

A close-up photograph of a woman with long brown hair holding a young child with blonde hair. The woman is looking down at the child with a gentle expression. The child is wearing a blue patterned shirt. The background is softly blurred, suggesting an indoor setting with natural light.

Health and Safety Plan for Indigenous Families



**Community Legal
Information**
Empowerment Through Knowledge

Prayer for the Earth Changers

by Julie Pellissier-Lush

Creator I humbly pray:

Give my eyes the teaching of truth, so that I can see
what is really there in front of me every day

Give my legs the teaching of humility, so I know when
to stand up and when to sit down

Give my mind the teaching of wisdom, so I know with
clarity what is right and what is wrong

Give my ears the teaching of honesty, so I can hear the
truth, even when it is hard

Give my soul the teaching of courage, so I can be brave
to be who I really am

Give my heart the teaching of love, so I have a reason to
stand up for what is right

Give my toes the teaching of respect, let me learn that
all things must be valued

Without toes it is very hard to walk, so even the smallest
of things must have our respect

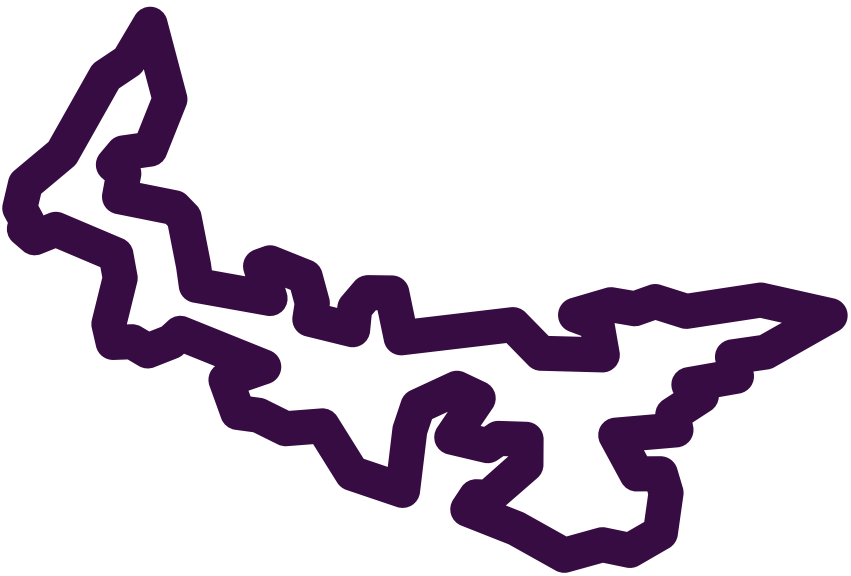
Give our hands the gift of creation, so we can create beautiful things

Give our mouth the gift of strength, so we can always say what needs to be said

Give our shoulders the gift of balance, so we do not get burdened down by things we do not need to carry

Give our fingers the gift of connection—intertwined to make us strong and ground us to each other.

Let these teachings and gifts come into our bodies, so we can be true to ourselves and be the change that the world needs right now.



Contents



Introduction	5
Getting Support	6
Family Violence	7
Property Rights on Reserve	9
Racism & Cultural Insensitivity	10
My Safety Plan	11
Tips for Phone Safety	27
Tips for Computer & Internet Safety	28
Glossary	30
Support Services	31
More Resources	38



The information in this publication is not legal advice and does not replace guidance from a lawyer.

Introduction



This publication is for victims of intimate partner violence or family violence. **Intimate partner violence** is violence or abuse in a romantic relationship. **Family violence** is any violence or abuse by one family member against another.

A **safety plan** is a tool to help prepare for a crisis and plan for how you and your children will get to safety.

Safety plans help you:

- Think about what to do ahead of time.
- Prepare for how you would handle a dangerous situation.
- Protect you and your children from violence.

This publication also has information and resources for those causing the violence. Getting support may help the person learn ways to be a part of the family and community in a non-violent way. See "Support Services" on page 31 for a list of resources.

Read through this publication and think carefully about your answers. It may not be safe to keep this booklet at home. You may want to give it to a trusted family member, friend, an Indigenous Victim Assistance worker, or PEI Family Violence Prevention Services staff member.




