being brought  
15 into contemporary literature by Aboriginal authors, thus  
16 contributing to the ongoing development of the  
17 Contemporary Aboriginal Voice, and there are many more  
18 examples.

19                   In spite of all it has to offer,  
20 Aboriginal literature is still discriminated against in  
21 the Canadian publishing industry. Larger Canadian  
22 publishing houses would publish a fictional novel by W.P.  
23 Kinsella which mocks life on the Hobema Indian Reserve,

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1 before they would publish books by Aboriginal authors.  
2 Lee Maracle, the most highly published Aboriginal author  
3 in Canada today, has published all her books through  
4 independent presses, or the Association of Aboriginal and  
5 feminist small presses. Meanwhile, at the same time, the  
6 largest publishing house in Western Canada and one of the  
7 largest in Canada, comes out with a Fall 1992 catalogue  
8 which lists five (5) titles about Aboriginal peoples  
9 written by non-Aboriginal people in their front list --  
10 and no books by Aboriginal authors.

11                   In the 1990's all the books by Aboriginal  
12 peoples have been published through small and independent  
13 presses. Not one Aboriginal author has been published  
14 by a large Canadian publishing house; while at the same  
15 time over a hundred books about Aboriginal peoples have  
16 been published by large Canadian publishing houses already  
17 in the 1990's. Typically, a so-called Native Studies  
18 section in an high volume book store in Canada will feature  
19 books by non-Aboriginal authors prominently displayed.  
20 If they are lucky Aboriginal authors will have their books  
21 on the bottom shelves of the display. Furthermore, books  
22 by Lee Maracle and Jeannette Armstrong will almost always  
23 be on the bottom of Native Studies Sections and not in

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1 the Literature Section, as if they are not legitimate  
2 literature. Kim Blaeser has sarcastically commented on  
3 this particular phenomenon saying "No, I'm not a poet,  
4 I just write Indian stuff."

5                   These examples are evidence of  
6 discrimination against Aboriginal people in the publishing  
7 industry, which amounts to nothing less than racism. It  
8 is perhaps an even higher level of racism which not only  
9 discriminates against the race, but blocks out the voice  
10 of the race and puts others in place to speak for the race  
11 while profiting from doing so.

12                   Realizing that little can be done to  
13 change the attitudes and practices of executives who run  
14 large publishing houses in Canada, and being aware that  
15 Aboriginal authors have had difficulties with a lack of  
16 cultural sensitivity even among the small presses that  
17 they have dealt with in the Canadian publishing industry  
18 Aboriginal people undertook to start their own publishing  
19 ventures in the early 1980's. That's when Pemmican  
20 Publications and Theytus Books were formed.

21                   Pemmican is a Metis publishing house  
22 which is committed to publishing books which depict Metis  
23 and Native cultures in a positive manner. The purpose

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1 of the press is to provide opportunities for Metis and  
2 Native people to tell their stories from their own  
3 perspective. However, the company does publish  
4 Aboriginal subject matter, books written by non-Aboriginal  
5 people.

6 In 1980 Theytus Books established itself  
7 as the first publisher in Canada to be under First Nations  
8 ownership and control. The company has since published  
9 over 35 titles. Similar to Pemmican, the company  
10 continues to carry out its mandate of producing quality  
11 literature from a First Nations perspective. Theytus,  
12 however, has undertaken a policy of publishing only  
13 Aboriginal authors.

14 In 1990 Theytus also began publishing  
15 Gatherings: The En-owkin Journal of First North American  
16 Peoples. Gatherings is the only journal of writing by  
17 First Nations people published in North America.

18 There are also a number of Aboriginal  
19 organizations and schools who have formed publishing  
20 operations to produce materials primarily for their own  
21 use. However, Theytus and Pemmican remain the only  
22 Aboriginal controlled publishers in Canada who participate  
23 primarily in the book trade. Over the years the companies

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1 have both experienced extreme difficulties and have  
2 remained on a relatively small scale. Theytus has begun  
3 to expand in recent years but they still remain well within  
4 the parameters of what is considered a small press in  
5 Canada.

6                   Aboriginal publishing is the best  
7 solution to all the problems which have held back and  
8 continue to hold back Aboriginal people in the publishing  
9 industry. It eliminates editorial discrimination. It  
10 incorporates cultural sensitivity. It makes writing and  
11 publishing a cohesive and fluid process under the control  
12 of Aboriginal peoples, so that the writer does not have  
13 to step into an alien situation in order to get published.  
14 Most of all it produces material in which the highest  
15 possible level and most authentic expression of the  
16 Aboriginal Voice is attained within the context of the  
17 contemporary publishing world.

18                   Indeed, the majority of the problems  
19 that have been discussed in this presentation can be  
20 overcome through Aboriginal controlled publishing. The  
21 Royal Commission should recommend that every effort be  
22 made to support existing Aboriginal publishing ventures  
23 and encourage the establishment of others. This can be

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1 partly achieved by providing additional funding sources  
2 for existing Aboriginal publishers to help them grow and  
3 to offset the inequity they face competing with the larger  
4 Canadian publishing industry. Furthermore, an additional  
5 fund should be made available for Aboriginal groups to  
6 begin their own publishing ventures. Such programs should  
7 also be accompanied with increased access to publishing  
8 training for Aboriginal people, which would be best carried  
9 out through the establishment of a publishing training  
10 program geared specifically toward Aboriginal people.

11 That's all I have in my presentation.

12 Thank you.

13 **CO-CHAIR GEORGES ERASMUS:** I would like  
14 to thank you for both of your presentations. They work  
15 well together. And the presentation from the Association  
16 of Canadian Publishers we had received quite some time  
17 ago. I have read it now a couple of times. It was in  
18 our briefing book so ---

19 I guess in reality what is happening with  
20 Aboriginal people is just on a much smaller scale as opposed  
21 to the Canadian publishers; same kind of support that was  
22 needed for Canadian publishing I guess, the same kind of  
23 arguments presumably can be made for Aboriginal publishing

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1 houses.

2                               What about this idea of training? The  
3 point is made that there is no school where anybody can  
4 go to at this point. Would you agree with the  
5 recommendations just made by Greg?

