

1 **Vancouver, B.C.**

2 **February 28, 2012**

3 **(PROCEEDINGS RECONVENED AT 9:38 A.M.)**

4 THE REGISTRAR: Order. This hearing is now resumed.

5 THE COMMISSIONER: Go ahead.

6 **J.L. HAMILTON, M. DE VRIES**

7 **and W. LENG: Resumed**

8 **EXAMINATION IN CHIEF BY MS. BROOKS CONTINUED:**

9 MS. BROOKS: Yesterday we were talking about the reward and we
10 talked about how it was approved at the police
11 board meeting and I understand there was some
12 delay before it actually got issued. Did any of
13 you go to the police conference in July when the
14 reward was actually announced and released?

15 MR. LENG: I went to the press conference, I think -- it
16 wasn't at 312 Main, it was at the main
17 headquarters I think it is, and I signed in as
18 really not a media person but the owner of
19 missingpeople.net, the website for missing
20 people. I went in there and I sort of got
21 escorted out about ten minutes later by Sergeant
22 Geramy Field saying I couldn't be here, and she
23 didn't give me a real reason other than she said
24 you're not press and I said I have the
25 missingpeople.net website. John Walsh was there

1 at the time and I was involved in *America's Most*
2 *Wanted* coming to Vancouver and she told me to
3 wait downstairs, which I did.

4 MS. BROOKS: Did you actually see a copy of the poster with
5 the reward on it?

6 MR. LING: Yes, I did. When the press conference was over
7 Mayor Philip Owen came downstairs and I asked him
8 for a couple posters and he basically threw them
9 at me and said, "There, now are you satisfied?"

10 MS. BROOKS: How did you feel about that?

11 MR. LING: Embarrassed.

12 MS. BROOKS: How big was the poster?

13 MR. LING: It was a fairly large poster. I'm thinking it was
14 about like that. Was it about like that? It was
15 a fairly large poster.

16 MS. BROOKS: Did you see the poster posted in the Downtown
17 Eastside?

18 MR. LING: I didn't myself.

19 MS. BROOKS: Ms. de Vries, did you ever see the poster posted?

20 MS. DE VRIES: At some point I certainly did. I must have
21 seen the poster -- it's very vague -- on
22 television on *America's Most Wanted* which was
23 around that time and it did go up at some point
24 but I don't remember.

25 MS. BROOKS: You remember, right?

1 MS. HAMILTON: There was one copy at the Downtown Eastside
2 Neighbourhood Safety Office which Dave Dickson
3 was assigned to, but other than that there were
4 none around which didn't make any sense, and
5 certainly we were at Grandma's House not in
6 receipt of any poster which I thought it was the
7 police job to ensure that we had those posters so
8 we could put them out.

9 MS. BROOKS: Were any of you asked for any input on what
10 should be on the poster, either the wording of
11 the reward or the photographs? Were you asked
12 for the input on that?

13 MS. DE VRIES: No.

14 MR. LENG: No.

15 MS. HAMILTON: No.

16 MS. BROOKS: How did you feel about the photographs of the
17 women on the poster?

18 MR. LENG: I don't think putting mug shots on the poster
19 conveyed a very positive message. It made the
20 women who were missing who were victims out to be
21 criminals and I thought that was a message that
22 was not respectful.

23 MS. DE VRIES: A greater effort could have been made in each
24 instance to find the best possible photo,
25 especially when we consider that those images are

1 now part of the public consciousness and when we
2 think of those individual women those are the
3 faces that we've seen for the last 13 years.
4 Those are the images that I see when I imagine
5 the different individual women instead of the
6 images that their family would think of when they
7 think of them. I think of a mug shot when people
8 are at their worst. The implications of the
9 images that went on to that poster are very far
10 reaching.

11 MS. BROOKS: Mr. Leng, you expressed your concern about that
12 to Detective Constable Shenher, did you?

13 MR. LENG: Yes. When I supplied them with a photograph of
14 Sarah at the time it was a recent photograph,
15 probably about -- oh, gosh, it was about a month
16 before she disappeared. I took a picture of her,
17 she had just cut her hair, and I supplied them
18 with that one. It was something like six months
19 later or so when I saw the poster and it was a
20 mug shot photo. I don't think it was that poster
21 but it was a poster that she had sent out and it
22 was a mug shot photo and I said, "What happened?
23 I supplied you with a picture of Sarah?" And she
24 said, "Wait a minute. Let me go back and have a
25 look," and she had a look and said, "You're

1 right, it's the wrong one. I must have lost it."

2 So I supplied her with a different picture that
3 was a little bit older.

4 MS. BROOKS: Eventually did that picture find its way on to a
5 new poster?

6 MR. LENG: Yes, it did.

7 MS. BROOKS: Yesterday we talked about the importance of a
8 warning and I wanted to ask another question
9 about that in terms of the recommendations the
10 commissioner might make. What do you think might
11 be helpful language on a warning? That is to
12 say, would it be helpful if a warning just said
13 there's a predator in the Downtown Eastside,
14 would that be helpful?

15 MS. HAMILTON: No. I think the warning should have a photo,
16 as much information as possible. You know, if
17 they're driving in a certain car, a description
18 of the car because women are going to see the
19 car, and more so the police should be coming to
20 the advocates and the organizations and seeking
21 information as well that is really beneficial so
22 we can get the message out.

23 MS. BROOKS: Ms. de Vries or Mr. Leng, do you have any comment
24 about the content that should go on the warning?

25 MS. DE VRIES: Just speaking in general terms so it's not just

1 about a warning in this case which is more
2 difficult to figure out to word when they didn't
3 have a car or that specific information, as much
4 information as possible, but in this case I think
5 Jamie Lee's suggestion that engaging in the
6 community about a discussion about what is known
7 and does seem to be happening and that way
8 engaging with people who do have the trust of the
9 community and are able to speak and be listened
10 to and be trusted to survival sex workers in the
11 community would just make so much sense and there
12 are many such people, there are many such people.

13 MR. LENG: I agree with that.

14 MS. BROOKS: Ms. Hamilton, you were a well-known sex worker
15 advocate to the police?

16 MS. HAMILTON: Yes, I was.

17 MS. BROOKS: Did anyone from the police ever come to you for
18 any kind of information during the Missing Women
19 Investigation?

20 MS. HAMILTON: No, and that was very unusual, Mr.

21 Commissioner, because we do have daily, sometimes
22 hourly, contact with the survival sex trade and
23 the fact that the police didn't reach out and
24 come to the people that -- the only conclusion I
25 could draw from that is that there was this lack

1 of interest and that was very profound.

2 MS. BROOKS: What kind of information could you have provided
3 the police had they come to you? Ms. Hamilton, I
4 will address that to you first.

5 MS. HAMILTON: We could talk about their lives, you know, talk
6 about the impacts, the entrenchment of the
7 lifestyle, we know the drug issue, we could
8 really give them I think a wholistic view to the
9 individual's life which they didn't have and I
10 think that process would have helped humanize the
11 individual, rather than just seeing the
12 individual as a person that has come into trouble
13 with the law.

14 MS. DE VRIES: I think that in that process of humanizing if
15 the police had consulted with people in the
16 community who were in a position to talk to them
17 about survival sex workers in the community, that
18 process of humanizing, of learning about the
19 lives of the women, would have helped the police
20 to come to the conclusion to understand more
21 quickly that perhaps they did have some
22 misconceptions and perhaps those misconceptions
23 were causing them not to take things as seriously
24 as they should and the communication is both
25 ways. Also, that communication from the police

1 to community workers would have given community
2 workers the sort of police behind them from whom
3 to go to survival sex workers and say, all right,
4 women are disappearing, let's talk about all of
5 the strategies we have at our disposal in order
6 to keep safe and police are recommending that you
7 must have spotters, you must not work alone, you
8 must get licence plates, you must pay attention
9 and not allow a car to drive you more than a
10 block, whatever -- I don't know what they are.
11 But with the police saying this is very serious,
12 we must talk about all of these strategies, that
13 would have more power than simply leaving it out
14 for everybody to figure out on their own.

15 THE COMMISSIONER: Those are excellent points that you've
16 made. We know that the women are out there now,
17 and how have things changed? Are people going
18 out and telling them how dangerous all of this is
19 and how they should work -- to use your term --
20 in clusters? Should we be doing that, should
21 advocacy groups, should police?

22 MS. DE VRIES: Certainly I think that we should and I expect
23 that community workers do do that, but I'm not
24 hearing the police voice behind the community
25 workers continually pressing the importance of

1 these things.

2 THE COMMISSIONER: Our focus, as I mentioned a number of
3 times, is to prevent this from ever occurring
4 again and, in any event, that there be a
5 community response if anything like this should
6 even start so that there is an immediate
7 response. Are you suggesting that the police
8 should be more proactive now or are you
9 suggesting other groups should be proactive now,
10 and if so, how do they do that?

11 MS. DE VRIES: Yes, and maybe you can speak to that.

12 MS. HAMILTON: Mr. Commissioner, I think they could be very
13 proactive. They could meet, you know, maybe
14 every three months. I had mentioned to you
15 earlier about in the early '90s about how we came
16 together as a committee with the police and met
17 on a regular basis at the Dufferin Hotel. I
18 think that should re-start. It starts as a
19 building of trust as well. I'd like to see the
20 police especially in the sex trade strolls get
21 out of their cars and come and walk around and
22 maybe be plainclothes so they're not -- and just
23 inquiring about the workers and their well-being
24 and --

25 THE COMMISSIONER: There are police that do that, there are

1 police that drive around and ask the women how
2 they are, that happens, does it not?

3 MS. HAMILTON: I would say yes, it does, but I'm saying it
4 should be developed as a policy.

5 THE COMMISSIONER: And it should be done more often than it is
6 done now, is that what you're telling us?

7 MS. HAMILTON: Yes.

8 MS. BROOKS: Are you happy with the approach that's being used
9 now by the police in the way that they do talk to
10 the women on the strolls?

11 MS. HAMILTON: Some of the approaches I'm not in favour of.
12 Up on Kingsway where we have a safe place they
13 tell the women to walk, the women can't stand,
14 and so then the women are broken up and told to
15 keep walking. So what happens in that regard,
16 you have to jump into a car quickly as the car
17 comes along without being able to assess any
18 safety concerns. So I think that should come
19 forward and a discussion with the police, how to
20 stop that type of thinking that is brought on the
21 women.

22 MS. BROOKS: Ms. de Vries?

23 MS. DE VRIES: I think the police find themselves in a very
24 difficult position caught between -- well, first
25 of all, where they're supposed to uphold laws

1 that criminalize the women they're supposed to
2 protect; secondly, where there's pressure on them
3 from groups who conflict with one another in
4 terms of where sex work should take place and
5 that kind of thing. I know there have been
6 efforts -- I know PACE Society, Prostitution
7 Alternatives Counselling Society, was involved in
8 a project several years ago, I don't have the
9 name at the tip of my tongue, but they and other
10 agencies worked with community groups, Chinatown,
11 people from businesses in Chinatown and sex
12 workers, to develop strategies and to just
13 communicate with one another, to sit down with
14 one another and talk about -- you know, families
15 saying I don't like going out and finding condoms
16 in the street and sex workers saying we don't
17 want to take them with us, they're unsanitary
18 objects once they've been used, so trying to come
19 up with solutions. The police should be part of
20 that kind of dialogue as well. It's
21 problem-solving in a very constructive and
22 creative way that needs to take place.

23 THE COMMISSIONER: You agree that the police are in a
24 difficult position because they're paid to
25 enforce the law?

1 MS. DE VRIES: They're in a difficult position also because
2 they're pressured by different conflicting
3 groups.

4 THE COMMISSIONER: Absolutely. Community groups don't want
5 the women in their neighbourhoods and their
6 schools.

7 MS. DE VRIES: They're in a difficult position, but we have to
8 find a way forward where women are not at the
9 kind of risk as they are at now.

10 MS. BROOKS: Mr. Leng, I just want to bring your perspective
11 in because in terms of this communication issue
12 with the police and the community you established
13 a tip line. Did you feel you would get more
14 information as a community member establishing
15 the tip line than the community might be willing
16 to provide to the police?

17 MR. LENG: Yes. I think communities talk to communities.
18 There's not a lot of trust down there between the
19 police and the women working the streets and
20 quite frankly that was the only way I thought
21 that I was going to get anywhere at all, by
22 taking the community in.

23 MS. BROOKS: Ms. Hamilton?

24 MS. HAMILTON: I just want to respond to Mr. Commissioner for
25 a minute in regard to when you said the police

1 being between a rock and a hard place because
2 they have to enforce the law. But, Mr.
3 Commissioner, I just want to draw your attention
4 to that they are also involved in licencing
5 health enhancement centres and escort agencies.
6 They have to be -- those licences have to be
7 approved by the police so I think they can use
8 some discretion and don't always have to jump the
9 gun.

10 THE COMMISSIONER: That's been a major message from your
11 perspective to us, that the police have to use
12 more discretion. You've said this. Okay.

13 MS. DE VRIES: Because we're stuck with the laws that we have.
14 This commission doesn't have the power to change
15 any laws I don't think so we have to find that
16 discretion. It becomes very important.

17 MR. LENG: Clearly something has to change. This has been
18 going on for far too long.

19 MS. BROOKS: Ms. de Vries, I'd like to just bring Sarah's
20 voice into the discussion and you and I have
21 talked about your book and we both have our
22 favourite passages and we've sort of negotiated a
23 bit on what passages are going to be read today.
24 I have mine that I think speaks to what Sarah was
25 feeling and the fears that she had about being on

1 the street. If you can read my favourite one and
2 then I know you have a favourite one.

3 MS. DE VRIES: As long as I get to read mine, too, I will read
4 yours. What page was yours?

5 MS. BROOKS: 159. This speaks to Sarah's recognition of the
6 extreme violence that she risked every day in
7 standing on the street.

8 MS. DE VRIES: She wrote this in December 1995.

9 Warmer than it was a couple of days ago,
10 thank you god, it's hard standing out there in
11 the cold. My toes get so cold they actually make
12 me cry when they start warming up again. My
13 hands aren't better. The tips of my fingers.
14 Yikes. Ouchy ouchy ouchy. Business has been
15 okay. Can't really complain. I've done better,
16 I've done worse. I can't shake it. It's this
17 feeling that creeps over me all the time,
18 loneliness, emptiness, lost in a vast void of
19 nothingness. Groping my way through life like a
20 blind woman with no cane, crawling on my hands
21 and knees, afraid to stand, unsteady upon my
22 feet. No sense of direction, balance or time.
23 Drifting endlessly through these icy cold nights.
24 Trying to hide my pathetic growing fear that
25 maybe, just maybe, my time draws near. Am I

1 next? Is he watching me now? Stalking me like a
2 predator and its prey. Waiting, waiting for some
3 perfect spot, time or my stupid mistake. How
4 does one choose a victim? Good question, isn't
5 it? If I knew that I would never get snuffed.
6 So many women, so many I never even knew about
7 that are missing in action. It's getting to be a
8 daily part of life. That's sad. Somebody dies
9 and it's like somebody just did something normal.
10 I can't find the right words. It's strange. A
11 women who works the Hastings Street area gets
12 murdered and nothing. Yet if she were some
13 square john's little girl shit would hit the
14 goddamn fan. Front page news for weeks. People
15 protesting in the streets. Everybody makes a
16 stink while the happy hooker just starts to decay
17 like she didn't matter. Expendable,
18 dishonourable. It's a shame that society is that
19 unfeeling. She was some woman's baby girl. Gone
20 astray, lost from the right path. She was a
21 person.

22 MS. BROOKS: She wrote that in December 1995?

23 MS. DE VRIES: Yes.

24 MS. BROOKS: It's your turn.

25 MS. DE VRIES: I'm looking for when this other passage was

1 written and I'm not seeing it now but it's near
2 the end of her life.

3 MS. BROOKS: What page is it on?

4 MS. DE VRIES: Starting on 178.

5 I've sentenced myself to life imprisonment,
6 no chance of parole, no chance of release, no
7 judge, no jury, no presentence inquiry. My gavel
8 has fallen and my sentence passed. From that
9 fateful day on I am doomed slowly to fade away in
10 my self-made prison, self-erected, brick by
11 brick. Day by day I placed a stone to signify
12 another event that is never to be forgiven or
13 forgotten, always and forever cemented in time to
14 tell me that another part of me has died. With
15 every failure, letdown, misfortune, the wall gets
16 higher and inside gets darker and dear colder. I
17 made this big, empty, cold senseless cell
18 escape-proof and of course I left no mistakes.
19 In no part of my brilliant architectural plan is
20 there a way for anybody to get in and realize who
21 I real am. Not that I know the answer to that
22 question.

23 She goes on:

24 Somebody is going to leave us tonight. I
25 don't know who and I don't know why. I feel it.

1 I fear it. It's in the air. It's so just --
2 well, just there. It makes my flesh tingle from
3 goosebumps and sent my heart through a flash of
4 panic. What is the fucking use of trying to be
5 so rock hard cold, emotionless, empty, yet too
6 tough to show that you're cracking inside and are
7 starting to cry? Deep, deeper and deeper still,
8 way down in the abyss of my heart a spark shows
9 through all the empty cold and darkness.

10 I wanted to read that passage because I
11 think that it's really important for people,
12 police, whoever, is working with women who are in
13 survival sex work to recognize that even when --
14 Sarah built this wall, she wrote about that a
15 lot, the wall that she built around herself, and
16 it meant that she could present a very hard
17 exterior to the world and certainly she would
18 present a very hard exterior to any police
19 officer who encountered here. I think maybe even
20 a little worse than hard, maybe hostile even, but
21 recognizing that inside that shell there's a
22 person in pain with dreams and who has suffered
23 and there's a spark, "in the abyss of my heart a
24 spark shows through," that the police who are
25 charged with protecting women like my sister need

1 to be able to see past the exterior that she's
2 forced to present to the world in order to
3 survive to the person that's inside of her and
4 that's key to a lot of the change that needs to
5 happen.

6 MS. BROOKS: Ms. de Vries, as a family member of one of the
7 victims, how did you feel about the communication
8 you received from the police about how Sarah's
9 disappearance was being investigated?

10 MS. DE VRIES: There were different stages of communication
11 and I didn't know how to feel at the beginning.
12 When I look back and think about how I suffered
13 and struggled that spring and summer, the police
14 could have assisted me, they could have made me
15 feel that Sarah's disappearance was important. A
16 police officer could have come to my house to
17 interview me. Whether I'm saying I don't have
18 any information or whatever I'm saying, they
19 could have helped me figure out if I had
20 information that would be helpful to them. I
21 didn't know. I didn't know what to do; I didn't
22 know what to say. I didn't know how to negotiate
23 transition from the terrible suffering because of
24 the life Sarah was leading to Sarah's just
25 absence from the world and my sense that I had a

1 responsibility to do something about that
2 absence, and the police are in a position to
3 assist people like me to know what I could do and
4 say: Okay, this is what we're going to do, these
5 are our steps we go through with missing persons,
6 especially such a high risk missing person as
7 your sister, and this is what you can do to
8 support us in our efforts. We're going to
9 communicate with you with this regularity but we
10 encourage you to make contact with us in between
11 if you have any concerns at all, and here are
12 some services if you are struggling. Like I said
13 yesterday, it didn't occur to me that I was in
14 any way a victim of anything, so it would never
15 have occurred to me to access any services for
16 myself, yet it might have been helpful if someone
17 had told me that I kind of was a victim in a way
18 and I might need some support instead of just
19 being left, because the police were my contact
20 and I didn't have any connection to any agencies
21 on the Downtown Eastside or anything at all at
22 that time.