About Us



Community Legal Information is a registered charity. We provide plain-language legal information and low-cost lawyer referrals.

This resource was funded by Justice Canada. Cover image by Patricia Bourque Photography. Poem by Julie Pellissier-Lush. Thank you, Patricia and Julie, for allowing us to include your work in our publication.

Community Legal Information

-  www.legalinfopei.ca
-  info@legalinfopei.ca
-  902-892-0853; 1-800-240-9798 (toll-free)

Canada

Getting Support



If you are experiencing intimate partner violence or family violence, you are not alone. There are services available for you.

You can access services if you report violence to the police or not. See "Support Services" on page 31.

Family Violence



What is family violence?

Family violence is any violence or abuse by one family member against another family member. Family violence includes violence:

- By one partner against the other.
- By a parent against a child.
- By a child against a parent.
- Between siblings.
- Involving grandparents.

You could experience violence from someone you are dating whom you do not live with. You may also need a safety plan when violence happens in your community, not just from your immediate family.

In a violent relationship, the violence usually increases over time. Even if you do not want to leave the relationship, it is important to create a safety plan for you and your children.

If you need legal support, call Family Legal Aid. You might be eligible for their services. The [RISE Program](#) can also help you get up to four hours of free legal advice.



For more information see our publications *Family Violence and the Law* and *Court Orders for Your Protection*.

Family violence affects you, your children, and the community. There are supports and resources to help you, your children, the community, and perpetrators of violence. You can contact your local band, the Mi'kmaq Confederacy of PEI, or the Native Council of PEI for traditional teachings, practices, and ceremonies. See "Support Services" on page 31 for more resources.



Mi'kmaq Confederacy of PEI (MCPEI)

-  www.mcpei.ca
-  communications@mcpei.ca
-  Charlottetown: 902-626-2882
-  Summerside: 902-436-5101

Native Council of PEI

-  www.ncpei.ca
-  902-367-3681; 902-314-5963

Family Legal Aid

-  Charlottetown: 902-368-6656
-  Summerside: 902-888-8066

RISE Program

-  www.risepei.com
-  rise@legalinfopei.ca
-  902-218-6143 (call/text)

Property Rights on Reserve



Property rights are different if you live on or off reserve. The *Indian Act* sets out how property rights work on reserve.

A **family home** is a place where spouses usually live until the relationship ends or one of the spouses dies.

If you live in a family home on a reserve held by Abegweit First Nations, the *Indian Act* and the *Matrimonial Interests or Rights Act* apply.

If you live in a family home on a reserve held by Lennox Island First Nation, the *Lennox Island First Nations Matrimonial Real Property Law* applies.

If there is conflict about the use of the family home on reserve, mediation is one option to help solve the conflict. There are community resources you may access without taking legal action. Your band council is a good resource to find out more about community resources.

If you can't come to an agreement about who will use the family home after a separation, you may want to take legal action.

The court gives different orders based on parenting time, which parent is a band member, and if there are children. If you have questions, you might want to ask your band council land registrar or [Indigenous and Northern Affairs Canada](#). For more information, see CLI's publication *[Property Rights: A Guide for PEI Residents Living on Reserve](#)*.

Racism & Cultural Insensitivity



You have the right to be treated fairly, with dignity, and with respect. If you experience discrimination or racism when accessing services, you can:

- Ask for another appointment so you can bring a support person with you.
- State your concerns to the service provider.
- Speak to an Elder about traditional ways to deal with the issue.
- Request a healing circle or a justice circle with the Mi'kmaq Confederacy Indigenous Justice Program.
- File a complaint with the Human Rights Commission.

The [Human Rights Commission](#) accepts complaints based on many grounds, including colour, race, ethnicity or national origin.

My Safety Plan



Conflict and Support

This section helps you plan for violent incidents and conflict.



If your plan involves someone else, you must ask that person if they are willing to help you before counting on their help in an emergency.

