



Addressing Root Causes Creating Choices

2006 Pre Budget Submission

Native Women's Association of Canada

Introduction

The Native Women's Association of Canada (NWAC) is founded on the collective goal to enhance, promote and foster the social, economic, cultural and political well-being of First Nations and Métis women within First Nation and Métis communities and the broader Canadian society. NWAC is aggregate of 13 native women's organizations from across Canada and was incorporated as a non-profit organization in 1974.

One of the goals of NWAC is to empower Aboriginal women by engaging in national advocacy measures aimed at legislative and policy reforms that promote equal opportunity for Aboriginal women, including program and service delivery. NWAC is committed to ensuring that the unique needs of Aboriginal women is reflected in any and all legislative and policy directives that have the potential to have a significant impact on the lives of aboriginal women and children.

The government of Canada in the 2005 Budget reflected a strong commitment to a renewed partnership with Aboriginal Peoples and provided for investments of \$735 million over five years with a focus on children and youth and their families. As part of its commitment to a renewed partnership Canada initiated a Canada-Aboriginal Peoples Roundtable process that culminated in November 2005 in the Kelowna Agreement. The Agreement which was negotiated and agreed upon by the federal, provincial and national Aboriginal organizations set a target for closing the gap in life chances between Aboriginal peoples and the rest of Canadians within 10 years.

Although the current government has said that it is committed to targets of the Agreement in principle there has been little word on how and if it intends to work with Aboriginal communities to ensure that the Kelowna goals are reached. The Native Women's Association of Canada is committed to working with this government to ensure that these targets are met so that all Aboriginal women and children, have access to comparable levels of services and the same life chances as every other Canadian including access to public services, such as health, child care, employment and education opportunities, access to justice and human rights. Aboriginal women have the right to programs and services that are targeted efficient and effective and respond to their unique constitutional, historical and socio-economic needs and aspirations.

It is estimated that in the last few years, over 35,000 Aboriginal businesses have been created throughout Canada. A huge portion of the entrepreneurs are Aboriginal women and youth. In 2005, Loans for small businesses totals in the range of \$70 million each year. Of the \$ 1 billion in loans provided, \$55 million has been written off (5.4%) and the existing portfolio now totals \$193 million. That means \$754 million has been collected and is being recycled over and over which stimulates the vibrant growth of Aboriginal Business in Canada. This marks an increasing stimulation of economic growth that plays an important role in the gross national product.

With the explosion of the Aboriginal population growth in the work force, we need new initiatives undertaken by the federal government to invest in the future of our children. In the next decade, one third of the new job entrants in the new Canadian economy will be Aboriginal. Investing in Aboriginal women children and families is an investment in the future economic growth in Canada.

The Socio-Economic Gap in the lives of Aboriginal Women in Canada

In Canada, Aboriginal women experience extreme marginalization and suffer from inequalities related to their social, economic, cultural, political and civil rights that breed violence, such as post-colonial structural inequalities, family violence, racialized/sexualized violence, poverty, lack of access to adequate housing, including the lack of access to matrimonial property rights, lack of access to justice, low education and employment rates, low health status and little or no political participation.

The Native Women's Association of Canada has worked with Aboriginal women and their challenges/issues since 1974 and the need has changed very little. The socio-economic issues/barriers that Aboriginal women continue to face on a daily basis is still at a crisis point:

- § The female Aboriginal population is young, with 32% of Aboriginal females less than 15 years of age in 2001, and a growing number are residing in urban centres, nearly 70% of the total Aboriginal population resides off-reserve.
- § 19% of Aboriginal women 15 years or older are lone parents families, compared with 8% for non-Aboriginal women.