23 THE COMMISSIONER: You could have helped the police?

24 MS. DE VRIES: I could have helped the police and they could
25 have helped me. It could have been more

1 supportive. I thought I didn't know anything but
2 then I wrote a book and it turned out I knew
3 quite a lot when I took a look, so I didn't know
4 that. They could have known that on my behalf
5 because they're experts at that kind of thing but
6 I'm not, so they could have assisted me to assist
7 them but they didn't. I don't feel they did, at
8 least at that stage. With Lori Shenher there was
9 a warmth and a connection and an open
10 communication, but still, I think the fact there
11 was only the two of them, there was no way that
12 they even had the time to investigate the case in
13 all the ways that they needed to do and to take
14 full advantage of all the family members and
15 support the family members in all of our myriad
16 needs, they couldn't. So it was under-resourced
17 not only from a point of view of the
18 investigation per se, but all of that -- all
19 those relationships that have to be kind of
20 maintained throughout the investigation.

21 MS. BROOKS: There was one meeting with the families in June
22 of 1999 that you attended?

23 MS. DE VRIES: 14 months after my sister disappeared there was
24 a meeting and it felt good to be invited to a
25 family meeting but that -- at that meeting we

1 were told -- we were introduced to various people
2 and told those people were now on the missing
3 women investigation and DNA was taken from all
4 the family members who were biologically related
5 to their missing loved one. But my understanding
6 later was that most of those people that we had
7 been pointed to had just had it added to their
8 portfolios. They weren't working full time --
9 the human resources didn't really increase that
10 much at that time, they didn't increase as much
11 as we were led to believe. Also, and I don't
12 really know this, but my understanding is they
13 never did anything with that DNA so it felt like
14 we were being patted on the head so we would go
15 away, which is obviously my interpretation. Yes.

16 MS. BROOKS: A year and a half later you're invited to another
17 meeting when Project Evenhanded is established?

18 MS. DE VRIES: Two and a half years.

19 MS. BROOKS: What happened at that meeting and how were you
20 feeling at that time about where the
21 investigation was at?

22 MS. DE VRIES: I felt the investigation was nowhere at that
23 time. I felt it was more or less over at that
24 time because it had just been so long and I knew
25 that there had been a review team all that year

1 that had been reviewing documents but it didn't
2 feel -- none of it felt real to me. I went to
3 that meeting because I felt that Sarah's family
4 should be represented but I was just tired and
5 not very serious about it. I just trotted along
6 to the meeting. But then at that meeting Don
7 Adam got up and talked to us and it was the first
8 time I felt the whole structure of the police
9 actually meant what they said. I cried at that
10 meeting because it was the first moment where I
11 felt not just that Lori Shenher wants to find out
12 what happened, she's trying very hard -- I had
13 felt that for several years -- but this was the
14 police, the RCMP and the VPD were going to work
15 together until we find out what has happened to
16 each one of these women. That's we were told at
17 that meeting and I found myself thinking, I think
18 maybe they actually mean that, and it felt so --
19 it was obviously a long time coming but it felt
20 very, very supportive and good to hear that at
21 last and that happened after the *Vancouver Sun*
22 had run a week's worth of full page articles on
23 the front page above the fold with missing women
24 inquiry or missing women something in red. Even
25 after 9/11 they still did that and they had three

1 reporters, Lindsay Kines, Kim Bolan and Lori
2 Culbert for six months full time on the case, so
3 it felt like there's maybe some pressure from the
4 media that was actually a significant, meaningful
5 pressure and everything seemed to start to move
6 at that time, and I don't know if it's a complete
7 coincidence but not long after the search began
8 in Port Coquitlam.

9 MS. BROOKS: The commissioner identified in a recent process
10 directive one of the issues he's interested in
11 hearing more from the community about is the
12 impact this has had on the relationship between
13 the police and community and families. Can you
14 each of you speak to that issue; what is the
15 impact in the aftermath of this investigation,
16 and we'll start with you, Mr. Leng?

17 MR. LENG: The impact between the commission -- I mean,
18 between the community and the families?

19 MS. BROOKS: In the aftermath of the investigation.

20 MR. LENG: It's -- that's a difficult one for me to speak to
21 but a lot of mistrust, I think, a lot of police
22 mistrust. The families I don't think are getting
23 the answers they want. It seems that for so many
24 years these women were slipping through the
25 cracks and many of us knew many women who were

1 going missing and it appeared nothing was being
2 done, the police weren't doing anything, at least
3 that's the way it appeared. I think there's a
4 level of mistrust there now.

5 MS. BROOKS: Ms. Hamilton.

6 MS. HAMILTON: I thought we were moving forward when Deputy
7 Chief Doug LePard issued his report and invited
8 us, many of us, to the boardroom for that report,
9 and I mentioned at that time that I was very
10 happy there was the issuing of the apology, but I
11 think it was last week I sat at work watching the
12 hearings and I heard from high ranking police
13 officers that we wouldn't have done anything
14 differently. I thought that was very telling. I
15 thought somehow they still feel that what they
16 did was the right thing, that they were following
17 proper processes and policies, and at some point
18 they have to acknowledge their shortcomings. But
19 at the end of the day somehow we have to move
20 forward, Mr. Commissioner. It can't be them and
21 it can't be us and somehow we've got to figure
22 out a way to move forward so we can ensure that
23 there's trust and with that trust will come a
24 movement to ensure that these types of heinous
25 crimes are not committed.

1 THE COMMISSIONER: All right.

2 MS. DE VRIES: This inquiry itself potentially has the power
3 to build that trust. It also has the power to
4 undermine that trust. Seeing police officers say
5 that they wouldn't do anything differently to me
6 indicates not necessarily that that's what they
7 believe, because I find that possible to believe
8 myself, but some people have taken a defensive
9 posture and instead of being able to look
10 honestly at their actions that this inquiry is
11 about defending yourself and not identifying
12 anything you might have done wrong. An inquiry
13 is supposed to be an inquiry where we all inquire
14 together, and I hope that this inquiry ultimately
15 can achieve that purpose and the police can
16 really enter into the spirit of that both here
17 and following when they receive your
18 recommendations. It breaks my heart, it just
19 crushes my heart to hear police officers say they
20 would do nothing differently when clearly they
21 know that there were things that could have been
22 done differently.

23 THE COMMISSIONER: In fairness, the purpose of the inquiry,
24 and I've said it many times, is to learn from
25 what happened in the past to look at whatever

1 mistakes were made if there were mistakes and how
2 can we move forward from that so as to prevent
3 these horrific tragedies from taking place. Part
4 of the process before we get there is to find out
5 what happened, and I don't think it's unusual
6 that you're going to hear from various voices and
7 various opinions. So while Deputy Chief LePard
8 in his report acknowledged that there were many
9 mistakes made, I don't think it's unusual for
10 someone to say, well, I disagree that at that
11 time that we wouldn't have done anything
12 different. Keep in mind, we're going to have to
13 decide -- I'm going to have to decide at the end
14 of the day what is an appropriate direction in
15 which to go. So you shouldn't be dismayed by the
16 fact that someone has given an opinion that you
17 don't agree with because at the end of the day I
18 have to decide this.

19 MS. DE VRIES: You make recommendations but if the people that
20 you're making the recommendations to don't have
21 the proper spirit those recommendations won't be
22 implemented in a positive way.

23 THE COMMISSIONER: That's a good point, I agree with that.

24 MS. DE VRIES: I take your point but I just want to say that
25 people need to be able to look, really look, at

1 what they've done with the spirit of let's
2 change -- not a spirit of who is to blame. I
3 experienced that with the apology. When I wrote
4 to the various -- to the VPD and the -- when I
5 wrote a letter asking for there to be an inquiry,
6 as many others did, I wrote -- I sent a copy to
7 the VPD and a copy to the RCMP, among others. I
8 heard back immediately from Doug LePard, within
9 hours, saying we very much want there to be an
10 inquiry, we fully support this process and very
11 -- it felt open and it felt true and I believed
12 him. It took a little while for me to hear back
13 from the RCMP from Gary Bass. What I got from
14 him was why don't you come in and talk to us by
15 yourself and we'll explain to you what we've
16 changed. It was an avoidance -- when I wrote
17 back saying that it wasn't about just convincing
18 me, it didn't matter what I think, that it needed
19 to be part of a public inquiry, I didn't receive
20 a reply to that e-mail. So I felt from the VPD
21 at that time I got an open and genuine response
22 that was confirmed further by the report and
23 further things that happened. From the RCMP I
24 got shut down, so that disturbed me at that time
25 and I'd like things to be different at this

1 point.

2 MS. BROOKS: Mr. Commissioner, those are my questions for the
3 panel. I know you had many helpful questions.

4 Do you have anything for them at this point?

5 THE COMMISSIONER: I don't have anything at this point. I'd
6 like to hear from some of the counsel who are
7 here.

8 MS. BROOKS: Mr. Vertlieb and I would like to meet with those
9 counsel now for about 15 minutes before those
10 questions begin.

11 THE COMMISSIONER: All right.

12 THE REGISTRAR: This hearing will now recess for 15 minutes.

13 (PROCEEDINGS ADJOURNED AT 10:15 A.M.)

14 (PROCEEDINGS RESUMED AT 10:31 A.M.)

15 THE REGISTRAR: Order. This hearing is now resumed.

16 THE COMMISSIONER: Mr. Roberts.

17 **CROSS-EXAMINATION BY MR. ROBERTS:**

18 MR. ROBERTS: Good morning, Mr. Commissioner, members of the
19 panel. Darrell Roberts appearing -- I appear and
20 act for Marion Bryce along with my colleague Mr.
21 Irwin Nathanson. As you may know, Marion Bryce
22 was the mother of Patricia Johnson who went
23 missing, or at least was reported missing from
24 the Downtown Eastside in January, February of
25 2001 and is a victim of Pickton. I have just a

1 few questions for the panel.

2 I want to say, Mr. Commissioner, before I
3 start that I like the idea of this panel very
4 much. As a matter of process I think this worked
5 very well.

6 In thinking of the questions I'd like to ask
7 you I've been reading the interview of a police
8 officer named Ron Lepine and Mr. Lepine was a
9 number of the years on the Vancouver Police
10 Department Sexual Offence Squad, he refers to it
11 as SOS, and he says in his interview that I was
12 reading that he thought he did useful, fruitful
13 work, that he enjoyed being there and the last
14 three or four years were in Homicide. In the
15 course of his interview what struck me was a
16 story he told about there being a serial rapist
17 of sex trade workers on the Downtown Eastside in
18 the early '90s, a Chinese fellow who let the
19 women live but would tell different stories and
20 so on, and he said there were 12 or 14 of them
21 that were his victims and in the course of his
22 answer, interview, he said this: All the victims
23 were sex trade workers so getting them to trust
24 us was a big challenge. So I thought my first
25 question to you is, and I ask this of all of the

1 members of the panel and in particular I wonder
2 if I could maybe start with you, Ms. de Vries,
3 did you know Mr. Lepine?

4 MS. DE VRIES: I'm not sure if I did. I certainly recognize
5 his name. I don't recall knowing him.

6 MR. ROBERTS: Ms. Hamilton?

7 MS. HAMILTON: I know of him but I would not have had any
8 interactions with him.

9 MR. ROBERTS: I was going to ask -- my next question is did he
10 meet the challenge of getting the trust of the
11 sex trade workers but you don't know enough about
12 that.

13 The other point from his interview that I
14 wanted to ask you is he says: It takes a lot to
15 get a girl to leave her spot except to turn a
16 trick right there. When they go further and
17 further away they get very nervous, so to go out
18 of town would be extremely unusual. Something
19 has to happen to get them there, violence, drugs,
20 a con. It's an unusual thing to have a sex trade
21 worker go out of town to turn a trick. Do you
22 agree with that?

23 MS. HAMILTON: Yes. As a matter of fact, we were just talking
24 about this the other day, Maggie and myself, and
25 Wayne and I when Sarah went missing and we were

1 in communication, Sarah went missing from a
2 corner of Princess and Hastings, and I asked
3 Wayne because there was another sex worker
4 kitty-corner to Sarah and that sex worker had
5 just driven around the block -- my point was I
6 asked Wayne to go down and do the timing of
7 driving around the block. My conclusion because
8 it happened so quickly to get around the block
9 and Sarah was gone, that she had to have known
10 the person, but that going out of town, as I
11 explained to Maggie, would be unheard of and that
12 I felt that there had to have been some
13 suppression of Sarah, that she would have fought
14 every step of the way and she wouldn't have gone
15 out to a place willingly such as the Port
16 Coquitlam property because you could get drugs
17 downtown. You don't need to go out to some place
18 40 minutes out of the city.

19 MR. ROBERTS: Would a warning from the police as opposed to
20 perhaps a community warning, would that have made
21 her even more reluctant, a warning about a killer
22 being active in the Downtown Eastside?

23 MS. DE VRIES: I believe that it would have made her more
24 reluctant. I think that we're also acknowledging
25 the possibility that she may have encountered a

1 very rapid situation of force that didn't give
2 her the option of escape reason.

3 MR. ROBERTS: Ms. Brooks touched on this, the language of the
4 warning, would you think it's important to have
5 truly appropriate language that gives the message
6 of a warning such as "Killer operating in the
7 Downtown Eastside" or "Killer taking away women
8 and murdering them," should there be language
9 such as that on the warning in your view?

10 MS. HAMILTON: I believe there should have been and I pushed
11 for that and went public with that when the
12 police were not willing to do that. I believed
13 that we had to get the message out to the women
14 on the stroll who were the most vulnerable to
15 this potential serial killer situation.

16 MR. ROBERTS: You feel a police warning would have had more
17 impact than the one that you actually put out?

18 MS. HAMILTON: Yes, because the police can get the word out on
19 the street. They have lots of officers, they're
20 there, they can issue the public warning, and it
21 carries a lot more credibility coming from them
22 because they're the experts, aren't they?

23 MS. DE VRIES: Credibility and authority, it carries authority
24 and credibility, especially given the
25 relationship where the police aren't very quick

1 to do that sort of thing, if they do do it I
2 think women would have paid attention to it.

3 MR. ROBERTS: But remember, you're saying credibility now from
4 sort of after the fact. Do you think it would
5 have had more credibility at the moment, at the
6 time to the women on the street?

7 MR. LENG: I think so.

8 MS. DE VRIES: Yes.

9 MS. HAMILTON: Yes.

10 MR. LENG: Absolutely.

11 MR. ROBERTS: Mr. Registrar, I wonder if you could put before
12 the panel Exhibit For Identification AA. It's a
13 cerlox binder which has in it the reward poster.
14 Could you open it for them, I think it's tabs 5,
15 6 or 7 where the poster is found.

16 MS. BROOKS: Tab 8.

17 MR. ROBERTS: Sorry, tab 8, Ms. Brooks says. Thank you.

18 Could I start with Mr. Leng. You spoke
19 about the poster. I take it that was the poster
20 you were referring to, the poster for the reward?

21 MR. LENG: It's a smaller one.

22 MR. ROBERTS: It was a larger version of that?

23 MR. LENG: Yes. I made lots of small versions of this and
24 posted them out. I made copies of this version
25 and sent them out.

1 MR. ROBERTS: I missed making a note, Ms. de Vries. Where did
2 you see that poster posted?

3 MS. DE VRIES: I recall seeing the poster but I couldn't tell
4 you where or under what circumstances I saw it.

5 MR. ROBERTS: A couple questions about the poster. It seems
6 to me, trying to think reasonably about this,
7 that that poster for the reward actually can be
8 said to have two aspects to it. One is the
9 offering of a reward for information as in the
10 text of the award and the other is as sort of a
11 warning. I mean, look at all the numbers of
12 unfortunately missing women, there's 31 on that
13 poster. Doesn't that together with the language
14 of a reward for finding information for the
15 conviction of the killer or perpetrator of these
16 crimes, doesn't that also have a warning aspect?

17 MS. DE VRIES: Yes. That was part of the reason why we were
18 pushing for that to happen, why we were pushing
19 for that happen.

20 MR. ROBERTS: Why you were pushing for a warning?

21 MS. DE VRIES: The reward and the warning as it related.

22 MR. ROBERTS: You were pushing for the warning before the
23 reward poster came out?

24 MS. DE VRIES: I was pushing simply for the police to
25 acknowledge the possibility that crimes had been

1 committed and there might be links among some of
2 them, that's all.

3 MR. ROBERTS: I have one more question -- maybe more than one
4 -- for the moment. Did you read the language of
5 the poster you hold in your hand at the time it
6 came out?

7 MS. DE VRIES: Yes.

8 MR. ROBERTS: Mr. Leng?

9 MR. LENG: Yes, I did at the time.

10 MR. ROBERTS: Ms. Hamilton?

11 MS. HAMILTON: Yes, I did and I was concerned about it.

12 MR. ROBERTS: Concerned about what?

13 MS. HAMILTON: The language. They were -- we learned that
14 they were fooling around with the language and I
15 thought the language could have been much
16 stronger.

17 MR. ROBERTS: What do you mean by "fooling around with the
18 language"?

19 MS. HAMILTON: As was told to me that they were concerned that
20 the -- regarding the reward and how it was going
21 to be allotted and so they put some language in
22 there that I think the reward couldn't be made
23 available until that led to bodies. I could be
24 wrong but I'd have to read it again.

25 MR. ROBERTS: Ms. de Vries?

1 MS. DE VRIES: While this is happening I'm not able to reflect
2 upon it adequately but it feels a little bit
3 softly worded and the mere fact that it took four
4 months from the time that the police board voted
5 in favour to it being implemented feels like
6 there was a great deal of resistance and that it
7 was done more as a --

8 MR. ROBERTS: Resistance from where?

9 MS. DE VRIES: The police, the people who agreed to put it in
10 place to doing so.

11 MR. ROBERTS: The word "kidnapping" appears three times in the
12 language of that poster. Is that a word that
13 would resonate with the women on the streets of
14 the Downtown Eastside, that there's a kidnapper
15 out there?

16 MS. HAMILTON: Absolutely. They would be frightened for their
17 lives. They would have, again, taken extra
18 special caution with someone driving around and
19 coming up to them and --

20 MR. ROBERTS: Would they understand from that word that there
21 is a taking away -- the potential of taking them
22 away somewhere, Ms. de Vries?

23 MS. DE VRIES: Yes. That's what kidnapping means.

24 MR. ROBERTS: The women working on the streets would take
25 notice of a word like that in a warning or in a

1 poster?

2 MS. DE VRIES: I believe so. I do find the poster somewhat,
3 as I look at it while you're talking, somewhat
4 impenetrable in terms of the requirement to read
5 the small text, sort of dense, small text. It
6 doesn't state in an easily accessible way what
7 the problem really is.

8 MR. ROBERTS: So if I go back to what Mr. Lepine said, that it
9 takes a lot to get the girls to leave their spot,
10 where they're working, would a warning with a
11 reference to kidnapping in it make them even more
12 reluctant?