1. If an argument starts, I will go to a larger room with more than one exit. I will avoid places in the house where I may be trapped or where there are possible weapons (kitchen, bathroom, etc.). The places where I will go are:

2. If I must leave, this is the path I will use (stairwell, elevator, etc.):

3. Another way I can leave is:

4. I can keep a bag of essentials (medications, medical cards, status cards, money, car or house keys) ready to grab and go quickly. A safe place I can hide it is:

5. I can tell someone else about the violence and ask that they call 911 if they think a violent incident is happening. This could be a neighbour, friend, or family member. I may talk to my Chief, Council, or Community Health Centre. The person I will tell is:

6. I can use a code word with my older children, family, or trusted friends so they know to call for help. My code word is:



You can talk to police about the violence and ask that they open a file in your name.

Children and Safety


A violent incident is very scary for a child. During a violent incident, you may not be able to protect your children. It is important that you talk to them about what they should do if there is a violent incident and make a safety plan with them.


If you fear that someone may take your children out of the country, ask Passport Canada to put them on the passport system lookout. It is illegal to remove a child from Canada without a court order or consent letter if this removal denies another parent their parenting time. Canada signed an international agreement with many countries that arranges the quick return of the child to the other parent.

If your child is not a Canadian citizen, contact:

- Canadian Border Services at 1-800-461-9999.
- The embassy of your country.
- The agency that issued your child's passport.

Passport Canada

 1-800-567-6868; 1-819-997-8338

 www.canada.ca/en/immigration-refugees-citizenship/services/canadian-passports/child-passport/child-safety-list.html

7. In a violent incident, children must get away and protect themselves. For example, go to a safe room with a lock on the door. If violence is about to happen, I can tell them to get out of the house, hide, or:

“Call the police, mom/dad is being hurt.”

8. I can teach my children how and when to call 911 and what to say. In most areas of PEI, the police will call back and respond in person. The things the children need to say when they call 911 are:

Full Name:

Civic Address:

9. If my children cannot get to a phone in my house, they can go somewhere else to get help. Other places to go for help are:
-
-



You must contact Child Protection Services if you think a child is being abused or neglected.

10. If the children must leave the house, we can plan to meet at a safe place. Our safe meeting place will be:

11. If I leave, I can ask someone to pick my children up from daycares, sitters, and schools. I have informed the daycares, sitters, and schools that these people are allowed to pick up my children, and they have documented it. The people who have my permission to pick up my children are:

Name	Phone Number	Relationship



Leaving your children behind during a violent incident may affect parenting arrangements later.

Leaving the House

It may not be safe to tell the person harming you that you are leaving. The days and weeks after you leave are the most dangerous times. The risk may be higher if they have access to weapons. You may be planning to leave your abusive partner in a calm period. This section includes things you might want to consider.

After leaving, you may want to use community and government services or talk to a lawyer. See "Support Services" on page 31.

12. If I must leave home quickly, I can go to a shelter, a hotel, friends, or family. If I am planning to stay with friends or family, I will ask them if it is okay. My options are:

Where	Phone Number	Planned Route
Shelter(s)		
Friend(s)		
Family		
Motel/Hotel		
Other		

13. If I leave the house during a calm period, I can get copies of important documents (birth certificates, health cards, status cards, passports, and my spouse's social insurance number). Social insurance numbers can be used to help locate people for child support or serving court documents. This person will keep these documents safe:

14. I can take out half the funds from any joint bank account and deposit it in an account in my name. I know that the money can be considered when we do a division of property later. I may be able to save some money from the Child Tax Credit, grocery money, or:

15. If I do not have transportation, I can ask these people for a ride. I can also call the Chief Mary Bernard Memorial Shelter or Anderson House to help me arrange transportation.

Name	Phone Number

16. Anderson House works with the PEI Humane Society to help provide foster care for some pets or larger animals. I can call Anderson House or ask a friend or neighbour to look after my animals. Plans for my animals are:

Pet Name	Foster Caretaker	Phone Number

17. I can tell service providers not to give out my phone number, address, and appointment times or send mail to my home address. The places I will contact are:

Service Name	Phone Number	Contacted
Bank		
Doctor		
Dentist		

Checklist

You might want to take important items with you when you leave your house. The list below covers some important items.