Health

- § Aboriginal women can expect to live 76.8 years on average, versus 82 for non-Aboriginal women.
- § The fertility rate of Aboriginal women is 2.6 children, versus 1.5 for non-Aboriginal women.
- § Aboriginal women are three times more likely than non-Aboriginal women to suffer violence against women, including serious forms of life-threatening violence and emotional abuse at the hands of a marital or common-law partner.
- § 21% of Aboriginal female victims of spousal abuse suffer from depression as a result of their victimization.
- § The demand for institutional and related continuing care needs for Aboriginal communities will continue to grow over the next few decades due to increases in the number of First Nation members aged 55 and over and growing incidences of chronic disease.
- § Aboriginal women are at higher risk for alcohol and substance abuse, but only represent 40% of the Aboriginal treatment population in treatment centres.
- § Aboriginal women make up 29% of the Canadian prison population, but only 3% of the Canadian population overall and unlike men, have higher rates of mental illness,

self-abuse and suicide.

- § The rate of suicide is three times the national average for Aboriginal women, compared with non-Aboriginal women.
- § Aboriginal women are almost three times more likely to contract AIDS than non-Aboriginal women (23.1% versus 8.2%)

Housing

- § 87% of Aboriginal women lived with family members in 2001. Because most reserves do not have shelters, women fleeing violence often escape to a friend and relative's home. This exacerbates overcrowding on-reserve.
- § National Non-Reserve Aboriginal Housing Strategy (2004) A majority (71%) of aboriginal peoples live off reserve and of their households, the majority of families (75%) live in urban centres
- Canadian Mortgage Housing Corporation reports that the main causes of family homelessness were lack of affordable housing, poverty, family violence and inadequate funding for social programs¹. For more than 40% of families, family violence was among the factors that caused them to leave their homes².
- In 1997, CMHC reported that 62% of Aboriginal lone parent households off reserve were in core housing need the majority of whom are Aboriginal women.

Education

- § In 2001, 7% of Aboriginal women aged 25 and over had a university degree, compared with 17% of their non-Aboriginal counterparts.
- § Four in 10 Aboriginal women have not completed high school, whereas the figure was 29% among non-Aboriginal women.
- § "Pregnancy and the need to care for children" was cited as the main reason Aboriginal women aged 15-19 living off-reserve quit high school.
- § Of Aboriginal women aged 25 to 44 living off-reserve who had started, but had not completed a post-secondary program, 34% cited "family responsibilities" as their reason for not completing, while 21% reported "financial reasons."
- § Aboriginal women are now attending school at higher rates than both non-Aboriginal women and Aboriginal men.

Employment

- § In 2001, 47% of Aboriginal women aged 15 and over were employed, compared with 56% of non-Aboriginal women. Aboriginal women were also less likely than their male counterparts to be employed, at 47% and 53% respectively.
- § 57% of Aboriginal women with jobs work part-time and/or part-year.
- § Aboriginal women with jobs are most concentrated in low-paying occupations: 60% worked either in sales, service, or in business finance, or administration jobs. On-reserve, higher percentages of Aboriginal men work in areas such as agriculture; fisheries; forestry and hunting; construction; manufacturing; transportation and warehousing.

¹ Canadian Mortgage Housing Corporation, *Research Highlights, Family Homelessness: Causes and Solutions*, July 2003, www.cmhc.ca

² Ibid

- § The median income for Aboriginal women is \$5,000 less than non-Aboriginal women, at \$12,300. It was also \$3,000 less than Aboriginal men.
- § The average employment income for First Nation women in First Nation communities was approximately \$1,500 less than First Nation men and approximately \$8,400 less than the Canadian average for women.
- § 27% of income for Aboriginal women comes from unemployment insurance and social welfare benefits.
- § 50% of Income Assistance beneficiaries on-reserve are children.
- § In 2000, 36% of all Aboriginal females were classified as living in a household with incomes below the Low-Income Cut-off, which is double the figure for non-Aboriginal women.

Aboriginal women and their children have a right to the same life chances as every other Canadian as well as access to public services comparable in level that other Canadians enjoy. Aboriginal women have the right to participate fully in Canadian society that means having access to Aboriginal specific programs and services including targeted efficient and effective approaches to ending poverty and violence in the lives of Aboriginal women and children. Healthy families are the foundation for prosperous healthy communities.

How Do the Conservative Governments 5 Priorities Address NWAC's Priorities and How Will They Impact on Aboriginal Women?

