Vehicles for Hire Annual Report/Appendix B: Proposed Amendments to Vehicles for Hire By-law 129/2017 Mayor's Council April 28, 2022

On April 20th 2022 the motion was passed unanimously to amend the existing Vehicle for Hire By-Laws to include the proposed code of conduct and fines for inappropriate conduct. Over the course of February 2022 to April 2022, WIFC has attended 5 of the delegations held between the IRPW, SPC and EPC in regards to the proposed amendments.

On March 16th, the proposed amendments were passed unanimously in a 7 out of 7 vote by EPC. We were assured that due to the unanimous vote that it was nearly certain that the amendments and proposed fine of $250 for inappropriate conduct from a driver to a passenger, would be approved.

However, this unfortunately was not what transpired, unbeknownst to Vehicles for Hire, the Indigenous Relations Division and WIFC, Unicity and Duffy's had requested Ben Heckt and Andrew Buck from their legal advisory attend the March 24th meeting at with the Mayor's Council in order to pick apart what community had shared at the March 17th meeting, and dispel the need to pass through the by-laws and proposed fines. Mr.Heckt and Mr.Buck were highly disrespectful of the lived experiences of trauma that had been shared by women from the Indigenous community. Further to the blatant disrespect demonstrated in Council delegations on March 24th, Councillor Markus Chambers moved forward a motion to remove the code of conduct and proposed fines, which was seconded by Councillor Jeff Browaty. There was a special request placed with the motion for the motion to not be further debated or discussed at council and simply to be removed without further discussion.

On April 6th, Cora Morgan of the Assembly of Manitoba Chiefs Child and Family Advocate for First Nations spearheaded recruitment of 17 Indigenous women and 2 Indigenous men who courageously attended the Standing Policy Committee meeting in order to provide advocacy for the atrocities faced by the Indigenous community at the hands of taxi operators and their governing bodies. Stories of intense pain and suffering were shared for hours, re-opening personal trauma, as well as engaging those in attendance with experiencing vicarious trauma and grief at having to listen to the stories of our Indigenous sisters and brothers that were shared on April 6th.

Sandra Delaronde and Kate Kehler of the Social Planning Council of Winnipeg have done dedicated advocacy work and have written a joint statement that will be presented to the full City of Winnipeg Council regarding the Code of Conduct, fines, etc. Sandra advised "We appeared before the committee to request the councilors reinstate the original motion that included a code of conduct and fines. They did so with almost 20 persons presenting and despite opposition by legal counsel on behalf of the taxi companies."

Since this time the motion has passed, and will go to full council on April 28th where Indigenous community members will be in attendance.

On March 8th There was discussion from Ben Heckt, legal advisory for Duffy's and Unicity regarding "codifying" what constitutes misconduct and harassment. It was mentioned that perhaps there should be a definition or criteria for what constitutes a "lewd comment". I question as to whether or not any of the parties suggesting we define a "lewd comment" have ever had one said to them, or have suffered

fear for their physical safety when being sexually harassed especially when in a vehicle that they are not in control of.

The discourse surrounding creating definitions of what should and should not be sufficient to make a woman, or anyone feel unsafe in a taxi is disrespectful of our lived experience, and the lived experiences and shared stories of incidences with taxis shared from women and girls in the Indigenous community of Winnipeg, as well as the shared stories of all women and girls from all communities across the city of Winnipeg.

It is statistically proven that most women have experienced an instance of sexual assault within their lifetime. Further to discussion of what defines a lewd comment, a lewd comment is often the precursor to a lewd action, this makes women fear for their safety.

At our March 8th meeting it was requested of the legal representation for Duffy's and Unicity to discuss proposed recommendations as alternatives to the proposed amendments to the by-laws in sub-section 46(3). However, although Unicity and Duffy's were opposed to the amendments, there was clearly no recommendations or alternatives that were given an appropriate amount of discussion to be brought to the table at the delegations on March 8th.

All that was discussed at this time was that there would be solutions developed in collaboration with the Vehicles for Hire community advisory committee moving forward although there was no tangible information on content of discussions had between Unicity, Duffy's and Vehicles for Hire. It was only stated by Ben Hecht that "discussions have been cordial". There has been no consultation with community as to what needs to change.

Duffy's and Unicity need to provide information as to what the structure of the process for developing a collaborative working group with the Indigenous Community, Vehicles for Hire Community Advisory Board and clearly define what this group will look like, and what our workplan and timelines could look like moving forward.

The taxi board is concerned with conduct, i.e. unauthorized use of cell phones, taxis are concerned with the process for reporting inappropriate conduct from drivers which may result in fines if, following a standardized and detailed investigation process that the driver is found to have committed misconduct against a passenger. There was discussion at our March 8th SPC delegation in regards to the livelihood of the drivers being in jeopardy as a result of the proposed revisions to the by-laws as well as the proposed fine implementation. It is one matter to discuss the livelihood of the drivers, however it is another to discuss that the cab ride I took at 19 years old could have cost me my life.

As we move forward with creating improved safety regarding operations for the taxi services in Winnipeg, consultation with community needs to happen in regards to those who have experienced harassment in taxi cabs. Of the underreported amount of 41 cases that were reported in 2022, I would like to know how many of these individuals who had experienced inappropriate conduct were consulted as to their thoughts on the proposed amendments.

Creating positive change immediately is not an option but is both critical and mandatory

Either removing or delaying the code of conduct sends a very clear message: that our municipal government approves of taxi drivers operating their places of business in any manner they see fit.

We are discussing fare-jumping at the same table as sexual harassment and life-threatening experiences of violence experienced by women and girls from the Indigenous community. How is this respectful of the gravity of the trauma women and girls have experienced?