- Medication
- Hearing or mobility aids, or eyeglasses
- Keys for the house, car, and office
- Money and credit cards
- Health cards and vaccination records
- Cheque books, bank books, and debit cards
- Children's toys, blankets, and books
- Marriage, divorce, or separation papers
- Status Cards
- Passports
- Social insurance card and your spouse's social insurance number
- Driver's license and registration
- Address book
- Photos
- Court Orders (EPO, VAO, etc.)
- Lease, mortgage, insurance papers
- Clothes
- Charged cell phone
- Phone charger
- Other important items

After You Leave

You might want to get a court order to have legal protections from the court. A court order can help keep someone away from you and/or your children. It is important to have a copy of your court order. You can ask the court or police for a copy.

Contact the police when the court order is violated. For more information, see our publication *Court Orders for Your Protection*.



If the court order conditions include no contact, you must not contact the accused. You may be charged with a criminal offence if you do.

18. These conditions are important to me in a court order:

19. I should call police any time my spouse does not follow the order. I will keep a record of any incidents. I can use this chart to record them.

Date	Witness	Reported

Incident

Date	Witness	Reported

Incident

Date	Witness	Reported

Incident

Date	Witness	Reported

Incident

If I move to a new place, I will check to see that it has:

- A well-lit entrance
- Locks on all doors and windows
- Deadbolts on the doors
 - I can ask the landlord if they can install deadbolts.

If I move, I will:

- Notify the Chief, Council, or Community Health Centre.
- Contact the MCPEI Family PRIDE Program.
- Connect with the Native Council of PEI's Court Worker Program if I move off reserve.
- Notify the local police.
- Give them my new address.
- Tell them about the court order and my ex-spouse's history of violence towards me.

20. I can show trusted neighbours a photo of my ex-spouse and let them know the vehicle they drive. I can ask trusted neighbours or my children to call 911 if they think I am in danger or see my ex-spouse near my home.

Trusted Neighbour	Phone Number

Parenting Arrangements

Parenting time is the time a child spends in the care of a parent. For more information about parenting, see our publication *Parenting and the Law*.

If my ex-spouse has parenting time, I can ask for it to be supervised.

21. For safety reasons, I can drop my children off with my ex-spouse and pick them up in a public place. This public place will be:

22. My ex and I will agree on trusted people to drop off and pick up the children. We will ask:

Name	Phone Number

Work and Public Places

It is important to take steps to ensure your safety at work and in public.

Here are some things you can do to stay safe:

- Drive or walk to the nearest police station if your ex-spouse follows you.
- Go into a store and call 911 if your ex-spouse follows you on foot.
- Check that your car is empty before getting into it.
- Buy a whistle or a personal alarm to use if you are harassed in public.
- Make a safety plan and talk to your friends, family, and co-workers about it.

At work, I will tell a trusted person about my situation.

23. I will tell:

I will say:

24. If my ex-spouse shows up at my workplace, I will ask someone to call 911:

25. If it is possible for someone at work to screen my calls, I will ask:

26. When I go out, I will go with friends I feel safe with. Some people I feel safe with are:

Name	Phone Number

More Topics

You may have safety concerns that are not covered in this publication. In this space, you can include other safety concerns and plans.

27.

Safety Concern	My Safety Plan



Victim Services or Family Violence Prevention Services can help you.

Tips for Phone Safety



To help keep you safe, you might want to:

- Tell anyone calling you to block their Caller ID or use Call Block (*67).
- Keep your cell phone charged.
- Clear your phone of the last number you called so it cannot be re-dialled.
- Change your phone passcode regularly.

If you are talking to a lawyer, you might want to ask them to:

- Not contact you at your home address.
- Call a friend or family member and leave a message for you to call back.
- Block their Caller ID or use Call Block (*67) when calling you.

You may be able to get a cell phone from Victim Services that can be used to call 911 only.

Tips for Computer and Internet Safety



The person who is harming you could be tracking your online activity.

Internet browsers record a history of recently visited websites. It may be safer to get online information on the internet from a computer your spouse or ex-spouse cannot access. You might also want to delete your browsing history by pressing (Ctrl + H) or (Command + H) then click “clear browsing history.”

