

MISSING
WOMEN
COMMISSION OF
INQUIRY

VOICES OF THE FAMILIES –
RECOMMENDATIONS OF THE FAMILIES OF
THE MISSING AND MURDERED WOMEN

A CONSULTATION REPORT PREPARED FOR THE
MISSING WOMEN COMMISSION OF INQUIRY

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Statement of Purpose

This consultation report was prepared by the Missing Women Commission of Inquiry to summarize discussions with family members of the missing and murdered women on potential recommendations for change.

Neither the Commissioner nor Commission staff has reached any conclusions on these issues.

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1. INTRODUCTION

Among the parties participating in the Missing Women Commission of Inquiry, the families of the missing and murdered women are uniquely affected. They have undergone the pain of losing those dear to them in horrifying circumstances. Some family members have spent years engaging with the legal system in police investigations and judicial processes. The Commission recognizes that, because of their personal experiences, family members of the victims have valuable insights into changes that are needed to policing policies. This report documents recommendations made by family members to the Commission.

Many family members testified at the hearings portion of the Missing Women Commission of Inquiry and related their stories there. The hearings are retrospective and devoted to making findings of fact about the investigation of the missing women cases. This report is part of the Missing Women Inquiry's study commission work, which is forward-looking and devoted to formulating policy recommendations. The information contained in this report will not contribute towards the Commissions' fact-finding efforts. It is intended to present family members' recommendations for changes to policing, including with respect to missing persons investigations and treatment of families of missing persons, as well as to other policies that would improve women's safety. Personal stories are included here as a way of providing important context for the recommendations put forward.

While many of the family members have had similar experiences, and while they sometimes put forward similar recommendations, this report reflects a wide variety of viewpoints. It must be kept in mind that the Inquiry's study commission mandate is not strictly limited to the investigations of murders believed to have been committed by Robert Pickton, although they are its focus. It includes consideration of investigations into the deaths of several women in the Lower Mainland who have not been found or whose murders are unsolved. The study commission has also engaged in consultations in Northern BC around steps that could be taken to prevent more disappearances of women and girls on the Highway of Tears. Families of women from all these circumstances have participated in discussions about recommendations for change. The single commonality that joins those who contributed to this report is that they are related to a woman who has gone missing.

Some of those who shared their thoughts and experiences for this report have been multiply affected, in the sense that they have had more than one person in their extended family go missing. One woman interviewed for this report had lost her aunt and her cousin, 18 years apart, and had had two other female relatives survive homicide attempts. The daughters of a woman whose murder remains unsolved had also had a cousin believed to have been murdered by serial killer Martin Tremblay.

It is hoped that the lessons learned from the past will prevent these tragedies from recurring in the future; however, family members were careful to emphasize that the sentencing of Robert Pickton

and the conclusion of this Inquiry are not an end to the violence that women continue to face in various parts of BC. In their opinions, much remains to be done, to rectify the wrongs of the past and create a safer future. What follows is a presentation of their thoughts and suggestions organized by subject heading. A summary of the recommendations brought forward through the course of discussions appears at the end of this report.

2. METHODOLOGY

Information for this report was collected primarily in two ways.

(A) INDIVIDUAL INTERVIEWS

During the month of February 2012, Missing Women Commission of Inquiry staff contacted family members offering them the opportunity to participate in individual interviews to voice their recommendations for changes within the Commission's Terms of Reference. These include changes to policing practices, missing persons investigations, and institutional measures to protect vulnerable and marginalized women. Four in-person interviews and one telephone interview were conducted, some of them with more than one participant. Interviewees were also asked about their own experiences and how they had been impacted by the investigations into their missing and murdered loved ones, and what kind of support they felt they needed to move towards healing.

(B) APRIL 20-21 MEETING WITH COMMISSION STAFF AND COMMISSIONER WALLY OPPAL

An invitation was also extended to all family members of victims to take part in a meeting with the aim of presenting family recommendations directly to the Commissioner. On April 20, 2012, approximately 25¹ family members attended an all-day meeting at the Missing Women Commission of Inquiry offices to discuss their recommendations for change. The group included families of Pickton victims, relatives of women who died or disappeared along the Highway of Tears, and family members of one woman not murdered by Pickton whose death occurred during the time frame covered by Inquiry's Terms of Reference, as well as some supporters and Victim Services personnel. The discussion was facilitated and recorded in note form by Commission staff. The aim of this meeting was to allow family members of the victims to share their views and recommendations; however, there was no expectation that participants would necessarily agree on the recommendations put forward or jointly endorse any set of recommendations.

Participants together identified an exhaustive list of subjects for discussion, but because of time constraints, prioritized five primary topics:

1. Children of the missing and murdered women

¹ The number is approximate because some people left the meeting early or joined late. Additionally, some participants who attended April 20 were not able to come April 21, and vice versa.

2. Aboriginal issues and racism
3. Changes needed to law enforcement and police attitudes
4. Addiction treatment
5. Safety of women

Discussion of the issues, which did not follow the order in which subjects are listed above, took most of the day. Many of the stories and past experiences that family members of the victims shared were of a deeply personal and painful nature. In order to prevent disclosure of information that family members could find harmful or might choose not to present in a public forum, efforts have been made to keep the information conveyed in this report general and to omit identifying details. Names of individual speakers have not been included.

Some participants also brought with them and submitted written recommendations that they had drafted in advance at this meeting. The recommendations referred to during discussions have been integrated into this report, although some of the submissions were too lengthy to be reviewed in detail. They will also be considered as discrete submissions to the Commission.

On the following day, April 21, 2012, participants devised their own format for presenting their recommendations to the Commissioner, and from 3:30pm to 6:30pm Commissioner Wally Oppal met with family members to hear their recommendations. For the purposes of accuracy, a court reporter transcribed those proceedings, and the recommendations made during those presentations are also incorporated into this report.

Many family members were unhappy with the short time given to discuss recommendations on April 20 and 21 and requested that additional time be made available to them, an issue that is discussed further in this report as a recommendation.

3. DISCUSSION

What follows are the primary points of discussion from both individual interviews and group meetings, organized by subject. A list showing the names of those who provided input by participating in individual interviews and group meetings is attached as an appendix to this report.

(A) SAFETY OF WOMEN

Women's safety was a critical issue to family members and was the first issue discussed at the meeting on April 20. The tie between prostitution/sex work and addiction was a thread that ran through this discussion. As is the case in other aspects of the Inquiry, there was sometimes disagreement about how much the police can do to improve the safety of women, and how much of the risk women face is inherent to sex work, results from the controlling influence of addictions in

their lives, or stems from unstable housing. Most family members agreed that societal perceptions of those living in the Downtown Eastside (DTES) and the stigma associated with sex work and drug use were among the most significant factors putting at-risk women “outside” mainstream society. One family member who had also worked in the DTES said:

The marginalization of anyone associated with the area in the eyes of the mainstream population is so huge that it creates in itself a basis for discrimination and dehumanization.... Even in the Aboriginal community and schools, there is classism and fear of the city. And a feeling that things in the DTES are the bottom of the pit.

HOUSING

Family members were concerned that access to housing was a significant reason why women in the DTES were not safe. They wanted both regular housing and emergency shelters to be made more accessible to women struggling with addiction issues, noting that women were not safe at night and that they needed more spaces to sleep that were specifically devoted to marginalized women and could be accessed on an urgent basis in the middle of the night. It was suggested that more subsidized rental housing needs to be made available to women.

One family member suggested that the City of Vancouver could invest in movable temporary shelters for homeless people. She identified one made out of corrugated plastic that folded up into a completely portable suitcase and another more permanent free-standing wooden structure. She suggested that the City should also take over and renovate existing single room occupancy hotels (SROs), noting that welfare fraud was rampant among landlords. She said that it was common practice for landlords to provide rental verification so that a tenant could receive welfare and then rent the same room to multiple people.

Another family member suggested creating “no barrier” shelters to be run by societies in the community, rather than by the government or large non-profit organizations, which would give women a non-judgmental, family-style environment in which to live. Women living there would have access to treatment, including prescription methadone, heroin, and stimulant replacements and would have people to accompany them to doctors’ appointments and connect them with community legal advocates.

Several family members wanted to see more of the money that had been devoted to the Inquiry and other legal processes, including enforcement against women, put instead into practical program such as shelters and addiction treatment centres.

ADDICTION

Family members stated many times that they believed addiction was the root cause of women’s vulnerability. Of the women missing from the DTES, most were addicted to drugs or alcohol or both, and engaged in prostitution/sex work in order to support their addictions. Many felt that

drug treatment was the solution to women's lack of safety: if women could access effective drug treatment, they would not do survival sex work or put themselves in high risk situations. Most were only on the streets to support their addictions.

