

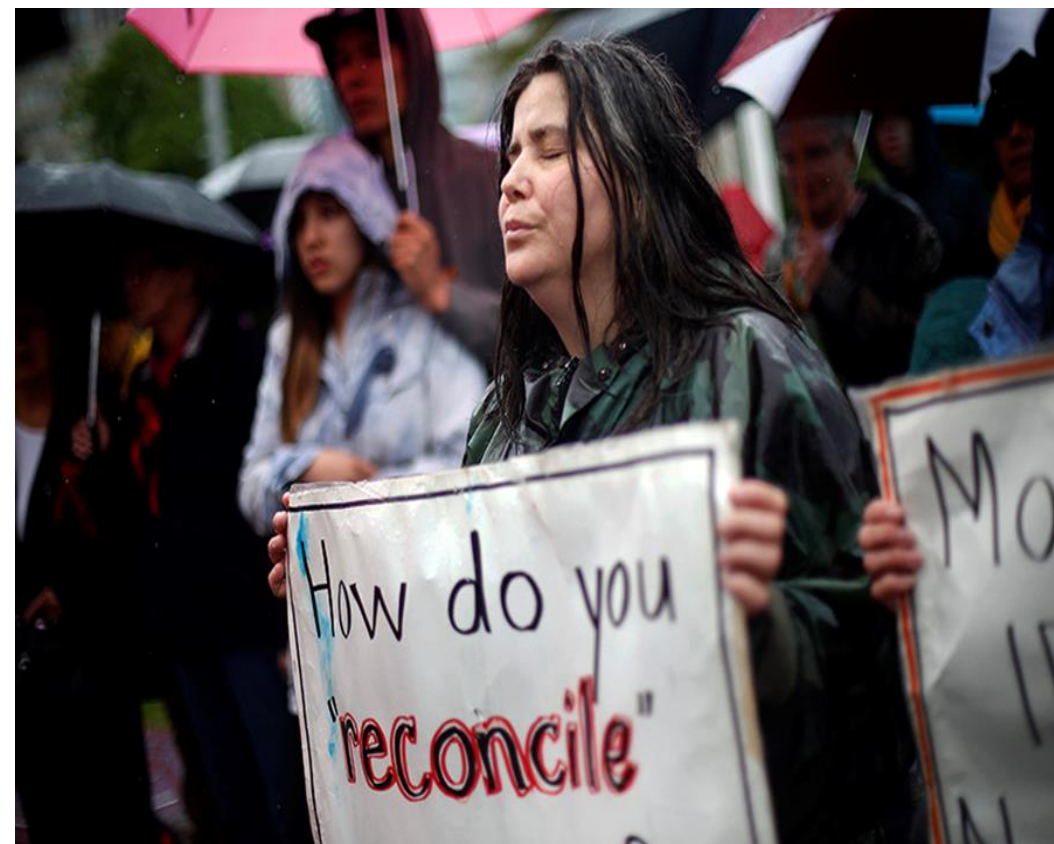


The Crisis At Hand: UNHEALTHY Healthcare For Indigenous Communities

PRESENTED BY JULIAN FALCONER (JUNE 11, 2022)

Challenges With A Lasting Impact

- Indigenous people continue to face the intergenerational trauma of:
 - Centuries of colonialism
 - An ongoing racist and paternalistic legislative framework under the Indian Act
 - Cultural genocide
- Legacies of
 - Indian Residential Schools
 - Indian Day Schools
 - Sixties Scoop
 - Victimization of countless Nishnawbe Aski Nation youth in the North by sexual predator Ralph Rowe
 - Missing and Murdered Indigenous Women and Girls
 - Biased laws & criminal justice system
 - Institutional racism