Councillor Sherrie Rollins discussed on April 20th the critical need to continue inquiry into the MMIWGWS+ Calls to Justice as it is of the utmost critical importance in Winnipeg as, we have some of the highest rates of sexualized violence in Canada. Further to discussion from Councilor Rollins, the hesitation to implement a code of conduct and fines is completely incongruent with UNDRIP, the declaration of human rights, as well as the Mayor's Indigenous Accord.

WIFC would like to request that the City of Winnipeg commit to continuing to work on improving taxi safety in Winnipeg as continued support for the City's Accord initiatives pertaining to the MMIWG2S+ Calls to Justice, and TRC Calls to Action. We challenge the City to:

1. Develop improved training to be provided for all drivers to be delivered in collaboration with the Indigenous Community, Winnipeg Police Service and Vehicles for Hire.
2. Overhaul the reporting process to become more effective, planning to be developed in collaboration with 311 and the WPS
3. That the reporting process for harassment from a driver be re-vamped from a trauma-informed perspective.

I would like to address briefly the article in the Winnipeg Free Press published Thursday February 3rd. There are several concerns I have in regards to the number of incidences of inappropriate behavior exhibited by taxi drivers as 41 out of 4.3 million rides given during 2021. This indicates that there is a 0.00000953 chance of obtaining an unsafe ride. When I asked for stories to be shared from women and the larger community who had had an unsafe experience with a taxi I received 22 stories of occurrences including being attacked, solicited for sex, dropped off in the middle of nowhere, women being following to their doors, women being contained in a cab, I experienced 2 unsafe rides in 2021 alone, and have experienced 10 instances in taxis where I have been sexually harassed, 3 of which caused me to fear for my life.

One instance involved being dragged out almost to the perimeter when my destination was five minutes away from where I was picked up in Osborne Village when I was 19 years old which I narrowly escaped from. Another instance where I was advised that "my genitals would be so soft to touch" another where I was asked if I was a prostitute, as well as two others where I had to scream at the driver stop going the wrong way and to take me to my destination. Grant Heather spoke to the importance of creating a safer taxi service in Winnipeg, he stated that disciplinary fines could be implemented ***"When the interactions extend beyond your normal interaction that somebody would anticipate when they go into any other business."*** None of the interactions I have just described were in any way normal.

On April 6th, there were delegations had in regards to Vehicles for Hire Annual Report/Appendix B: Proposed Amendments to Vehicles for Hire By-law. It is encouraging that the motion to implement a code of conduct is being moved forward, however this is a very base level measure to implement as this is a common practice amongst all places of business.

17 Indigenous women and 2 men attended the delegations held on April 6th in order to share their lived experiences of experiencing assault, harassment, abuse, forcible confinement amongst other atrocities resulting in traumatic experiences faced by the Indigenous community.

The ripple effects of the trauma experienced by those who attended the SPC delegations on April 6th will be felt by our community members who came to share their tragic encounters

Trauma is felt for days, weeks, months, after re-opening some of these horrific wounds.

The Indigenous community will not cease to come to these delegations, should they continue past April 28th 2022, as we have learned based on what happened on March 24th at the Mayor's Council, that if we do not attend delegations to represent the lived experience of our community, the importance of improving safety by implementing the proposed changes in to the by-laws will fall by the wayside as we have seen on March 24th. Once more, what our municipal government says they are doing to protect Indigenous women and girls versus what they are actually putting into practice are two very different things.

The account shared by a community member on April 6th of a 9 year old girl being lured into a house by taxi operators with her two other 9 year old friends, fed alcohol and then having her measurements taken filled me with sickness for days, and to this day makes me sick when I think about what happened to the two other little girls who were not allowed out of that house, when the survivor fortunately was.

Councillor Chambers discussed quote: "do you (women) get together to empower yourselves and create strategies for how you can prevent being sexually harassed in a taxi? Do you have a list of tips?"

Further to Chambers discussion of empowerment, why is this yet again another instance when we as the Indigenous community have to spend, time, resources, and endure reliving traumatic experiences in order to quote: "empower ourselves"? The question is: who took our power to feel safe as Indigenous women? Why did they take it and exploit us? Why were they allowed to take it and why were we not protected? Why is it placed on us to protect ourselves against violence that we did not start in the first place? Why is our municipal government not helping us to regain safety and respect?

Further to the under reporting that occurs when community members encounter harassment from a taxi operator. An important point was raised on April 6th stating that we as Indigenous women and people already feel that we do not have adequate rights and respect when we address injustice. This stems back to systemic racism and residential schools. Even when community members try to report incidences, they are more often than not met with the same disregard and disrespect they experience in so many other areas of their lives. Once again when I attempted to report I was told by WPS it would be quote: 'my word against his".

Either removing or delaying the code of conduct sends a very clear message: that our municipal government approves of taxi drivers operating their places of business in any manner they see fit.

Inquiry into the MMIWGWS+ Calls to Justice is of the utmost critical importance in Winnipeg as we have some of the highest rates of sexualized violence in Canada. Further to discussion from Councilor Rollins, the hesitation to implement a code of conduct and fines is completely incongruent with UNDRIP, the declaration of human rights, as well as the Mayor's Indigenous Accord.

As discussed on April 6th, due processes have been explained in detail regarding investigation processes and measures that will be taken to ensure that any taxi operator facing accusations receives a fair investigation into the allegations against them.

Further to Councillor Rollins commentary on April 6th, the proposed amendments to the by-laws are inextricably linked to the Indigenous Accord.

Change is not optional but is both critical and mandatory. Respect is a two way street, if the taxi operators of Winnipeg are willing to change their conduct in a way that is enforced appropriately by our municipal government, this could be a first step in creating a safer city for both passengers and drivers.

Regards,

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