As one family member noted,

If any of the missing women [from the DTES] weren't drug addicted, I have yet to discover who they are. What's missing is the role that drug policy plays in making women vulnerable. Even if sex work was legal, these women wouldn't be allowed to be sex workers. They would never be able to comply with the standards required of women doing sex work in a legalized environment. What we need is to make drug treatment available and part of this picture. And we need more methadone programs that are more widely available.

Some felt that drug problems were a coping mechanism for dealing with abuse that women had suffered in childhood. One related that her murdered relative had been brutally raped by her uncle but was unable to have him prosecuted. Using drugs was a way to cope with that, and sex work was a way of supporting her habit as a young woman who had left home and had few employment choices. Her relative stated that it was important for social services, including welfare, to understand what women are going through emotionally and to help them get the services they need.

In response to one suggestion (discussed below) that increased fines for prostitution could help deter women from engaging in it, one woman stated:

I think large fines are unrealistic; I prefer counseling given to help with addiction. The government could have financially supported her while she was going through rehab and that would have been cheaper than continually arresting her and having her live on welfare.

It was felt that dealers were among the biggest threats to women's safety. Many women working for drug dealers will get picked up by police after the dealer has given them a "load" to sell. When the women get out of jail after being picked up, they have to pay back the dealers for the drugs that were confiscated or risk being beaten and having fingers cut off. Some believed that women would be safer if they could access drugs through legal heroin prescription programs.

One relative said that women are often escaping or living in abusive situations, with partners forcing them onto the street as a way of funding drug habits. In these situations women often have no one to turn to for help. She noted that a \$1000 fine for prostitution/sex work could cost a woman a beating or worse. Another relative stated that women need shelters in order to escape that kind of abuse.

POLICE AND CRIMINAL JUSTICE SYSTEM TREATMENT OF MARGINALIZED WOMEN

Family members of victims felt that the Vancouver Police Department (VPD) and Royal Canadian Mounted Police (RCMP) needed to work harder to build rapport with women who were addicted or

doing sex work. Family members were angry that their murdered and missing relatives had not been treated with respect, and affirmed that it was important to remember that the victims had been first and foremost women, not drug addicts or prostitutes. Missing persons should be treated as persons deserving of respect regardless of their occupation.

A recurring theme was that women who are assaulted or robbed should not have to fear reporting incidents to the police because of outstanding warrants for minor infractions, and that warrants should be waived in those circumstances.

Women are being picked up not for communicating, but for other things – jaywalking, littering. They are arrested and brought to jail, and when they miss a court date, they are issued a bench warrant. This is duplicitous of police. They don't seem to have respect for the women. They seem to target them. Women don't know their rights, in terms of when the police can demand to see identification, for example. Police need training, and women need the knowledge, self-respect and self-control not to let the police abuse their rights.

There was agreement that there should be a protocol regarding waiver of charges for breaches such as failure to appear in court. Family members also wanted agreements with police that when women were released from lock-up they be taken to a safe place and not released on the street where they last bought drugs.

Families were also critical of the way in which the criminal justice system put women at risk, physically and emotionally. Family members were of the opinion that criminalization of these women had effectively eliminated any hope of their successfully charging perpetrators of violence. One noted that the experience of Ms. Anderson² indicated that even when a woman is heroic and actually manages at her weakest to escape from a predator, the system will eventually crush her if she tries to speak out about what she experienced. That is a powerful lesson, she said:

Prosecutors need to understand how unsafe women like Anderson are. They need protection in order to testify. They are made more unsafe after – they stand the risk of being killed. I don't know what happens to you when you realize that someone tried to kill you, and there are no consequences – what does that do to your sense of safety? Of course women give up or don't show up in court. What does it mean trying to hold a man accountable when you can't even speak for yourself because of who you are?

One woman, who had worked in the DTES, related instances from her personal experience in which women who were fearful of testifying because of possible retribution were threatened by police with arrest if they did not. At the same time, she had had experiences negotiating to get police to waive outstanding charges so that a woman could report a rape and attempted murder, only to

² Referring to the woman who escaped from Robert Pickton in 1997, when charges against him were laid and later stayed.

have her picked up two blocks outside the police station after she made her report. Another relative opined that rape trials put the victim on trial instead of the perpetrator.

Family members noted that while they could not expect police to be psychologists, at least they expected that police would be educated about the need to eliminate discrimination against women. Many times and in many contexts, family members mentioned the need for police to have a more professional attitude.

One woman whose sister had been murdered on the Pickton farm emphasized that the police's perception that women who are addicts will not protect themselves is neither helpful nor realistic for the majority of women on the street. In support of this, she quoted a passage from her sister's diary describing her fear while being driven out of town in a van with occluded windows, in which she says, "You ask yourselves how come I let him get me so far out of town." She felt this was compelling evidence that her sister did take precautionary measures to protect herself most of the time, and that she was cognizant of threats to her safety. She conceded that there may be some women who will do anything when they need to get drugs, but noted that the easiest thing for the police to do is to assume that women are beyond help and beyond warnings. In the case that the police suspect someone is preying on sex workers, they have a duty to communicate, she said, and that they ought to have the best possible opinion of the power of their own communication and their ability to save lives by getting the truth out to women. Another relative of a woman whose DNA was found on the Pickton farm said that she believed the woman had been lulled into a false sense of security when the police announced that there was no serial killer, and it was shortly after the announcement that the woman was last seen.

Along with this, family members stressed that the police have a duty to uniformly enforce the laws and communicate honestly about how they will do that. This would build trust between women and police. They felt that the haphazard and discretionary application of the communication laws has not made women safer. Some stated that there needs to be an explicit policy on enforcement of prostitution laws³ and some allowance that women can negotiate with johns on a street where they are in plain view of others and in bright light, knowing they will not be penalized for it.

One family member said that it was very useful and important that a sex trade liaison officer position had been created in the VPD, but that this single position was not adequate to deal with the needs of the population doing sex work in the Lower Mainland. There should be a minimum of five officers in this position. She compared the situation in Vancouver to that of Toronto, where there is a sex trade liaison team. Others suggested that more advocates be available to assist women when they needed to deal with the police.

³ The Vancouver Police Department's Draft Sex Work Enforcement Guidelines were released March 12, 2012 and were under discussion at the time of writing.

It was suggested that more investigative work could be done with “bad date sheets,” particularly when someone has been attacked or murdered, recognizing that confidentiality and privacy issues might prevent organizations from identifying women who had made bad date reports.

Family members generally suggested that, upon release of an offender, there should be information made available to the former victim and the public to ensure they are aware and that the person’s whereabouts should be monitored closely.

Family members noted that poor relations between police and the DTES community had impeded critical information-sharing that could have saved women’s lives. Some people who themselves worked for organizations in the DTES felt that the police could do more to encourage regular communications with community organizations and to engage their expertise instead of viewing them antagonistically.

It was also suggested that there should be regular consultations that would allow the community an opportunity to share information and voice their problems with police. Some suggested more monthly public meetings or town halls with police and community members. Others felt that these could happen on an annual basis and serve as a forum for sharing problems and recommendations.

One family member proposed opening a Gladue court⁴ in Vancouver to deal with Aboriginal offenders.

LEGAL STATUS OF PROSTITUTION

Although family members were divided in their opinions of what the legal status of prostitution should be under Canadian law and how that contributed to women’s safety, many felt it was a critical issue. Some believed prostitution should be decriminalized or legalized and a harm reduction approach taken to street level work. Several family members referred to the sex trade as the oldest profession in history and said that if it was not possible to get rid of it, it should at least be made safer. One woman compared the notion that sex work was inherently dangerous with the notion that mining is inherently dangerous. In the case of the latter, the solution has been to regulate and put in more safety measures, rather than to close down the entire industry:

⁴ A Gladue Court was established in Toronto to assist in implementing the Supreme Court of Canada’s decision in the *Gladue* case that directed criminal courts to take special measures to find alternatives to incarceration for Aboriginal offenders. The Gladue Court is open to all Aboriginal accused persons and performs the same activities as other criminal courts. What distinguishes the Gladue Court is that those working in it will have a particular understanding and expertise of the range of programs and services available to Aboriginal people in Toronto. This range of expertise allows the court to craft decisions in keeping with the directive of the Supreme Court in *Gladue* because the information required to develop such responses is put before the court.