13 MS. DE VRIES: Yes.

14 MR. ROBERTS: You're nodding?

15 MS. DE VRIES: Yes.

16 MS. HAMILTON: Yes.

17 MR. LENG: Yes, for sure.

18 MR. ROBERTS: Those are my questions, Mr. Commissioner.

19 THE COMMISSIONER: Thank you, Mr. Roberts.

20 **CROSS-EXAMINATION BY MR. GRATL:**

21 MR. GRATL: Thank you, Mr. Commissioner. Jason Gratl for
22 Downtown Eastside communities including sex trade
23 workers and drug users.

24 MS. DE VRIES: We can't hear you very well.

25 MR. GRATL: My job is to represent interests and the

1 perspective of the Downtown Eastside community
2 including sex workers and drug users, so my
3 questions will be oriented in that direction.

4 The first set of questions I have is for Mr.
5 Leng. Mr. Leng, you operated a website?

6 MR. LENG: Yes.

7 MR. GRATL: What was the url for the website?

8 MR. LENG: Missingpeople.net. www.missingpeople.net.

9 MR. GRATL: When did you start that website?

10 MR. LENG: January 15, '99.

11 MR. GRATL: What was the content on the website?

12 MR. LENG: When the website started it was really in memory of
13 Sarah de Vries but it grew when we found more
14 women were going missing to include all missing
15 women from the Downtown Eastside.

16 MR. GRATL: How long was it operative, how long was the
17 website up?

18 MR. LENG: It's still up.

19 MR. GRATL: Did anyone from the Vancouver Police Department
20 ever talk to you about the information on your
21 website?

22 MR. LENG: Yes. Detective Lori Shenher, she asked me to take
23 anything relating to the VPD off the website.

24 MR. GRATL: When was that?

25 MR. LENG: That would have been probably about -- it had to be

1 around in '99 I'm thinking, 1999.

2 MR. GRATL: Of course at the time that Detective Constable
3 Shenher spoke to you, your website did contain
4 information about the Vancouver Police
5 Department?

6 MR. LENG: Yes, it did.

7 MR. GRATL: Steps they had taken, steps they hadn't taken to
8 your knowledge?

9 MR. LENG: I believe so, yes.

10 MR. GRATL: It also contained many newspaper articles?

11 MR. LENG: Yes.

12 MR. GRATL: And references to newspaper articles?

13 MR. LENG: Yes.

14 MR. GRATL: And it highlighted the Vancouver Police
15 Department's official line that there was no
16 evidence of a serial killer?

17 MR. LENG: That's correct.

18 MR. GRATL: I take it as the website evolved there were links
19 between these missing women?

20 MR. LENG: Could you state that again?

21 MR. GRATL: There were links between the missing women, that
22 they were related?

23 MR. LENG: Yes, that's correct.

24 MR. GRATL: They were missing because of a series of related
25 crimes?

1 MR. LENG: Yes.

2 MR. GRATL: Amounting to murder, amounting to a serial killer?

3 MR. LENG: Yes.

4 MR. GRATL: Did Detective Constable Shenher ever talk to you
5 about that aspect of your website?

6 MR. LENG: Not really. It was: I would appreciate it if you
7 could take anything relating to VPD off your
8 website.

9 MR. GRATL: Did you then comply?

10 MR. LENG: No. There may have been an article I took off, I
11 don't recall, but I don't think I took anything
12 off.

13 MR. GRATL: You were responsible for bringing these missing
14 women to the attention of the producers of
15 *America's Most Wanted*; is that correct?

16 MR. LENG: Yes.

17 MR. GRATL: And they eventually attended Vancouver to run an
18 episode on the missing women?

19 MR. LENG: Yes.

20 MR. GRATL: I notice that missing women are not referred to as
21 victims of a serial killer in that *America's Most*
22 *Wanted* segment?

23 MR. LENG: Yes, they did.

24 MR. GRATL: They did refer to them --

25 MR. LENG: As I understand it, Vancouver Police Department did

1 not want there to be any reference to a serial
2 killer being involved, this came from Kimberly
3 Halkett who was the correspondent there, she told
4 me that.

5 MR. GRATL: At some point Detective Constable Shenher spoke to
6 you about a grid search that you were planning on
7 doing out in the Agassiz area?

8 MR. LENG: Yes.

9 MR. GRATL: With a private detective agency?

10 MR. LENG: Yes, CPA Investigations.

11 MR. GRATL: They had some dogs, did they?

12 MR. LENG: That's correct.

13 MR. GRATL: Can you tell me if you ever spoke to the Vancouver
14 Police Department about your plan to do a grid
15 search for bodies out in the Agassiz area?

16 MR. LENG: No, I had not. I was contacted by Detective
17 Constable Lori Shenher though. She asked me to
18 come down to the office, that there was three
19 things she wanted to talk to me about and one of
20 them was this idea of doing a grid search. She
21 said: You can't do that. She said: If you
22 happen to be out there and disturb the ground and
23 there was a crime scene out there you can be held
24 in obstruction of justice or something like that,
25 desecrating a known crime scene area.

1 MR. GRATL: She was suggesting if the search was successful
2 and you found bodies you might be charged with a
3 criminal offence?

4 MR. LENG: I think that's right.

5 MR. GRATL: You were excluded from some meetings organized by
6 the Vancouver Police Department for families of
7 the missing women. Could you tell me about that?

8 MR. LENG: I think the first meeting was the -- from the
9 Jardine family, Deborah Jardine and her husband
10 Ivan's daughter Angela Jardine was one of the
11 missing and they were too sick to travel and they
12 wanted me to sort of represent them at the first
13 meeting they were having down at VPD at 312 Main,
14 I think it was.

15 MR. GRATL: About what time was this?

16 MR. LENG: Gosh, I can't remember the timeframe. Do you know?

17 MS. DE VRIES: The June '99 meeting.

18 MR. LENG: Yes, I think it was the June '99 meeting because it
19 was at that time *America's Most Wanted* was in
20 town and I was lining up to go in and Detective
21 Shenher said I can't attend that meeting. I was
22 going to represent the Jardines but she said I
23 couldn't do that. She actually sent me an e-mail
24 saying I couldn't do that, that there was some
25 families that had concerns about you being there.

1 When I showed up to go in she said you can't go
2 in. She said understand me, it's not coming from
3 me, it's coming from the higher ups, and that was
4 the end of that.

5 MR. GRATL: Were you ever told what concerns families might
6 have?

7 MR. LENG: She didn't say.

8 MR. GRATL: Who was that said they had concerns?

9 MR. LENG: Detective Lori Shenher said families had concerns
10 about me. It might have been because -- although
11 they shouldn't have known -- that I had been
12 seeing Sarah, my relationship with Sarah I think
13 is what she stated.

14 MR. GRATL: If I understand your relationship with Sarah
15 correctly, there were times that you paid for sex
16 with Sarah?

17 MR. LENG: Yes.

18 MR. GRATL: But aside from that, generally speaking, you were
19 her friend?

20 MR. LENG: Yes, it was a complicated relationship. We -- I
21 had known her for almost four years, but yes, we
22 became friends.

23 MR. GRATL: Aside from seeing you as a friend and occasional
24 lover and occasional john, she also had other
25 boyfriends from time to time?

1 MR. LENG: Yes.

2 MR. GRATL: But you were close to her then?

3 MR. LENG: Yes. We were intimate in a lot of ways relating to
4 things that had happened in her, things that had
5 happened in my life. She was very open and
6 honest about what was going on in her life and me
7 so as well. We both had been through some
8 similar circumstances years before and she was
9 very open.

10 MR. GRATL: Do you know if Sarah ever had access to trauma
11 counselling for the abuse she suffered as a
12 child?

13 MR. LENG: Not that I know of. She never talked about
14 anything about going in for any counselling or
15 anything like that.

16 MR. GRATL: You were aware of the abuse though?

17 MR. LENG: Yes.

18 MR. GRATL: She told you about that?

19 MR. LENG: Yes.

20 MR. GRATL: Were you ever aware of drug treatment programs
21 available for Sarah?

22 MR. LENG: I had heard she had been in one -- she had gone to
23 jail actually for five or six months I think it
24 was, something like that, but I don't think she
25 ever went into any kind of a detox centre.

1 MR. GRATL: You indicated that you were excluded from a press
2 conference?

3 MR. LENG: Yes. I was actually excluded from basically all
4 meetings. There was an attempt at one point when
5 I came out to Vancouver, we were at the healing
6 tent at the Pickton farm where Valerie Hughes
7 was, Maggie de Vries was there, Freda Ens was
8 there, and they were going to get me on the
9 mailing list of what was going on but that never
10 happened.

11 MR. GRATL: Were you informed why that didn't happen?

12 MR. LENG: No. I just assumed it was because I wasn't a
13 family member.

14 MR. GRATL: I don't want you to take offence at this because
15 obviously I don't think that you're a viable
16 suspect having spoken to you at length about the
17 subject already, but you were one of the last
18 people to see Sarah alive?

19 MR. LENG: Yes.

20 MR. GRATL: You were her sometime lover and quasi-boyfriend?

21 MR. LENG: I was classified by her mother one time as a
22 boyfriend. Sarah had said to her that I was the
23 only person that ever put a picture of her
24 daughter -- allowed her to put a picture of her
25 daughter in my apartment, nobody else ever had.

1 MR. GRATL: You had reason to be jealous because there was
2 some competitors for her affections?

3 MR. LENG: Yes. There was some of that there for sure.

4 MR. GRATL: So to that extent you will agree with me it
5 wouldn't be unreasonable to treat you as suspect?

6 MR. LENG: Yes.

7 MR. GRATL: And in fact, you were treated as a suspect in
8 relation to Sarah's disappearance?

9 MR. LENG: Yes, although I wasn't cognizant of that fact at
10 the time but I think to not be a suspect, to be
11 involved with her and having seen her -- almost
12 the last person to see her, yes.

13 MR. GRATL: You were never taken into a police room or invited
14 into an interrogation room or had an interview or
15 interrogation?

16 MR. LENG: I had two interviews; one with Detective Al Howlett
17 and later with Detective Lori Shenher.

18 MR. GRATL: Were those videotaped or recorded?

19 MR. LENG: They were recorded, not videotaped. I was asked if
20 I would take a polygraph, submit to one, and I
21 said yes but there was never one.

22 MR. GRATL: There was never any polygraph?

23 MR. LENG: No.

24 MR. GRATL: Were you ever prior to Mr. Pickton's arrest in
25 2002 interviewed as a suspect by the Royal

1 Canadian Mounted Police or any of its members?

2 MR. LENG: Yes. Corporal Ted Van Overbeek came to California
3 to take some DNA and also to show me a series of
4 clothing and jewellery and things that were on
5 the CD and asked me -- and to show me as well
6 some mug shots of people from the Downtown
7 Eastside area, I am assuming, and just generally
8 asked me all sorts of different questions.

9 MR. GRATL: Was that recorded?

10 MR. LENG: I believe it was.

11 MR. GRATL: Were you ever told that you were eliminated as a
12 suspect or a person of interest?

13 MR. LENG: I heard that in the paper, in the newspaper article
14 that came out -- not eliminated though. Just not
15 a person of interest.

16 MR. GRATL: The reason I ask is because it seems as though
17 sometimes you were treated as a source of
18 information by Vancouver Police Department?

19 MR. LENG: Yes.

20 MR. GRATL: And sometimes you were treated as a suspect?

21 MR. LENG: Yes, I think that's probably accurate.

22 MR. GRATL: And sometimes you seem to be treated as an
23 unwelcome intermeddler?

24 MR. LENG: Yes.

25 MR. GRATL: But you never knew how you would be treated by the

1 Vancouver Police Department, they never clarified
2 their relationship with you?

3 MR. LENG: Not really. The person I had the most contact with
4 was Detective Lori Shenher and generally that was
5 through e-mail. I guess I was quite surprised --
6 like a lot of people were -- she kept a lot of
7 her belongings there, she kept a dresser, and
8 there they never came into my apartment to
9 question me or look through her things like they
10 didn't do with a lot of the missing women. So
11 that was quite -- I didn't understand that part,
12 why would they not.

13 MR. GRATL: Did they ever ask you for copies of her journals
14 or any of her writings --

15 MR. LENG: No.

16 MR. GRATL: -- to retrace her steps in the few days before her
17 disappearance?

18 MR. LENG: No. I can't really quite recall this but I think I
19 did take -- I still had possession of her
20 journals at the time -- I took them to Detective
21 Lori Shenher but I could be wrong on that. I
22 knew I had taken them to Lindsay Kines with the
23 *Vancouver Sun* but I'm not quite sure if I did to
24 Shenher or not.

25 MR. GRATL: Were you ever told anything other than -- by the

1 Vancouver Police Department or the RCMP that

2 there was no evidence of a serial killer?

3 MR. LENG: Yes. Basically we have no evidence of a serial

4 killer. That was just about all that was said.

5 MR. GRATL: Were you told anything other than that?

6 MR. LENG: Not really, no.

7 MR. GRATL: My next series of --

8 MR. LENG: Sorry, I should say that on my first interview with

9 Detective Al Howlett when I went in to see him he

10 had told me he was working on four cases and

11 Sarah was number five and he proceeded to tell me

12 of a case of a missing man, somebody who worked

13 next door at the Union Gospel Mission had

14 disappeared and they later found him something

15 like six months down the road down in South

16 America or something like that and it turned out

17 okay. I thought that he was trying to say to me

18 that she maybe just went away somewhere and she

19 may come back.

20 MR. GRATL: Were you ever provided an explanation for the

21 four-month delay in issuing the poster?

22 MR. LENG: No.

23 MR. GRATL: My next set of questions is for Ms. Hamilton.

24 Ms. Hamilton, we heard from former Chief

25 Blythe that the message out on the street to sex

1 workers was that sex work was risky work?

2 MS. HAMILTON: Yes. That's a line often used by the police.

3 I don't agree with that. I don't agree that sex

4 work is inherently violent.

5 MR. GRATL: And --

6 MS. HAMILTON: It's the conditions that sex workers are in my

7 opinion forced to operate in that make the work

8 extremely dangerous.

9 MR. GRATL: What I'd like to ask you about is generally the

10 tenor of that message. Was the message that --

11 did the message consist of specific warnings from

12 the Vancouver Police Department about dangerous

13 individuals or was it rather a general discussion

14 about sex work being dangerous and, therefore,

15 women shouldn't pursue such sex work?

16 MS. HAMILTON: I don't recall ever seeing public warnings in

17 the Downtown Eastside prior to the Pickton

18 arrest. Since that time of course I have seen

19 public warnings but I think at times the police

20 department would go into WISH and remind everyone

21 there that what they were doing carried risks.

22 MR. GRATL: But was that in the nature of trying to convince

23 women not to engage in sex work?

24 MS. HAMILTON: Yes. Actually, I became aware of a situation

25 they would take some women off the street and

1 offer -- take them to the PACE program and if
2 they went willingly to the PACE program that no
3 charges of communication would be laid.

4 MR. GRATL: So they were given a choice, either face charges
5 of soliciting or undertake a social program or
6 something?

7 MS. HAMILTON: Yes.

8 MR. GRATL: Many sex workers have warrants out for their
9 arrest?

10 MS. HAMILTON: Yes.

11 MR. GRATL: Does that influence their relationship with police
12 in any way?

13 MS. HAMILTON: Absolutely. It very negatively affects the
14 relationship, because I just think that the
15 police are -- when you're arresting someone it's
16 not a positive experience. As a matter of fact,
17 I can personally attest to that after -- after
18 our safe house was closed I wound up back out on
19 the street and the police came and arrested me
20 one night on the street for income tax, not
21 filing income tax, and did the whole handcuffing
22 thing in front of other sex workers, put me in
23 the paddy wagon, when they could have simply
24 probably just issued me a summons to appear. So
25 that, of course, is I think behaviour that's not

1 -- doesn't foster trust.

2 MR. GRATL: Sex workers generally because of their ongoing
3 criminalization by the federal government are
4 under risk of arrest and prosecution and
5 imprisonment?

6 MS. HAMILTON: Absolutely.

7 MR. GRATL: That changes their relationship with police of
8 course?

9 MS. HAMILTON: Of course, because the police are the ones that
10 are vested with doing investigations, arresting,
11 writing reports.

12 MR. GRATL: Obviously some officers you've spoken about are
13 aware of the power imbalance that level of
14 criminality creates between sex workers and
15 police officers. Can you speak more generally
16 though about beat officers and members of the
17 vice squad and their level of awareness about
18 that power imbalance?

19 MS. HAMILTON: Yes. I'd say the beat officers are, I would
20 say, more sympathetic. I think generally
21 speaking that Vice isn't as sympathetic as the
22 beat officers.

23 MR. GRATL: For a while Grandma's House operated a cellphone,
24 a 911 cellphone program?

25 MS. HAMILTON: Yes, we did.

1 MR. GRATL: These were cellphones only able to dial 911, no
2 other function?

3 MS. HAMILTON: No other function and it was supported and
4 funded by the Ministry of Women's Equality.
5 Cabinet Minister Jenny Kwan was the minister in
6 charge at that time that provided that funding.

7 MR. GRATL: When did the cellphone program start?

8 MR. LENG: Was it '99?

9 MS. HAMILTON: It was definitely '99 and I'm going to say
10 maybe around May, maybe April or May.

11 MR. GRATL: So around the same time that the police board
12 approved the reward?

13 MS. HAMILTON: Yes.

14 MR. GRATL: So what happened to that program, the cellphone
15 program?

16 MS. HAMILTON: The police were taking away the cellphones from
17 the women on the street and Lori Shenher had also
18 -- Detective Constable Shenher had approached me
19 and said that the police were angry about that
20 because now they would have to respond to what
21 she said was women, sex workers having bad dates.

22 MR. GRATL: Sorry, she said --

23 MS. HAMILTON: That many police officers were angry about it
24 because now they would have to respond to women,
25 sex workers, who were having bad dates.

1 MR. GRATL: What was your response to Detective Constable
2 Shenher?

3 MS. HAMILTON: Should I say what I said?

4 MR. GRATL: Yes.

5 MS. HAMILTON: I said they're a bunch of fucking assholes if
6 they're thinking that way.

7 MR. GRATL: Did you approach any VPD management level officers
8 to try and gain the Vancouver Police Department's
9 support for that program more widely?

10 MS. HAMILTON: The upper -- I think I would have spoken to
11 Gary Greer who I think was the inspector at that
12 time. He seemed to be the individual at the
13 higher level that I had more interaction with.

14 MR. GRATL: And do you recall ever finding Vancouver Police
15 Department support for that cellphone 911
16 program?

17 MS. HAMILTON: During that time?

18 MR. GRATL: Yes.

19 MS. HAMILTON: No, not at all. They were taking the phones
20 away.

21 MR. GRATL: Which individuals within the Vancouver Police
22 Department argued against the \$100,000 reward?

23 MS. HAMILTON: Who spoke at the Vancouver Police Department
24 board meeting was Deputy Chief Brian McGuinness
25 but also the chief constable was there and Deputy

1 Chief McGuinness said that it was the official
2 position of the Vancouver Police Department, so I
3 assumed that was also the position shared by all
4 of them.