6                               **MR. KARL SIEGLER:** Oh, I agree  
7 absolutely. One of the unfortunate aspects of the lack  
8 of a publishing school for people who want to become active  
9 in the field of Aboriginal publishing, First Nations  
10 people, is that this country lacks a publishing school  
11 for anybody.

12                              **CO-CHAIR GEORGES ERASMUS:** Right.

13                              **MR. KARL SIEGLER:** There are a couple  
14 of attempts around to start one. I was involved in the  
15 one that we tried to start at Simon Fraser University a  
16 couple of years ago, the Centre for Publishing. There  
17 are a few minor programs in some colleges in Canada like  
18 at Ryerson and so forth, but these are only very minor  
19 programs and they are usually attached to very traditional  
20 kinds of arts programs and so on.

21                              Probably the most aggressive and  
22 effective kind of spot training organization in the country  
23 for publishing is in Banff, at the Banff Centre, where

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1 every summer they run courses which there is like total  
2 involvement, couple of weeks. You go up there and you  
3 eat, breathe and sleep publishing in seminars and you come  
4 out of there hopefully with your mental health intact,  
5 having learned a few things.

6                   But there is actually no formal training  
7 process, or even curriculum, or even textbooks, on the  
8 subject of publishing in Canada. The problem with extent  
9 textbooks in the world -- and I know this because of my  
10 involvement with Simon Fraser and trying to teach  
11 publishing courses there -- is that they are very, very  
12 multi-national, megacentric. In other words, the models  
13 and paradigms they use for establishing and running and  
14 operating a successful publishing company are all models  
15 derived from multi-national publishing organizations  
16 based in Europe, the United States, U.K. and so forth and  
17 do not have any applicability whatsoever -- in fact are  
18 dangerous if you try to apply them to essentially a Third  
19 World country or a Third World situation, which of course  
20 Canada is.

21                   And so it is a very real problem. I  
22 would look forward to working with First Nations people,  
23 First Nations publishing houses like Theytus and Pemmican,



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1 to work towards the establishment of a training facility  
2 in Canada for all publishers. And of course that training  
3 facility would have to take into account the special status  
4 and the special problems encountered among First Nations  
5 communities to address the question of legitimizing voice.

6 So I agree that training is a key problem. It is not  
7 unique, however, to the situation that Greg has described.

8                   There is one other -- while I am on the  
9 subject of multi-nationals and megacentric projects --  
10 I would like the opportunity to respond very briefly to  
11 one of the assertions in Greg's presentation. And that  
12 is that I believe it is a mistake to look to only the large  
13 Canadian publishing houses and their editorial policy and  
14 their publishing programs and derive therefrom or  
15 extrapolate therefrom an attitude that is present in the  
16 Canadian publishing industry per se.

17                   While I agree with and support and accept  
18 the basic tenor of Greg's charges, I do not believe that  
19 the Canadian publishing industry can be universally  
20 characterized as an industry which has ghetto-ized and  
21 ignores the Aboriginal Voice. To give you an example,  
22 my own company this year is publishing 18 new books, three  
23 (3) of which are authored by and represent Aboriginal

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1 voices. They are not books about First Nations peoples  
2 and cultures; they are books by members of those nations  
3 and cultures. That is one-sixth of our total list this  
4 year of new titles.

5                   So it's very important to remember that  
6 while, as in all economic activity in this country, the  
7 majors call the shots, it is very important to remember  
8 that there are allies, there are colleagues. And it is  
9 a mistake to extrapolate from the policies of the majors  
10 an assumed attitude about the entire community.

11                   **MR. GREG YOUNG-ING:** I would just like  
12 to comment about the training question.

13                   I personally have attended the Banff  
14 School of Publishing and I have taken several courses at  
15 the Writing and Publishing School at Simon Fraser  
16 University. And while I do admit that I learned a lot about  
17 the publishing industry in those two (2) institutions,  
18 there is also a lot that I didn't know that I had to learn  
19 myself as an Aboriginal publisher.

20                   There is a unique way of being an  
21 Aboriginal publisher which is quite distinctly different  
22 than being any other type of publisher in Canada I believe.

23 We have a different pool of authors that we are working

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1 with. We have a different subject. We have a specific  
2 subject area that we are dealing with. We have different  
3 markets. The First Nations educational market is a  
4 primary market for example. We have people that we're  
5 trying to reach that are dispersed in small pockets all  
6 over the country, namely reserves and Aboriginal peoples  
7 dispersed within the cities.

8                   And we want to do a different kind of  
9 publishing. We don't want to become mirrors of a Canadian  
10 publishing company. We are in the process of developing  
11 an Aboriginal way of doing publishing within the Canadian  
12 publishing industry, and partly outside of the Canadian  
13 publishing industry as well. So there is a very distinct  
14 type of training which needs to be present.

15                   And I would also like just to comment  
16 that there is a great demand for this training. I can  
17 tell you that I get several phone calls a week by Aboriginal  
18 organizations or Aboriginal people who want to know how  
19 to publish or who are interested in publishing something  
20 and don't know how to do it.

21                   **CO-CHAIR GEORGES ERASMUS:** Well, I  
22 would like to thank the both of you for coming forth.  
23 Very excellent presentations.

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1 Thank you.

2 **MR. GREG YOUNG-ING:** Thank you.

3 **MR. KARL SIEGLER:** Thank you very much  
4 for the opportunity to speak.

5 **MODERATOR LOU DESMARAIS:** Thank you,  
6 gentlemen.

7 We actually do have one (1) more  
8 presentation to make, and I just want to make a brief  
9 announcement here.

10 Viola Robinson has had, because of  
11 airline schedules, has had to to leave. However,  
12 Co-Chairman Erasmus is going to remain here with us to  
13 hear this last presentation. Please keep in mind that  
14 all of the presentations that are made go to all of the  
15 members of the Commission in any case, so she will receive  
16 a copy -- if she doesn't already have a copy -- of your  
17 written submission.