[Speaker 1] *The attitude that sex work is inherently dangerous, and that therefore it's the women's own fault and they shouldn't be doing it, is not one that we apply across the board. There are lots of dangerous professions—*

[Speaker 2] *Like logging and mining, and being a crab fisherman. Lots of jobs that people would prefer not to do, that wouldn't necessarily be their jobs of choice, because they're dangerous, or unpleasant.*

[Speaker 1] *Right, and over the last few years we have been working as a society to make dangerous professions safer. But when it comes to being susceptible to violence, and sex, it all flips off. ... There are jobs that are just as miserable, but it's tapping into our prudery around sex that we are messed up about this particular area... We don't say to people cleaning up asbestos sites, "Hey, don't do that, it's dangerous!" We make it safer for them.*

Others were in favour of imposing stricter penalties for engaging in prostitution, including large fines and jail time. Still others advocated use of the "Nordic model": keeping prostitution illegal but only targeting customers. As one stated, "Hold the men accountable. It's not the streets who kill women."

One family member said that harsher punishments would hold men accountable but also make women accountable for their actions and choices. She felt if women were not available, it might start eliminating the demand side of the problem. She supported the idea of counseling and drug treatment programs in jails, or court-appointed and enforced rehabilitation programs.

A family member who had worked in counseling and corrections advocated giving women access to the life skills program that is available in some prisons.

Another family member said that she believed most women would prefer to have a way out of working in prostitution. She explained that pimps keep women in survival sex work by exacting exorbitant exit fees from those who wish to leave, up to \$22,000. She believed that police should focus on men who exploit women and stated that even indoor sex work was not safe, in her opinion. Many agreed that there should be more exiting programs.

Family members also advocated for other changes to the criminal justice system generally. Several endorsed the idea of harsher penalties in the criminal justice system for sexual assaults, rapes and murders, especially when committed by repeat offenders, with programs during incarceration aimed at changing individuals and their behaviour.

COMMUNITY INITIATIVES

Family members were in favour of trying to establish communications and networks to find women outside of the missing person investigations undertaken by police. They were very supportive of more multi-agency and community cooperation to create networks that could keep track of women

with their voluntary participation. They also advocated using social networking tools, noting that Facebook provides open access to information that family members did not have during police investigations.

One family member mentioned that when women were going missing in large numbers from the DTES, they were being turned away at soup kitchens and shelters because they were active drug users and engaged in prostitution. She noted that some changes have been implemented since that time, but that many women were still marginalized even within the DTES neighbourhood in terms of their access to services.

Several people talked about the importance of physical safety in the DTES environment and the fact that women should be working in well-lit and easily monitored public areas, and that they should be using spotter systems, either spotting for each other or using volunteers or others working for a nominal rate to do it for them. One woman suggested that there were many people already in the neighbourhood who could be recruited as spotters, including those who sold cigarettes on the street. It was also suggested that using text messaging would be a way for women going on dates to communicate with each other about safety issues, although many people in the DTES cannot afford cell phones.

(B) PREVENTION MEASURES

Families talked about the need for better prevention measures focusing on youth, before they become engaged in high risk situations: “We need to educate children before they end up on the streets about addiction and prostitution.” They noted that many of the women had been extremely young when they had first started using drugs, and that for some, it was an intergenerational problem. In some cases, they had been placed in foster care or adopted and lacked a sense of belonging. Some had left unpleasant or abusive situations only to end up living on the street: “A lot of the women ended up on the streets because of some kind of parental deprivation, and now the children who have lost their mothers are also deprived of parents.” Many felt that it needed to be recognized that this kind of trauma was a reason for displacement and anomy.

One young woman who had lost two family members emphasized the need for positive role models for teens. She is the founder of an organization of young women dedicated to raising awareness about violence against Aboriginal women and girls in Canada, called Butterflies in Spirit. Members of this group choreograph and perform dances wearing t-shirts bearing pictures of the missing women.

(C) ABORIGINAL ISSUES

Aboriginal women are overrepresented among the missing and murdered women across Canada and along the Highway of Tears, and as victims of Robert Pickton. The safety of Aboriginal women was identified as a major consideration by family members of victims.

The residential schools were mentioned many times by family members as a source of cultural, spiritual and physical dislocation that had destroyed communities and families. Although the damage wrought by residential schools has begun to be publicly acknowledged, many people who lived through the experience still find it difficult to speak about. For some, the journey away from hometowns and reserves towards cities started with residential schools. One woman related that, when she was in her late teens, her own mother had told her about her experience of being taken away as a six-year old, explaining that she had counted the mountains on the bus ride away from her home so that she would be able to find the way back. The residue of the residential schools experience has negatively impacted survivors' coping mechanisms, leading to alcohol and drug addictions and affecting family relationships in a way that puts Aboriginal women in situations of risk. It has also affected families' abilities to cope with the trauma of losing women, since many are still experiencing the trauma of their own experiences and find it difficult to express and share their grief.

The safety of women on reserve was mentioned as a serious concern, because women who suffer violence in their homes and communities may feel they have little choice but to move to urban areas to escape abuse. According to one woman:

The gangs are rampant. Police are openly racist on standards. Reserves are consistently under-policed. Indian Affairs consistently underfunds programs and services on reserves for drug and alcohol counselling. They don't take into consideration violence at all. There is no anti-violence worker on reserve. Gang rapes, incest, child and sexual abuse continue.

She said that women who are sexually assaulted on reserve and cannot find justice often leave the reserve under a "shroud of shame" to end up in the cities. She suggested that these women need a homecoming. There is a need for ceremonies in communities to bring these women back home, so their children and future generations do not need to live outside their families and traditions. Making this happen would right a wrong done to these women who could not access justice on reserve because of divisions in the power structures.

There was also criticism that anti-violence programs, including shelters and transition housing, are controlled by non-Aboriginal women but used primarily by Aboriginal women. Family members stated that government cuts had significantly reduced funding to women's centres and programming. Some programming which had previously been available in smaller communities, such as life skills and pre-employment training, was now centralized and only available in Vancouver or other large population centres.

There was a perception that endemic racism affected women's access to services. This remains a problem because Aboriginal women are not in leadership positions in governing bodies or in organizations delivering services. One woman described leaving a women's shelter where she had

fled to escape violence because the racism she faced was unbearable and was condoned among the staff. There was criticism that there were not more Aboriginal women's programs specifically by and for Aboriginal women in the DTES.

Aboriginal families voiced concern about the foster care system, saying that taking children away from women is not helping the women or the children. One Aboriginal woman noted that her sister left her foster home when she was abused by her white foster parents and ended up on the street, then was subsequently murdered. She stated that child abuse in foster homes is rarely reported and addressed, and that she believed most foster families were in it for the money. Some of the families compared the situation with child apprehensions today to the "sixties' scoop" during the 1960s, when men Aboriginal children were adopted into white families.

Family members also wanted to focus on the needs of Aboriginal youth, to ensure that they learn life skills and have the opportunity for more schooling, including vocational training, to give them more of a chance of succeeding in society.

Many relatives also felt that missing person reports of Aboriginal women were not taken seriously and received less attention from police and media than reports about non-Aboriginal people. They stated that it was important that reports go to the media immediately when Aboriginal women go missing, as happens when non-Aboriginal women's disappearances are reported. They were emphatic that law enforcement officers needed cultural sensitivity training and education about issues both on and off reserve in order to understand First Nations and learn to work with them. One young woman said that it would always be difficult for her older relatives to accept the RCMP because of their participation in taking children to residential schools and in other child apprehensions.

As noted elsewhere in this report, increased Aboriginal recruitment was seen as an important aspect of shifting the uneasy relationship between Aboriginal communities and law enforcement agencies. Some saw this as an issue of both racism and sexism. As one woman said, "I don't think the relationship [of mistrust] between women and the police will change if we have a mostly white male police force." Increasing Aboriginal recruitment and recruitment of women officers was seen as an important means of changing this dynamic.

At the same time, one family member noted that in order to be able to encourage Aboriginal children, and especially Aboriginal girls, to become police officers, communities must know first that women recruits are not going to be subjected to abuse, racism and sexual harassment. One woman suggested that Victim Services also need to develop a pro-active policy on Aboriginal recruitment, as many of the families did not feel comfortable dealing with white Victim Services workers. In particular, older people who had been through the residential schools would not voluntarily communicate with police and RCMP. She also thought that it would help if more ECOMM operators and civilian personnel were Aboriginal.

It was suggested that there should also be more independent First Nations policing. Families suggested that police should also be involved in programs with Aboriginal youth, including in the

school system, so that they can develop relationships. Police should participate in these programs in plain clothes.