5 MR. GRATL: And the then mayor, what was his position with
6 respect to the reward?

7 MS. HAMILTON: Mayor Philip Owen?

8 MR. GRATL: Yes.

9 MS. HAMILTON: Originally he was not in favour, as Ms. de
10 Vries mentioned, he said he would not fund a
11 location service, but as he began interacting
12 with us more I found -- and this is a different
13 experience than Maggie's -- but I found he became
14 more sympathetic and, in fact, he had announced
15 to me that he was going to support the reward.

16 MR. GRATL: Which he then did at the police board level?

17 MS. HAMILTON: Yes, he did.

18 MR. GRATL: You were in addition to asking for a reward, you
19 were asking for a poster and a task force; is
20 that right?

21 MS. HAMILTON: Yes, that's true, and an increase in the
22 Missing Persons Unit and that all the missing
23 cases during that period of time be treated as
24 homicides rather than just missing persons.

25 MR. GRATL: What did that mean to your mind, treating the

1 cases as homicides rather than missing persons?

2 MS. HAMILTON: I believed that there needed to be a much
3 broader investigation scope. There were only two
4 people within the Missing Persons Unit whereas
5 the Homicide Squad has many more officers and I
6 also believed that asking for the task force, as
7 we did at the time, there was a
8 multi-jurisdictional approach to that which would
9 benefit.

10 MR. GRATL: What did you mean by multi-jurisdictional
11 approach?

12 MS. HAMILTON: I'm talking about officers from Burnaby, Delta,
13 Richmond and New Westminster and North Van,
14 having -- working collaboratively because
15 sometimes the women travelled around. For the
16 most part they stayed in the area but some other
17 sex workers that had the ability to would go to
18 different strolls in those cities.

19 MR. GRATL: That was something you were asking for, the multi-
20 jurisdiction aspect of a task force, you were
21 asking for that in what time period?

22 MS. HAMILTON: '99. March 2nd, 1999.

23 MR. GRATL: Who were you asking to deploy a task force?

24 MS. HAMILTON: The police board.

25 MR. GRATL: Did you ever receive a response to that request

1 from the police board?

2 MS. HAMILTON: No -- oh, I might have been told but not in an
3 official way that -- I think I was told by
4 Detective Constable Lori Shenher that they felt
5 that they had enough resources to investigate.

6 MR. GRATL: Were you ever given an explanation for the four-
7 month interval between the police board
8 authorizing the reward and poster and the
9 issuance of the poster?

10 MS. HAMILTON: No.

11 MR. GRATL: In terms of your dealing with the RCMP after the
12 poster was issued, what was your impression about
13 what happened with the investigation of the
14 missing women?

15 MS. HAMILTON: I never had dealings with the RCMP; I only had
16 dealings with the Vancouver Police Department.

17 MR. GRATL: Did the RCMP ever advise you they were engaging in
18 an investigation in the Downtown Eastside?

19 MS. HAMILTON: No.

20 MR. GRATL: In terms of what is happening in Vancouver and the
21 Downtown Eastside right now, are you in a
22 position to comment about that?

23 MS. HAMILTON: Certainly. I go down there quite frequently.
24 I have many friends that are still on the street
25 down there and I'm in fairly constant

1 communication with sex trade workers in the
2 survival trade, so yes, and even going down there
3 and seeing everyone I can see that really nothing
4 has changed except for one little area under the
5 Hastings viaduct where they put some better
6 lighting in.

7 MR. GRATL: We heard from John Lowman and Susan Davis and
8 others about displacement of sex workers into
9 specific territories. Is that displacement
10 phenomenon, that corrosion of killing fields, is
11 that still ongoing? Are those zones being
12 enforced?

13 MS. HAMILTON: I would believe so. I would say I see a lot of
14 it up on Kingsway as well, that the women are
15 told to move on, they must continue walking. In
16 terms of the Downtown Eastside, yes, there is
17 definitely containment north of Hastings in the
18 industrial area and that the sex workers
19 shouldn't travel really beyond Commercial Drive
20 to the east.

21 MR. GRATL: Do you know who makes decisions about where sex
22 workers are being contained or should be
23 contained?

24 MS. HAMILTON: I believe and I've seen a letter to this effect
25 previously from the deputy chief -- not deputy

1 chief, from the Chief Terry Blythe so I believe
2 it comes from the upper echelon of the Vancouver
3 Police Department.

4 MR. GRATL: Those are decisions that are made on an ongoing
5 basis to your mind at the senior level of the
6 Vancouver Police Department?

7 MS. HAMILTON: Yes.

8 MR. GRATL: Do you know if city hall urban planning division
9 is involved in those decisions?

10 MS. HAMILTON: I've talked with the director of social
11 planning, Mary Clare Zak, and no, she hasn't been
12 involved working with the police department on
13 the issue.

14 MR. GRATL: As I understood your evidence you consider
15 containment to be one factor that increases risk
16 of violence against sex workers?

17 MS. HAMILTON: Absolutely, and I think the -- what we're here
18 talking about today verifies that.

19 MR. GRATL: Pardon me?

20 MS. HAMILTON: I think what we're doing here today, talking
21 about the harm that was created, was a direct
22 result of that containment. It allowed for
23 people like Pickton to come down and operate with
24 complete anonymity.

25 MR. GRATL: So putting aside the concern of residents and

1 residents associations over their own property
2 values, concern of merchants over their own
3 retail traffic and the concerns of industrial
4 land owners about their unrestricted business
5 interests, is it your view that the elimination
6 of the containment policy today would enhance the
7 safety of sex workers?

8 MS. HAMILTON: Yes, definitely. I feel and I think I've
9 mentioned this numerous times, that places like
10 Grandma's House served a very useful purpose and
11 we were right in the heart of the containment
12 zone. It's a -- why the decision was to shut it
13 down, still I can't believe the stupidity of that
14 decision.

15 MR. GRATL: I'll ask you more questions about that in a
16 moment. You're aware, are you still, of a number
17 of sex offenders and sexual predators who are
18 attacking sex workers?

19 MS. HAMILTON: Am I aware of them?

20 MR. GRATL: Yes.

21 MS. HAMILTON: Yes.

22 MR. GRATL: We heard evidence that in around 1999 and 2000
23 there were hundreds of predators. Is that a
24 fair, accurate estimate at that time?

25 MS. HAMILTON: I think it is, yes.

1 MR. GRATL: How about today, how many predators would be
2 around? Would there be an increase or decrease
3 in numbers to your mind?

4 MS. HAMILTON: I believe there's an increase.

5 MR. GRATL: Has there been an increasing of policing to make
6 sex workers safer?

7 MS. HAMILTON: No. As a matter of fact, I often hear them
8 complaining they're very short of officers.

9 MR. GRATL: You're aware that there is a sex worker liaison
10 officer Linda Malcolm?

11 MS. HAMILTON: Yes, I'm aware of Ms. Malcolm.

12 MR. GRATL: And you're of course aware she's only one person?

13 MS. HAMILTON: Yes.

14 MR. GRATL: You know that she has a number of duties aside
15 from sex work liaison?

16 MS. HAMILTON: Yes. She's not allocated full time to the
17 position which I think she should be.

18 MR. GRATL: In your view how many sex work liaison officers
19 should there be?

20 MS. HAMILTON: Well, as a start I'd like to see two, one
21 civilian that works with Ms. Malcolm, but I think
22 there could be a few more added in. There
23 certainly should be someone of aboriginal
24 heritage that is added to that position as well
25 because we have a disproportionate number of

1 aboriginal survival sex workers and I think in
2 terms of building the trust, many survival sex
3 workers I think would feel more comfortable
4 speaking with someone from their own culture.

5 MR. GRATL: Is that something that sex worker advocates and
6 sex workers have been asking for, an increased
7 number of liaison officers?

8 MS. HAMILTON: Yes.

9 MR. GRATL: How long have they been asking for this to be put
10 into place?

11 MS. HAMILTON: I'm going to say since early, early 2000. It's
12 been quite a while.

13 MR. GRATL: And it consistently hasn't been implemented by the
14 Vancouver Police Department?

15 MS. HAMILTON: No.

16 MR. GRATL: Has the Vancouver Police Department provided an
17 explanation for failure to put in more sex worker
18 liaison officers?

19 MS. HAMILTON: They say they don't have enough resources.

20 MR. GRATL: The same explanation that they gave for failing to
21 investigate the missing women?

22 MS. HAMILTON: Yes.

23 MR. GRATL: You were living in the Downtown Eastside during
24 the time of the extraordinary policing program
25 that then Deputy Chief and following that Chief

1 Blythe put into place?

2 MS. HAMILTON: Yes.

3 MR. GRATL: That consisted of, among other things, a very
4 aggressive police force?

5 MS. HAMILTON: Yes, it did.

6 MR. GRATL: It included mounted police riding down Hastings?

7 MS. HAMILTON: Yes.

8 MR. GRATL: I wonder if you can characterize that time and
9 that type of policing?

10 MS. HAMILTON: Well, I thought -- it just seemed really odd to
11 me. The police explanation at the time was that
12 the people of the Downtown Eastside liked to pet
13 the horses, but to me it just reminded me back in
14 a period of time when there was great conflict in
15 the Downtown Eastside, the Gastown riots where
16 the police came in on horseback and dispersed
17 people and I thought with these horses that they
18 were trying to disperse, break up the drug trade
19 that was happening down there.

20 MR. GRATL: Many survival sex workers use illicit substances?

21 MS. HAMILTON: Yes.

22 MR. GRATL: In your understanding did survival sex workers
23 take a message from that extraordinary policing
24 program? We heard former Chief Blythe say that
25 the extraordinary policing program made the

1 Downtown Eastside a safer place and was for the
2 benefit of communities. Did the sex trade
3 workers of the Downtown Eastside see it that way?

4 MS. HAMILTON: No. Even someone such as myself as an activist
5 down there wouldn't have seen that. It
6 definitely was not a safer environment. You had
7 a number of women being taken to Crab Park, for
8 instance, and against their will were forced to
9 engage in sexual activity that they never had
10 agreed upon, that there was a fraud that
11 occurred, that they thought they were just going
12 down to do a certain thing and they were abused,
13 50 women, and that's a lot.

14 MR. GRATL: Is trauma counselling for childhood physical and
15 sexual abuse something that is available in the
16 Downtown Eastside?

17 MS. HAMILTON: No.

18 MR. GRATL: I know there's a rape relief society.

19 MS. HAMILTON: A which?

20 MR. GRATL: A rape relief society.

21 MS. HAMILTON: Vancouver Rape Relief.

22 MR. GRATL: And battered women in the Downtown Eastside. Are
23 those programs accessible to survival sex
24 workers?

25 MS. HAMILTON: I can't comment on Battered Women Support

1 Services but Vancouver Rape Relief are not viewed
2 favourably by the sex trade because they have a
3 position that women need to exit the sex trade
4 for their own good. So there's that mistrust
5 there that if women do access the program they
6 are forced to have to agree that they're going to
7 be exiting the sex trade.

8 MR. GRATL: So there isn't a great deal aside from childhood
9 sexual and physical trauma, there are no
10 consistent resources for adult sexual and
11 physical trauma for sex trade workers in the
12 Downtown Eastside?

13 MS. HAMILTON: No. Any of the programs I know of might be
14 peer based in terms counselling but no expertise
15 of those that hold degrees or diplomas to provide
16 this expertise in counselling.

17 MR. GRATL: Is that something that the community has been
18 demanding?

19 MS. HAMILTON: Yes, it has.

20 MR. GRATL: For how long?

21 MS. HAMILTON: It's been a long time. I think back to the
22 '90s and there was the request then.

23 MR. GRATL: How about drug treatment, we've heard a lot of
24 evidence about addiction especially to crack
25 cocaine heroin. Are there sufficient treatment

1 facilities, detox and longer treatment facilities
2 for sex workers on the Downtown Eastside?

3 MS. HAMILTON: No, there isn't and it's quite shocking there
4 is way more beds available for men but not for
5 women.

6 MR. GRATL: So there's a gendered aspect, gender
7 discrimination in terms of the number of beds
8 available?

9 MS. HAMILTON: Yes.

10 MR. GRATL: Both for detox and for long-term drug treatment?

11 MS. HAMILTON: Yes.

12 MR. GRATL: How about detox and long-term treatment
13 specifically for sex workers, are there greater
14 barriers to accessing those treatment facilities
15 for sex workers?

16 MS. HAMILTON: In terms of detox you're forced to go into a
17 co-ed detox and when you're already dealing with
18 violence from men and then you're put into a
19 program that there's many males in that program,
20 it's very frightening. As far as treatment, I
21 don't recall any specific treatment program that
22 is available for sex trade workers who I think
23 need a very specific treatment type of approach.

24 MR. GRATL: I'd like to ask you a few questions about the
25 relationship between the Crown office, the

1 prosecution service in British Columbia and the
2 sex workers. The first is on the side of
3 victimization, you're aware -- do you have
4 experience with cases where sex trade workers
5 have been victims of violence and the
6 perpetrators have been prosecuted?

7 MS. HAMILTON: Yes.

8 MR. GRATL: What's the reputation of the Crown office and
9 victims services in respect of those
10 prosecutions? Do the women feel supported? Is
11 there anything that can be done to assist women
12 in that regard?

13 MS. HAMILTON: I do believe that there can be approaches taken
14 that do assist the women and, you know, there
15 should be a freeze on charge approvals. I don't
16 believe that, for instance, really has assisted
17 women trapped in the survival sex trade because
18 it's going to ruin their life later on. In terms
19 of often what has been relayed to me and from my
20 own experience is that the men that seem to
21 violate sex trade workers are given lighter
22 consequences compared to say if a male raped a
23 UBC female student, there's different sentencing
24 and that's quite noticeable.

25 MR. GRATL: In order to testify against the perpetrator of

1 violence a sex worker has to come to court and
2 has to have dealings with police officers?

3 MS. HAMILTON: Yes.

4 MR. GRATL: When warrants are outstanding for the arrest of a
5 sex worker or when she is in possession of
6 illicit substances, would those things be
7 barriers to coming to court as a witness?

8 MS. HAMILTON: Absolutely, absolutely. You're criminalized on
9 many fronts.

10 MR. GRATL: Would it be of assistance to have a type of
11 immunity program from prosecution from warrant
12 execution for sex workers who are victims of
13 violence?

14 MS. HAMILTON: Absolutely, and I'm hoping that this commission
15 can go down that path and come out in favour of
16 that as one of the recommendations.

17 MR. GRATL: I know that Deputy Chief LePard testified that
18 it's an unofficial policy of the Vancouver Police
19 Department not to prosecute women for
20 communication offences, solicitation offences; is
21 that true in your experience?

22 MS. HAMILTON: No, and the statistics don't back up that
23 claim. If you look at communication charges, I'd
24 say at least 70 percent of the charges are
25 against sex workers and not the male customers.

1 MR. GRATL: Even if it were true that the number of
2 prosecutions are relatively low, would it be of
3 assistance for the Vancouver Police Department or
4 the police board to institute a program of
5 expressly considering prosecution of sex workers
6 to be a very low policing priority?

7 MS. HAMILTON: Yes. I would hope that they would do that and
8 that's one of the areas where they have
9 discretionary power and I'd like to see them
10 develop a policy in that regard.

11 MR. GRATL: Sometimes in police officers dealing with sex
12 workers no charges are laid but there's still
13 adverse interaction between the police officer
14 and the sex worker; isn't this right?

15 MS. HAMILTON: Yes. I think I provided an example earlier
16 where the women are taken and told to go to this
17 program and if they do then there won't be the
18 laying of charges, and so I think that creates a
19 level of distrust that the women are being moved
20 against their will and being forced to have to do
21 something that they would have rather have a
22 choice in the matter and aren't really given a
23 choice.

24 MR. GRATL: Even if no charges are laid, sometimes the threat
25 of charges being laid can be used by police

1 officers to get women to do things they wouldn't
2 otherwise do, like provide police with
3 information about crimes being committed or turn
4 people in?

5 MS. HAMILTON: Yes, and I've watched that in the containment
6 as well, that if you agree to be pushed down into
7 that industrial area north of Hastings you won't
8 be charged but if you continue to stay on
9 Hastings Street, for instance, in the low track
10 area that you will be charged.

11 MR. GRATL: Thank you. I still have more questions but -- is
12 it 11:30 now or 12:30?

13 THE REGISTRAR: 11:30.

14 THE COMMISSIONER: Do you want a break?

15 MR. GRATL: No, I'm fine.

16 THE COMMISSIONER: Do you want a break?

17 MS. HAMILTON: No. I'm used to talking.

18 THE COMMISSIONER: We'll take ten minutes.

19 THE REGISTRAR: The hearing is now recessed for ten minutes.

20 (PROCEEDINGS ADJOURNED AT 11:30 A.M.)

21 (PROCEEDINGS RESUMED AT 11:42 A.M.)

22 THE REGISTRAR: Order. This hearing is now resumed.

23 THE COMMISSIONER: Go ahead.

24 MR. GRATL: Ms. Hamilton, we've heard evidence about the
25 treatment accorded to people from the Downtown

1 Eastside that call into the 911 service, E-Comm.

2 I wonder if you can comment about that.

3 MS. HAMILTON: You know, I have to be honest. I don't feel
4 comfortable, I don't have enough information to
5 comment on that.

6 MR. GRATL: Thank you for your candor. We've also heard
7 evidence about the Sister Watch program. I
8 wonder if you can comment about the Sister Watch
9 program efficacy.

10 MS. HAMILTON: I've heard complaints about it.

11 MR. GRATL: What sort of complaints?

12 MS. HAMILTON: It doesn't seem -- there are advocates from
13 women's equality seeking organizations meeting
14 with the police but from sex workers themselves
15 or even former sex workers, they're not really
16 part of that Sister Watch program and they feel
17 left out.

18 MR. GRATL: I understand there was some concerns about the
19 Sister Watch program, about the lack of staff to
20 answer the phones?

21 MS. HAMILTON: I'm not even sure if they do have staff
22 assigned to that program.

23 MR. GRATL: Who is answering the phones to your knowledge or
24 is anybody?

25 MS. HAMILTON: I don't think anybody is.

1 MR. GRATL: Is it just an answering machine?

2 MS. HAMILTON: Pager.

3 MR. GRATL: Voicemail service?

4 MS. HAMILTON: Yes.

5 MR. GRATL: Two telephones were installed as part of the
6 Sister Watch on Columbia Street?

7 MS. HAMILTON: I had heard about public phones on Columbia.

8 MR. GRATL: They're 911-only phones. Were you aware of that?

9 MS. HAMILTON: I wasn't aware of that.

10 MR. GRATL: Maybe I'm asking the wrong person then, but
11 Columbia Street is a dangerous place to be at
12 night?

13 MS. HAMILTON: Absolutely. You have all the drug trafficking
14 happening right there on both sides of the
15 street. There's Radio Station Cafe right there,
16 the Sunrise Hotel and then Pigeon Park Savings
17 kitty-corner, so yes, it's a very dangerous
18 place to be and especially if you're reporting
19 some instance of violence to you, especially if
20 pimps are watching. So it would be --

21 MR. GRATL: It's effectively a counter-productive place to put
22 911 telephones?

23 MS. HAMILTON: I certainly wouldn't put 911 phones on that
24 corner.

25 MR. GRATL: If a sex worker is assaulted outside of Columbia

1 Street, what's the likelihood a sexual worker
2 will be inclined to go to Columbia Street?

3 MS. HAMILTON: Are they going to go from where they've been
4 violently assaulted to another area it would put
5 them in danger -- it doesn't seem right.