18 So I would now like to call upon Ian  
19 Hinksman and his colleagues to come forward and make their  
20 presentation. It's being made on behalf of the B.C.  
21 Aboriginal Network on Disability Society.

22 And our normal procedure here, Ian, is  
23 that you just open up with your presentation. I notice

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1 you have handed in three (3) separate things. Do you  
2 intend to summarize these kinds of things or read them  
3 all or ---

4 **MR. IAN HINKSMAN:** I will do one (1) and  
5 the lady in the wheelchair will do the other.

6 **MODERATOR LOU DESMARAIS:** Okay.

7 **MR. IAN HINKSMAN:** We are sort of doing  
8 a portion of it. Is that okay?

9 **MODERATOR LOU DESMARAIS:** And that will  
10 be followed by questions from the ---

11 **MR. IAN HINKSMAN:** Good enough.

12 **MODERATOR LOU DESMARAIS:** So, any time  
13 you are ready.

14 **MR. IAN HINKSMAN:** Okay. Good morning.  
15 My name is Ian Hinksman and I am one of  
16 the spokespersons for our organization. And we are a  
17 disabled organization who speaks on behalf of the grass  
18 roots people with disabilities in the Province of British  
19 Columbia.

20 First I guess I would like to say that  
21 I have been involved with the Aboriginal community since  
22 about the mid-seventies through the friendship centres.

23 I have been through the Victoria Friendship Centre. I

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1 was the president at one time. I was the President of  
2 the B.C. Association of Friendship Centres for a number  
3 of years. And in 1987 when I became disabled I then took  
4 a greater interest in disability because when I looked  
5 around I discovered that disability is one issue that  
6 nobody really paid any attention to, but it was a major  
7 problem for Aboriginal people.

8                   And the following is a quote that I  
9 repeated to many organizations, commissions, governments  
10 of every stripe and groups -- both Aboriginal and  
11 non-Aboriginal -- over and over again. And it is taken  
12 from 1981 follow-up report to the Obstacles Report, and  
13 it says, and I quote:

14 "Native people suffer on a daily basis from living  
15                   conditions which other Canadians  
16                   experience only rarely, and these  
17                   adversities increase the  
18                   probability of being disabled at  
19                   some point in a person's lifetime."

20                   As I recall I stated this to you about  
21 a year and a half ago in Victoria, Georges, because you  
22 are the only one here that was there then, and I suspect  
23 since that time in the Province of B.C. and I suspect in

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1 the rest of Canada, things continue on without any  
2 noticeable improvement as far as disabled people are  
3 concerned. And this to us, in our organization, is a major  
4 problem.

5 I am sure that these situations are not  
6 new to you and you have probably heard this before. I  
7 would, however, like to say that the plight of disabled  
8 people is everybody's concern. This is a problem that  
9 for too long has been ignored by everybody. By this I  
10 mean governments, provincial, national and Aboriginal,  
11 as well as all both provincial and national organizations  
12 whether Aboriginal or non-Aboriginal. The only area where  
13 there is a noticeable amount of activities is in  
14 Conferences and as you probably know these generally  
15 speaking do not include disabled people. Hardly a day  
16 goes by that I am not asked to attend some kind of a  
17 conference somewhere in Canada. There seems to be no  
18 problem in obtaining money to hold a conference and I often  
19 wonder what could be done if some of this money was used  
20 to improve the conditions of the disabled.

21 I get tired of hearing from  
22 organizations and governments that this is not a problem,  
23 because it is. Too many times I have heard the phrase

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1 "We do not have disabled people in our area or band" or  
2 "Our people are well taken care of and do not need any  
3 help." This is, in most cases not true, and I would like  
4 to say if they think there are no disabled people around  
5 they are not looking too hard.

6 We have been travelling amongst disabled  
7 in all parts of this province for the past few months and  
8 I would invite anyone who has any doubts to come and listen.

9 We hear from CHR's and social workers that they do not  
10 know how to access the programs and services that are  
11 available. We hear from the disabled that they cannot  
12 access these services and that the answer they get time  
13 after time is there is no service available when in fact  
14 there is a service. We hear from people wanting services  
15 that are not available but no one takes the time to explain  
16 why. No one seems to want to take the problems facing  
17 disabled people both on and off reserve. In many cases  
18 the services offered are not understood and this is most  
19 obvious in the elders. We hear in many cases of the  
20 disrespect for our elders by those who should be most  
21 concerned. I could go on and on about the abuse accorded  
22 the disabled but this will become apparent in our final  
23 report to the Royal Commission.

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1                   Another problem we hear about constantly  
2 and I do not think this is a surprise is jurisdictional  
3 problems. One of the reasons is the difficulty people  
4 have in distinguishing between the responsibilities  
5 assigned to the different levels of governments. Not only  
6 do the clients not understand but even the care givers  
7 and what is even more appalling the different levels of  
8 government in many instances seem unsure of who does what  
9 and why. As well another thing which is probably just  
10 as devastating to a disabled person is the denying of  
11 service. By this I mean constantly being told go somewhere  
12 else, this is not my responsibility or not my department.  
13       Being constantly buffeted from place to place is one  
14 reason disabled people do not receive the proper care.  
15 Also included in this category is being told we have no  
16 money for this service or we do not receive money for this  
17 service. If the care givers would only try to give the  
18 clients help instead of taking a negative attitude it would  
19 make things easier for the clients.

20                   The result of the constant fight between  
21 the provincial and federal governments is that there are  
22 considerable discrepancies between individuals, reserves  
23 and regions. It forces individuals who are status Indians

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1 with a disability to leave their natural and cherished  
2 place of residence and to live off reserve just to qualify  
3 for services and supports or to go without. Neither is  
4 acceptable. Unfortunately leaving their home to move to  
5 the city to receive a service does not necessarily mean  
6 that this service becomes available. There are many  
7 reasons for this, one of which is the disabled Aboriginal  
8 person is in a foreign place trying to get a service to  
9 which he does not understand how to get.

10           An example I would like to point you to  
11 something that we learned only recently and this is about  
12 Aboriginal people coming to Vancouver to receive a service.