You can also use passwords that are not easy to guess. Passwords that are easy to guess include:

- Your birthday
- Your child’s birthday
- Your maiden name
- Your nickname



When you use email:

- Make sure your computer does not save your username and password.
- Delete emails from your sent and deleted emails. There is a chance messages can still be recovered from your internet service provider.
- Save any harassing messages or emails from the person harming you. You can use them as evidence if you report the harassment to the police.
- Do not email any information that could be used against you.

When you use your computer:

- Save important files on a memory stick and keep it in a safe place.
- Disable your webcam or cover your built-in computer camera.
- Empty deleted files from your trash bin.
- Use a firewall, anti-virus, or a Virtual Private Network (VPN).
- Keep your operating system and internet browser updated.

Glossary



Family home

A place where spouses usually live until the relationship ends or one of the spouses dies.

Family violence

Any violence by one family member against another family member.

Intimate partner violence

Violence or abuse in a romantic relationship.

Parenting time

The time a child spends in the care of a parent.

Safety plan

A tool to help you prepare for a crisis and how you and your children will get to safety. Making a safety plan can help protect you and your children from violence.

Support Services





Mi'kmaq Confederacy of PEI (MCPEI)



-  www.mcpei.ca
-  communications@mcpei.ca
-  Charlottetown: 902-626-2882
-  Summerside: 902-436-5101

MCPEI is an organization and council that serves the Lennox Island and Abegweit First Nations on and off reserve.



Lennox Island Band

-  www.lennoxisland.com/contact/
-  902-831-2779

Abegweit First Nation



-  www.abegweit.ca/contact/
-  902-676-2353

Native Council of PEI (NCPEI)

-  www.ncpei.ca
-  902-367-3681; 902-314-5963


The self-governing authority for off-reserve Indigenous peoples on PEI. Provides programming for Indigenous peoples on health, education, economic development, housing, family health, culture, and tradition.

Indigenous Services Canada

-  www.canada.ca/en/indigenous-services-canada.html
-  1-800-567-9604; 1-866-553-0554




Offers different federal government services to Indigenous peoples.

Mi'kmaq Confederacy of PEI Indigenous Justice Program

-  www.mcpei.ca
-  902-367-3681





A culturally based program for Indigenous people who come in conflict with the law. It is available to all Indigenous people regardless of status or if they live on or off reserve. The program supplements the mainstream justice system with Restorative Justice options, and supports the healing of offenders, victims, and communities.

Mi'kmaq Family Resource Centre

-  www.mikmaqfamilyresourcecentre.wordpress.com
-  mfrc@pei.aibn.com
-  902-892-0928



Offers services that promote the health and well-being of Indigenous children and their parents, guardians, and caregivers.

Mi'kmaq Family PRIDE Program

-  www.mcpei.ca/#programs
-  Summerside: 902-436-5101
-  Lennox Island First Nation: 902-831-2711
-  Abegweit First Nation: 902-676-2722



Provides support to Indigenous families living on-reserve. They work toward the wellness, protection and safety of Indigenous children and Indigenous families.

Indigenous Victim Assistance – Victim Services

-  Charlottetown: 902-368-4582
-  Summerside: 902-888-8218



Works with Victim Services to deliver free services to Indigenous victims of crime, both on and off reserve. This service is available by speaking to a Victim Services Worker.

Chief Mary Bernard Memorial Women's Shelter

-  www.cmbmws.ca
-  1-855-297-2332 (24-hour crisis line)



Provides safe housing on Lennox Island to both Indigenous and non-Indigenous women and their children who are experiencing family violence and for women who are homeless.

Nanegkam Housing

-  www.ncpei.com/services/housing/
-  902-566-4729


Provides affordable rental housing in Charlottetown and Summerside to Indigenous people living off-reserve.

The National Native Alcohol and Drug Abuse Program


-  Abegweit: 902-676-2353
-  Lennox Island: 902-831-2711
-  NCPEI: 902-892-5314

This Health Canada program provides services to help people struggling with drug and alcohol abuse. It is available on reserve through both First Nations and off reserve through the Native Council of PEI (NCPEI).