What will be the benefits and effects of the 5 Priority Areas of the Conservative Government on Aboriginal women and children and how can we ensure that we are addressing the root causes of violence and poverty by creating real choices for Aboriginal women to participate fully in Canadian society?

1] Accountability

Under the Canada Health and Social transfers and the new framework for Equalization and Territorial Formula Financing (TFT) the federal government provides support to eligible provinces and territories for key priorities including health, education and social services. This is to ensure that all Canadians, wherever they live have access to comparable public services.

While the disparities exist amongst Aboriginal people and the rest of Canadians, by all social indicators aboriginal women and children are the most marginalized group. Further Aboriginal women who are the sole caregivers of their children are even more marginalized having the least comparable access to public services than most other Canadians.

NWAC has called for the implementation of accountability measures as indicated in the CANADA – ABORIGINAL PEOPLES ROUNDTABLE report, 2005.

One key message is with regards to inclusiveness:

- That processes and structures of accountability are inclusive (i.e., implemented with full consultation and participation) to all sectors of the Aboriginal population, and
- Funding accountability frameworks apply to each sector differently depending on their circumstances (capacity, geographic location etc.);
- That accountability standards be different for off-reserve members; and
- That processes, structures and standards specifically target Aboriginal women.

A streamlined, results-based approach is needed where jointly established performance measures can be established.

It is necessary to differentiate between financial and non-financial transparent accountability. It is essential that an oversight board be established (e.g. Treasury Board or Auditor General).

The underlying causes of unequal participation/relationships need to be addressed and all levels of government need to commit to reporting processes that are transparent, accountable, efficient and effective.

Recommendations:

- Strengthening Reporting Mechanisms and streamlining targeted funding for addressing the root causes of the disparity between Aboriginal Peoples and other Canadians as well as the severe marginalization of Aboriginal Women and Children

The needs of First Nations and Aboriginal women could be addressed through:

- Conducting a Culturally Relevant Gender Based Analysis of federal agendas (GBA) that takes into account the unique Constitutional, historical and socio-economic needs and aspirations of Aboriginal women and children.
- Increase participation, visibility and awareness of Aboriginal women and their involvement in self government
- Measure the impact of policy implementation (e.g. marital property, violence)
- Recognizing the dual First Nations and Canadian citizenship and portability of rights of Aboriginal women and children
- Involving women in revisions to the Child Welfare Act, the Child Tax Benefit
- Providing Life skills and training to Aboriginal women in remote areas
- Portray women & girls in positive roles in curriculum & research
- Funding for women on and equitable basis;
- Targeted strategies for the most marginalized groups

5] Reducing the Tax burden on Canadians,

Starting with a one percentage point cut to the GST may have a significant impact on the kinds and levels of programs and services in the community. While NWAC supports the tax cuts as well as the need to ensure that government makes effective efficient use of tax dollars, we know that it will have an impact on the social programming at the local and regional levels. Tax cuts mean a reduction in services and low income to moderate-income earners will experience the greatest burden on the kinds and levels of public services they have access to. In fact, it was stated “taxpayers dollars will be limited only to those programs that are efficient and effective”.

The Native Women’s Association of Canada recognizes and supports that efficiency and effectiveness are key guiding principles in the delivery of programs and services. However we also recognize that good public policy depends on good policy research. As such we would like to caution the government that there are significant challenges in policy and research gaps particular to Aboriginal women and other hard to track populations specifically in the area of access and evaluation of programs and services in urban areas. It would be irresponsible to cut social programs without the effective of engagement of those who depend on these essential services.

One area of significant concern for NWAC is in housing. In the 2001 the Census, it was reported that “Aboriginal households accounted for 2.8% of all Canadian non-reserve households, but 4.3% of all households in core housing need.³ That is one in four Aboriginal people spend more than the accepted norm of 30% of their income on rent. Poverty is a fact of life for many Aboriginal women who remain at the lowest levels of the population and spend the highest proportion of their income on housing.