13    Upon arriving one is faced with where to stay with very  
14 little money. This in many cases means moving to a low  
15 rent area which generally speaking is in the downtown east  
16 side. When this person looks around the only help he or  
17 she is offered is from people of his own race who in this  
18 instance have a major problem of their own with substance  
19 abuse. In short order this person who came for help with  
20 one problem now has another to battle and unfortunately  
21 too many times this second problem becomes overwhelming  
22 and no one seems to care.

23           I would like to tell you about a problem

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1 that demonstrates clearly what I have been saying and that  
2 is about a thing called bus passes for those on handicapped  
3 gain. This is a problem I have been trying to solve for  
4 over three (3) years. It tends to show how frustrating  
5 things can become if one dares to try to rectify something  
6 that everyone states is unfair and is discriminatory.

7                   If you are living off reserve and are  
8 on handicap gain there is B.C. Transit bus available for  
9 \$39.00 a year. If you are not on gain this same pass costs  
10 \$50.00 a month or more. If however you live on reserve  
11 and are on social assistance for handicapped persons which  
12 is the equivalent of gain you are not eligible. This means  
13 you must pay the same as people on gain which is strictly  
14 because this is a provincial service.

15                   I am sorry, there is a bit of a mistake  
16 there, Georges. What I mean to say is that if you are  
17 living on a reserve you pay the same as people that are  
18 not on gain. In other words, you have to pay \$50.00 or  
19 more depending on the region.

20                   And I have struggled with this for so  
21 long I dream about it at night. I contacted the provincial  
22 Ministry of Social Services in the previous government  
23 and in this government as well and was told it was a federal

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1 responsibility. I reported this to federal and provincial  
2 human rights councils, provincial ombudsman, numerous  
3 organizations both provincial and federal all without  
4 success. However I refused to give up and continued to  
5 pursue this with anybody who would listen. Finally after  
6 following many blind leads I managed to get DIA to promise  
7 to fund this and the province to administer it.

8                   Success one would think, but such was  
9 not the case as roadblocks kept appearing in the most  
10 unusual places. There had been a meeting between the  
11 government departments concerned. Then there were  
12 meetings between myself and each individual department.  
13 Then there was a meeting with the Minister of Social  
14 Services who confirmed they were willing to administer  
15 the program. Since then there have been meetings for I  
16 know not what but they continue to this day. For the past  
17 three (3) or so weeks I have been waiting for DIA to send  
18 a letter asking the bands concerned if they want the  
19 program. And just yesterday afternoon I was phoned by  
20 DIA who are now trying to compose a letter and make up  
21 their minds what to say to write to provincial government  
22 to ask them if they will do this service, which they have  
23 already said on numerous occasions they would. So, this

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1 I would like to say is for a program that is denied disabled  
2 Aboriginal people only because they live on a reserve and  
3 is available to every other citizen in the province who  
4 is on handicap gain.

5                   The Department of Indian Affairs is  
6 clearly responsible for this service, which incidentally  
7 they do not deny, but continue to evade with almost every  
8 excuse they can. This means a cost of, by everyone's  
9 estimation, to be less than one hundred thousand dollars  
10 a year. In most instances they estimated maybe half that  
11 much. If this is the effort of a concerned government  
12 then it is no wonder that the plight of disabled Aboriginal  
13 people is in the condition it is in.

14                   Another problem facing disabled people  
15 is the way in which disability is delegated to health.  
16 This becomes a major problem to many of the disabled because  
17 disability does not necessarily mean that you have a health  
18 problem. Disability means many things to different  
19 people. It can be health but it also can mean a need for  
20 housing, social services, access and a myriad of other  
21 things. However, when disability is discussed it is  
22 immediately relegated to health and this is neither right  
23 nor fair. One thing this does is allow people to once

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1 again deny a service by saying it is not my responsibility  
2 when in reality it is everybody's responsibility.

3 I constantly try to explain to everyone  
4 until disability has its own designation and when budgets  
5 are made disability has to be one of the components. Even  
6 if it is a small part of the budget it has to be considered  
7 and it can no longer be ignored. This cannot continue  
8 or the plight of disabled Aboriginal people will never  
9 improve.

10 I would like to say that when Aboriginal  
11 self-government comes to pass -- and I am sure it will --  
12 that the plight of the disabled has to be taken into  
13 account. This is a huge problem and unfortunately it is  
14 treated with too little concern by too many people from  
15 every area. I hope that you and your committee will treat  
16 disabled people with respect and give back to them the  
17 dignity that should be theirs. For too long disabled  
18 people have been the forgotten people in our society and  
19 if you and your committee are truly interested in the  
20 problems of Aboriginal people this is one area that to  
21 date has had too little exposure.

22 Thank you.

23 We would like to get -- Florence will

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1 do the presentation about our organization and what she  
2 is doing for the Royal Commission.

3                               This is Florence Wylie, my executive  
4 assistant.

5                               **MS FLORENCE WYLIE:** Good morning,  
6 Commissioners.

7                               My name is Florence Wylie. I am a member  
8 of the Kemano Tribal Council and I am an assistant to the  
9 board of directors of the B.C. Aboriginal Network on  
10 Disability Society.

11                              At the moment my main responsibility is  
12 to carry out the Intervenor Program Research Project which  
13 is taking a look at the needs and concerns of the disabled  
14 Aboriginal people throughout different parts of the  
15 Province of British Columbia.

16                              This initiative was commenced in  
17 September of 1992 and we intend to complete the project  
18 by August 1993. At the moment we have travelled to several  
19 communities throughout the province, remote communities,  
20 isolated communities, urban communities. We have met with  
21 bands, tribal councils. We have met with concerned  
22 interest groups. We have met with disabled Aboriginal  
23 people at all of these sessions.

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1                   I will now refer to the paper which has  
2 been distributed and I will skim through different sections  
3 which I feel are relevant to today's presentation. I would  
4 like to start out the presentation by quoting a statement  
5 which was made by a member of the organization.