6 MR. GRATL: You testified that Detective Constable Shenher
7 asked you to apologize to Sandy Cameron.

8 MS. HAMILTON: Yes, she did.

9 MR. GRATL: Did you apologize to Sandy Cameron?

10 MS. HAMILTON: I did. I must say, I didn't feel I had done
11 anything wrong by questioning Ms. Cameron but I
12 also recognized that if I didn't apologize that
13 there would be a shutdown of communication, that
14 it would be hard to relay information or obtain
15 information.

16 MR. GRATL: So Detective Constable Shenher by asking you to
17 apologize was threatening essentially to freeze
18 you out of the missing person unit if you didn't
19 apologize?

20 MS. HAMILTON: Yes.

21 MR. GRATL: In the conversation that led up to this demand for
22 apology, what rank did Sandy Cameron identify
23 herself as holding?

24 MS. HAMILTON: I believe it was sergeant.

25 MR. GRATL: Would it be of assistance to have a province-wide

1 1-800 number?

2 MS. HAMILTON: Absolutely. That's been talked about for so
3 long. It started at Vancouver council back in
4 1999 and it still hasn't come into being yet.

5 MR. GRATL: Do you know who was asking for that 1-800 number
6 to be into effect?

7 MS. HAMILTON: Yes. Councillor Lynn Kennedy at the time I
8 believe was working with family members,
9 including Darryl Hughes -- probably Maggie.

10 MR. GRATL: Do you know why it was never put into effect?

11 MS. HAMILTON: I have no idea why that never happened.

12 MR. GRATL: In your view would it be of assistance to have a
13 missing persons service that's a civilian-run
14 service rather than police-run service or would
15 that make a difference?

16 MS. HAMILTON: I think it would make a difference. A civilian
17 service, I think women would be more inclined to
18 call that number.

19 MR. GRATL: Whose idea was a missing persons poster in the
20 first place?

21 MS. HAMILTON: Certainly we called for it in our -- oh, no,
22 for the poster itself --

23 MR. LENG: I thought it was you. I thought it was Jamie. At
24 Grandma's House we were talking about a reward
25 and a poster.

1 MS. HAMILTON: So much was happening at that time. I know the
2 reward we were calling for absolutely and, you
3 know, there could have been the call for the
4 poster as well.

5 MR. GRATL: All right.

6 MS. HAMILTON: It sort of went hand in hand.

7 MR. GRATL: And the last area I wanted to ask you about was
8 Grandma's House. That was run from 1996 to 2000?

9 MS. HAMILTON: Yes.

10 MR. GRATL: It was taken down -- do you remember what month it
11 was taken down?

12 MS. HAMILTON: August of 2000.

13 MR. GRATL: What events precipitated it being taken down?

14 MS. HAMILTON: There were a number of events but the main of
15 course was an undercover operation where because
16 we were renting out rooms the police decided to
17 do an undercover operation and see if they could
18 rent rooms, and always through the female they
19 would come to the door and we'd say yes, \$15 to
20 rent the room.

21 MR. GRATL: How many days did they run an undercover
22 operation?

23 MS. HAMILTON: Three days.

24 MR. GRATL: How many officers were involved in the undercover
25 operation?

1 MS. HAMILTON: There were two officers each time coming into
2 the safe house and then there was undercovers
3 outside watching the backs of the undercover
4 operators, so -- and then there was Vice
5 involvement. I'd say altogether, 10 to 12
6 policing officials involved.

7 MR. GRATL: Obviously breaking the law was part of Grandma's
8 House at some point, that is, Grandma's House in
9 addition to being a safe house for sex workers
10 also was formally speaking a bawdy-house?

11 MS. HAMILTON: So was every five-star hotel in this city.

12 MR. GRATL: Fair enough.

13 MS. HAMILTON: I don't mean to be flippant. The climate you
14 have to look at, there was a serial killer
15 roaming the streets and we had to take unlawful
16 efforts, I guess, to protect the women because
17 the police certainly weren't protecting the
18 women. So yes, I was aware that we were breaking
19 the law as the law stood but I believed that law
20 in fact put sex workers in danger and if we
21 couldn't set up our own way to protect ourselves
22 how effective is that law in society to begin
23 with?

24 MR. GRATL: After you were arrested conditions of bail were
25 imposed on you. Do you remember what those were?

1 MS. HAMILTON: Yes. I was not to have any contact with sex
2 workers; we weren't allowed to keep the safe
3 house open; I was not to be found in the vicinity
4 of where sex workers congregated, so essentially
5 I was told not to be in the industrial area.

6 MR. GRATL: So the conditions of bail I take it effectively
7 restricted you not only from operating Grandma's
8 House but from operating any sex worker safe
9 house at all?

10 MS. HAMILTON: Correct.

11 MR. GRATL: Lawful or unlawful?

12 MS. HAMILTON: Yes.

13 MR. GRATL: And it prevented you from even having contact with
14 sex workers?

15 MS. HAMILTON: Yes, it did.

16 MR. GRATL: And radically diminished your ability to engage in
17 sex worker advocacy, so for the period of your
18 bail you were disabled by the request of the
19 Crown and the police from engaging in advocacy to
20 assist sex workers?

21 MS. HAMILTON: Yes, but we did request that the bail be
22 altered so that I could in fact go out on the
23 stroll myself and work as a sex worker because I
24 had no other means to support myself so that was
25 allowed.

1 MR. GRATL: But you were prevented from engaging effectively
2 in sex worker advocacy for the duration of that?

3 MS. HAMILTON: Yes, definitely.

4 MR. GRATL: How many years was that you were prevented from
5 engaging in sex worker advocacy as a result of
6 these charges?

7 MS. HAMILTON: Until the charges were stayed and the charges
8 were stayed I believe in 2003 after the trial
9 judge lost her ruling.

10 MR. GRATL: Did you have a sense of why -- I mean, the police
11 obviously knew that Grandma's House was operating
12 since it had opened?

13 MS. HAMILTON: Oh, yes, absolutely, and we were operating
14 without any interference from the police. They
15 didn't -- I wouldn't have said they were
16 supportive. They certainly never visited the
17 place until such time that we began forcefully
18 speaking out, Mr. Commissioner, on the issue and
19 then we found that we were targeted by the police
20 and we weren't even renting out rooms at that
21 point and they were involved in displacing us
22 from the centre that we had at 1127 East
23 Hastings.

24 MR. GRATL: How were they involved in displacing you from 1127
25 East Hastings? Where is that, by the way? What

1 is the nearest cross-street?

2 MS. HAMILTON: Glen Drive.

3 MR. GRATL: East or west of Clark?

4 MS. HAMILTON: It's just west of Clark, two blocks. They said

5 to the city senior manager we weren't an

6 appropriately zoned place in terms of being --

7 the zoning for that area apparently, our use of a

8 non-profit drop-in was a conditional use, and so

9 therefore there was dialogue between the police

10 and the city that the long and short of it was

11 that the property owners would have to do a major

12 upgrade to the building and the property owner

13 wasn't willing to do that so we tried to move

14 just one building west right by the Astoria Hotel

15 and the police blocked that move and then it came

16 out in a letter they were trying to move us,

17 displace us, north of Hastings into an area right

18 behind the Waldorf Hotel, in an alley-way behind

19 the Waldorf Hotel which was really deserted at

20 nighttime which would have put sex workers in

21 even further danger to access that safe house.

22 MR. GRATL: You had ongoing dialogue with Vancouver Police

23 Department members involved in your dealings with

24 various landlords and potential landlords?

25 MS. HAMILTON: Yes.

1 MR. GRATL: Who were the officers involved in that?

2 MS. HAMILTON: Those would have been Gary Greer. Let me
3 reflect back on the time. Russ Mitchell who was
4 originally in our area of the Downtown Eastside
5 but then he wound up over at the Hastings North
6 policing office, he was involved.

7 MR. GRATL: Did it make it up as high as Brian McGuinness?

8 MS. HAMILTON: That I can't answer.

9 MR. GRATL: You explained all your concerns about the
10 requirement, the need for Grandma's House to be
11 in an appropriate location, did you explain all
12 of those concerns to Gary Greer?

13 MS. HAMILTON: Yes, absolutely. It was important that he
14 understand that we were serving a valuable need
15 in offering protection and safety for sex workers
16 who were in extreme danger, and their decision
17 about not allowing us to move right by the
18 Astoria, they said they had enough problems in
19 the area but that they recognized that Grandma's
20 House was not a problem for them but they just
21 didn't want another agency there, and then when
22 they were trying to force us into this awful
23 alley it was just like oh, boy, don't they have
24 any feelings? Like why would they -- they know
25 the violence that is happening there already, why

1 would they do that?

2 MR. GRATL: And in fact, that area right by the Astoria is
3 exactly where Sarah de Vries went missing; is
4 that right?

5 MS. HAMILTON: Just about a block away, block and a half. But
6 many of the women -- the Astoria Hotel was one of
7 Pickton's hunting grounds.

8 MR. GRATL: Did you yourself know Robert William Pickton?

9 MS. HAMILTON: I had seen him cruising the area.

10 MR. GRATL: Were you ever shown any photo books of any
11 potential suspects?

12 MS. HAMILTON: No.

13 MR. GRATL: Not by Lori Shenher, not by any other officer?

14 MS. HAMILTON: No. I was told that they had one suspect in
15 mind but...

16 MR. GRATL: My remaining questions are for Maggie de Vries.
17 Is it de Vries?

18 MS. DE VRIES: de Vries.

19 MR. GRATL: At one point you wrote an article, an opinion
20 piece for the *Vancouver Sun* dealing with the fact
21 sex workers are not transient?

22 MS. DE VRIES: Yes.

23 MR. GRATL: Sarah had a home in the Downtown Eastside and many
24 friends?

25 MS. DE VRIES: Yes.

1 MR. GRATL: She didn't venture out so it was inappropriate to
2 call her transient?

3 MS. DE VRIES: Yes.

4 MR. GRATL: The article was in response to other sources of
5 information suggesting that in fact sex workers
6 were transient?

7 MS. DE VRIES: Yes.

8 MR. GRATL: Who were the sources you were responding to in
9 your article?

10 MS. DE VRIES: It was perceived wisdom presented by the
11 Vancouver Police Department as a whole and those
12 -- I can't -- it was the message that came out in
13 the Vancouver Police Department repeatedly
14 through that whole period of time when they were
15 interviewed by the press, when we talked to them,
16 when we tried to say maybe something has happened
17 to these women, my sister wouldn't go off like
18 this, we would be brought back to, well, you
19 know, these women relocate all the time. But I
20 can't -- I can't say that I precisely remember
21 Detective Howlett or Detective Shenher telling me
22 that specifically themselves, but the
23 unwillingness to admit the possibility of
24 violence pointed to that over and over again for
25 months and led me to that place where I went to

1 the paper to say something publicly.

2 MR. GRATL: This is one aspect of the logic of the Vancouver
3 Police Department that I don't understand. When
4 you asked for more resources I take that the
5 continual response to that was that the women are
6 transient, no fixed address and so forth;
7 correct?

8 MS. DE VRIES: Yes. Then the statement in the police board
9 meeting was when there's evidence, then the
10 resources will be made available.

11 MR. GRATL: What I don't understand is even if it is assumed
12 wrongly that sex workers are transient, how did
13 that connect to refusing to deploy resources to
14 investigate crimes against them?

15 MS. DE VRIES: I think it's the idea that people have the
16 right to relocate them and it's not the job of
17 the police force to go find them if and when they
18 do. That leads back to the "We're not operating
19 a relocating service". If people have willingly
20 simply gone somewhere the police don't see that
21 as their role to track them down, they're adults.

22 MR. GRATL: You were asking for resources to be deployed and
23 the message you kept getting back from the police
24 department is no, your loved one has just moved
25 away without telling you?

1 MS. DE VRIES: Yes. At the same time that I saw individual
2 police officers engaging in investigation as they
3 were able, but that was one or two individuals
4 without the support of the police department as a
5 whole.

6 MR. GRATL: Did you take that message personally, implying
7 that you didn't really know your sister and she
8 didn't care enough about you to tell you where
9 she had gone?

10 MS. DE VRIES: Yes, I took it personally in that way and I
11 knew that was wrong, I knew they were wrong about
12 that. I also found it profoundly frustrating
13 because we were -- there was simply no way of
14 understanding -- no way of communicating in a way
15 that was productive for the investigation and I
16 could see the delay that was being imposed by
17 this repeated belief and no attempt to discover
18 whether or not this belief can be substantiated
19 in any way and in the face of all of these --
20 many women who suddenly had decided to go
21 somewhere else.

22 MR. GRATL: I take it that because you were ready to advocate
23 publicly in the *Vancouver Sun* you must have also
24 advocated privately with the Vancouver Police
25 Department officers you had contact with?

1 MS. DE VRIES: Yes. Certainly it wasn't my first step to
2 write to the *Vancouver Sun*. I came into this in
3 April of '98 with no history of any contact with
4 media or police really ever in my life.

5 MR. GRATL: And so when you heard this there is no evidence,
6 transient women line repeated over and over again
7 you must have gone to -- was it Al Howlett and
8 Detective Constable Shenher?

9 MS. DE VRIES: Yes.

10 MR. GRATL: To tell them they must be mistaken on some level
11 because it simply wasn't true?

12 MS. DE VRIES: Yes, and I heard from Detective Shenher some
13 understanding of what I was saying and some
14 acceptance and I believed that she believed from
15 very early on when she came on the case that
16 there was foul play and she received those tips
17 right away, almost the moment she walked through
18 the door, so I believed that she believed that
19 there were murders. But even with that, it
20 didn't seem to matter, the fact that she may have
21 believed that and I would say she did believe
22 that, didn't result in resources coming her way
23 to support what she was investigating for months
24 and months and months -- for a year essentially.

25 MR. GRATL: I suppose there's a distinction to be made between

1 making family members feel better, providing them
2 with emotional support and listening to what they
3 have to say as though they're a source of
4 information?

5 MS. DE VRIES: Yes.

6 MR. GRATL: The general police line about what women being
7 transient to you meant the police were proceeding
8 in the investigation on the basis of inaccurate
9 information about your sister?

10 MS. DE VRIES: Yes.

11 MR. GRATL: They had it wrong and it was making them
12 investigate in an incorrect way?

13 MS. DE VRIES: Yes.

14 MR. GRATL: When you spoke to Detective Shenher did she
15 receive you in the mode of a family member who
16 needed emotional support because she missed her
17 sister?

18 MS. DE VRIES: I would have to say probably both. I think
19 police officers are trained -- I think that
20 police officers are trained to see family members
21 as not completely reliable sources of
22 information, that they need to verify information
23 that they get from family members. Just because
24 I say something about my sister doesn't make it
25 true. I certainly recognize that there's

1 validity to that point of view, but at the same
2 time what happened was there was family after
3 family after family giving the same story and I
4 think then it becomes harder and harder to
5 dismiss that information. She was supportive of
6 me -- I felt emotionally supported by Lori
7 Shenher. That's the other part. But I didn't
8 feel it in the "pat on the head and off you go
9 kind of a way".

10 MR. GRATL: The reason I'm wondering is because you did write
11 that opinion piece to the *Vancouver Sun*.

12 MS. DE VRIES: Yes. When did that run?

13 MR. GRATL: I think it was in the first few of months 1999.

14 MS. BROOKS: It was April 12, 1999 and it's in the book of
15 documents I provided under tab 13.

16 MS. DE VRIES: Under A13?

17 MS. BROOKS: Yes, page A17.

18 MS. DE VRIES: That is when -- that is two weeks before the
19 police board meeting, so that is during the
20 period I and others were doing everything that we
21 could to pressure the police to offer a reward.
22 That's against the backdrop of the reward for the
23 garage robberies of the statement that -- the
24 locating service statement that showed such a
25 belief from the head, the chair of the police

1 board that the women hadn't met with any foul
2 play at all. At that point I was extremely
3 frustrated and looking for every avenue I could
4 to bring awareness and bring pressure to bear
5 upon the police.

6 MR. GRATL: I and others are very grateful for the advocacy
7 work you did on behalf of the missing women and
8 sex workers in general. The article you wrote
9 was an expression of your belief that the
10 Vancouver Police were unwilling to listen to you
11 privately about your sister's life; is that
12 right?

13 MS. DE VRIES: Yes.

14 MR. GRATL: No matter how much you talked to them directly it
15 just wasn't sinking in that your sister wasn't
16 transient?

17 MS. DE VRIES: Right.

18 MR. GRATL: She lived in the Downtown Eastside?

19 MS. DE VRIES: Yes, she lived there.

20 MR. GRATL: And I take it, Mr. Leng, you gave that message as
21 well, did you?

22 MR. LENG: Yes.

23 MR. GRATL: You have to turn your mic on.

24 MR. LENG: Yes. I stated she wasn't someone that would take
25 off and leave the town, that she had friends

1 there, that was her neighbourhood, anymore than
2 any one of us would take off somewhere, and I
3 stated that.

4 MR. GRATL: Who did you tell?

5 MR. LENG: I think when I was asked during my interviews with
6 Al Howlett and the same with Detective Lori
7 Shenher. Sarah wasn't the type of person to take
8 off anywhere like that. She had done it once in
9 the past for a couple weeks on she got a lot of
10 shit for it.

11 MR. GRATL: I'm wondering was it ever explained to you, Ms. de
12 Vries, where that stereotype came from and why it
13 was so -- why the belief in it was so solid?

14 MS. DE VRIES: I think it's one of those beliefs so deeply
15 rooted and widely held it isn't necessary to
16 explain where it came from.

17 MR. GRATL: I can see, Ms. Hamilton, you have something to
18 say.

19 MS. HAMILTON: It was on the official police line coming out
20 of the mouth of the media spokesperson of the day
21 Anne Drennan.

22 MR. GRATL: I take it there was an ongoing expression of
23 concern about any community advocates using the
24 term "serial killer"? You're nodding?

25 MS. HAMILTON: Yes, they were absolutely opposed to that and

1 Detective Lori Shenher asked me not release that
2 information or speak about it.

3 MR. GRATL: I take it if it had been widely accepted there was
4 a serial killer resources would have to be
5 devoted to the investigation?

6 MS. HAMILTON: Yes, definitely, absolutely.

7 MR. GRATL: And the real concern about all the nomenclature,
8 whether women were missing or whether there was a
9 serial killer, whether there be a working group
10 or a task force, resources to devote to the
11 investigation was the issue. Is that a fair
12 assessment in your view?

13 MS. DE VRIES: It seems like a fair assessment, yes.

14 MR. GRATL: The argument there about the use of the word
15 serial killer, it wasn't about the use of the
16 word, it was about the public use of word in a
17 way that would have required people to be put
18 into service of the investigation?

19 MS. DE VRIES: It did seem to be about public perception. I
20 can't speak to the actual motives. The statement
21 at the police board that said that resources were
22 readily available but wouldn't be implemented
23 until such time as there was evidence worked
24 against the investigation moving forward clearly
25 and it seemed to be part of a Catch 22 that we

1 were stuck in, we were stuck in this place where
2 there wasn't any evidence supposedly, although
3 there were all these women who were simply not
4 there, and there couldn't be resources until
5 there was evidence but there needed to be --
6 resources were needed in order to get the
7 evidence so we were stuck and all of the forces
8 seem to support us in the stuck place. I don't
9 know what the perceived wisdom of that would be
10 on the part of the police. That is the place we
11 were in.