Several family members mentioned that need for a Native Liaison Department within the VPD, but cautioned that its staff must be sensitive and trained in the way they treat families of potential missing persons, beyond the fact that they are Aboriginal. One daughter of a missing woman, herself Aboriginal, related that she was told by the Native liaison worker at the time that her mother did not fit the profile of women who went missing and was probably “fish food.”

Finally, the group of family members meeting with Commissioner Oppal on April 21 reviewed and discussed the recommendations from the 2006 Highway of Tears Symposium, which are appended to the Commission’s report on its Northern community consultations, entitled “Standing Together, Moving Forward.” Although some of these recommendations are particular to the situation in the North, some regarding treatment of families by law enforcement agencies are applicable to urban settings as well. Many of the Aboriginal family members supported endorsing the Highway of Tears Symposium recommendations.

(D) MISSING PERSONS INVESTIGATIONS

Family members had many criticisms of the way police investigations had been conducted and of the treatment they had received during investigations. While the purpose of this report is not to determine what happened in the past or find fault with the actions of individuals, many people used their own experiences as examples of what should not have happened, and some are referred here to provide context.

Family members were angry about public statements that had been made by police about disappearances from the DTES before Robert Pickton was arrested. As one woman said, “Police should have a policy never to make public statements such as, ‘There is no serial killer’ unless they know for absolutely certain that that is the case. They will never know that unless they have caught the guilty parties.”

The most common complaint voiced by families was that their missing person report had not been received and acted upon by police. Two families had had loved ones go missing whose disappearances the police had never investigated. One still unsolved disappearance took eight years’ perseverance by the family in three jurisdictions before the police would take the report.

Family members emphasized that it is not the responsibility of police or civilians in the police service to vet reports of missing persons based on their own preconceptions regarding the lifestyle of the victim. Some believed that murders could have been solved or prevented if police had followed up on information before it had gone cold. In one case, the family members themselves were able to identify the death of their loved one in another jurisdiction after a description was given in a local newspaper, before the police made the connection. They believe that had proper follow up been done after the woman’s body was found, police might have been able to identify the

murderer. Instead, the police assumed the cause of the woman's death had been a drug overdose, and did not determine if it had been something else. By the time the autopsy was done, evidence had been lost, because they had waited two weeks. "Yes, we did the investigation. And it wasn't hard to do. So there was some incompetence, and some jurisdictional issues. But also moral judgment: if you're from the DTES, it doesn't matter." A common sentiment was that if the woman had been from a middle-class neighbourhood and had had a regular job, the police would have started investigations earlier and searched more thoroughly: "I don't know how much of the problem is structural, and how much is just bias. I think it's an interplay between the two. It is so systemic that people don't know it's in their attitude."

Family members were also critical of some of the assumptions made by police, assumptions that would have been reasonable in mainstream society, but were perhaps less reasonable dealing with women who were living on welfare or in unstable housing. One person said she felt that, given the insecurity many women lived in, it would have been more realistic if the police had assumed that there was something suspicious in *every* disappearance, rather than assuming the opposite and conjecturing that the woman had merely left the area temporarily. She noted that if a key gang member went missing, the natural assumption would be that they had met with foul play. She said that given the high rates of violence against Aboriginal women, the same assumption should be made: "If a Native woman is missing, treat it as a crime and be happy if it isn't." She suggested that there should be a different protocol or set of criteria or questions that missing person units would use when the missing person is an Aboriginal woman or any kind of minority particularly vulnerable to certain types of crime. She also suggested that specific protocols were necessary to "counter and recognize embedded discrimination or disdain."

Many family members also noted that police failed to follow up on leads given to them and failed to check with other family members to get additional information such as the last contact that a relative may have had with the missing person. Family members who were initially unaware their loved ones were missing said that the police need to contact and inform families of a possible disappearance while there is still a chance for them to get involved. One woman related that she was contacted by police when her sister disappeared but not told that she was missing. She said that had she known that was a possibility, she would have traveled to BC to become involved in the investigation immediately. In fact, she did not know that anything was wrong until her niece was notified that her mother had been murdered.

Families were also frustrated at the lack of police acknowledgement that social services or private individuals were also looking for people and could have been included in information-sharing. Several also said that they had been told by police that only certain family members were able to report missing persons, and that they felt anyone should be able to report a missing person.⁵

⁵ Current VPD and RCMP policies allow anyone to make a missing person report. There is no requirement that the person reporting be a family member.

One criticism that was shared by many family members had to do with the police requirement that there be one contact per family on missing person cases. As one family member noted, the police assume that families communicate well internally and that information given to one person will be passed on, when in fact, “most families are a combination of individuals: sometimes we’re at odds about things, or not speaking, or just not in touch with each other.” In one case, the family requested that both the adult daughter and the sister of the murdered woman receive annual updates on her case; the police refused because they wished to deal with only one person. It was recommended that a system whereby police contacted all immediate family members, or those family members who specifically requested updates, would be preferable.

A number of the families had had contact with the police on their missing person case for a decade or more. They noted that the high turnover among the junior officers who are often assigned to such investigations meant there was no continuity or accountability. New officers were often not properly briefed on what had been done previously on the file, forcing family members to relive their frustrations and retell their stories over and over again. Families were also stymied by the lack of regular contact by the police and suggested that a system needs to be put in place to require more regular updates, so that families are kept advised of developments on the file.

Some felt that missing person investigations should no longer be handled by police and should be made the purview of a civilian organization:

There should be a civilian system outside the police for locating missing persons, that engages the kind of informal procedures and social media contacts that people are already using on these issues. People who are addicted do not want to go through withdrawal in jail, so they are highly motivated to avoid police. Because of this, it's unrealistic for us to go to the police when these people go missing. We need a civil agency with perhaps some police involvement to help families solve these problems of trying to find missing loved ones.

It was also suggested that there be formal mechanisms to obtain disclosure of information that is protected under privacy laws when there is evidence that a person may be missing. One family member suggested establishing some kind of living will that could be deposited at the welfare office or another government agency under a multi-agency information-sharing agreement, so that an individual could give permission to notify relatives if she did not pick up a welfare cheque, for example, or get prescribed methadone. Failure to pick up a cheque or go for a scheduled methadone dose should be an automatic indication that something may have happened to the person. She suggested that in such a circumstance, information about the person could be shared with service providers, prisons, courts, detox centres, banks, the coroner’s office and telecommunications companies to locate the individual. This system could be used to raise early alarms that the person might be in danger and to identify individuals with pertinent information. She noted that privacy experts would need to review this proposal to ensure that such an agreement could not be used to abuse an individual’s privacy rights.

As noted previously, some families felt that an Aboriginal liaison at the VPD and RCMP would be useful when missing person investigations were initiated and that this person should not be

appointed by those organizations but through an outside process involving those most affected. They also wanted Aboriginal representation on the police board.

One family member suggested the creation of a BC Missing Persons Unit (the "BC MPU"). She envisioned a central unit to take all missing person reports in BC and dispatch them to the proper police force. She suggested that all police actions taken on the report should be shared with the BC MPU and the person who made the report, by way of a three-way conversation through a centralized, password-protected website, so each party could update the others and add information. There should be a second family contact person for a missing person report where possible, to give additional information and receive reports.

She also suggested that police take a message from the person making the report to pass on, in the event the person is found but does not want to have contact with the family.

Several people mentioned that if a person goes missing from the DTES, it is important that police contact organizations there, in addition to known personal contacts, and that they put out a poster immediately, with a description and aliases. The same information, together with photos, should be dispatched to hospitals and morgues. One person commented that it would be better to get beat cops who are familiar with the DTES to conduct investigations there, even if the file originates in another jurisdiction or has detectives assigned to it. She gave the example of one follow-up visit that had been made by the RCMP to the SRO of her missing relative's ex-husband, located on the edge of the DTES. When the officers were turned away at the desk by a clerk who claimed the man was not there, because he did not want law enforcement officers in the hotel, the two officers never returned and the lead was not followed up. The woman felt that any DTES beat cop would have been able to navigate the desk manager and get into the hotel to get the information required.

Families were concerned that relatively inexperienced officers were assigned to the missing person files, because of their relatively low priority. They felt these officers were completely unable to deal with a complex investigation like the Pickton killings. They suggested that in any suspected serial homicide, or where there have been multiple disappearances, police should employ properly trained, knowledgeable investigators trained in kidnapping and in homicides. Any investigative team must have the capacity and professional support to do the job.