6 "Ignorance must be abolished. Prejudice cannot be allowed  
7                   to go on. Fear of the unknown  
8                   should not be a reason for  
9                   distancing oneself from  
10                  another...It is obvious that the  
11                  well being of the disabled person  
12                  depends not only on themselves but  
13                  everyone else. They can live life  
14                  to the fullest and with confidence  
15                  only if people allow themselves to  
16                  adopt new and proper impressions  
17                  of the abilities and expectations  
18                  they have."

19 And this quote is from Florence Martin, who is a double  
20 amputee, who is a lady who has severe arthritis.

21                   On behalf of the disabled members of  
22 B.C.A.N.D.S. we greet the commissioners with appreciation  
23 for having been given this opportunity to share with others

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1 some of the experiences, thoughts, feelings, frustrations,  
2 hopes, and aspirations of the disabled people from all  
3 parts of British Columbia. At the same time, we are  
4 hopeful that each person present will listen with an open  
5 mind, with compassion and empathy; and the courage to  
6 accept the challenge which we bring on behalf of the many  
7 disabled Aboriginal people for whom we speak.

8                   The Canadian Charter of Freedom and  
9 Rights, Section 15, prohibits the discrimination on the  
10 basis of any mental or physical disability. Yet, for many  
11 disabled people they are existing in situations which in  
12 some cases are next to inhumane, and almost "criminal,"  
13 without adequate financial resources for basic necessities  
14 of life, a lack of appropriate housing, without the proper  
15 equipment and aides to function with everyday life, no  
16 adequate means of transportation, no support mechanism  
17 for the family members of the disabled, no prevention  
18 education on the reality of Fetal Alcohol Syndrome, lack  
19 of regular assessment and therapy required at the local  
20 level to enable the disabled to remain within their home  
21 area.

22                   In some remote communities, the disabled  
23 have to travel for two (2) to three (3) hours just to go

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1 for the physiotherapy that they require. In these  
2 instances, they do not even have the necessary  
3 transportation that would get them to their medical  
4 appointment comfortably. In some of these cases the  
5 disabled person will become discouraged and not travel  
6 the distance for the required medical attention -- and  
7 their physical state will worsen.

8                   For some of the elderly disabled  
9 Aboriginal people for whom English is a second language,  
10 they are not able to explain their ailments to the medical  
11 professionals, for the lack of understanding of the  
12 language. This particular problem has been spoken of in  
13 the northern parts of the province, where at times it has  
14 been necessary for a relative or friend to attend with  
15 the disabled to act as the interpreter. For the hearing  
16 impaired, there is inadequate sign interpreters -- which  
17 again creates a very frustrating circumstance as doctors  
18 and social services people cannot understand the hearing  
19 impaired. For some, it is easier to live with the pain,  
20 or live without the therapy that may be required, because  
21 the ordeal and time to try to communicate becomes too  
22 overwhelming for them to deal with.

23                   Disabled people live in a world of

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1 isolation because they are forgotten about by the rest  
2 of society, and for many accepting that this is the way  
3 of life that they have to accept. It is not their choice  
4 to live in the confined world that they are in, they have  
5 limited access enjoy a more satisfying lifestyle because  
6 it is too convenient to place their needs and essentials  
7 to the low priority category on the agenda of those in  
8 authority positions within the Aboriginal and  
9 non-Aboriginal communities.

10 Employment inequity for the disabled is  
11 rampant -- as limited resources for training and  
12 development prohibit the ability to gain the skills and  
13 knowledge, the rehabilitation, that is often required to  
14 play an active role in the labour market. In many cases,  
15 the disabled are frequently called upon to volunteer with  
16 community groups -- because they have a lot of time on  
17 their hands, and they are taken advantage of by not being  
18 placed into a paid salary position. These people are often  
19 overlooked, even within our own people. Are these not  
20 forms of discrimination?

21 Another area in which the disabled have  
22 felt that they are being discriminated against, is in the  
23 federal/provincial responsibility jurisdictional

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1 boundaries of government policy. There are many gaps in  
2 the programs and services available, and for those that  
3 are available they are not culturally sensitive or  
4 appropriate. There is a need for more community based  
5 programs and services which are developed and managed by  
6 the Aboriginal people, with the participation of the  
7 disabled Aboriginals at all levels.

8                   In some cases in some of the communities  
9 that we have visited, the disabled have felt that they  
10 are being treated like third class citizens by their own  
11 people. They understand that the reason for this is that  
12 they are Bill C-31 status Indians. They express  
13 frustration that they are being treated like outsiders  
14 within their own communities, and then again alienated  
15 by what they deem to be denied access to funding for housing  
16 and equipment, et cetera, that they require to function  
17 and generally exist.

18                   The safety and well being of the disabled  
19 has been a concern expressed by many throughout the  
20 Province of B.C.; and it may well be a legitimate concern  
21 for other disabled Aboriginal people across the country.

22       With the various social and economic problems in the  
23 society, these all have an impact on the disabled. For

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1 some disabled, the vulnerability of living alone is a  
2 reality. They live in fear of being victimized by  
3 vandalism, violence, and many other forms of abuse. With  
4 the high incidence of substance abuse and other crimes  
5 around this problem area, the disabled are often depended  
6 upon to care for the extended family members, the children,  
7 or the grandchildren, or the neighbour, or are turned to  
8 for shelter and food at any time of the day or night.

9           The disabled whom are turned to as a  
10 caregiver, are often abused and neglected without even  
11 realizing that this is occurring to them. Their limited  
12 means of financial resources may be spent on providing  
13 a meal for the extended family members, or to help out  
14 a child or grandchild even when they cannot afford to help  
15 out the family member. In some instances, there is blatant  
16 manipulative abuse.

17           These people are too proud to let anyone  
18 know that they are suffering. It is the Aboriginal  
19 tradition of helping one another's family, this is what  
20 they have been raised to believe and practice. However,  
21 the treatment is not necessarily given back in return for  
22 the favours of good deed.

23           For some of the family members of the

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1 disabled, every day may be a challenge to their own physical  
2 and mental health. There is only so much that a person  
3 can manage on their own, before they themselves become  
4 unhealthy, and become tired and resentful, and begin to  
5 take out these frustrations on themselves and their loved  
6 ones. In these instances, the bureaucracy creates  
7 obstacles which are often too much to deal with -- and  
8 respite care is unavailable due to jurisdictional  
9 policies. However, if these people were to place their  
10 loved ones into institutions, or relocate, they may be  
11 able to receive some respite care -- but for a very dear  
12 price to their family unit and the stability of their home.