Lennox Island Health Centre

-  902-831-2711

Abegweit Mi'kmaq Wellness Centre






-  902-676-3007

Hope for Wellness Help Line

-  www.hopeforwellness.ca
-  1-855-242-3310



24/7 culturally competent help, counselling, and crisis intervention to all Indigenous peoples across Canada.

Family Violence Prevention Services (FVPS)

-  www.fvps.ca (chat available)
-  West Prince: 902-859-8849
-  East Prince: 902-436-0517
-  Eastern PEI: 902-838-4600 ext. 23
-  Queens: 902-566-1480 ext. 24

FVPS offers safety planning and emergency shelter (Anderson House) for victims of family violence. They also offer different programs, public education, and outreach services.

Anderson House

-  www.fvps.ca/anderson-house
-  902-892-0960 or 1-800-240-9894 (toll-free, text/call)




Emergency shelter for women, trans, and non-binary people and their children. Anderson House can be reached 24 hours a day. They can be reached by text from 7:00 am to 10:00 pm.

RISE Program

-  www.risepei.com
-  rise@legalinfopei.ca
-  902-218-6143

Provides free legal resources and support to people who have experienced sexual violence, workplace sexual harassment, or intimate partner violence. This is a free, confidential service.

Community Legal Information

-  www.legalinfopei.ca
-  info@legalinfopei.ca
-  902-892-0853; 1-800-240-9798 (toll-free)




We provide legal information, referrals, publications on legal topics in English and French, public speakers, and presentations on legal topics. This is a free, confidential service. We also offer the Lawyer Referral Service, which provides a short consultation with a lawyer for a small fee.

PEI Family Legal Aid

-  www.princeedwardisland.ca/en/information/justice-and-public-safety/legal-aid
-  Charlottetown: 902-368-6656
-  Summerside: 902-888-8066



Provides free legal representation for some family law issues. There are criteria that you must meet to qualify for this service.

Human Rights Commission

-  www.peihumanrights.ca
-  contact@peihumanrights.ca
-  902-368-4180; 1-800-237-5031




An independent agency that enforces the PEI *Human Rights Act*. It has an investigation and complaint resolution process.

Passport Canada

-  1-800-567-6868; 1-819-997-8338
-  www.canada.ca/en/immigration-refugees-citizenship/services/canadian-passports/child-passport/child-safety-list.html





The federal office responsible for issuing passports and travel documents.

PEI Rape and Sexual Assault Centre

-  www.peirsac.org
-  admin@peirsac.org
-  1-866-566-1864; 902-566-1864 (counselling request)

Provides free and confidential client-led counselling to people who have experienced recent or past sexual assault or childhood sexual abuse.

Victim Services

-  902-368-4582 (Queens & Kings County)
-  902-888-8218 (Prince County)
-  victimservicescharlottetown@gov.pe.ca
-  victimservicessummerside@gov.pe.ca

Helps victims of crime on PEI or those who have experienced a crime on PEI navigate the criminal justice system.

More Resources






Community Legal Information also offers these publications:

- *Planning Ahead and Staying Safe: A Guide for Indigenous Seniors*

We also have publications on other legal topics. All publications are free and can be found on our website. Contact us for paper copies.

Community Legal Information

-  www.legalinfopei.ca
-  info@legalinfopei.ca
-  902-892-0853; 1-800-240-9798 (toll-free)



Community Legal Information is a charitable organization that receives funding from Justice Canada, the Law Foundation of PEI, the Law Society of PEI, the PEI Department of Justice and Public Safety, and other sources. We provide Islanders with understandable and useful information about the law and the justice system in Prince Edward Island.

We gratefully acknowledge the generous contributions of wisdom and insight from Mi'kmaq community members on PEI.

For more information on other legal topics, visit www.legalinfopei.ca, email info@legalinfopei.ca, or call us at **902-892-0853** or **1-800-240-9798**. You can also find us on social media.

Donate to support our work at www.legalinfopei.ca/donate.

We encourage the non-commercial reproduction of information in this publication.

Charitable registration number: 118870757RR0001

ISBN 978-1-989140-17-8.

Published April 2023.



**Community Legal
Information**
Empowerment Through Knowledge