Police policy should also prohibit police from taking any work outside their official duties that would put them in a conflict of interest. One family member questioned Detective Constable Lori Shenher's involvement as a consultant for the television program "DaVinci's Inquest," stating that she believed that staff at community organizations were not always aware of the capacity in which Detective Constable Shenher visited them.

One family member suggested that missing persons investigators need to conceptualize their work in five progressive phases according to the model developed by the Saskatchewan Missing Persons Partnership Committee: 1) prevention; 2) identification of situations of concern; 3) report of a missing person; 4) investigation/response; and 5) outcome. It was also suggested that police start a working group with families of the missing and murdered women to develop future policy.

Families felt it would be useful to have a media campaign to educate people on the missing persons process with police. People should be advised where to report and what information is useful. This information should be easily and widely available.

Finally, some family members recommended follow up of all the other missing women not presumed to have been killed by Robert Pickton whose disappearances were unsolved. They suggested that the Missing Women Task Force's job was not done just because they had found Pickton. The reward for information should stay in place and the Task Force should continue to report back to the community on the fate of the other women, estimated by some to be over 250, in addition to the 49 women associated with Pickton.⁶ At least two of the families that participated in this report said that they had had relatives attacked by other serial predators, Terry Arnold and Martin Tremblay. One woman intimated that there could be other predators who have not been caught or who are responsible for deaths that they have not been charged with, explaining,

There are supposedly 300 missing and murdered women in the Lower Mainland, including the Pickton victims. If even half of those women were to have died of overdoses, that still leaves more than 100 unsolved potential murders. I can't believe that there are 100 murderers out there.

POLICE TREATMENT OF FAMILIES

Families were highly critical of the way that police had dealt with them during the investigations into their loved ones' disappearances. There was agreement that anyone dealing with families of missing persons, whether a police officer or civilian staff, should have training in psychology and how to handle bereaved or grieving people.

Police conducting missing persons' investigations need training in how to deal with distraught people including family members. They need to know how to quell a relative's anxiousness of not knowing what happened to their loved on.

Several people noted that to admit someone is missing and to report it are difficult and suggested that officers undergo sensitivity training, to learn how not to be disrespectful to families. Several people were extremely upset by the derogatory language that had been used by police to describe their loved ones and the tendency to emphasize, above all, their drug addiction and the lack of care that police said the women took for themselves.

Police who have already been trained to deal with the public should also be retrained and required to undergo regular retraining.

⁶ Robert Pickton was convicted in the murders of six women. The DNA of 33 women who were missing was found on the Pickton farm. Robert Pickton is known to have told an undercover officer in prison that he killed 49 women.

Police, both in the Vancouver Police Department and in the RCMP, should learn to listen with their hearts and use compassion. I recommend that all police take 12 core lessons of life skills which teach a person behaviour changes and communication. This would improve their listening skills in all their Five Life Areas: self, family, job/education, leisure, and community, as well as behaviours towards oneself. Communication is about intra-communication (how a person communicates with self), and then inter-personal communication (communicating with other people). Lesson one is meeting one another and bringing together the necessary elements in every group: affection, inclusion and control. Lesson two is communication. Communication hits your heart before it hits your head. Lesson three is fact-finding. You need to be clear on who, what, when, where, why and how of what the experience involved. Then there is anger management. Three primary feelings underlie anger: fear, pain and helplessness. Then there is balanced determined behaviour and self-evaluation. I believe the police need to take this course before they get out on the street. I am willing to come up to Vancouver and teach the course to police officers there.

It was also suggested that police should be careful when dealing with potentially distraught families, to read the files they take over carefully first and get family members' names and relationships right. Some felt officers were defensive when they were corrected. One woman living outside Vancouver remarked that often while calling to ask for file updates, she was disconnected and had to hunt for someone else: "If someone is transferred, they should phone you, and say this new officer is the person responsible. It's inconsiderate otherwise."

Family members stressed the importance of continuity on individual files, not only to ensure proper investigations, but also to develop relationships with officers and to ensure that the families of those missing are treated properly. Constant turnover of officers makes it problematic to establish good relationships.

As noted previously, many felt that officers need cultural sensitivity training, including both general diversity training and training about Aboriginal cultures.

Several families had had traumatic experiences with respect to how they had been notified of their loved ones' deaths. One woman, who was pregnant at the time, was notified by telephone that her mother had been murdered. In at least two instances, police went to bingo halls to tell mothers that their daughters had been killed. Family members stressed that police should notify family members of a missing person's disappearance or provide information concerning that person's death in a private place and that the information should not be given to media or others before it was shared with the family. One family member suggested that when a missing person report is taken, police should be required to record how the family members would like to be notified in the event that it is confirmed the person is dead and whether they would like clergy or other support persons present at that time.

At the same time, family members were very concerned that police not withhold details concerning the murders of women from their families, particularly when that information was potentially available to others. Some family members only found out how their relatives had died during the

Pickton trial. Prior to the trial, members of the public who attended *voir dire*s were able to learn information about the women's murders that in some cases was not known by the families for another eight years. Some family members who took part in the trial did not learn the details concerning their relatives' deaths until after it was over. Those details should have been shared with the families immediately, in a manner that provided families with emotional support, along with a process put into place to safeguard the integrity of the trial process.

One family member was upset because she had determined through her own inquiries that the date on her daughter's death certificate was incorrect: her daughter was known to have been alive a month after the certificate said she had died. When she asked police why the certificate was incorrect and how she could change it, she was told that their policy was to go by the last time the victim was seen on the street, and that there was nothing she could do.

The families also stated that the police, the Crown and Victim Services should not misinform families of their rights. As an example, family members said there was confusion over whether they could access compensation to attend only the *voir dire* or the trial, or both. This led to rumours. By the time people knew the truth, they were very upset. This kind of misunderstanding could have been avoided if all agencies had communicated clearly and effectively with each other and with families.

In the present Inquiry, family members were upset because they had been asked to sign undertakings regarding disclosure of police files on their loved ones. For many family members, this was the first time for them to see and understand the steps that had been taken in the investigations of the loved ones' disappearances. Some claimed that they had received very long files and were concerned that they would not have time to read them before they were required to destroy the file. Some wanted to keep the files. There were also complaints that the files were incomplete, in the sense that much of the information had been redacted. Family members asked that they be provided with complete files to keep after the Inquiry ends.

Families felt that the police had a role to play in preparing families for what they should expect from the media if a loved one becomes the subject of a missing persons investigation and how to deal with it. Families also felt that the media also needs training to run positive stories about missing persons, rather than further sensationalizing the graphic nature of the horrendous cases that have occurred. They felt police could reinforce proper messaging by using appropriate and respectful language to describe missing persons, remembering that they are also mothers, sisters, daughters and aunts.

POLICE TRAINING

In addition to the suggestions above regarding sensitivity training and training for dealing with bereaved families, the following suggestions were made for police training:

- Police should have to undergo a mandatory training program of at least one month in human rights concepts.
- Diversity training should be mandatory, both training in cultural diversity generally and in First Nations and their cultures, especially since many officers join the force as young as 17 or 18 with little or no life experience. Specific training should be given by experiential people, because it's their stories officers will carry and look back on when they are actually dealing with people on the street.
- New recruits should have to undergo longer than six months' training.
- The age for new recruits should be raised.
- Police also need to be aware of people's spirituality and spiritual needs.

Many family members commented that training needed to be "out in the real world," and whenever possible, taught by experiential people, including former sex workers. One woman who had worked with community organizations, including homeless shelters, as a trainer and facilitator, said that as a part of their intake program, new workers were required to spend 24 hours in the community without any money. She suggested that would be a good learning experience for new police recruits, to spend 24 hours living as a homeless person: "It opened my eyes and gave me a lot more compassion. And anyone in the police force needs to have compassion and empathy."

Another suggested that police training needed to include a segment on power dynamics, so police could better understand what power they do wield, how they are perceived by people on the street, and how abuse or distortion of power makes those on the other side feel. She noted that many police did not seem to be aware of how much power they really have and were thus blind to the imbalances in their interactions with others, including with those who were not breaking any law.

ACCOUNTABILITY

Family members were disappointed in the lack of accountability they perceived in their dealings with police, and wanted changes to the system so that more could be done when officers behaved inappropriately or failed in their duties. They suggested the creation of an advocate or ombudsman to assist with police complaints. They also wanted a mechanism outside of the police force for holding individual officers accountable, such as a citizen's accountability board. One relative noted:

It seems like no one is standing up to make police accountable if they don't do their job properly. In Toronto, the police complaints board investigates the police at a civilian level. Officers in charge of each of their cases should be reprimanded. Any board would have to be stronger than the police union. And superiors should be accountable for the mistakes of their inferiors.