13 So they persevere, hoping that some day things will change  
14 and they will be able to receive the personal care, homemaker  
15 assistance, and the time out that they so desperately need.

16 On the other hand, the disabled at times believe that  
17 they are a burden to their family, and become depressed  
18 with no one to talk to about their feelings. An innovative  
19 support system for the families and the disabled is  
20 something that is desperately needed.

21 In the "Declaration on the Decade of the  
22 Disabled Persons," Prime Minister Brian Mulroney made a  
23 commitment to the principles of participation and

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1 integration of persons with disabilities in society. It  
2 is the demand of the Aboriginal disabled people to be  
3 included in the development and implementation of the  
4 principles which form the major component of the  
5 Declaration. We request that the Royal Commission  
6 exercise its full power and authority to bring this message  
7 back to the Federal Government of Canada, as well as to  
8 the Aboriginal leadership and relative organizations that  
9 the disabled people of British Columbia want to become  
10 involved in this process of change.

11                   The principles of the "Declaration on  
12 the Decade of the Disabled Persons" are listed for  
13 reference and I will not go through them; it is quite a  
14 lengthy statement. However, when one reads these  
15 principles, after having heard from so many of the disabled  
16 Aboriginal people as this organization has over the past  
17 couple of years, it is interesting to note that what is  
18 being described in the document is nothing less than what  
19 the Aboriginal people are seeking. Perhaps with more  
20 education and awareness and networking amongst the  
21 disabled these principles can become a reality and not  
22 just another government document which is forgotten.

23                   Many disabled people do not even

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1 understand that they have rights available to them. No  
2 one has taken the time to tell them or explain to them  
3 what basic rights they are entitled to, or how to access  
4 the programs and services. What is somewhat discouraging  
5 is when a community official states that they do not have  
6 any disabled people living within their community. We  
7 have experienced this more than once. Or, the agency may  
8 say that there is only a few disabled and why should we  
9 bother to include them within our organization. These  
10 types of attitudes have to be changed and we are attempting  
11 to bring these concerns to the front of the agenda in as  
12 many Aboriginal communities as we possibly can. However,  
13 with our own limited resources and piecemeal funding we  
14 are only capable of reaching only limited audiences.

15                   We were pleased and encouraged to learn  
16 that the First Nations Congress Health Committee took the  
17 initiative to examine the health care needs of the disabled  
18 in a survey project earlier this year. The matter of  
19 disabilities amongst the Aboriginal people is an area that  
20 there is limited resource information available on. There  
21 has been attempts by both the federal and provincial  
22 governments to retrieve data on the demographics of  
23 disabilities amongst the Aboriginal communities, however,



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1 none yet has been able to access the people to gather  
2 sufficient reliable information.

3                   It is our understanding that a Round  
4 Table on Health and Social Issues was held in Vancouver  
5 in March of this year. We must state that we are  
6 disappointed that the B.C.A.N.D.S. organization was not  
7 invited to become involved with this discussion group.  
8 Once again we feel that the disabled people were overlooked  
9 and not given the full attention that they should be  
10 receiving. With all due respect to all of the other groups  
11 which participated, B.C.A.N.D.S. is one organization which  
12 is truly "people driven from the community level." There  
13 is no dilution of the information which we bring to the  
14 Royal Commission Public Hearings. This information comes  
15 directly from the disabled Aboriginal people themselves.

16 It is our hope that what is being shared is received with  
17 all due respect and sincerity.

18                   For the many disabled people whom have  
19 shared their personal stories and experiences we share  
20 with the Commission officials with trust and hope that  
21 you will bring this message back to mind at the end of  
22 your journey. We appreciate the incredible task that you  
23 as commissioners have before you and appreciate the burden

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1 that you bear in your roles. We too have felt the pain,  
2 the heartache, and the frustration in our travels to the  
3 various communities meeting the disabled Aboriginal  
4 people. At times it can be very weary, but it can also  
5 be very exhilarating to watch the disabled gain strength  
6 from one another, to watch the self-esteem and  
7 self-confidence develop within a short period of time.  
8 It is when this happens that it makes it all worthwhile.

9                   Since the conference which was held in  
10 Victoria in the fall of 1992, "The Turning Tide Conference"  
11 we have been very fortunate to witness the personal  
12 development and growth of many of the disabled people who  
13 attended. We are pleased to report that some of the  
14 participants have returned to their local communities and  
15 become involved with their local band councils. They have  
16 challenged their leadership to pay more attention to the  
17 disabled, to allow them to empower themselves by becoming  
18 involved, by speaking out, by writing letters to local  
19 politicians expressing their concerns of the difficulties  
20 that they are contending with. It is our sense that with  
21 the continued support and encouragement that this spin-off  
22 to the community consultations and the workshops, the  
23 gathering of information for the Intervenor Survey, that

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1 the disabled people will become more visible to the  
2 non-disabled and will prove to be a valuable asset to  
3 society as a whole.

4 The time has come for the disabled people  
5 to take responsibility and take action to change this  
6 pattern. We are pleased to be a part of this evolution  
7 and hope to be available to provide the network amongst  
8 the disabled that is growing stronger as time goes by.

9 We shall have recommendations  
10 forthcoming included within the documented findings of  
11 the current Intervenor Program Provincial Survey on  
12 Disabilities. We are hopeful that the Royal Commission  
13 will utilize whatever strength and authority that it holds  
14 to give the findings and the recommendations serious  
15 consideration -- and most of all -- initiate whatever  
16 action they are capable of in supporting the disabled  
17 Aboriginal from all parts of the country.

18 Thank you.

19 **MR. IAN HINKSMAN:** Next I would like to  
20 introduce Sue Gabriel, who is a person from the Seabird  
21 Reserve and who is part of our organization.

22 Sue.

23 **MS SUE GABRIEL:** Good morning,

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1 Commissioners. This is my first time speaking, so bear  
2 with me.