12 MR. GRATL: Thank you very much all of you for coming forward.

13 I know you faced social obstacles coming here and

14 I thank you for coming here.

15 **CROSS-EXAMINATION BY MS. GERVAIS:**

16 MS. GERVAIS: Robyn Gervais, counsel for aboriginal interests.

17 My questions will mostly be directed to Ms.

18 Hamilton. However, if anyone has any comments

19 and wants to jump in please feel free.

20 Ms. Hamilton, you are an aboriginal women?

21 MS. HAMILTON: I am.

22 MS. GERVAIS: You're Cree?

23 MS. HAMILTON: Yes.

24 MS. GERVAIS: I also understand that you've advocated for the

25 rights of aboriginal women in the Downtown

1 Eastside?

2 MS. HAMILTON: Yes, I have.

3 MS. GERVAIS: Can you tell us a bit about how you've done
4 that?

5 MS. HAMILTON: I've advocated for funding to be available for
6 specific aboriginal programming through
7 implementation of programs such as talking
8 circles, sweat lodges, cultural sharing nights,
9 and we started a program out of the Longhouse
10 Council of Native Ministry where we would come
11 together once a week and share a meal and speak
12 about the issues facing women, aboriginal women.

13 MS. GERVAIS: Were these programs through what is now the
14 Vancouver Friendship Centre?

15 MS. HAMILTON: No. We did the programs mainly either through
16 Vancouver Coastal Health, Grandma's House and in
17 collaboration as well with the Longhouse Council
18 of Native Ministry.

19 MS. GERVAIS: I understand you're on the board of the Greater
20 Vancouver Native Cultural Society?

21 MS. HAMILTON: Yes.

22 MS. GERVAIS: Can you explain what that is?

23 MS. HAMILTON: Yes. That is a cultural -- a true spirited
24 cultural organization that has been in existence
25 from 1978 to the current time. We elect

1 princesses and chiefs every year and they're
2 goodwill ambassadors and do fundraising for AIDS
3 programs and drug use issues and street level sex
4 trade for both aboriginal men, women in the true
5 spirit.

6 MS. GERVAIS: The programs that you've just mentioned, are
7 they specifically for aboriginal women in the
8 Downtown Eastside or all aboriginal women?

9 MS. DE VRIES: Primarily aboriginal women in the Downtown
10 Eastside.

11 MS. GERVAIS: How long have you been advocating for the rights
12 of the aboriginal women?

13 MS. HAMILTON: I'm going to say since the late '70s, early
14 '80s. I really ramped it up during the time of
15 Cheryl Ann Joe's murder in 1991.

16 MS. GERVAIS: So it's fair to say then that you're aware of
17 the issues that are facing aboriginal women in
18 the Downtown Eastside?

19 MS. HAMILTON: I think so, yes.

20 MS. GERVAIS: What are some of the issues that you think
21 specifically aboriginal women face in the
22 Downtown Eastside both today and in the terms of
23 reference period of time, 1997 to 2002?

24 MS. HAMILTON: They face discrimination, inequality; they have
25 difficulty accessing housing programs. Even in

1 the sex work organizations down there, there's no
2 specific programs for aboriginal Downtown
3 Eastside women, except for the Downtown Eastside
4 Women's Centre.

5 MS. GERVAIS: I want to break down what you've said. They
6 face discrimination, discrimination by who?

7 MS. HAMILTON: Many institutional groups. The police, social
8 services, housing providers, community centres.
9 It's pretty profound.

10 MS. GERVAIS: When you say social services are you referring
11 to child welfare?

12 MS. HAMILTON: Yes.

13 MS. GERVAIS: You said there's difficulty accessing housing.
14 Why is there difficulties specifically for
15 aboriginal people?

16 MS. HAMILTON: Why is there which?

17 MS. GERVAIS: Difficulties.

18 MS. HAMILTON: The housing providers down there don't have a
19 commitment to providing a certain percentage of
20 housing for aboriginal citizens and it's very
21 noticeable that over 50 percent of aboriginal
22 people are housed in the fleabag SROs but yet
23 only make up four percent of the population down
24 there.

25 MS. GERVAIS: You also said there are no specific programs for

1 aboriginal people in the Downtown Eastside with
2 the exception of the battered women's --

3 MS. HAMILTON: I said the Downtown Eastside Women's Centre.

4 MS. GERVAIS: Sorry. Why do you think it's important to have
5 specific programs for aboriginal people?

6 MS. HAMILTON: Because you're going to feel at home, you're
7 going to feel welcomed, you're going to feel part
8 of a culture that you're lacking generally. Many
9 of the aboriginal women in the Downtown Eastside
10 were displaced from the reserves as a result of
11 different issues, and so it's important that they
12 be around each other so we can be supportive and
13 just share some of our customs and our cultural
14 foods and our traditions. I sort of liken it to
15 when Maggie talked about Sarah and Sarah feeling
16 not part of something when you definitely have a
17 visual affect to yourself that you're of a
18 certain nation or race.

19 MS. GERVAIS: So you think those kind of programs can provide
20 support to the women who come from outside
21 communities and may not have that support right
22 there?

23 MS. HAMILTON: Exactly. They're lost and as a result they're
24 vulnerable and open to victimization.

25 MS. GERVAIS: Mr. Commissioner, is this a good time to take

1 the break?

2 THE COMMISSIONER: All right. We'll take the break.

3 THE REGISTRAR: The hearing is now adjourned until 1:45.

4 **(PROCEEDINGS ADJOURNED AT 12:30 P.M.)**

5 **(PROCEEDINGS RESUMED AT 1:49 P.M.)**

6 THE REGISTRAR: This hearing is now resumed.

7 MS. BROOKS: Mr. Commissioner, the witness has asked to speak
8 with me. Could we stand down for a couple
9 minutes?

10 THE COMMISSIONER: Absolutely.

11 **(PROCEEDINGS ADJOURNED AT 1:50 P.M.)**

12 **(PROCEEDINGS RESUMED At 1:55 P.M.)**

13 MS. GERVAIS: Robyn Gervais, counsel for aboriginal interests.
14 My questions are directed to you, Ms. Hamilton,
15 for the moment. If anyone else wants to jump in,
16 please go ahead.

17 Picking up where we left off, you testified
18 yesterday in response to Ms. Brooks' question
19 that the relationship between aboriginal people
20 and police on the Downtown Eastside is not good.
21 Can you expand on that?

22 MS. HAMILTON: Yes. It's a very difficult one. It's built on
23 a lot of mistrust, as you can imagine, from times
24 going so far back as the residential school stuff
25 and being misplaced from families and taken away

1 and often the police were involved with the
2 government agents. Aboriginal people were
3 brought up fearing men in suits, blue suits, and
4 I don't think that the police, the Vancouver
5 Police Department, has done an awful lot to
6 foster a bridge of getting over that. I think
7 many officers should have further sensitivity
8 training, which they don't, and there's that
9 criminalizing of behaviours within the aboriginal
10 population that those issues surrounding poverty
11 issues and homelessness but that doesn't --
12 shouldn't warrant criminality levelled at, in my
13 opinion, aboriginal people who are survivors.

14 MS. GERVAIS: So those are also very broad reasons why the
15 relationship between aboriginal people and the
16 police in the Downtown Eastside is not good. Do
17 you have any specific examples that you can
18 provide the commissioner with with respect to the
19 missing women investigations where you saw
20 evidence of aboriginal people being treated
21 differently?

22 MS. HAMILTON: Certainly in terms of reporting that there were
23 cases that, you know, lawyers -- not lawyers --
24 police in terms of investigating would demean the
25 individual asking them are they drinking, are

1 they drunk, are they drug users, and I think
2 those are issues that shouldn't be relevant
3 towards -- if you're involved in being a victim
4 of violence, assault or rape or so forth, and so
5 it automatically puts individuals at a place
6 where they're being treated in a manner that
7 often makes them out to have been the one that
8 has done something wrong.

9 MS. GERVAIS: So if I understand your evidence then, you're
10 saying that the police may have acted on
11 stereotypes of aboriginal people?

12 MS. HAMILTON: Yes, I think that sums it up fairly well.

13 MS. DE VRIES: I just had a specific example I can speak to.
14 The younger brother of a friend of mine who lives
15 at Main and Hastings and is aboriginal was hurt
16 by a police officer when they thought he was
17 somebody else, they thought he was a suspect
18 which he wasn't, and they hurt him which wasn't
19 appropriate even if he was a suspect, so that was
20 an example that I would tie to his being
21 aboriginal.

22 MS. GERVAIS: Thank you. We heard evidence last week from
23 former Chief Constable Blythe that the VPD
24 treated all people the same despite their race
25 and now we know and as you just testified that

1 aboriginal people hold a distinct place in
2 society due to historical issues. Have you seen
3 any evidence that the police are aware that
4 aboriginal people hold this distinct position and
5 there may be an extra layer of mistrust with
6 respect to aboriginal people and police?

7 MS. HAMILTON: Absolutely. That's been conveyed to the police
8 on numerous occasions and the police have
9 sometimes responded which I think -- for
10 instance, I like to use Dave Dickson as an
11 example. He was someone from the VPD that had
12 built up incredible trust with aboriginal women
13 and they really, really respected him and then
14 they took him away from the group and I remember
15 a whole fight had to ensue to get him back to the
16 district when they had removed him. That's one
17 example.

18 MS. GERVAIS: Do you know -- and I know you can't speak on
19 behalf of the entire VPD but just in terms of the
20 attitudes you've seen towards aboriginal people
21 in the Downtown Eastside, do you think there's a
22 general awareness about that mistrust that
23 aboriginal people hold towards the police?

24 MS. HAMILTON: From the police department, from individual
25 officers, yes, I'd say definitely they recognize

1 that but they don't seem to do anything to start
2 a dialogue of how can we work to regain your
3 trust, what can we do to regain your trust, and
4 sometimes they need to take proactive steps to
5 ensure that there can be some foundation to be up
6 front.

7 MS. GERVAIS: How could you see this trust being built or a
8 dialogue being created?

9 MS. HAMILTON: One thing I'd like to see is an aboriginal
10 officer assigned to the area that has a specific
11 mandate to work within that aboriginal community
12 and I think that would really start things.

13 MS. GERVAIS: Can you -- looking at it broader in terms of the
14 entire VPD, what could you see as a potential --
15 to help the VPD understand about the relationship
16 between the aboriginal people and the police and
17 how difficult it is for aboriginal people to
18 trust police?

19 MS. HAMILTON: I think as hard as some things may be for the
20 police to hear, they must have an open ear to
21 hearing those issues. I remember when one group
22 brought forward aboriginal women's voices of how
23 they were often victimized at the hands of the
24 police officers, the Vancouver Police Department
25 attempted to invalidate those criticisms and to

1 me that doesn't foster a willingness to open
2 one's self to hearing I think what are valid
3 criticisms from people who feel they are
4 mistreated. Whether that's real or not, that's
5 the individual's feelings and there's reasons
6 why.

7 MS. GERVAIS: Just looking at the timeframe for the terms of
8 reference, 1997 to 2002, what supports were in
9 place in the Downtown Eastside by the VPD for
10 aboriginal people? Are you aware of any?

11 MS. HAMILTON: Well, there was the Downtown Eastside
12 Neighbourhood Safety office that had Deb Mearns
13 as the executive director, she's aboriginal, so I
14 think -- and of course Dave Dickson, Constable
15 Dickson was assigned to that office, so that was
16 something positive that could have I think
17 fostered even greater trust because Deb Mearns is
18 someone you could easily approach certainly as
19 Dave Dickson is. So I think more resources
20 should have been put into that office as an
21 aboriginal office rather than just the whole of
22 the Downtown Eastside.

23 MS. GERVAIS: So this Downtown Eastside Neighbourhood Safety
24 Office was not an aboriginal-specific office?

25 MS. HAMILTON: No, it wasn't.

1 MS. GERVAIS: Are there any supports that you think of put in
2 place by the VPD that were specific to aboriginal
3 people at that time?

4 MS. HAMILTON: I can't think of any.

5 MS. GERVAIS: If there were how do you think that might have
6 changed things?

7 MS. HAMILTON: I think exchange of information might have
8 helped. I think that was lacking in the case of
9 many of the missing murdered women. The native
10 storefront didn't have many -- again, they were
11 there for the broader Downtown Eastside although
12 they were supposed to have an aboriginal focus
13 and I just think maybe the police could have even
14 used Freda Ens more to assist them. I wouldn't
15 have agreed with putting Ms. Ens in to the
16 Vancouver Police Department offices because that
17 then creates a barrier that aboriginal citizens
18 don't feel comfortable going into the Vancouver
19 Police Department. It should have remained
20 strictly a community office.

21 MS. GERVAIS: You've anticipated my next question. Can you
22 tell the commissioner anything you know about the
23 relationship between the Native Liaison Society,
24 which is what you're referring to as the
25 storefront --

1 MS. HAMILTON: Yes.

2 MS. GERVAIS: -- and the VPD. Do you know how that
3 relationship was?

4 MS. HAMILTON: I wasn't sure. Freda Ens did amazing work in
5 the Downtown Eastside but how her relationship
6 with the police was, I really can't answer that
7 specifically.

8 MS. GERVAIS: Just a moment ago you said the police could have
9 utilized Freda Ens and that entity to a certain
10 degree. What do you think they could have done?

11 MS. HAMILTON: I would have liked them to take Freda Ens out
12 with them in the stroll areas because I think she
13 would have been a bridge to the sex workers. In
14 the downtown core they might have Car 82 that is
15 specifically dealing with youth at risk, so I
16 felt they could have maybe looked at a program
17 such as that where Freda was used to make inroads
18 into the community.

19 MS. GERVAIS: So it sounds like you had Dave Dickson and Freda
20 Ens who had gained the trust of aboriginal people
21 in the Downtown Eastside; is that fair to say?

22 MS. HAMILTON: Yes, two people.

23 MS. GERVAIS: Dave Dickson was pulled out; correct?

24 MS. HAMILTON: Yes, he was and there was a big battle to get
25 him back.

1 MS. GERVAIS: And Freda Ens was underutilized?

2 MS. HAMILTON: Yes.

3 MS. GERVAIS: This morning you testified that you're still an
4 active member of the Downtown Eastside although
5 you don't reside there; is that correct?

6 MS. HAMILTON: Yes, that's correct.

7 MS. GERVAIS: Do you know what supports the VPD currently has
8 in place for aboriginal people in the Downtown
9 Eastside?

10 MS. HAMILTON: Well, there is the aboriginal policing office
11 but that's outside of the Downtown Eastside and
12 that's all that I know of.

13 MS. GERVAIS: Where is that located?

14 MS. HAMILTON: Commercial Drive and Hastings.

15 MS. GERVAIS: Do you know what it is that they do?

16 MS. HAMILTON: I don't know.

17 MS. GERVAIS: So in the Downtown Eastside right now there's no
18 support that you can think of that is specific to
19 aboriginal people?

20 MS. HAMILTON: No. There's the Aboriginal Front Door Society
21 but that's not a program of the police and I
22 don't even think the police utilize that program
23 to the maximum potential that it could be used
24 for.

25 MS. GERVAIS: What is the Aboriginal Front Door Society?

1 MS. HAMILTON: It's a program that is a focal first sort of
2 point of entry for aboriginal, urban aboriginals
3 in the area to access, maybe have coffee, to use
4 the washroom, to sit around with other aboriginal
5 people, and they do some political advocacy as
6 well. I think they were involved in the Sister
7 Watch program.

8 MS. GERVAIS: And can you tell us anything about the current
9 relationship between aboriginal people in the
10 Downtown Eastside and the VPD?

11 MS. HAMILTON: A total -- it still remains a total level of
12 mistrust and I think an example is the woman at
13 the Regent Hotel, I'm sure you've heard of that,
14 where many aboriginal people believe that she was
15 pushed to her death and they feel that the police
16 have never properly investigated that, that the
17 police have said there's no evidence that there
18 was any potential wrongdoing, but yet there's
19 aboriginal people that say that they have brought
20 evidence, compelling evidence forward.

21 MS. GERVAIS: You say that the relationship is still suffering
22 from the same elements of dysfunction that they
23 suffered during the terms of reference?

24 MS. HAMILTON: Yes.

25 MS. GERVAIS: And from what I've heard you say so far,

1 remedies for that would be open communication, an
2 open mind, a greater awareness about issues
3 around aboriginal people. Is there anything
4 you'd like to add to that list?

5 MS. HAMILTON: Again, I mentioned that they should use their
6 discretionary powers not to -- unless it's a very
7 serious crime, but to understand the complexities
8 of these social issues and that criminalization
9 does not work to our ultimate goals which is, in
10 the case of this commission, to prevent violence
11 of this nature happening, because if we don't
12 start that dialogue and have a mutual respect for
13 each other, nothing is going to change.

14 MS. GERVAIS: My understanding and from what you've just told
15 us is that there's nothing like the Native
16 Liaison Society operating right now. Do you see
17 the benefit of an agency like that operating in
18 the Downtown Eastside today?

19 MS. HAMILTON: Oh, yes, definitely, and I'd like to really see
20 it specifically mandated for aboriginal women
21 who, as we know, for the terms of reference of
22 this commission's purpose, there's a
23 disproportionate number of aboriginal women
24 involved in the sex trade.

25 MS. GERVAIS: Just turning now to a question I have from your

1 testimony yesterday, yesterday you said when you
2 were advocating for women in the Downtown
3 Eastside to city hall you contacted I believe it
4 was Violet Thomas from the United Native Nations.

5 MS. HAMILTON: Viola.

6 MS. GERVAIS: Do you know if the VPD ever followed up with
7 Viola or the United Native Nations?

8 MS. HAMILTON: No.

9 MS. GERVAIS: Do you know if Ms. Thomas or anybody from the
10 United Native Nations tried to follow up with the
11 VPD?

12 MS. HAMILTON: Yes, I do know that she made efforts.

13 MS. GERVAIS: Is there anything else you'd like to say about
14 how to improve the relationship between
15 aboriginal people and police in the Downtown
16 Eastside when we're looking at recommendations,
17 and this has been going on for many, many, many
18 years, is there anything you'd like to provide
19 the commissioner?

20 MS. HAMILTON: I think if somehow this commission can somehow
21 work as an intermediary to bring the two opposing
22 factions somehow together to start some process
23 that can start the process of healing and if we
24 can move in that direction and somehow that can
25 be done somehow, and it has to be ongoing. It

1 can't just come together once and everybody goes
2 away and somehow that is going to solve things.
3 I think there has to be an ongoing series of
4 dialogues and steps taken to work together.

5 MS. GERVAIS: So there needs to be a commitment?

6 MS. HAMILTON: Absolutely.

7 MS. GERVAIS: A long-term commitment?

8 MS. HAMILTON: A very long-term commitment.

9 MS. GERVAIS: Thank you.

10 I just have a questions for Ms. de Vries
11 arising out of your testimony yesterday. You
12 said there were certain attitudes that
13 contributed to Sarah's death. What did you mean
14 by that statement?