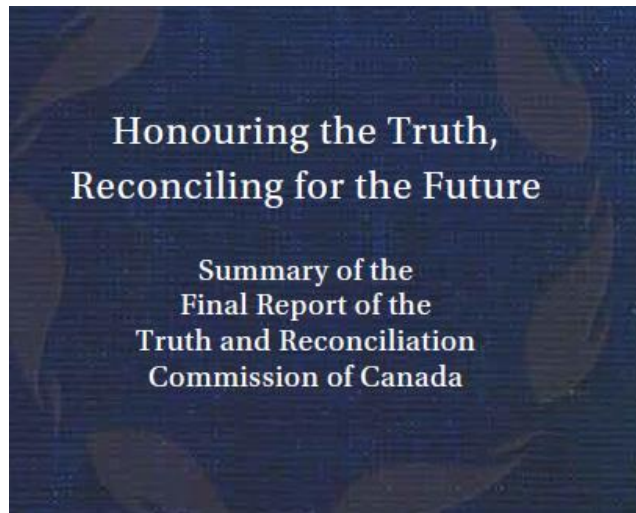


Moving From Awareness to Real Changes



➤ **We know** about the impacts of both intergenerational and current trauma. We have studied It to “death”.

➤ We are unable to move from awareness to change



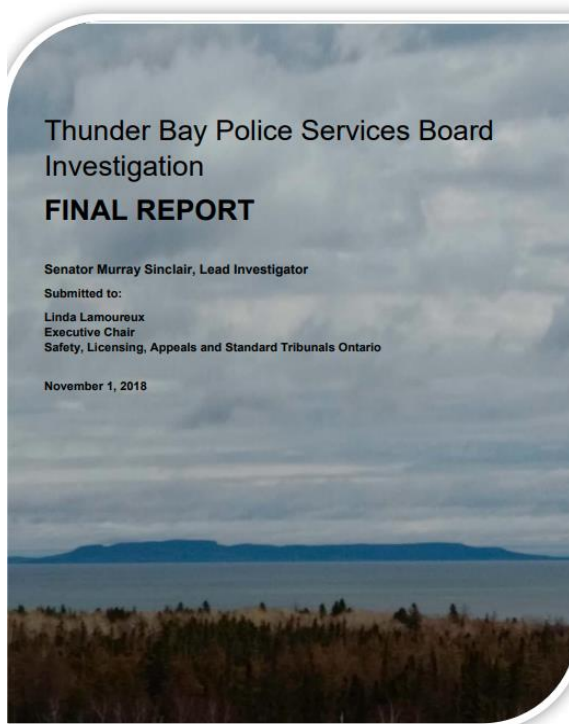
Honouring the Truth, Reconciling for the Future: A summary of the Final Report of the TRC Commission of Canada, dated 2015



Verdict Dated June 28, 2016, with 145 Recommendations into the deaths of the 7 youths

Recommendations	
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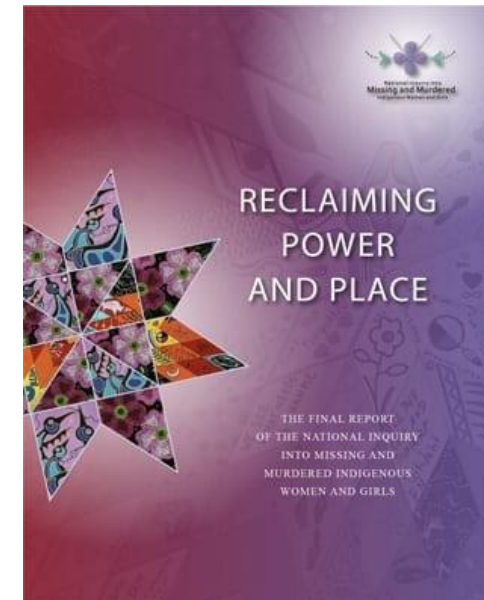
Moving From Awareness to Real Changes



Thunder Bay Police Services Board Investigation (Final Report) – November 2018



Broken Trust: Indigenous People and the Thunder Bay Police Service – December 2018



Reclaiming Power and Place: The Final Report of the National inquiry into Missing and Murdered indigenous Women and Girls, dated – Dated 2019

The Question That Needs To Be Asked Is: Why?