The National Aboriginal Housing Association (NAHA) recently reported that a majority (71%) of Aboriginal people lived off reserve in urban centers.⁴ According to the NAHA report, in 1993, the federal government as part of fiscal restraint halted all new spending for social housing, including any new non-reserve Aboriginal housing projects. In 1996, the federal government moved to transfer administrative responsibility for existing social housing policy to the provinces. To date no province has accepted responsibility for new non-reserve commitments and no new housing has been constructed for Aboriginal households off reserve since 1993⁵

The National Coalition on Housing and Homelessness (NCHH) documented a shortage of rental housing, increase in average market rents, steady losses in the numbers of existing rental housing units, declining or stagnant incomes and wealth, sharp increases in tenant affordability problems, and a disproportionate representation of Aboriginal

³ CMHC, 2001 Census Housing Series Issue 6: Aboriginal Households, August 2004, available online www.cmhc.ca

⁴ National Aboriginal Housing Association, *A New Beginning: The National Non-Reserve Aboriginal Housing Strategy*, March 2004, online: National Aboriginal Housing Association, http://www.aboriginalhousing.org/The_National_Non-Reserve_Aboriginal_Housing_Strategy. (NAHA)

⁵ Ibid at i

Canadians among the homeless.⁶ A recent report by the Canadian Mortgage Housing Corporation reports that the main causes of family homelessness were lack of affordable housing, poverty, family violence and inadequate funding for social programs⁷

The NWAC does not find it surprising that for more than 40% of families, family violence was among the factors that caused them to leave their homes⁸. In 1997, CMHC reported that 62% of Aboriginal lone parent households off reserve were in core housing need. The level of family violence as it affects Aboriginal families is estimated to be one in three families. It is reasonable to assume that the majority of those lone-parent families are in fact, headed by Aboriginal women.

Recommendation:

- Research and evaluation must be developed and integrated for those hard to track populations, which will be affected most by the changes.
- Any cuts to social programming must be made only after extensive consultations and community engagement by those most affected by the decreases in kinds and levels that are essential services.

3] Getting Tough on Crime

One of the serious consequences of severe socio-economic marginalization of Aboriginal women has resulted in Aboriginal women being grossly over represented in the criminal justice system both as offenders and as victims of violence. The Native Women's Association of Canada is committed to addressing the root causes of the disproportionate incarceration rates of Aboriginal women and the high rates of criminal victimization both within the Aboriginal community and broader Canadian society, as evidenced by the alarmingly high rates of aboriginal women who are missing and/or murdered.

In the *Report of the Manitoba Justice Inquiry* (1991) it was concluded that the overrepresentation of aboriginal people in the criminal justice system has deep historical and social roots. The Manitoba Justice Inquiry also highlighted concerns that systemic discrimination at every level of the justice system, from policing to sentencing, greatly contributes to the high incarceration rates of Aboriginal offenders. Similarly, in 2004 the Canadian Human Rights Commission (CHRC) released its report, *Protecting Their Rights: A Systemic Review of Human Rights in Correctional Services for Federally Sentenced Women*, the report concluded that while CSC has made some progress in developing a system specifically for women offenders, systemic human rights problems

⁶ The National Coalition on Housing and Homelessness, *Pre-Budget Submission to the Standing Committee on Finance*, September 6, 2001 at 4, online: Ontario Non-Profit Housing Association, http://www.onpha.on.ca/affordable_housing_initiatives/fight_resources/pdf/NCHH_prebudget.pdf

⁷ Canadian Mortgage Housing Corporation, *Research Highlights, Family Homelessness: Causes and Solutions*, July 2003, www.cmhc.ca

⁸ Ibid

remain, particularly with regard to Aboriginal women, racialized women and women with disabilities. This systemic discrimination may in part be contributing to the growing numbers of Aboriginal women federally incarcerated.