15 MS. DE VRIES: That statement I think means a lot of different
16 things, a wide range of attitudes on the part of
17 many different groups of people. I don't recall
18 what I was thinking when I said it that time
19 exactly, but as a society I think that we see
20 women like my sister and the other missing women
21 and women who are currently involved in the
22 survival sex trade as very, very far removed from
23 ourselves. We don't see real people, we see
24 stereotypes. Our culture is just filled with
25 those stereotypes and with dehumanizing

1 stereotypes and so when -- and the misconceptions
2 like the idea that women are transient and the
3 idea that violence is simply a part of being a
4 survival sex worker, and so there's a certain way
5 in which women are thought to have asked for it
6 and at the very least it's different from
7 violence that the pure innocent woman of other
8 parts of society might encounter, and all of
9 those attitudes mean that when a woman disappears
10 or meets with violence who is a survival sex
11 worker that the same kind of attention is not
12 paid to her and the same kind of understanding is
13 not available to the people who might notice she
14 is missing if she were somebody like me for
15 example.

16 MS. GERVAIS: Do you think Sarah's race played any role in
17 that?

18 MS. DE VRIES: Yes. I think Sarah's race played a role all
19 the way throughout her life. As I talked about
20 and read some of the passages yesterday, how
21 growing up in West Point Grey she felt alienated
22 and didn't feel she belonged, couldn't see
23 herself in certain respects mirrored back and
24 understood by the people who loved her and when
25 she went downtown she would have found that

1 connection which is one of the things that drew
2 her into that environment, I think, because
3 people did understand that part of her experience
4 there. And then I think that the man that I
5 talked about yesterday who abused my sister when
6 she was a little girl, targeted girls who were
7 vulnerable and he picked up on her vulnerability
8 in terms of her race and I think that downtown
9 she was also vulnerable because of that.

10 MS. GERVAIS: My questions are sort of jumping all over the
11 place. You also testified yesterday that you had
12 information available to you through your own
13 inquiry into Sarah's disappearance. What type of
14 information were you referring to?

15 MS. DE VRIES: I don't know. That was yesterday.

16 MS. GERVAIS: Okay.

17 MS. DE VRIES: Information -- I think I had information from
18 -- well, I had information from the people who
19 knew her who told me she hadn't been seen and I
20 knew she was -- from my relationship with her
21 over the years prior to her disappearance I knew
22 how rooted she was in that area. I knew where
23 she lived, I knew she was connected to people, so
24 I knew that she wasn't going anywhere. She'd
25 been there for years, it was years since she'd

1 gone anywhere, so I had that kind of knowledge,
2 and then as the year progressed and I met other
3 family members from other families who had
4 missing women and I talked to them and heard how
5 much in common we had in our stories, my fears
6 grew deeper and deeper and deeper because I was
7 seeing the same thing repeated over and over.
8 Not only did that make me think there was many
9 women missing but it made Sarah's disappearance
10 that much more sinister, so both thing.

11 MS. GERVAIS: The information you gathered from people who
12 knew her, she was very rooted, you knew her
13 circle of friends and her community?

14 MS. DE VRIES: And her connection to us, which I think
15 shouldn't have been forgotten. Even though she
16 may not have lived with us we were connected and
17 she had two children and she had a mother and we
18 were connected and we were very important to her
19 and she did not want to hurt us. She did not
20 want to hurt us. So that was a really important
21 factor that I'm not sure was heard, that she
22 wouldn't have done that to us, just gone away and
23 left us to think she was dead. She would not
24 have done that to us, and neither would the other
25 women have done that to their families.

1 MS. GERVAIS: This information that you held, do you think
2 it's information the police could have obtained?

3 MS. DE VRIES: Of course.

4 MS. GERVAIS: Do you think it would have been helpful to the
5 investigation?

6 MS. DE VRIES: Yes.

7 MS. GERVAIS: Yesterday you also testified you didn't have any
8 problems reporting Sarah's disappearance.

9 MS. DE VRIES: Yes.

10 MS. GERVAIS: You said the gap in time between your reporting
11 and the first time you were contacted by the VPD
12 was problematic?

13 MS. DE VRIES: Yes.

14 MS. GERVAIS: What was the gap in time?

15 MS. DE VRIES: It was a week to ten days. It's a little bit
16 unclear.

17 MS. GERVAIS: That was the first time the VPD --

18 MS. DE VRIES: Detective Al Howlett called me. That was the
19 first time -- I phoned 911 talked to them and
20 seven to ten days later he called me. It may
21 have taken a day or two for us actually to speak
22 to one another, it's not clear.

23 MS. GERVAIS: I have one question but I want to speak to my
24 colleague first.

25 You talked this morning about e-mail. Do

1 you have e-mails between yourself and any VPD
2 officers with respect to the investigation?

3 MS. DE VRIES: Yes.

4 MS. GERVAIS: And have you provided any of those e-mails to
5 the commission?

6 MS. DE VRIES: I don't believe I have but I certainly could.

7 MS. GERVAIS: Thank you. Those are all my questions.

8 THE COMMISSIONER: Thank you, Ms. Gervais.

9 **CROSS-EXAMINATION BY MR. HERN:**

10 MR. HERN: I seem a long way over here. It's Sean Hern for
11 the Vancouver Police Department. I'll move.
12 That's a bit better.

13 Sean Hern for the Vancouver Police
14 Department, Vancouver Police Board. My first
15 question is not actually a question. I wanted to
16 clarify something with the panel which is that I
17 thought I heard some confusion as to whether
18 former Chief Blythe was testifying on behalf of
19 the department and that came up in a concern that
20 Ms. de Vries raised as to whether the department
21 was taking a defensive approach and so on, and I
22 want to make sure that the panel understood the
23 two members of the department that have -- the
24 current members that have testified are Detective
25 Constable Lori Shenher and Deputy Chief Doug

1 LePard, and former members may have a different
2 perspective and a different approach, and as the
3 commissioner said, that's to be expected and
4 understood, but I wanted to be clear who was
5 speaking for the present department today if that
6 was at all unclear.

7 I am going to ask some questions that seek
8 to clarify some of the comments you've made and I
9 hope that they're not taken to be defensive but
10 they do in my submission need some clarity so
11 I'll endeavour to make them in that spirit and
12 not in an ordinary cross-examination type of way.

13 The first area I wanted to ask about is to
14 you, Mr. Leng. You were in pretty regular
15 communication with Ms. de Vries during 1998 and
16 1999?

17 MR. LENG: Not 1999. 1998.

18 MR. HERN: I'm sorry. Ms. de Vries sitting next to you.

19 MS. DE VRIES: Who are you asking?

20 MR. HERN: I'm asking Mr. Leng, were you in fairly regular
21 communications with Maggie de Vries through 1998
22 and 1999 after Sarah's disappearance?

23 MR. LENG: Yes.

24 MR. HERN: Similarly, you were in pretty regular communication
25 with Lynn and Rick Frey?

1 MR. LENG: Yes.

2 MR. HERN: The basis of your relationship with each other was
3 your common interest in the missing women case?

4 MR. LENG: Yes.

5 MR. HERN: Yesterday you stated you visited the Pickton farm
6 with Rick and Lynn Frey. That evidence came
7 quite quickly and I hardly made note of it at all
8 and I'm wondering if you could recap your
9 recollection of that event.

10 MR. LENG: It wasn't with Rick Frey and I don't believe it was
11 with Lynn. I believe it was Bernie Williams and
12 Diane, I don't know her last name, and maybe
13 Joyce Lachance. I don't have a very good
14 recollection of that. I do know we set foot on
15 -- we didn't set foot on the actual property but
16 beside the property.

17 MR. HERN: Could you locate us within what year that occurred?

18 MR. LENG: I believe that was in '98. I think it was sometime
19 after CPA Investigations was involved and when
20 the Hiscox tape came out.

21 MR. HERN: This is the tape you had received from Bill Hiscox?

22 MR. LENG: Yes, I recorded Bill Hiscox and my conversation.

23 MR. HERN: Can you tell us how it is you identified the
24 Pickton farm after receiving that tape?

25 MR. LENG: I never heard the name Willie but Joyce Lachance

1 knew Willie Pickton and knew of the farm so
2 that's how it came about. We were talking about
3 a Willie that had a farm and had some trailers on
4 the farm and that was part of the tip.

5 MR. HERN: How did you know Joyce Lachance?

6 MR. LENG: Through Rick and Lynn Frey, she's related.

7 MR. HERN: To the Freys?

8 MR. LENG: Yes.

9 MR. HERN: You provided her with a copy of the Hiscox
10 recording?

11 MR. LENG: I believe I did. Diane I did and there might be a
12 couple of other people I provided copies to. I'm
13 not sure at this point. It was a long time ago
14 and I didn't think too heavily of that tip but I
15 turned it over to the police and it was just like
16 a series of other tips we were getting in at the
17 time, it's to be looked into.

18 MR. HERN: But the fact that Joyce Lachance recognized the
19 voice on the tape, wasn't that something
20 significant?

21 MR. LENG: She didn't recognize the voice on the tape. The
22 only voices on the tape were mine and Bill
23 Hiscox.

24 MR. HERN: That's a fair point. Tell me how it is Joyce
25 Lachance and Bernie and Diane and you connected

1 the Hiscox information to the Pickton farm?

2 MR. LENG: I met Bernie Williams and Diane after a small
3 accident we had on the downtown west side and it
4 was after Sarah disappeared and I guess I
5 accidentally clipped her car and I wasn't aware
6 of it, I was distraught at the time, things were
7 going crazy. The next thing I knew is I got a
8 call from ICBC saying that I had hit a car at
9 some point and to come down there and I met -- to
10 ICBC headquarters, and it was there I met Diane
11 and Bernie and they saw the posters of Sarah on
12 my car and Bernie recognized her and that's how
13 we made contact.

14 MR. HERN: Okay. But how did it go from the Hiscox tip,
15 connecting the Hiscox tip to the Pickton farm
16 which you then visited at some point or went to
17 the outside of it?

18 MR. LENG: That came about because, like I said, Joyce -- this
19 is good here -- Bernie and Diane started doing
20 some outreach work in the Downtown Eastside and
21 we were all getting together -- Jamie Lee, you
22 remember meeting Bernie and Diane?

23 MS. HAMILTON: I was just going to say that Diane and Bernie
24 were doing some outreach for Grandma's House in
25 1999.

1 MR. LENG: Some of the families asked CPA investigations to
2 get involved in the case and we were meeting once
3 in a while at CPA Investigations and talking
4 about the strategies we could do and Bernie and
5 Diane going down to the Downtown Eastside and
6 asking sex trade workers if they heard anything,
7 that kind of probing. That's how that came
8 about. As for -- Joyce Lachance lived not very
9 far away from the Pickton farm, just around the
10 corner, and somehow we got involved that way. We
11 decided to go out one night. We were having
12 dinner some of us and we said let's go check this
13 Willie's place out.

14 MR. HERN: What I'm not understanding, sir, is how did you
15 know that the Pickton farm would be an
16 interesting place to check out?

17 MR. LENG: It wasn't me so much I don't think as it might have
18 been Bernie and Diane. I can't tell you too much
19 about that situation. Like I said, I probably
20 wouldn't have even brought it up but I recalled
21 it.

22 MR. HERN: Let's leave aside how the connection was made for a
23 moment. Tell us exactly what you remember about
24 being at the restaurant.

25 MR. LENG: We had scrapbooks, notebooks with us, we were

1 taking notes on strategy, what we could do,
2 researching what we could do for the missing
3 women and having something to eat and that was
4 it.

5 MR. HERN: Then someone said, "Let's go to the farm"?

6 MR. LENG: I'm not sure. Joyce Lachance may have a better
7 explanation than I do.

8 MR. HERN: I see. But you do recall being outside of the
9 Pickton farm at some point?

10 MR. LENG: Yeah. I didn't know it as the Pickton farm.

11 MR. HERN: Were you on the street looking at the property?

12 MR. LENG: No, we pulled over.

13 MR. HERN: Did you set foot on --

14 MR. LENG: No.

15 MR. HERN: Yesterday I thought there was mention of 16
16 freezers?

17 MR. LENG: No. There was talk of freezers buried on the farm.

18 MR. HERN: Who was talking about that?

19 MR. LENG: I believe it was Bernie.

20 MR. HERN: Is that all the information you can recall?

21 MR. LENG: Yes.

22 MR. HERN: Did you pass any of that information over to Lori
23 Shenher?

24 MR. LENG: No.

25 MR. HERN: Or Dave Dickson?

1 MR. LENG: No.

2 MR. HERN: I haven't seen a note of that from 1998. Did you
3 make a note?

4 MR. LENG: I forgot about it until I starting digging into
5 what we did in the past. I only kept notes from
6 1999 on.

7 MR. HERN: Did you tell anybody about that visit to what we
8 now know to be the Pickton farm?

9 MR. LENG: I told a few people when I recalled it. Rick and
10 Lynn. I was asking Joyce about it, "Joyce, do
11 you remember being out there?"

12 MR. HERN: You remember recalling it for this proceeding?

13 MR. LENG: We were trying to put it together over the years
14 because a lot of people had lost notes. I guess
15 the Freys lost them in a fire, a flood they had,
16 so they had no way to recall what was going on at
17 that time.

18 MR. HERN: Are you aware of the evidence that Ms. Frey gave of
19 a visit to the Pickton farm in the summer of
20 1998, that she and Ms. Lachance had gone there
21 and climbed over the fence and been chased off by
22 a dog?

23 MR. LENG: I didn't become aware of that I think it was until
24 -- it was actually after Robert Pickton was
25 arrested.

1 MR. HERN: You saw her give an account of that story on the
2 November 2002 *Dateline*?

3 MR. LENG: Yes, I did.

4 MR. HERN: Was that the first time you heard of it?

5 MR. LENG: I think so, yes.

6 MR. HERN: And you hadn't --

7 MR. LENG: She may have talked about it earlier but I don't
8 recall it. That's the thing.

9 MR. HERN: Ms. de Vries, if I could ask you this question and,
10 panel, the relevance of this is that it
11 implicates certain information being known to
12 Lori Shenher who is obviously, as you know,
13 Detective Constable Shenher and Ms. Frey advised
14 she told Lori Shenher about this information in
15 the fall of 1998 and she hadn't done anything
16 with it and so that's why it's of concern to the
17 department just to know what different people's
18 recollections are and their perspectives are from
19 this vantage so the commissioner has the benefit
20 of that.

21 Ms. de Vries, do you have any recollection
22 of hearing about either of these two visits from
23 Mr. Leng and Ms. Frey?

24 MS. DE VRIES: Not at the time. I met Lynn -- I don't think I
25 met her until early '99, it could have been just

1 before Christmas '98, I think it was after, in
2 early '99, I met Lynn Frey, and at some point I
3 believe that it was maybe in May, June maybe,
4 sometime of that year but I couldn't say when it
5 was. She told a story that stuck in my mind
6 because it was such an amazing thing she told me.
7 She said she and Joyce Lachance had found out
8 somehow about a property, a place they were
9 suspicious of and it was an industrial -- she
10 described it quite vividly to me, industrial,
11 high fences and it was in an industrial area of
12 the Lower Mainland close-ish in, not -- I
13 imagined it all out as she was telling me this
14 story, so the location was not Port Coquitlam in
15 my imagination at the time and the property bore
16 no resemble to what I saw when I went there in
17 February of 2002. As I say, that story stuck in
18 my mind because it was something I would never --
19 I would never be brave enough to climb over a
20 fence like that.

21 MR. HERN: She had told you about an industrial property and
22 that was --

23 MS. DE VRIES: Spring of '99 she told me. It had happened
24 recently, it wasn't something she had done a long
25 time ago, it was something she had done recently.

1 Then I saw the *Dateline* -- the next encounter I
2 had with that was when I saw *Dateline*.

3 MR. HERN: This was 2002 after Pickton's arrest?

4 MS. DE VRIES: In that episode she tells the story that sounds
5 like the same story but a different location. I
6 was very shocked by that because it seemed like
7 the story had changed.

8 MR. HERN: I see. It was the same story but now instead of an
9 industrial property it was referring to a farm?

10 MS. DE VRIES: Yes.

11 MR. HERN: Had you heard from Mr. Leng or Ms. Lachance or
12 Diane or Bernie the other account of going to the
13 Pickton farm or what we now know as the Pickton
14 farm?

15 MS. DE VRIES: No. When the search began in 2002 I would have
16 assumed anybody that had been there would have
17 mentioned it was familiar to them and I don't
18 recall being told by anyone that property was
19 familiar to them.

20 MR. HERN: Thank you. My next questions are really to you all
21 but in particular to Ms. Hamilton.

22 You had indicated that you felt Constable
23 Dave Dickson was an officer who was sensitive and
24 understanding to the circumstances of sex trade
25 workers?

1 MS. HAMILTON: Yes.

2 MR. HERN: And understood the risks and violence that they
3 faced?

4 MS. HAMILTON: Absolutely.

5 MR. HERN: You also mentioned this morning that in your view
6 there were many predators on any given night out
7 looking to do violence to sex trade workers; is
8 that fair?

9 MS. HAMILTON: Yes. Those are what we call bad dates.

10 MR. HERN: And bad dates have in fact increased in your view
11 over time?

12 MS. HAMILTON: Yes. If you look at the bad date lists and
13 speaking with the women -- you must remember that
14 many of the bad dates aren't reported because the
15 women feel it's not going to make any difference
16 to report so they kind of take it in and deal
17 with it as best they can.

18 MR. HERN: Right. That reporting -- the problems with
19 reporting or reporting barriers is a very
20 important thing the commissioner will have to
21 turn his mind to and I'd like to hear some more
22 from you about that. Back in 1998, 1999, it was
23 known there was a serial killer that had been
24 operating in respect of Ms. Pipe and Yonker and
25 Olajide; is that correct?

1 MS. HAMILTON: Yes.

2 MR. HERN: The circumstances for sex trade workers working in
3 the survival trade on the street back then is
4 such that there was ongoing violence against
5 these women and there was at least one known
6 serial killer that had preyed upon women in that
7 area; is that fair?

8 MS. HAMILTON: Well, some of the women would know but some of
9 the women were born after those murders happened
10 so it probably wouldn't be fair to say they would
11 know.

12 MR. HERN: They might not necessarily know there was a serial
13 killer out there but they would know it's an
14 ongoing environment of violence against women on
15 any given night?

16 MS. HAMILTON: Yes, that's fair.

17 MR. HERN: So what I was getting at is that there was some
18 discussion about the lack of a warning, formal
19 warning, and you all commented that you thought
20 it was important that the police department would
21 issue a formal warning about a serial killer back
22 at that time, and of course there are some issues
23 there as to whether the department truly
24 understood the gravity of the problem it was
25 facing, but certainly you three believed there

1 was a serial killer at work and believed that
2 warning should have been issued and I think
3 everyone looking back commends you for the
4 accuracy of your perspective. With respect to a
5 warning, Deputy Chief LePard said in his report
6 that while a warning ought to have issued, he
7 didn't see that it would have necessarily changed
8 the women's behaviour who were actually working
9 on the street and I just want to refer to the
10 source of information that he was relying on
11 there which was -- I don't need to take you to
12 this exhibit, this is from Exhibit 1 for your
13 counsel's benefit, Deputy Chief LePard in his
14 report makes reference about the lack of a public
15 warning. In there he refers to some information
16 he received from Constable Dave Dickson and I
17 want to read you this passage and ask you whether
18 you agree with this passage because if you
19 disagree with what Dickson is suggesting here
20 then that's important for the commissioner to
21 know.