It was also suggested that a neutral, non-police body could act as an intermediary to hear such complaints and make general recommendations on an annual basis. Some family members felt that there should be an independent body entrusted with dealing specifically with sex workers' complaints, such as persistent stories about police raping women or requiring sexual favours from them in exchange for not arresting them.

Members of families meeting on April 20 and 21 proposed that they would write a letter to the Mayor of Vancouver as the head of the police in Vancouver to let him know their recommendations on changes to policing to increase accountability.

(E) INTER-JURISDICTIONAL ISSUES

Many of the disappearances of women involved significant inter-jurisdictional issues, because women were picked up in the City of Vancouver and driven to another jurisdiction where they were killed. Families of the victims may have been living elsewhere still, sometimes in other provinces. Some felt that there had not been sufficient communication or exchange of information between VPD and RCMP or between other police departments.

As an example, in one case, a woman had been reported missing in Vancouver when she failed to contact her family for Christmas. Several days later, an unidentified woman's body was found in Surrey. The descriptions of the missing woman and the woman found were identical. However, it took until the woman's family saw the report of the body in a local newspaper to determine that it was in fact her. From what the family could surmise, the VPD had not communicated the missing persons report once they took it; and the Surrey RCMP also had not circulated the description of the unidentified woman. The family was perplexed as to why this information was not being shared with all units. They were concerned that compartmentalization inhibited the ability of various police agencies to effectively solve their cases. They also wondered whether the Missing Persons Unit was closely communicating with the Serious Crimes Unit.

In another case, the mother of one of the murdered women said that she would not have learned anything about her daughter's case if she had not contacted police in Calgary, where she and other family members lived at the time. She related that although she and another daughter reported her daughter missing in Vancouver and attempted to follow the investigation by phoning regularly, they were unable to discover any actions that had been taken on the file. Only when they contacted a police officer in Calgary were they given information. Within five days, the officer determined that her daughter's remains had been found.

Another young woman related that her family lived in Mission but was originally from a reserve near Pemberton. Her aunt disappeared in 1977, at a time when it was believed that she was living in the DTES. When her aunt's sister attempted to report her disappearance to the VPD, the report was not taken. It is believed that a report was eventually accepted from Mount Currie, near the area of the woman's reserve, in 1983, but the relative who filed the report has since died. In 2002, when the Missing Women Task Force was set up, the missing woman's sister again tried to follow

up with the police on her disappearance and was told by the person taking calls, “Well, she’s not here.” No follow up was done. Eventually, the family was able to put in a report through Constable Dave Dickson. Much later, they found out that a skull had been found in the Fraser Valley in 1995; they would now like to determine whether the DNA matches that of the woman missing from their family. The family had had the same experience of not having their missing persons report accepted and acted upon when they reported the young woman’s cousin missing in 1996. Her DNA was later found on the Pickton farm.

(F) NEEDS OF THE CHILDREN OF MISSING AND MURDERED WOMEN

For many of the victim’s families, the primary concern is surviving children of the women. It is not known how many of the missing and murdered women who fall within the Terms of Reference of the Missing Women Inquiry had children, although by one community estimate, there are at least 75.⁷ According to one family member, there are over 300 missing and murdered women in the Lower Mainland over the last four decades, more than six times the number believed to have been killed by Robert Pickton, and many of them had children. In some cases, family members are raising their loved one’s children and in other cases, these children are in foster care or have been adopted by someone outside the family.

PROBLEMS CHILDREN HAVE EXPERIENCED AS A RESULT OF THEIR MOTHERS’ DEATHS

Family members stated that children who lost their mothers have been robbed not only of their parents but of their childhoods. Some of the children have had to deal with negative and sensationalistic media coverage about their mothers and have been ostracized by their peers. Media coverage of the Pickton victims in particular has focused on the women as drug-addicted sex workers, rather than as daughters, wives, sisters, mothers, and aunts, women with their own unique attributes and abilities, who loved and were loved. Often media stories have been accompanied by unflattering “mug shots” taken of women when they were being arrested, perpetuating negative public images. Repeated media stories accompanying various trials and testimony at the Inquiry have meant that children have sometimes grown up waiting for the next disruptive media event or legal milestone that could put them or their families back in the spotlight. One adoptive parent related that even parents in her neighbourhood had questioned whether their children should be playing with her daughter when they found out that her birth mother had been one of the murdered women. It has been very difficult for many of these children and their families to try to achieve a sense of normalcy.

Additionally, in some stories, media have used pictures of the children without permission of the families. In at least one case, personal pictures of children taken from a memorial service were

⁷ This figure has been cited publicly by members of the Women’s Memorial March Committee.

published by the media along with a story of the discovery of a woman's body, with the headline "Prostitute Dead." The daughter of the woman was in elementary school at the time and eventually transferred to a different school to avoid negative attention from classmates. Later, when she was in high school, boys in the school discovered the article on the internet and harassed her by asking her how much she would "cost." As one family member stated, "There is no kind of compensation for that."

Some children who were taken out of their mothers' care prior to their deaths have spent their lives in foster homes, sometimes apart from other siblings. Many family members felt strongly that child welfare agencies that had split up the children of the missing women should be held accountable for adding to the feelings of isolation that children have experienced. Aboriginal children who had been living with relatives when their mothers were no longer able to care for them at least had a sense of family and saw their mothers regularly, but that after their mothers died, many became wards of the state. One family member described the placement of children in foster care as a "double whammy": first the child is removed from an environment that provides a sense of home and community, leading to tremendous loss; and then the child must deal with losing a mother in hideous circumstances, creating a deeper hole that can never be filled.

COMPENSATION AND COUNSELING

Most families have received some lump sum compensation and counseling (a standard 24 one-hour sessions) through the *Victims of Crime Act*. Families of victims were critical of the inadequacy of these funds. They noted that the compensation scheme does not acknowledge the mothers who were murdered as having made financial contributions to their children's lives if they were not supporting their children financially at the time of their deaths, even if they supported their children for ten or more years before. In many cases, although the women were involved in survival sex work, they were vigilant about observing their children's birthdays and contributing regularly in whatever ways they could towards their clothing and other needs when they received extra allowances from welfare. Surviving family members have been left to bear the financial burden of taking care of the children's basic needs. In many cases, compensation was not received until six to ten years after the children's mother had gone missing, after the Pickton trial began.

Additionally, families of victims were critical of the divisive role that differential compensation has had amongst family members. According to them, Pickton victims' families received a higher amount of compensation than families of women whose killers had not been identified.

Families complained that the onus had been on them to reach out in order to secure what was needed for themselves and the children of women who had died. If they did not actively seek support and services, nothing happened. Moreover, the children, who are the most profoundly affected parties, often are not able to reach out. That has meant that some are falling through the cracks.

Some families related that counseling through Victim Services had not been properly overseen and accountably managed. In some cases, counselors were paid to provide services but did not have a single appointment with the child or relative. Once the money had been disbursed, the family had no way to follow up to arrange for alternatives. Families also stressed that children are in need of long-term support, and that for many, the counseling provided may not be appropriate. One family member noted that issues continue to arise at each life milestone, from graduation to marriage to the birth of a child and the loss of other relatives, when children are confronted anew with the absence of their mothers. Another noted:

The children have gone through such a painful process, losing their mothers and having to deal with the treatment given to their mothers in the media. And throughout their lives, they have to live with the societal judgment of their mothers. So they need an ongoing opportunity to access healing resources that are not necessarily one-on-one counseling. The whole victims of crime approach is grossly inadequate in these cases.

For Aboriginal children and children who have grown up with a different or extended sense of family, counseling that is typically geared at white, middle-class people with small nuclear families may be completely inappropriate. According to one family member, the counseling provided through Victim Services did not meet the children's needs because it was "white, clean and preppy," and it left children feeling like they were facing moral and social judgments because their original family situation did not fit the model the counselor worked from. The family members felt that counselors who were themselves white and middle-class would not be able to offer children the support they needed, and that special counseling needed to be devised that provided comfort and familiarity and met the needs of this particular community of survivors.

HEALING FOR CHILDREN

Family members were very concerned that something needs to be done to create appropriate, sensitive ways for children to heal. A number of ideas were proposed specifically in this context.