3 I've been a member of the B.C. Aboriginal  
4 Network Society since October 1992 at the "Turning Tide  
5 Conference" Laurel Point Inn, Victoria, B.C. I was elected  
6 to the board of directors.

7 On November 10th, 1990 I was involved  
8 in an automobile accident that took the lives of my husband,  
9 Ed Gabriel Senior, and our 15 year old son, Eddy Junior.  
10 My injuries were very extensive. As a result I have  
11 been left with restricted mobility and for longer distances  
12 in a wheelchair. I am permanently handicapped. I live  
13 on the Seabird Island Reserve in the home that I and my  
14 family shared. Although I have endured a great loss I  
15 have been able to help others. Currently I am employed  
16 with the Seabird Island Band Newsletter and I might add  
17 that it is on the incentive basis.

18 I have been attending workshops that  
19 B.C.A.N.D.S. has sponsored Seabird Island Mission  
20 Friendship Centre, Vancouver Friendship Centre, and I  
21 didn't put in the Fort Nelson Friendship Centre in Northern  
22 B.C. At these workshops the needs that were brought to  
23 the forefront were issues of jurisdiction, problems with

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1 disabled housing, medical services, to name a few. The  
2 needs of the disabled are great and cannot be overlooked  
3 or put on the back burner any longer.

4                   At this time I would like to interject  
5 something that isn't on my sheet here. For a long time  
6 after I -- I was in the hospital for four (4) months  
7 recovering from this accident. And after this recovery  
8 I went to the B.C. -- to G.F. Strong Rehabilitation Centre.

9       When I did return back to the reserve I had no -- like  
10 my family was not involved in how to take care of me or  
11 what the plan of action would be once I returned home.

12       When I returned home there was no homemaker. There were  
13 no services available. No one expected me to return back  
14 to Seabird Island. My home was not accessible and for  
15 nine (9) months I sat in my home. There wasn't any  
16 wheelchair ramp that was added to my home for a long time.

17       The services were very bad, to say the least.

18                   I was hired to do the newsletter but  
19 because of my wheelchair a lot of times I was forgotten  
20 about. And people would say "Well, your wheelchair won't  
21 fit in my car, so we can't take you," or whatever. It  
22 wasn't until I got my own automobile last year that I was  
23 able to get around by myself, which has been very

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1 challenging.

2 I say this with a lot of emotion inside  
3 because I know that there are people that have the ability  
4 to do something and I'm hoping that through all the things  
5 that have been said this morning that there will be changes  
6 made because there are people -- Elders, other disabled,  
7 handicapped people -- that have needs that are not being  
8 met. I'm a fighter by nature and I've had to excel and  
9 the hardships that I've faced have left me a real fighter  
10 on behalf of the disabled.

11 The only child I had was taken from me  
12 and my husband and I sat there in my home day after day  
13 wondering if there was anyone out there that cared. And  
14 ever since I became a member of B.C. Aboriginal Network  
15 on Disability Society I have tried to reach out and do  
16 as much as I can because I know and I can empathise with  
17 where the disabled are coming from.

18 On May 11th, 1993, of this year, I met  
19 National Chief Ovide Mercredi -- and I always say his name  
20 wrong I guess. He came to visit the Seabird Island  
21 Community School and it was then that I had a chance to  
22 talk to him and he invited members of B.C.A.N.D.S. to meet  
23 with him in Ottawa. And this is being set up for late

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1 July or early August in 1993.

2 I am certain that only when one has a  
3 disability can one really understand what the obstacles  
4 really are. There are challenges that must be met every  
5 day. Financially the disabled are at a great  
6 disadvantage, whether you live on or off reserve. I happen  
7 to live on reserve and my financial status is very low.

8 We don't have a lot of services that are offered in the  
9 city -- bus passes, taxi coupons and Handi-dart, to name  
10 a few. It was only through an accident that we now have  
11 wheelchair accessible washrooms in the Seabird Island  
12 Community Hall. I wrote to the band on a Friday to request  
13 accessible washrooms, and then on Sunday the kitchen hall  
14 which is adjacent to the washrooms caught on fire. So  
15 I immediately requested that the renovations include  
16 wheelchair accessible washrooms.

17 Not too long ago I was -- and I am not  
18 really good at reading this part. I speak from my heart.

19 But when I first went into public in my wheelchair --  
20 and I realize that a lot of people don't know how to help  
21 someone that is in a wheelchair, they don't know whether  
22 to ask them if they need help or not -- so I went to the  
23 P & E here in Vancouver and there is a large hill that

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1 you have to go up. And I was going up the hill fine you  
2 know. My friends had an electric wheelchair. They zoomed  
3 up to the top of the hill, they were waiting for me. I  
4 went up and because I've lost a lot of arm strength I turned  
5 by chair sideways, put on my brake, and I was resting.  
6 And this lady came out from the crowd. She came out, she  
7 undid my brakes and she pushed me back down the hill.  
8 And she says to me "No, you don't have to thank me," she  
9 said "It was my pleasure." She disappeared into the crowd  
10 and I sat there. I had struggled halfway up the hill,  
11 only to be pushed down again.

12 **CO-CHAIR GEORGES ERASMUS:** Why didn't  
13 you intervene and tell her not to do it?

14 **MS SUE GABRIEL:** It was so fast and it  
15 was so loud and it was so crowded that she just ---

16 And I don't know if anyone else has been  
17 put in this situation but sometimes you feel powerless,  
18 like you know "Hey, leave me alone." But she went and  
19 disappeared off into the crowd and I don't know where the  
20 lady is today but I know that I had to make it back up  
21 the hill. That's how the disabled feel. You know for  
22 every step forward that you take, you always kind of take  
23 about 10 steps back.



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1                   And I know that there are hills that can  
2 and will be overcome and there are many First Nations people  
3 that are disabled in our province that are waiting to be  
4 heard. We not only need to be heard but to have greater  
5 awareness to disability in our Aboriginal peoples.

