

Submission #20

I have thought long and hard about making a submission regarding my experience as an Indigenous lawyer. While I am relieved to hear that the Law Society is making an effort to “adopting a listen, learn and act approach to issues of racism and discrimination within the legal profession”. I am very skeptical due to the long history of efforts made in various formats including the royal commission that is now commonly referred to as “gathering dust”.

I can't help but wonder will this just be another effort to make everyone feel better, so you can say look what we did and does nothing to really address systemic racism? What will be different? More importantly how will my lived experience make any changes? My experiences have been devastatingly embarrassing, caused grief, doubt and destroyed my dignity, self esteem and shattered the hope that my belief in the justice system as fair and impartial. The racism that I have experienced has caused me to question my identity, be ashamed of my culture and left me wondering why bother, why continue fighting and why should I continue being a lawyer because nothing is ever going to change. This feeling comes from the fact that the people working in the system are well educated and should know that their comments are racist. It is truly scary that it is from these well educated people that I have experienced the most sinister type of racism - the kind that makes you doubt yourself, is this really happening in this day and age, did I just hear that right? how can people think like that or say that? It's a very subtle self-righteous type of racism that seems to live and breathe in everything that we do and say to each other, how we live our daily lives and function as a society.

So, is it really my job to share my experiences so society can learn about systemic racism? Do I really have to tell you your being racist when you say things like:

“Why are we paying for the mistakes made a 100 years ago”

“Don't associate with the Native Courtworkers they're not professional”

“Oh poor me, I had a bad childhood and my parents were mean to me because they went to residential school, I need a Gladue Report.... give me a break”

“Be careful what you say, it will be all over Windspeaker or APTN”

Racism is real and it exists, I can handle the blunt in your face kind of racism. When I am duty council and someone says to me “I hate dirty lazy no good for nothing Indians “ I know how to respond, I can handle this type of racism. Why? Because it happened and we had a conversation about how that statement is wrong and racist, we learned from each other, shared tears and laughter and we grew from that experience, we are teaching each other to love and respect ourselves and each other. I have no doubt that person who said that to me will never forget that day and what we shared.

The kind of comments that I have heard working as an Indigenous lawyer coming from other lawyers, colleagues and even from the bench tell me one thing: we have failed as a society to teach each other love and respect for each other, we have failed to learn from each other, we have failed to acknowledge the mistakes of our past and learn from them. So I ask - How do we teach these values? When systemic racism has become the cultural norm and is being taught to our children and society has become complacent. I believe it's the larger society and each and every one of us that has to acknowledge the role that they play in perpetuating and promoting racism. We have to acknowledge that cultural genocide is real and its continuing in our justice system.