22 MR. GRATL: I wonder if it isn't more suitable to ask Mr.
23 Dickson before putting this to these witnesses as
24 authoritative?

25 MR. HERN: I'm not suggesting it's authoritative. I'm going

1 to put to them Dickson's perspectives on the risk
2 the women faced and I want to ask if that's
3 accurate because that's important for you to
4 know.

5 THE COMMISSIONER: You can question the accuracy of the report
6 if you want but it's all before us.

7 MR. GRATL: I'm not suggesting it's inaccurate to say it's in
8 the report. I'm questioning at this stage
9 whether it's accurate to say it's Dave Dickson's
10 perspective, whether LePard set out Dave
11 Dickson's perspective accurately in the report --
12 cited in the report.

13 MR. HERN: That's not my question. Why would I ask a question
14 like that? I'm asking whether these witnesses
15 agree with the perspective advanced, it's a means
16 of asking the question.

17 Let me read you the passage:
18 We've tried to initiate things in the past about
19 the girls working in couples, having a paper
20 and pencil to write down licence numbers,
21 but the girls are addicts and they're not going
22 to wait for someone else to go with. When
23 your number one priority is to get ten bucks
24 for your next fix they don't think about their
25 safety...If we told the sex trade workers that

1 it was absolutely confirmed that there was a
2 serial killer killing women on the Downtown
3 Eastside, they wouldn't have stopped for a
4 second; their addiction is just too strong. I
5 could drive up to a girl with a gun on my
6 dashboard, but if I had drugs and cash on the
7 passenger seat they would jump in and not even
8 see the gun. Their addiction is just too strong.
9 Short of assigning someone 24 hours a day
10 to every sex trade worker I don't think there
11 was anything that could be done to protect
12 them. Even that, I don't know if it would work.
13 Nancy Bob went to work with two friends who
14 spotted for her, and she jumped in a car and
15 they found her body in Abbotsford the next
16 day. You can't keep them safe.

17 Whether or not Mr. Dickson takes as
18 categorical view of that when he testifies we'll
19 leave that to Mr. Dickson, but given that
20 perspective, what is your comment about the
21 difficulties in keeping women who have severe
22 addictions safe?

23 MS. HAMILTON: First of all, I don't know why the women -- why
24 the onus would be put on the women that they have
25 to change their behaviours. Obviously, like you

1 just said, they're sick and we know that, so
2 isn't it incumbent upon us to work to ensure that
3 those risks are reduced or eliminated? I'd like
4 to take us back to Grandma's House on Pandora
5 Street. There was a centre that helped reduce
6 those risks, especially in the height of a serial
7 predator, and Pickton wasn't the only predator
8 down there, but a place like that provided
9 protection and the police should have been also
10 in my opinion stepping up to the plate and
11 offering more protection as well. Of course we
12 don't expect the police to try to get the women
13 to be changing their behaviours but just even
14 speaking with them and telling them, look, we've
15 got a real situation here of a serial killer,
16 let's try to -- what do you think, ask them for
17 feedback, what can we do as a department to help
18 you to reduce those issues for you, the danger
19 for you is what I'm saying.

20 MS. DE VRIES: From what I know of my sister she did take
21 precautions and she didn't -- she did her best to
22 avoid extremely risky behaviour and she was known
23 to be a fighter and she was known to be a
24 survivor and she was murdered still, so that's
25 one point. Then another point is that if people

1 believe that a warning is not going to be
2 effective, if the police believe that, then they
3 need to figure out what will be effective at this
4 point. You don't get to just say oh, well, it
5 won't work so we'll just do nothing. I found
6 listening to Jamie Lee's testimony earlier today
7 very painful hearing about a dozen police
8 officers spending their time to shut down one
9 place that provided the probability of safety, so
10 not only were those police officers not available
11 to help figure out what happened to the missing
12 women, they were actively taking away one small
13 place that would reduce the risk to women. This
14 was -- I can't even find the words to describe
15 how crazy that is.

16 MR. HERN: I guess just going further to your point about your
17 sister, I suppose it would be important to
18 understand that whether different people are
19 affected by their drug addictions are able to
20 make more reasonable choices than others?

21 MS. DE VRIES: Yes. That was a very broad brush that was used
22 to paint that portrait that you read to us and
23 it's not -- I don't think it's -- I think it
24 might be accurate of a small segment of women but
25 everybody tries -- we all try to stay alive and

1 stay safe the best we can in our circumstances
2 and everybody does that -- everybody does that,
3 we just have different capacities and some people
4 have many greater obstacles to that than others.

5 MR. HERN: In fairness to the deputy chief, commission counsel
6 asked him a question if the warning saved one
7 woman or changed one woman's behaviour it would
8 be worthwhile and he agreed with that.

9 MS. DE VRIES: Yes.

10 MR. HERN: Mr. Leng, did you have a comment to make about that
11 issue?

12 MR. LENG: Yes. As far as Sarah, the only one I knew, she was
13 very cautious, she never took chances, and if she
14 was drug sick or something, if she was somewhere
15 and drug sick she would call me and I would come
16 down. She wouldn't readily jump into anybody's
17 car. No matter how sick she was she was very
18 cautious, very careful. She was so aware of
19 people disappearing.

20 MR. HERN: Ms. Hamilton?

21 MS. HAMILTON: Yes. I just wanted to also state do the police
22 have a duty if someone is so wasted out there
23 that they can't even make an informed decision
24 about going with someone, do they not have a duty
25 to protect that individual and maybe remove them

1 from danger's way? I'm not sure the police did
2 that.

3 MR. HERN: I'm taking your question as rhetorical rather than
4 seeking an opinion from me but I think it's an
5 important question.

6 MR. LENG: I have something I want to raise about what we were
7 talking about before about knowledge of the
8 Pickton farm. It comes out of my notebook back
9 in 1999 where I had a conference call with Joyce
10 Lachance and Lynn Frey and at that point in time
11 we were talking about Willie Pickton and Dave
12 Pickton and him having -- Willie Pickton having a
13 knife to someone and he was dangerous, so the
14 Pickton name did come up in '99 to me. I have a
15 record of it at home and I see it's partially on
16 the agenda here set out before me that Diane was
17 on to something. Diane, we talked about, was on
18 to something and Willie exists, the trailer,
19 knife, girl, and the RCMP were involved it says
20 and a girl in Saskatchewan knows a lot. Diane
21 has a phone number. Willie not questioned by the
22 VPD. RCMP have searched his property.

23 MR. HERN: All this might have occurred in '98, '99, you just
24 don't know?

25 MR. LENG: It could. That's a very difficult period of time

1 for me because so much was going on. I wasn't
2 keeping the notes -- when I started getting too
3 much information I started taking notes and tape
4 recording things.

5 MR. HERN: You know now there was a lot of activity, women
6 were going missing through the summer with
7 respect to Pickton specifically?

8 MR. LENG: Yes.

9 MR. HERN: Just a couple more questions. Ms. Hamilton, you
10 responded to Mr. Gratl you had some communicating
11 charges laid against -- you said in 70 percent of
12 the cases they were laid against sex trade
13 workers and not johns. That was confusing to me
14 because my understanding was that the police had
15 a laid single communicating charge in the last
16 three years and I'm wondering where the
17 statistics you had were from. You may not be
18 able to answer that and we can deal with it
19 after, but I think it would be helpful because if
20 they're statistics they ought to be relative hard
21 facts and we can work with commission counsel to
22 make sure they have the right information about
23 that. Do you remember where the statistics
24 you're referring to are from?

25 MS. HAMILTON: I can't recall. Obviously I'm not going to

1 make that type of jump and say that if it hadn't
2 come on my radar. Also speaking with the women,
3 you know, I remember -- sometimes the police do
4 not present accurate information and there may be
5 some confusion as well because I know that during
6 that time there was also diversion program for
7 male customers called john school, but they
8 wouldn't have been asking the women to go to john
9 school. So yes, the men had a diversion program
10 but there was no diversion program for the
11 females, so the females were still charged with
12 communicating. I disagree, there wasn't one
13 single charge in three years.

14 MR. HERN: In the last three years -- we're talking about the
15 same period, 2009 to 2012 or 2008 to 2011, is
16 that the time period you're talking about?

17 MS. HAMILTON: No, it's a longer period of time I'm talking
18 about.

19 MR. HERN: Well, I will invite you if you can to provide the
20 statistics and we can work with commission
21 counsel and make sure we're looking at the right
22 numbers because that's important.

23 Ms. Hamilton, are you involved directly in
24 the Sister Watch program?

25 MS. HAMILTON: No, I am not.

1 MR. HERN: You mentioned an idea that I thought was really
2 interesting was that a civilian sex trade worker
3 liaison ought to work alongside Linda Malcolm,
4 the VPD sex worker. I wonder if you could expand
5 on that. Is that something you've given a lot of
6 thought to and how do you perceive that working?

7 MS. HAMILTON: I see that working where the civilian is
8 working directly with Ms. Malcolm and that they
9 can visit the sex strolls together, they can go
10 together to the different programs that
11 Ms. Malcolm goes to now which is mainly the WISH
12 drop-in program. I also see where they could go
13 along on ride-alongs with the MAP van which a
14 program that travels Vancouver to New West along
15 the sex strolls and is issuing condoms to the
16 women, maybe coffee and so forth, and so they
17 could do those ride-arounds as well. But more
18 importantly, I really do think that having a
19 civilian there -- especially someone that has
20 former sex trade experience that the community is
21 going to really trust.

22 MR. HERN: Break down some of the barriers hopefully?

23 MS. HAMILTON: Yes.

24 MR. HERN: Do you think that there's a role or a need for a
25 similar liaison position within the health

1 authority to assist in accessing mental health
2 services or addiction services, that kind of
3 thing? Would that be useful do you think?

4 MS. HAMILTON: In terms of the VPD?

5 MR. HERN: No, in terms of a liaison group. You have a VPD
6 individual, a civilian individual, would it also
7 be useful to have as a third component to that a
8 health liaison individual? Is there a need for
9 that in the sex trade?

10 MS. HAMILTON: Absolutely. There are many women even as we
11 know from the murdered women who have multi-
12 issues that they're coping with and mental health
13 is a significant part of life for many of the
14 women, so absolutely.

15 MR. HERN: Just on that point, what I recall from the Frank
16 Paul Inquiry is paramedics who had routinely
17 dealt with chronic alcoholic individuals in the
18 Downtown Eastside had quite a lot of information
19 about those people because some people are often
20 willing to share stuff with health workers that
21 they might not be willing to share with police or
22 other service workers.

23 MS. HAMILTON: I would agree.

24 MR. HERN: Do you have an opinion on that?

25 MS. DE VRIES: It starts to become a team then of a number of

1 individuals who can support each other and refer
2 each other to situations where another one might
3 be more helpful and can cover more time because
4 there's seven days in a week with 24 hours in
5 each of them and one person can only cover 40 of
6 those hours.

7 MR. LENG: I would agree with that.

8 MR. HERN: The last thing was in respect of a question from
9 Mr. Gratl, Ms. Hamilton, I thought you referred
10 to a civilian missing persons unit of some kind.
11 Did I get that right, or civilian staff within
12 the missing persons?

13 MS. HAMILTON: Sandy Cameron. When I first had dealings with
14 her she presented as an officer of the VPD.

15 MR. HERN: No. I was looking at in respect of recommendations
16 going forward, I thought there was some
17 discussion about a civilian missing persons unit
18 and I put a question mark beside that and thought
19 I wonder what that looks like. Is that something
20 you thought about?

21 MS. HAMILTON: It might be in reference to the 1-800 line that
22 we had talked about way back in the late '90s
23 that was supposed to be set up and that never
24 came into being yet that I think would really be
25 helpful.

1 MR. HERN: Is that a 1-800 line for missing persons or others?

2 MS. HAMILTON: I think it could be for missings but also it
3 could have other roles as well, reporting of bad
4 dates.

5 MR. HERN: As an alternative to a 911 call you mean, that's
6 how you conceive of that?

7 MS. HAMILTON: Well, I've heard many complaints about the 911
8 calls that -- especially if you're involved in
9 the sex trade, that the interaction is often
10 adversarial, and especially at a difficult time
11 when one is a victim an adversarial approach is
12 not helpful in any way.

13 MR. HERN: You're conceiving of this as another way of
14 overcoming the barriers?

15 MS. HAMILTON: Yes.

16 MR. HERN: Did you have any comments?

17 MS. DE VRIES: That makes sense to me.

18 MR. LENG: Me too.

19 THE COMMISSIONER: Thank you, Mr. Hern.

20 MR. VERTLIEB: I believe that is the end of the questioning.
21 I know you'll want to thank the participants but
22 I do want you to know that all three of these
23 people have been so helpful and so co-operative
24 with your staff. Each of them have made multiple
25 trips to your offices over a period of many

1 months. Ms. de Vries was in the office months
 2 ago and continually working and looking at
 3 materials and has been so helpful, and Ms.
 4 Hamilton again and Mr. Leng more recently, but
 5 they've been so cooperative and we are grateful
 6 for the way they've been treated and handled and
 7 I just want to say we are very appreciative as
 8 counsel for their help.

9 THE COMMISSIONER: I want to thank each of you for coming
 10 here. I know it's difficult for you to come
 11 here, particularly for you, Ms. de Vries. Ms.
 12 Hamilton, you've done so much good advocacy work
 13 over the years for various groups that I want to
 14 commend you for doing that. I know it's not
 15 always easy to do work of that sort, particularly
 16 when you're running up against establishments.
 17 It's not popular but you're doing the right thing
 18 in relation to your conscious and beliefs and it
 19 helps, the views you've given us here in a candid
 20 way and I want you to know that I thank you very
 21 much and I appreciate that.

22 Ms. de Vries, you've turned a personal
 23 tragedy into a work of public service for what
 24 you've done. It's courageous what you've done
 25 and you've been very helpful. You've humanized

1 Sarah. It shouldn't be necessary to humanize
 2 Sarah or any of the other women that were there.
 3 We know that the women who were either murdered
 4 or went missing are like the rest of us, they are
 5 us, they were sisters, they were mothers, they
 6 were sisters-in-law, they were nieces, they all
 7 had families, they had families, and for various
 8 reasons they suffered various types of misfortune
 9 in their lives but they were people who needed to
 10 be treated with respect, and the fact that you
 11 wrote the book which should be compulsory reading
 12 for everyone -- you're an academic, you can
 13 assure that your students read your book.

14 MS. DE VRIES: They always love that.

15 THE COMMISSIONER: Having said that, the remarkable passages
 16 from Sarah's letters are so touching and you've
 17 in some ways brought Sarah back to life by those
 18 passages that you put in your book and you read
 19 out and the video that we saw, again, was very
 20 touching. It really shows us the enormous
 21 potential that she had and it's a tragedy that
 22 that wasn't fulfilled for various reasons, so I'm
 23 grateful to you and I think I speak on behalf of
 24 everyone here for what you've done.

25 Mr. Leng, I thank you for your persistence

1 in doing what you did and establishing a 1-800
2 number and having the single-minded devotion to
3 pursue what you thought was justice at the end of
4 the day to ensure that the women who were missing
5 could be found and so I know how sincere and
6 genuine you were in that.

7 To each of you I'm grateful that you came
8 here and all the times you attended at the
9 inquiry office in order to assist our staff and I
10 want to thank you.

11 MS. DE VRIES: Thank you.

12 MR. LENG: Thank you.

13 MS. HAMILTON: Thank you. Mr. Commissioner, could I say I'm
14 honoured to I'm honoured to have sat here before
15 you as well. At the beginning of the inquiry I
16 wasn't sure how it was going to go.

17 THE COMMISSIONER: You mean you were one of my detractors?

18 MS. HAMILTON: Not a detractor. As the Downtown Eastside once
19 had a champion in Bruce Erickson, I think you are
20 going to be a wonderful champion so that we can
21 move on and eliminate the violence this community
22 faces, so than you.

23 THE COMMISSIONER: Thank you.

24 MR. VERTLIEB: Mr. Commissioner, I want to say all the counsel
25 before you deserve credit for changing the

1 flavour and tone of the proceedings in accordance
 2 with your directive. I think your directive has
 3 been most important and timely and powerful in
 4 allowing us to move on to what you've always said
 5 is your main purpose. During the break this
 6 morning all of us met and all counsel were
 7 responsible and reflective and wished to meet the
 8 spirit of your directive and I think it's
 9 reflected in the way the questioning went. I
 10 think all of us can see that this has been an
 11 important shift in the way the proceeding was
 12 going forward and I'm confident and most hopeful
 13 it will continue. Having said that, we have to
 14 go back to a bit of the old approach that was
 15 necessary originally in terms of fact finding,
 16 meaning that Mr. Adam is back tomorrow. We had
 17 hoped to finish his evidence because no one
 18 thinks it's fair to have someone waiting
 19 indefinitely while they are under oath and no one
 20 wants that. Unfortunately Mr. Ward is not here
 21 this week, I am informed. Mr. Winteringham tried
 22 to get him to come, I gather he is not here, I
 23 think he may be out of town. The plan for
 24 tomorrow is that all of us will finish our
 25 questions of Mr. Adam, that should be done in the

1 day, leaving only Mr. Ward to finish his
2 questions of Mr. Adam and we'll schedule that
3 sometime at a convenient break for Mr. Adam and
4 Ms. Winteringham. That means we will not be
5 sitting Thursday which will allow everyone
6 including your staff to do work for the following
7 week. I must tell you, these panels take an
8 enormous amount of time. It's a more difficult
9 process to put together than simply bringing one
10 person into a witness box and having them give
11 evidence.

12 THE COMMISSIONER: I'm well aware of the background.

13 MR. VERTLIEB: I know you are, but I wanted to mention we have
14 next week another panel with the District 2
15 police officers.

16 THE COMMISSIONER: I'm well aware of the background. I know
17 Mr. Leng was in the office I think Sunday
18 afternoon I met you there and I know all of you
19 attended at various hours and I'm grateful for
20 that.

21 MR. GRATL: Jason Gratl on behalf of Downtown Eastside
22 communities including sex trade workers and drug
23 users. I rise on the topic of these panels. I
24 think this panel was extraordinarily successful
25 in communicating synergies and certainly the

1 topics they explored were justified enough. The
2 only other remark I would make is when it comes
3 to having panels of police officers those same
4 synergies may not exist and what I'm asking is
5 that your counsel consult with some of the
6 participants before coming to a conclusion about
7 which panels might be most advocacious. I know
8 there might be some differences of opinion.
9 Certainly I could see how some officers could be
10 on the same panel but when it comes to the more
11 senior members of the Vancouver Police Department
12 and RCMP it might actually be counter-productive
13 and may derogate from your fact-finding mission
14 to have too many police officers on a single
15 fact-finding point.

16 THE COMMISSIONER: Thank you.

17 THE REGISTRAR: This hearing is adjourned until tomorrow
18 morning at 9:30.

19 (PROCEEDINGS ADJOURNED AT 3:08 P.M.)

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22 (EXHIBIT 2 FOR IDENTIFICATION
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I hereby certify the foregoing to
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