Creation of a legacy fund

Many families endorsed the idea of creating a legacy fund for the children of the murdered and missing women. They envisioned this fund as providing money for children to engage in a range of activities that would be supportive of their healthy futures, including attending tertiary education and participating in art and sports programs, art therapy, and other recreational activities. Family members stressed that each child had different needs, including in terms of education, and different coping mechanisms for dealing with their loss. Also, while some children are already adults, some are still in public school. For many families, providing education for vocational opportunities and programs to relieve stress and build self-esteem has been financially challenging. They stressed that funding should be available not only for university, but in children's formative years before they are 18, when they may be having trouble processing their grief and feelings. Access to the fund should also be available to older children who have already passed that stage and are unlikely to go to university or be available to them for their own children.

Because children of the missing and murdered women live in different provinces across Canada, it was important to families that any funding put in place for children be accessible from outside BC and available for use across Canada. Families also wanted any legacy fund to be available in the future, as children grew, and not to be an immediate one-off payout available only for a limited time. Some family members felt that the fund should also be available to other relatives. There was concern because of past problems with compensation payments that the money should not be controlled by government.

Healing retreat or camp

Family members also proposed a healing retreat in a camp-style setting for families and especially children of the victims, to take place after the release of the Inquiry's report. One family member related that similar retreats had been used for children who had cancer or life-threatening diseases. They were a way to bring together those who had had similar experiences, where people could share their common grief and challenges, but also heal by engaging in social activities together. For children in particular, the chance to have fun with others who knew what they had been through could provide an escape and a chance to talk, when these opportunities rarely exist for them.

It was suggested that in order to make such a retreat successful, counselors should be brought in, and some culturally appropriate healing and memorial activities should be designed. Families wanted the retreat to be something that could happen more than once, or periodically, if needed, recognizing that the way children deal with their situations will change over time.

(G) HEALING FOR ALL FAMILY MEMBERS

The wounds that families of victims bear should not be underestimated. Some family members said that the loss of their loved ones and the pain of dealing with the police, sometimes subsequent trials, and now the Inquiry, had riven their families irreparably. They described the absence of their loved ones as "a gaping hole." Some noted that they were just now beginning to admit that the loss was permanent. One woman whose mother had been missing for twenty years said that it had just hit her this year that she would not be coming back. Many family members still find it very difficult to speak about their pain and were overcome with emotion during meetings.

In some cases, this grief has been compounded by other losses. As noted previously, in some extended families, more than one woman has gone missing or been murdered. Some victims' family members have faced additional multiple, unrelated family deaths over a short period of time. One family member commented that the difficulty of dealing with the trauma of loss was amplified in families who had lived through the residential schools. She related that her older family members were almost completely unwilling to talk about their experiences, which formed part of a past horror that was not publicly acknowledged. The tragedy of the violent loss of a daughter, niece, or granddaughter had become just another part of the unspoken trauma they suffer.

Some family members alluded to being re-victimized or additionally victimized by their interactions with the criminal justice system, during missing person investigations, during trial and

appeal processes, and during the Inquiry itself. One family member said, “We all [in our family] carry an underlying level of anger all the time, because we are so pissed off with things that will never be resolved. You don’t know how that affects your lives.” Others said that they had gotten beyond anger, but only through a long and slow process.

Family members have had to stop working or take time off to cope with the trauma of these various processes, as well as to take time off to care for the children of the women who are gone. Some have given up an enormous amount of time, dedicating months of their lives to attending trial proceedings and hearings at the Inquiry. Many said that because the investigations and the Inquiry have consumed so much of their lives, they will need counseling afterwards to know how to leave this phase and move forward.

Some family members had explicit praise for the Victim Services workers who had supported them during this period. In particular, Freda Ens was named several times as a person for whom many Pickton victims’ families had great respect, affection and appreciation. However, on the whole, families were confused and angry about the way that victim compensation and support was handled and unsure of the role that Victim Services was meant to take. Some family members also said that they were originally very uncomfortable with the idea that they were in need of Victim Services, when they did not see themselves as victims of crime, and that it took some time to comfortably conceive of themselves as needing support. They felt that more effective explanations by Victim Services of their role would have been helpful. Most of the families we spoke to were contacted by Victim Services during the Pickton trial in 2007, but not previously. Many felt this should have been done sooner and that more effort should have been made to include family members who did not make the initial contact with police but may have been very close to the victim.

At least one family member mentioned that Victim Services were poorly organized and often seemed to be amateurish or to lack professionalism in its communications with family members. She mentioned that families were sometimes ambushed by media, but that this was understandable given the considerable resources that media had. Her primary objection was that while individual Victim Services workers were sometimes excellent, as a whole, the organization seemed inconsistent in the way it communicated with families as a group.

Several family members mentioned that the limitations on compensation and counseling imposed through the *Victims of Crime Act*, which identified immediate family primarily as recipients of support, were incompatible with the Aboriginal notion of family. Members of extended families who had been integrally involved in the lives of the women had not been contacted or provided any kind of support. As one family member said, their only involvement was being told where to collect the remains. Some of these people were accordingly still caught in the grieving process.

Some family members also commented that the funding allocations from Victim Services were inadequate. It was difficult to find psychologists equipped to deal with the kind of trauma that family members had suffered, and the \$110 per hour allotted was not enough. It should be raised to \$150 per hour.

Some family members regretted that there had not been a cultural healing centre put in place from the time the Pickton trial began to give families a safe place for healing and disclosure. They felt that it would have been useful if this had been created and in place through the court processes and the Inquiry. In lieu of this, they felt it would be useful to have a healing lodge established now to help them cope with their pain and achieve some peace. They suggested having a van or another means of transportation to get people there and bringing Elders whom they already knew and who had been supporting them through this process.

Short of establishing a centre, others felt that a healing circle just for families earlier in the course of the legal processes that have gone on would have been very helpful. They felt that families should have been brought together just for this. Some family members commented that the benefit of the Inquiry process is that for the first time they had been able to meet other families. They said that most of the support they had received was informal, from each other, because they best understood each other's pain.

The fact that there are no graves for the women who were murdered or who are still missing means that it has been challenging for family members to associate their memories of their loved ones with any physical space or memorial. Several family members felt strongly about establishing a memorial at the Pickton farm, for families of Pickton victims. One relative said she went to the farm periodically to smudge and feel the presence of her sister. She wanted to build a monument or park memorializing the women at the farm, to honour their spirits. It was also suggested that the Pickton farm could be the site of a healing lodge or a treatment centre for women. However, some family members strongly opposed this proposal, because in their eyes, the Pickton farm is a "killing field."

It was also proposed that there be a social networking website for children and grandchildren, nieces and nephews, and for broader families.

At the time of writing, a healing and memorial service has been organized and planned by DTES community members for all the families of the victims for June 1, 2012, marking the formal end to Missing Women Inquiry hearings.

FIVE DAY SYMPOSIUM

Many of the family members who joined the April 20 to 21, 2012 meeting were upset about the fact that more time had not been allocated to the meeting. They recommended a five-day symposium in which to better develop their own recommendations and to start the healing process, a suggestion that was endorsed by virtually everyone attending. They envisioned this symposium as being based on the Highway of Tears Symposium that had been held in 2006. The first two days would be for the families to have discussions together, to strengthen and further develop their recommendations. The third day would involve the police officers who were primarily involved in the missing women investigations throughout the province, public and safety ministers, and Commission personnel, all of whom would be there to listen to the families to present their

experiences and recommendations for change. The symposium would also address the follow up activities required and recommendations for healing. It would end with a feast to be funded by the government bodies attending.

4. SUMMARY OF RECOMMENDATIONS

There are many lessons to be learned from the experiences of families about women's safety, justice system responses to reports of missing persons, and steps that could be taken to ease the families' pain and help with their healing process.

The following list summarizes the main recommendations made by family members. As noted previously, there is disagreement on some issues, including the legal status of prostitution under Canadian law.