For instance, although over representation is a significant issue facing Aboriginal peoples, for Aboriginal women the rates of incarceration are particularly disturbing. Correctional Service (CSC) data reveals although aboriginal women account for only 3% of the female population in Canada, on July 27 2003, they made up 29% of the women in federal correctional facilities. Aboriginal women are not only disproportionately over represented that are also the fastest growing population sentenced to federal prisons. CSC data highlights that;

The number of Aboriginal women sentenced to federal institutions is increasing, and at a rate that exceeds that of Aboriginal men. From 1996-1997 to 2001-2002, the number of federally sentenced aboriginal women increased by 36.7%, compared with 5.5% for aboriginal men.⁹

This government has made the commitment to “get tough on crime” proposing changes to the Criminal Code including;

- Set mandatory minimum sentences for violent and repeat offenders,
- Repeal the “faint hope” clause
- Replace statutory release with “earned parole”
- End conditional sentencing

All of these proposed changes would have a significant impact on swelling the numbers of women incarcerated. It is anticipated that it will have the most significant impact on the numbers of Aboriginal women who are already grossly over represented in the criminal justice system.

In 2004 the Canadian Human Rights Commission (CHRC) released its report, *Protecting Their Rights: A Systemic Review of Human Rights in Correctional Services for Federally Sentenced Women*. The report was clear in its recommendation that in order to ensure that CSC is that the treatment of federally sentenced women is consistent with human rights laws: The duty of CSC is to promote and protect the human rights of women and means that they must take into account the fact that some of the reasons women offend, their life experiences and their rehabilitation needs are unique. The report looked at the profile of federally sentenced women for a greater understanding as to the reasons women offend and found that their life experiences and their needs are indeed unique;

- Women account for less than 5% of all federal offenders. They are more often first-time offenders. Because of the generally less-violent nature of their crimes, women tend to receive shorter sentences.

⁹ Solicitor General Canada, Corrections and Conditional Release statistical Overview, Ottawa, Public Works and Government, Services Canada, November 2002, at 57

- An overwhelming number – 80% – of federally sentenced women report being victims of prior abuse.
- Federally sentenced women have disproportionate rates of physical and mental disabilities. They are three times more likely than their male counterparts to suffer from depression. They also experience higher rates of mental illness, self-destructive behavior such as slashing and cutting, and suicide attempts. Women with mental health issues, cognitive limitations and substance dependence are also disproportionately classified as maximum security.
- Federally sentenced women face much lower employment rates than male offenders, have less education than the general Canadian population and experience significant poverty.
- The most disturbing statistics relate to the disproportionate number of Aboriginal women in federal prisons. Although they account for only 3% of the female population in Canada, they make up 29% of the women in federal correctional facilities and the number sentenced to federal institutions is increasing. Aboriginal women account for fully 46% of the federally sentenced women classified as maximum security.
- Two-thirds of federally sentenced women are mothers and they are more likely than male offenders to have primary child-care responsibilities.

What becomes apparent from the profile of women who come into conflict with the law is that they are most often, single parents, first time offenders, the majority have been victims of prior abuse, which may lead to higher rates of mental illness including depression and substance abuse problems. The findings of the report compliment the position of the Native Women Association of Canada and other equality seeking organizations that women are criminalized for the poverty and violence experienced in their lives.

Recommendations:

- In order to address the over-representation of Aboriginal women, both as offenders and victims, in the criminal justice system governments can be more effective in responding with informed equitable options and create real choices that address the roots causes of poverty and violence in the lives of Aboriginal women prior to and upon leaving the correctional institutions.
- Any proposed changes to get tough on crime with out necessary essential services in the community will exasperate the issue and swell the numbers of women being incarcerated. Women need real options and real choices in the community, access to educational and employment opportunities, greater support for single parents, access to health and public services such as child-care and adequate affordable housing. Need to research which programs and services are available for Aboriginal women and whether they have meaning access to these public community resources, including culturally appropriate victim services.

4] Priority: Child Care

Choice of Child Care Allowance:

The Choice of Child Care Allowance is our 4th priority. NWAC is disheartened that discussions surrounding National Subsidizes Child Care have been abandoned. The demographic realities mentioned earlier clearly illustrate that Aboriginal women will be severely impacted by this shift to the Choice of Child Care Allowance.