- The health care gap is **undeniable**
 - Indigenous suicide rate is 2x that of the rest of Canada
 - Infant mortality rate is 1.7 – 4x higher
 - Lack of recent data, a vision, and accountability
 - Canada: Reliant on 1990's data
 - Australia: Uses annual data & has implemented timelines for closing the gap in health outcomes
- Why are healthcare services **deliberately being withheld** from Indigenous people?



A Call For A Joint Inquest On Persistent Systemic Issues In The North



Craig Neekan (1998-2019)



Troy Neekan (d. 2020)



Joey Knapaysweet (1996-2018)



Agnes Sutherland (1955-2018)

“Plus ça change, plus c’est la même chose”
4 Deaths – A Pattern of Deliberate Neglect

- Indigenous people suffering personal crises
- Outreach to health care providers in the North
- Denial of services and assistance
- Death shortly thereafter

Remembering Agnes Sutherland

- Agnes died at the age of 62-year-old on February 4, 2018.
- Agnes died on the hospice floor of the Timmins District Hospital in Timmins, Ontario, more than 400 kilometres from her Fort Albany community.
- Days before her death, Agnes, an amputee confined to a wheelchair, was physically removed from a local shelter in Timmins and jailed by police. The following day she was subsequently taken to the hospital
- Agnes declined treatment for her dialysis (for her failing kidneys).
- At no point on February 3, 2018, did the hospital staff make any attempt to contact Agnes' family, nor make any attempt to secure a Cree translator or any culturally appropriate support person for Agnes.



Agnus Sutherland (1955-2018)

Remembering Joey Knapaysweet

- Joey died at the age of 21-years-old on February 3, 2018.
- Joey died after being shot four times by police in Timmins, Ontario, more than 400 kilometers from his Fort Albany community.
- The night before Joey died, he asked his grandmother to telephone the police because he said was “not feeling well in his head” and wanted to be admitted into a mental health facility.
- Joey attended at an emergency vehicle response facility, police attended, gave chase, and Joey was ultimately confronted on a frozen pond and shot 4 times by the police.



Joey Knapaysweet (1996-2018)

Remembering Craig Neekan

- ✧ Craig died at the age of 21-years-old on September 26, 2019.
- ✧ Craig was an Indigenous youth with a medically documented risk of suicide, who was denied service by the Thunder Bay Regional health Sciences Service (TBRHSC).
- ✧ Despite the fact that the TBRHSC staff knew that Craig had previously sought help for alcohol abuse and mental health issues, staff left Craig in the waiting room treating him as low priority.
- ✧ Eventually, and after it was determined by Hospital staff that Craig was causing a 'disturbance' in the waiting room, security guards escorted Craig off the property.
- ✧ Craig was found dead across the street the next morning, hanging from a sign on Lakehead University's campus. He took his own life a short walk away from where the TBRHSC abandoned him. Craig died away from his Mishkeegogamang community



Craig Neekan (1998-2019)

Remembering Troy Neekan

- 11 months after the death of Craig Neekan, Troy Neekan, his father, committed suicide on August 29, 2020, in his Mishkeegogamang community.
- Troy used the same means of hanging that his son had used less than a year earlier.
- Troy was unable to carry on in the wake of his son's death.
- Troy's death is another example of the interconnected and intergenerational effects of systemic neglect and racism against Indigenous people in the North.



