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**Vancouver, BC**  
**October 27, 2011**

**(PROCEEDINGS RECONVENED AT 10:00 A.M.)**

THE REGISTRAR: Order. The hearing is now resumed.

THE COMMISSIONER: Mr. Ward.

MR. WARD: Thank you, Mr. Commissioner. In fact, I have two matters before I finish. I need to correct a mistake I made with a date yesterday, and I'll do that with the witness first.

**EXAMINATION IN CHIEF CONTINUED BY MR. WARD:**

Q Mr. Crey, yesterday when I showed you and asked you some questions about the lengthy *Vancouver Sun* article about your sister Dawn's disappearance, which appeared in an exhibit that we marked, I think it was 20 --

THE REGISTRAR: 24.

MR. WARD: 24, Mr. Registrar. Thank you.

Q I suggested that around that time you had also been quoted in a newspaper article respecting meeting with Dinah Taylor. Do you remember that exchange?

A Yes, I do.

Q And, Mr. Commissioner, it's been pointed out to me that I actually got the date wrong, and to clarify that, I've been provided with a copy of the other

1 article. I'll pass that up. I have extra copies  
2 of this for counsel who may wish them.

3 Sir, I'm showing you a two-page document, the  
4 first page of which is a copy of the *Province's*  
5 front page for November 21st, 2002, with the  
6 headline "Police pamper Pickton witness", and then  
7 turning over the page there's a copy of page A3  
8 describing events involving this witness, Ms.  
9 Dinah Taylor, and some quotations appear that are  
10 attributed to you in the column to the extreme  
11 right. So just -- do you recall these events and  
12 this newspaper article?

13 A Yes, I do.

14 Q So it was, in fact, after Mr. Pickton's arrest  
15 that you had the interaction with Ms. Taylor that  
16 you described yesterday?

17 A Yes, that's correct.

18 Q In late 2002?

19 A Yes.

20 MR. WARD: Yes. Thank you. Mr. Commissioner, I propose to  
21 have this document marked as the next exhibit.

22 THE COMMISSIONER: Yes.

23 THE REGISTRAR: Exhibit number 26.

24 **(EXHIBIT 26: Document entitled "Police pamper**  
25 **Pickton witness" news article in the November 21,**

1                   **2002 issue of the Province)**

2       MR. WARD:

3                   Q   And finally, sir, in addition to the various  
4                   public comments you made to print and electronic  
5                   media outlets, you were involved in the making of  
6                   a feature film on your daughter's case called  
7                   "Finding Dawn", correct?

8                   A   Yeah, my sister's case.

9       THE COMMISSIONER:  Sister's.

10      MR. WARD:

11                  Q   Sorry, what -- yes, your sister's case, on Dawn's  
12                  disappearance and the investigation of it?

13                  A   Yes, that's correct.

14                  Q   And that full-length NFB production described --  
15                  it was described as a documentary that was an epic  
16                  journey into the native women's experience in  
17                  Canada, including coverage of the Highway of Tears  
18                  issue and disappearances from the Downtown  
19                  Eastside?

20                  A   Yes.

21      MR. WARD:  I just mention that, Mr. Commissioner, at some later  
22                  time the commission may wish to view that or have  
23                  it available --

24      THE COMMISSIONER:  All right.

25      MR. WARD:  -- to it, but I don't propose to show it now.

1 THE COMMISSIONER: All right.

2 MR. WARD: It's called "Finding Dawn", and it's from the NFB.

3 Q And, Mr. Crey, you were filmed and appear in that  
4 film?

5 A Yes, that's correct.

6 MR. WARD: Thank you. Those are my questions.

7 THE COMMISSIONER: Thank you. Mr. Gratl.

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

9 Q Yes, Mr. Crey, just a few questions. I take it  
10 you didn't report your sister missing?

11 A No, I didn't.

12 Q And when did it come to your attention she was  
13 missing?

14 A It came to my attention from my younger sister,  
15 Lorraine. She discovered that Dawn had been  
16 missing, and she went in search of Dawn in her  
17 usual places in the Downtown Eastside and couldn't  
18 find her. She looked for her for the better part  
19 of two weeks and then she contacted me to tell me  
20 that it would appear as though Dawn is missing.