- Aboriginal women earn significantly less than the average Canadian (male or female) and have less disposable income. They already struggle to pay for child care. A \$100 a month allowance will not aid Aboriginal women, particularly single parents.
- Aboriginal women are less educated than the rest of Canadian women. In 2001, only 7% of Aboriginal women had obtained a university degree compared to 17%. The most cited reasons given for Aboriginal women between 15-19 years of age who fail to complete either their elementary or secondary education are pregnancy or the need to care for children and boredom. For women enrolled in post-secondary institutions they cited their reasons as not completing their education at this level as: family responsibility, financial reasons, lost interest/motivation and some had to get a job or go to work¹⁰
- Aboriginal women additionally do not have enough access to culturally relevant child care programs in urban centers where they need child care while obtaining employment and furthering their education. There is a need to increase our financial support to existing culturally relevant child care programs and also promote the creation of such programs both on and off reserve. A Child Care Allowance does not change this reality and, may in fact, result in less funding to such invaluable and essential services.

The government of Canada in the 2005 Budget reflected a strong commitment to a renewed partnership with Aboriginal Peoples and provided for investments of \$735 million over five years with a focus on children and youth and their families. Specifically in the 2005 Budget provided for \$345 million for First Nations early learning and childcare, special education First Nations child and family services.

However, it is unclear how much of this funding for early learning and childcare and family services is accessible for off reserve Aboriginal women. We feel that there are significant knowledge gaps in the effectiveness, levels and accessibility of services for support for Aboriginal women in urban areas. As well, NWAC feels that more research needs to be done as to the positive and negative effects the Child Care allowance will have on Aboriginal women.

¹⁰ ibid

Recommendations:

- Child care advocates request at least \$1.2-billion annually to the provinces for 5 years targeted to licensed child care. NWAC supports this as well there is a need to look for changes in the \$1,200 allowance proposed by the Tories to ensure that it is distributed fairly to families.
- NWAC feels that more research needs to be done as to the positive and negative effects of a National Child Care strategy and/or Child Care Allowance will have on Aboriginal women. The current proposed child care options do not benefit Aboriginal women or our families and therefore strenuously ask that NWAC be included in a comprehensive evaluation. Aboriginal women need to be involved in finding a solution to adequate and appropriate child care

5] Health and Patient Wait Times

The Conservative priority for working with provinces to improve health care by establishing the Patient Wait Times Guarantee.

It is a well-known fact that Aboriginal women, who represent 51% of the total Aboriginal population, are the most disadvantaged group in Canada from a health and socioeconomic perspectives. The life expectancy for Aboriginal women is five years less than other Canadian women. Chronic conditions like arthritis and rheumatism, asthma, high blood pressure, gastro-intestinal and cardiac conditions begin to affect them at 45 years of age. Seven percent (7%) of Aboriginal women over the age of 15 have been diagnosed with diabetes compared to 3% for the rest of the female population of this same age category. The rate of diabetes increases with age. Twenty-four (24%) of Aboriginal women over the age of 65 have diabetes compared to 11% for the rest of the female senior population in Canada¹¹. Needless to say, diabetes is the root cause of many long-term debilitating conditions such as: kidney failure, blindness,

Aboriginal women are three times more likely to experience spousal abuse compared to non-Aboriginal women. The rate of spousal violence experience by Aboriginal women over a five-year period was 24% compared to 8% for their non-Aboriginal counterparts¹².

Aboriginal women's health needs as listed above take precedence over Patient Wait Time guarantees for the reasons listed above.

¹¹ Women in Canada Fifth Edition. Statistics Canada, 2006

¹² Ibid

Recommendation:

- From NWAC's perspective, the health of Aboriginal women can only improve if Aboriginal women are completely involved in all aspects of health care reform at the national, regional and local levels. Aboriginal women must be involved in research, development/design, implementation and evaluation of health policies that have an impact on them. Further, special efforts must be put in place to increase the number of Aboriginal women to enter the health fields and to support them financially and provide child care to them as many young Aboriginal women become mothers at a young age.