Troy Neekan (d. 2020)

The Walking Wounded

Denied the
supports they need,
victims of trauma
drift the
countryside with no
prospect of healing



Veterans from the U.S. Civil War, 1865



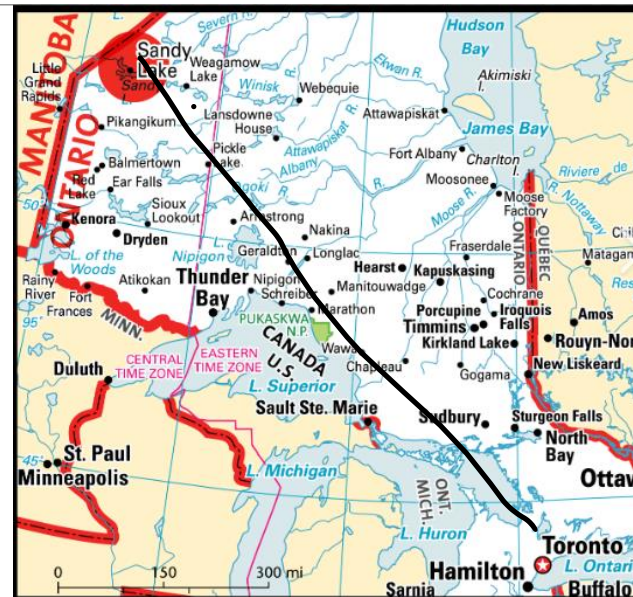
Walking Wounded Vision

- A vision for a combined inquest has the potential to **get to the root of systemic issues** in Canadian health care's failure to serve Indigenous People
- The public's united **support for change is not being met with action** by those in power



The Story of Brody Meekis

- 4-year-old from Sandy Lake First Nation who contracted strep throat in 2014.
- Strep throat is an easily treatable bacterial infection that Canadians routinely recover from with common antibiotics.
- **No antibiotics were available in the community for this 4-year-old.**
- Brought to the nursing station on May 4, Brody's mother was told there were no appointments available and that she should give him Tylenol.
- Brody died from strep throat on May 7.



A Case Against the Coroners: Allegations of Misfeasance in Public Office

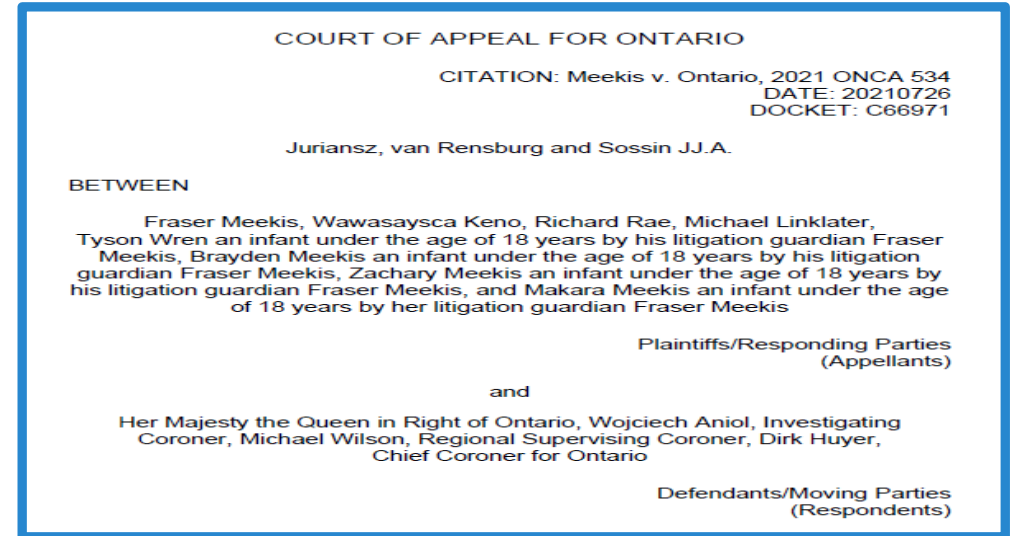


- As a matter of policy, over the last 40 years, coroners do not attend on death investigations in remote communities. The death of Brody Meekis was no exception.
- Family claimed the investigating coroners deliberately failed to fulfil duties outlined in the *Coroners Act*.
- Family argued this constituted a misfeasance in public office, negligent supervision, and breach of equality rights protected by s. 15 of the *Canadian Charter of Rights and Freedoms*.
- Indigenous children have a right to a proper death investigation, even when they live in remote communities.