To governments, regarding programs to increase women's safety:

- provide better low-cost, subsidized or free housing, including more women-only emergency shelters, for women in the DTES
- get the City of Vancouver to invest in more housing, either by purchasing temporary and portable individual housing units or by taking over and refurbishing existing SROs
- establish more "no-barrier" housing that accepts women who are actively using drugs or engaging in sex work
- provide more drug treatment options to women
- provide counseling for women who have experienced sexual or childhood abuse and may be using drugs to self-medicate
- provide drugs by prescription, including methadone, heroin and stimulants, as a way of reducing the risks associated with addiction to illegal drugs

To police, regarding criminal justice system responses to marginalized women:

- build rapport with women who are addicted or doing survival sex work; treat all people with dignity and respect
- institute a policy to waive warrants for breaches and minor offences when a woman is reporting violence or threats of violence
- stop ticketing women for minor bylaw violations such as jaywalking and littering, as their inability to clear up tickets results in breaches that put them at risk

- recognize that women who report violence in danger of retribution and need to be supported and protected through a complaint to police
- recognize that women who are living “high-risk” lifestyles will still take steps to protect themselves, and that regardless, police have a duty to communicate about possible predators and threats to women’s safety
- increase the number of police working as Sex Industry Liaison Officers to at least five for the Lower Mainland
- provide information to the former victim and the public when offenders who have been convicted of crimes of violence against women, particularly street-engaged women, are released back into the community
- work more closely with community organizations, recognizing their knowledge and expertise
- hold regular consultations to allow the community to share information and voice problems to police
- open a Gladue court in Vancouver devoted to Aboriginal offenders

To governments, regarding the legal status of prostitution and criminal justice responses:

[Note that there were many conflicting opinions on this subject]

- decriminalize prostitution and take a harm-reduction approach, or
- impose stricter penalties for engaging in prostitution, including large fines and imprisonment, or
- adopt the “Nordic model,” which penalizes customers for engaging in illegal activities but not women
- provide drug counseling and treatment programs for women who are imprisoned, including court-appointed therapeutic rehabilitation programs
- provide life skills programs to women, including in prison
- provide more exiting programs for women who wish to get out of the sex trade
- enforce harsher penalties for sexual assault, rape and murder; and institute rehabilitation programs aimed at changing behaviour of offenders

To community groups, regarding possible community initiatives:

- build networks of community organizations that can be mobilized when it is believed that someone has disappeared
- make sure that marginalized women are not denied access to services because they are using drugs or engaging in sex work
- create a form for a living will to allow information sharing when executed and deposited at government agencies such as welfare, in the event that someone is believed to be missing
- make sure that women are working in areas that are well-lit and can be publicly monitored
- develop spotter systems, either of women working or volunteers, to monitor women getting into vehicles
- increase the use of social networking tools to share information

To governments and communities, regarding prevention measures:

- educate youth about the risks of drugs and prostitution
- recognize that child apprehensions may increase the likelihood that children will leave home earlier and may become street-engaged for lack of support options
- provide teens with more positive role models, including more Aboriginal role models

To governments including First Nations, police and communities, regarding Aboriginal issues:

- recognize the high rates of violence experienced by Aboriginal women across Canada and create and fund specific programs to address this violence
- provide more public recognition of the damage done by residential schools and more healing programs to address addictions and their effects on family relationships
- provide funding to Aboriginal women's organizations to create programs addressing violence on reserve, so that fewer women are forced to escape to urban areas
- strengthen justice systems for dealing with violence on reserves, and develop homecoming programs so that women who have left their reserves as a result of violence can be welcomed back
- provide more safe houses and counseling programs run for and by Aboriginal women
- ensure that missing person reports concerning Aboriginal women are received by police and properly investigated

- recognize that removing Aboriginal children from their families to place them in white foster homes is detrimental to both the children and their parents; provide support to parents to enable them to better parent instead
- support Aboriginal youth to secure employment by providing better schooling, vocational training and life skills training
- increase the number of Aboriginal women and men in police forces by developing proactive policies for Aboriginal recruitment and policies addressing workplace sexual harassment
- create more independent First Nations police forces
- ensure that police forces that do not have strong Aboriginal representation have a Native Liaison department
- implement the 33 recommendations from the 2006 Highway of Tears Symposium report

To police, regarding missing persons investigations:

- do not pre-judge the outcome of a case, for example, by denying that there is a serial killer, until there is certainty or that the case has been resolved
- take all missing persons reports seriously and investigate them properly; do not judge a person or make presumptions about her disappearance based on her lifestyle
- if a woman reported missing has been living in insecure circumstances or is Aboriginal, assume that she may have experienced foul play and follow up accordingly
- make sure that all leads are followed up upon, including with other family members who did not report the person missing
- be willing to maintain contact with more than one person per family, recognizing that not all family members are in regular communication with each other, for a variety of reasons
- recognize that high turnover among officers assigned to a file may negatively impact both progress on the investigation and relationships with family members
- maintain regular contact with families through their preferred means of contact about the progress of investigations
- consider establishing a civilian system for investigating missing persons cases, outside the police force
- create a BC Missing Persons Unit, to act as a central point for coordinating all missing persons investigations in the province, including through the use of a website for information-sharing

- make sure that officers assigned to missing persons cases have sufficient experience
- prohibit officers from taking contract work that could be seen to be in conflict with their official duties or that might cause confusion about their roles
- view and assess the process of missing persons investigations from the five-phase framework developed by the Saskatchewan Missing Persons Partnership Committee: prevention; identification of situations of concern; reports of missing person; investigations/responses; and outcomes
- Work with families to develop future policies on missing persons investigations
- Develop a media campaign about missing persons practices, advising people how to report, and make this information widely available

To police, regarding treatment of families of those missing or murdered:

- ensure that police have training on dealing with bereaved and grieving people with compassion and sensitivity
- make sure that police carefully review files before contacting families and keep good records of their communications, in the event of turnover on the file
- require police to take cultural sensitivity training
- make it a policy if a person has died, police should notify relatives in a private place and before media or others are informed; where possible, take information with the missing person report about how the relatives would like to be notified if in the event of a death and whether they would like faith-based representatives present
- ensure that police and criminal justice system personnel do not withhold details of a loved one's death from family members, especially when others are able to access that information
- ensure that families are given clear and correct information about their rights with respect to Victim Services and compensation
- prepare families in terms of what to expect from media

To police, regarding recruitment and training:

- require mandatory human rights training of at least one month duration
- require mandatory cultural diversity training, including in First Nations' cultures, and training to recognize the importance of spirituality
- extend the current training for new recruits, so that it is lengthier and more involved

- raise the age of new recruits

To governments and police, to increase police accountability:

- create an advocate or ombudsperson to assist with police complaints
- create a civilian citizen's accountability board to deal with issues of individual police complaints
- create a specific body to deal with complaints about police by those in the sex trade

To governments and police, regarding inter-jurisdictional issues:

- make sure that descriptions of missing persons and descriptions of unidentified victims are shared with all police agencies across the province as soon as they are received
- make sure that information about investigations is received from and shared with reporting family members regardless of the jurisdiction in which they reside

To governments, regarding children's needs and healing programs for all family members:

- provide more funding for counseling and ensure that counseling is culturally appropriate and administered in an accountable manner
- change victim compensation policies to recognize the support contributions made by parents throughout a child's lifetime and not just at the time of death
- ensure that standards for compensation are equitable and explain any differences clearly, so that survivors receiving compensation do not perceive amounts to be arbitrary
- in the case of those in charge of Victim Services and compensation for survivors, recognize that children are not in a position to take pro-active steps towards securing compensation or other programs that are rightfully theirs
- create a legacy fund for children of missing and murdered women to enable them to engage in a range of activities, including tertiary education, recreational and cultural programs, vocational training and therapeutic programs; ensure that the program can be accessed across Canada
- establish a healing retreat or camp program for children and other surviving relatives that would allow them to meet regularly with others, talk, grieve and engage in social activities and memorializing activities
- ensure that compensation, access to Victim Services and access to healing activities take into account the extended nature of Aboriginal families

- establish a healing centre or memorial site for all family members to provide a place for families to mourn their loved ones in the absence of graves
- establish web-based social networking sites for the families to continue to be in touch and share information

To governments, regarding a symposium on family recommendations:

- arrange and fund a five-day symposium so that family members can gather and further develop their recommendations, including for healing; ensure that the symposium includes time for family members to present their ideas to relevant officials and government agencies and that it ends with a feast celebrating the lives of the women

5. APPENDIX – NAMES OF PARTICIPANTS

Family members who participated in meetings with the Commission on their recommendations:

1. Elaine Belanger
2. Patricia Belanger
3. Lenora Belanger
4. Angel Wolfe
5. Bridget Perrier
6. Cynthia Cardinal
7. Elana Papin
8. Bonnie Fowler
9. Kristina Bateman
10. Lisa Bigjohn
11. Marilyn Renter
12. Ann-Marie Livingston
13. Ann Livingston
14. Lori-Ann Ellis
15. Lilliane Beaudoin
16. Melissa Marin
17. Michelle Pineault
18. Lorraine Crey
19. Sandra Gagnon
20. Margaret Green
21. Melanie Hardy-Williams
22. Violet Hardy-Williams
23. Lila Purcell
24. Glady Radek
25. Laura Tompkins
26. Marion Bryce
27. Maggie deVries
28. Peter deVries
29. Lorelei Williams
30. Faye (last name unknown)
31. Sue Ellen (last name unknown)
32. Laura (last name unknown)