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Commission of Inquiry into the Circumstances
Surrounding the Death of Phoenix Sinclair
1800-155 Carlton Street
Winnipeg, MB R3C 3H8

Attn: Sherri Walsh, Commission Counsel

**Re: Aboriginal Council of Winnipeg Inc.
Application for Standing as an Intervenor for Phase III of the Inquiry**

We are counsel for the Aboriginal Council of Winnipeg Inc. ("ACW").

ACW understands that Phase III of the Inquiry will be devoted to the community and the social context in which families live and in which the child welfare system plays a role. Phase III will include examination and discussion of the following systemic issues:

1. What are the circumstances, challenges and conditions which bring a vulnerable family and in particular, having regard to other facts of this case, an aboriginal family in Winnipeg, to come into contact with the child welfare system?

and

2. What services, programs, departments, whether government or community based, exist or ought to exist, outside the child welfare system to support such families and children?

ACW has a genuine and demonstrated concern about the issues to be considered in Phase III of the Inquiry, and has a particular perspective and expertise that may assist the Commissioner. Please consider this letter as the ACW's application under the Commission's Amended Rules of Procedure and Practice for intervenor standing for Phase III of the Inquiry.

Who is the ACW and what does it do?

ACW is a community based, membership driven organization serving as an advocacy voice representing the interests of the Aboriginal community of the City of Winnipeg. ACW works in support of programs and services that are required for the wellbeing of Aboriginal residents. Its vision is:

"to support a self-sufficient, healthy, vibrant urban Aboriginal community, where families and children are ensured a good quality of life, through equal opportunity and choice so that Aboriginal people are a part of all things - a distinct presence throughout Winnipeg."

The guiding principle for our activity sector Families, Women, Men, Youth and Seniors is:

"Families within the community are supported in their life decisions to be healthy and have access to a quality life."

ACW was formed in 1992 by the amalgamation of the Winnipeg Council of Treaty and Status Indians and the Urban Indian Association, with the object of having a single coherent voice on behalf of First Nations, Métis and Inuit people residing in Winnipeg. ACW is recognized by all three levels of government as a voice for Aboriginal people in the City. ACW's current individual membership stands at approximately 6800 Aboriginal persons residing within the boundaries of the City of Winnipeg and being 16 years of age or older. Aboriginal persons are First Nations (Status or Non-Status), Metis or Inuit. Recently ACW made a change to its Constitution to provide for organizational memberships. ACW has begun a community engagement process with all the major urban Aboriginal program and service agencies to involve them as members and to define the nature of our relationship with them. This is a process of renewing urban Aboriginal governance in Winnipeg.

The ACW members elect its President and Board of Directors. The President is elected every three years and the Board of Directors serve for one, two, or three year terms. Every year at least three Director positions are elected.

ACW co-develops an annual work plan with representatives of Aboriginal Affairs and Northern Development Canada (AANDC) and Aboriginal and Northern Affairs Manitoba. This work plan outlines specific activities and outcomes related to the issues of priority to Aboriginal women, children and youth, education, training and employment, economic and social development and emerging issues. ACW has a mandate beyond these parameters and can take action relative to any matter that is important to our membership or that is an identified priority that arises out of the multiplicity of community engagement exercises undertaken by ACW in any given year.

ACW's focus is on the development of community-based mechanisms through the non-profit and charitable sector and advocacy of appropriate and progressive public policy at

all levels of government. ACW engages with the Aboriginal community in identifying gaps and opportunities, develops community capacity to develop sustainable solutions, and facilitates awareness within government of the community's needs, opportunities and capacities.

Current and recent activities of ACW include the following:

1. Ongoing Tripartite process: ACW and the federal and provincial governments (Aboriginal Affairs and Northern Development Canada (AANDC), Aboriginal and Northern Affairs Manitoba (ANA) have established the Tripartite process. The Tripartite process provides for the parties to meet at least four times each year through an established Joint Management Committee (JMC). The JMC is a forum for ACW to advocate for the interests of its members specifically and the interests of the 68,000+ urban Aboriginal citizens in Winnipeg. These interests relate primarily to political, cultural, spiritual, social and economic issues of the day. The ACW Annual work plan outlines specific activities that will be undertaken by the ACW in each year. These activities fall under the following Portfolios: Women, Youth, Education, Training and Employment, Economic Development and Emerging Issues. The Emerging Issues category enables ACW to bring forward new or emerging issues of importance to the community. These issues often relate to specific concerns/needs relative to the Justice system, Housing, Homelessness and Mental Health, Addictions/Alcoholism, Child and Family, Income support Programs etc. Any member of ACW or the urban Aboriginal community can contact ACW and identify or raise an issue that they want addressed with governments through the JMC. The JMC monitors progress on deliverables identified in the ACW Annual work plan and receives and reviews ACW financial statements and the ACW Annual Report. In 2007, the City of Winnipeg joined the JMC as an ex-officio partner, permitting the City to participate in meetings.
2. Aboriginal Education Summit: ACW is preparing to host an Aboriginal Education Summit upon completion of ACW's research it is currently undertaking of the education system in Winnipeg. This review is focused on identifying the root causes of the near 50% drop out rate for Aboriginal children and youth in Winnipeg's schools. ACW is also looking at early childhood education and what is working in other jurisdictions, particularly those with large urban Aboriginal populations and or other marginalized groups.
3. Developing a proposal for an Aboriginal Charter School: ACW's Education subcommittee has identified the establishment of a new Aboriginal Charter School in Winnipeg as something that is feasible. It is also seen as a method of demonstrating how an Aboriginal controlled school would produce graduation rates on par or higher than those of existing schools in one of the city's School Divisions. This school would be structured on an Indigenous platform drawn from examples in the USA, Australia, New Zealand and Hawaii. This methodology and practice is available through an International Indigenous Educators circle.
4. Urban Aboriginal Youth Strategy Planning Workshop: ACW hosted this event in February 2013 at Thunderbird House in Winnipeg. Over 100 urban Aboriginal

(First Nations, Metis and Inuit) youth (ages 16 to 30) participated in a facilitated planning exercise. The purpose was to give youth the chance to work with each other to identify their priorities and concerns/issues and to develop a Plan of Action to address same. ACW has the completed report which it will use for other initiatives with youth on a go forward basis.

5. Community Planning Process: ACW hosted a similar event with key adult/senior urban Aboriginal leaders on March 7, 2013. This first exercise enabled these leaders to review where urban Aboriginal community has been in the past and is currently and to begin a process of identifying and planning for where we want to be in the future. Future events will be held, with ACW in the end producing an urban Aboriginal community "Blueprint for the Future" in Winnipeg.

ACW qualifies for standing

The Amended Rules of Procedures provide that in order to qualify for intervenor standing an applicant must have a genuine and demonstrated concern about the issues raised in the Inquiry mandate and have a particular perspective or expertise that may assist the Commissioner.

Phase III is devoted to the community - to the social context in which families live. It is recognized that the underlying social conditions that place children in need of protection must be addressed. They include poverty, limited economic and employment opportunities, homelessness and substance abuse. The Aboriginal community is uniquely disadvantaged in these respects, and as a result a grossly disproportionate number of Aboriginal children are in care. A significant number of the children in care are residents of Winnipeg or have a connection to Winnipeg.

ACW by its nature and mandate works in the community context that will be the focus of Phase III. A significant part of its work involves the community, its needs and responsibilities, including the importance of families. It furthers economic development, equal opportunity and self-sufficiency. It is familiar with the challenges faced by Aboriginal families living in Winnipeg, which will not be dissimilar from challenges in other urban centres in Manitoba.

ACW has a distinctly urban focus and an understanding of the organizational and institutional context for services in Winnipeg. It has valuable experience in organizational developments in the Aboriginal area that have taken place over the last 20 years, including organizational developments in the child and family protection system. Former Board member and Past President Wayne Helgason was a social worker and supervisor in the system for many years, and has been close to developments in the system during devolution.

Finally, ACW has a unique perspective that should be brought to bear on the Inquiry's deliberations. Its membership and clientele are Aboriginal people in the broad sense of the Canadian Constitution, including First Nations, Métis and Inuit people. ACW understands and respects the self-government and identity aspirations of First Nations

and Métis organizations, but believes that they alone cannot address the realities of coexistence in the urban setting.

ACW's practice is to engage with community organizations with relevant mandates in carrying out its mandate. ACW's participation in the Phoenix Sinclair Inquiry will be directly supported via an engagement with the Ma Mawi Wi Chi Itata Centre, an urban non-mandated child and family service agency in Winnipeg. ACW will also draw on the knowledge base of Aboriginal child and family practitioners within its membership base to guide its efforts in this work. ACW will also engage with other urban Aboriginal child and youth serving agencies such as the Winnipeg Aboriginal Sport Achievement Centre, Ndinawe, the Indian and Metis Friendship Centre, the Boys and Girls Clubs of Winnipeg (the President and CEO is a member of the ACW Board of Directors), and Aboriginal Youth Opportunities (AYO).

If granted intervenor standing ACW will identify witnesses having evidence relevant to the issues to be considered under Phase III. ACW will provide any and all assistance to Commission counsel to facilitate the evidence being presented at the Inquiry including providing Commission counsel with information concerning the witnesses' evidence, assisting in interviewing the witnesses, presenting the evidence through the witnesses at the Inquiry, and making submissions on the Phase III issues.

Thank you for your attention to this matter. If you have any questions or require anything further please let me know.

Sincerely,



GREG TRAMBLEY