Meekis v Ontario, 2021 ONCA 534

- 2019: Ontario Superior Court struck the Meekis family's claim in its entirety.
- 2021: Court of Appeal overturned decision, ruling Meekis family can sue for
 - (1) A claim of misfeasance in public office against the investigating and supervising coroners; and
 - (2) A claim that the appellants' Equality Rights, (s. 15 of the *Charter*) were infringed
- **Living and dying** in a remote Indigenous community **can no longer be a reason to be ignored**



Conclusion on the unlawful act and knowledge elements

[105] In sum, in my view there exists at least a narrow window of opportunity for the appellants to establish that the respondent coroners engaged in deliberate and unlawful conduct, and that they were aware of, reckless to, or consciously disregarded the possibility that their conduct was unlawful and likely to harm the appellants.

Calls to Action (TRC Report, 2015)

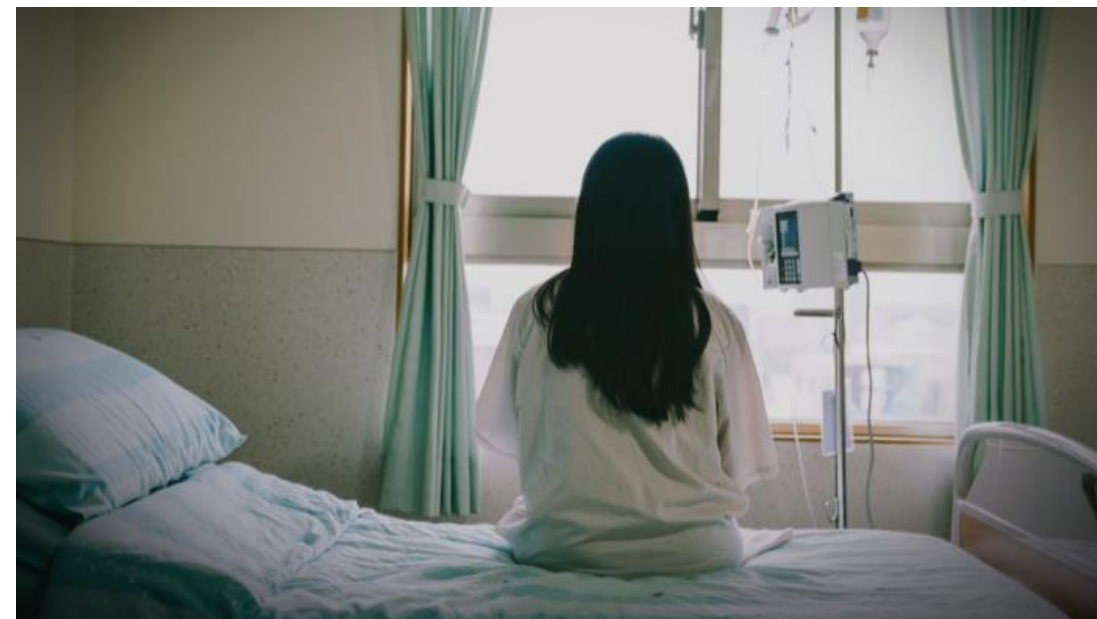
19) “We call upon the federal government, in consultation with Aboriginal peoples, to **establish measurable goals to identify and close the gaps in health outcomes** between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess long-term trends...”



Calls to Action (TRC Report, 2015)

21) “We call upon the federal government to **provide sustainable funding for existing and new Aboriginal healing centres** to address the physical, mental, emotional, and spiritual harms caused by residential schools...”

23) We call upon all levels of government to... **provide cultural competency training for all health-care professionals.**



Where do we go from here?

"For reconciliation to work, and for our relationship to be renewed, there must be awareness, acceptance, apology, atonement and action."

- Murray Sinclair, Chair, Truth and Reconciliation Commission





Miigwetch!



Litigation with a conscience.