6                   Thank you very much.

7                   **CO-CHAIR GEORGES ERASMUS:** I would like  
8 to thank the three (3) of you for coming forth. And, as  
9 you said, even though it has been said a couple of times  
10 already to us, it is always useful for these issues to  
11 be brought up again. It's quite surprising how often it  
12 is starting to be brought up with us actually.

13                   And the message is fairly consistent:  
14 lack of services, lack of awareness, and so forth. And  
15 the problems particularly in the isolated communities seem  
16 to be even greater. So we are hearing the message, for  
17 sure, and we are looking forward to the completion of your  
18 project and the report that you will be doing.

19                   **MR. IAN HINKSMAN:** Thank you.

20                   **CO-CHAIR GEORGES ERASMUS:** I want to  
21 continue to encourage you and there is no doubt that you  
22 are doing all of us a great service. Please don't give  
23 up. Continue on.

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1 Thank you.

2 **MR. IAN HINKSMAN:** Now, one thing I  
3 would like to say personally, and that is that you know  
4 one of the things that we find so really discouraging is  
5 that we talk -- if I talk to people in DIA or people at  
6 Medical Services and they tell me there's really no great  
7 problem, "We teach our social workers all there is to know  
8 about people with disabilities. We teach our CHR's..." --  
9 the Medical Services have told me more than once -- "...they  
10 go on a course and they learn."

11 I wish sometimes that these people from  
12 Department of Indian Affairs and from Medical Services  
13 would come with us on one of our meetings and listen to  
14 the CHR's and the social workers, particularly in the  
15 north, but also even on Vancouver Island and on the mainland  
16 here close, that don't have the foggiest notion of what  
17 they are doing; not the foggiest.

18 And they phone -- I constantly get phone  
19 calls from these people saying "I've got such and such  
20 a problem, what do I do?" And they don't know. And  
21 somebody -- there is a problem down in this part of it,  
22 a really major problem there, that people seem to take  
23 for granted that the CHR's and the social workers -- and

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1 I am not trying to push the blame on them; far from it,  
2 they are really hard-working people and they are  
3 over-worked as it is. But somewhere, somehow they have  
4 to be made aware of what the services are because if they  
5 don't know, how can they tell the people; and they don't  
6 know, generally speaking.

7 **CO-CHAIR GEORGES ERASMUS:** Great.

8 Thank you for that last point.

9 **MR. IAN HINKSMAN:** And the other part  
10 is you know if you ask them -- if you were to go and ask  
11 them or somebody asked them they won't deny it but they  
12 kind of sneak behind when nobody is looking and ask me  
13 the questions, which is you know I don't know ---

14 So there is a fear there somehow and the  
15 fear has to be put to rest. And I think that's what I  
16 am trying to say more than anything: the fear has to be  
17 stopped.

18 **CO-CHAIR GEORGES ERASMUS:** Okay.

19 **MR. IAN HINKSMAN:** We have just got our  
20 first sort of cut from the surveys but we won't -- they  
21 tend not to be too -- unless somebody stood with you and  
22 explained what they mean it doesn't really mean too much,  
23 so that's why we didn't give them to you.

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1                   **CO-CHAIR GEORGES ERASMUS:** That's no  
2 problem.

3                   **MR. IAN HINKSMAN:** We just got them  
4 yesterday actually.

5                   **CO-CHAIR GEORGES ERASMUS:** We will wait  
6 for your report.

7                   **MR. IAN HINKSMAN:** It will come.  
8 Thank you very much ---

9                   **CO-CHAIR GEORGES ERASMUS:** Well, thank  
10 you.

11                   **MR. IAN HINKSMAN:** --- on behalf of the  
12 organization.

13                   **CO-CHAIR GEORGES ERASMUS:** That  
14 concludes the hearings here in Vancouver and this  
15 particular week in British Columbia. We would like to  
16 thank everyone that presented to us in the last three (3)  
17 days. We've heard a whole range of issues this week in  
18 Prince George and here, everything from forestry issues,  
19 fisheries issues came up a number of times, the disabled  
20 question, Metis questions in British Columbia. The urban  
21 issues came up quite often -- things like AIDS and  
22 tuberculosis and recent deaths by people on the street  
23 taking heroin that was too pure. We've had a couple of

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1 round tables here, a couple of nights ago; one was with  
2 women and another with young people, some being street  
3 young people, some being former street youths, and others  
4 that were workers with them.

5                   It has been a very good week. We have  
6 received a lot of good ideas. Some weeks are more  
7 productive than others and this was in fact a very  
8 productive week. We've heard some interesting  
9 presentations that we had never heard before on -- for  
10 instance, earlier today we heard from the Fire Fighters  
11 Associations from the First Nation people and the kind  
12 of impact it had in fact on saving lives by becoming  
13 organized and doing public education work. And there have  
14 been other presentations like that from organizations that  
15 we had actually not heard from before that have been  
16 extremely useful.

17                   And of course we heard from housing  
18 associations, whether they were concerned with rural  
19 housing or urban housing, and we had a very, very good  
20 presentation here yesterday from the National Aboriginal  
21 Housing Association which provided us with some very, very  
22 good information and we really appreciate the fact that  
23 they took the time to present such a well prepared brief.

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1                   So we will close. I would like to thank  
2 the local organizers here for assisting us in this week.

3     It has been extremely productive. If there are people  
4 out there that would like to continue to send information  
5 to us, we receive it in numerous ways and you know if you  
6 feel like sitting down and just writing us a letter, or  
7 if you want to send us a tape, you want to do it orally,  
8 send us a cassette tape, or if you want to do a music video  
9 send that along too, we'll accept that.

10                   So I would like to thank everyone for  
11 coming out and presenting to us.

12                   **MODERATOR LOU DESMARAIS:** Thank you,  
13 Georges.

14                   In our traditional way we wish to close  
15 in a proper way. We had a very distinguished gentleman  
16 as our spiritual host here throughout these proceedings.

17     He has joined us again and I would like to now call upon  
18 Vince Stogan, if he would come forward to lead us in the  
19 closing prayer.

20                   Vince, please.

21     **--- Closing Prayer**

22     --- Whereupon the Hearing was adjourned at 11:30 a.m.