21 Q And with as much precision as possible could you  
22 tell us when that came to your attention,  
23 Lorraine's efforts?

24 A I think that was in -- in December of 2000,  
25 thereabouts.

1 Q Okay. Were you able to learn where she was  
2 living, Dawn, before her disappearance?

3 A Yes, I understand that she may have been living at  
4 the Roosevelt Hotel. She had a room there.

5 Q Okay.

6 A Yes.

7 Q And did you yourself conduct any investigations or  
8 did -- was it Lorraine primarily?

9 A It was Lorraine and still a younger sister, Rose  
10 Walton.

11 Q And they were able to speak to individuals at the  
12 Roosevelt?

13 A Yes.

14 Q Okay. And did they get anywhere with their  
15 search? Did they --

16 A No. No, they -- they didn't.

17 Q Okay. But did they learn -- did you learn the  
18 name Dinah Taylor through your sister Lorraine  
19 before Robert William Pickton was arrested?

20 A No.

21 Q And here I want to distinguish between the  
22 Vancouver Police Department and the RCMP. What  
23 was the first time you had contact with the  
24 Vancouver Police Department in respect of your  
25 sister's disappearance?

1           A    That would have been after the -- or shortly after  
2                    the founding of the joint task force. They called  
3                    us together, you know, to a hotel near the  
4                    Vancouver International Airport in Richmond to  
5                    brief us, to introduce themselves and to talk  
6                    about the investigation they would be mounting, so  
7                    that's the first time that I recall having contact  
8                    with members of the VPD.

9           Q    Okay.

10          A    And I can't recall anyone's name off the top.

11          Q    When was that meeting; do you recall?

12          A    I can't recall the month exactly, but I believe it  
13                   was in 2001.

14          Q    And were you provided assurances at that time that  
15                   the Vancouver Police had already been  
16                   investigating your sister's disappearance?

17          A    Not specifically. I wasn't provided any  
18                   assurance.

19          Q    Were you told that your sister was on the list of  
20                   missing women?

21          A    Yes.

22   MR. GRATL:  Those are my questions.  Thank you.

23   THE COMMISSIONER:  Thank you.

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

25          Q    Good morning, Mr. Crey.  Robyn Gervais,

1 independent counsel for aboriginal interests.  
2 Yesterday you testified that you were employed  
3 with the Service Commission of Canada; is that  
4 correct?

5 A Yes.

6 Q And what was your role with the Service  
7 Commission?

8 A My role with the Service Commission of Canada was  
9 -- was to recruit aboriginal people in British  
10 Columbia/Yukon for federal service jobs and also  
11 to do senior -- what they referred to as senior  
12 management staffing in the federal public service  
13 in this region.

14 Q And did you hold career fairs to recruit  
15 aboriginal people?

16 A Yes, I did. I started organizing them in the  
17 period '80, '81, '82. I think it was three --  
18 three fiscal years in which we -- we staged career  
19 fairs for aboriginal university, college, and high  
20 school kids in different locations in British  
21 Columbia.

22 Q Okay. And what kinds of positions were you  
23 recruiting for?

24 A Well, there's a large number of federal  
25 departments and agencies, and the Public Service

1 Commission, as Mr. Commissioner -- they are the  
2 central recruiting agency for the federal service  
3 and kept inventories of applicants for job  
4 vacancies in the service, and so this would range  
5 from departments like the Department of Fisheries  
6 and Oceans to Indian and Northern Affairs Canada,  
7 Health Canada, a wide range of federal departments  
8 and agencies in the region, active in the region.

9 Q And did the Vancouver Police Department ever ask  
10 you to have a booth at one of your career fairs?

11 A They did indeed.

12 Q Okay. And do you know when this was?

13 A I think they started with us in '81 or '82.

14 Q And so they did have a booth, and do you know what  
15 was the result of their recruiting project to  
16 recruit aboriginal people to the police force?

17 A I think their booth was one of the most popular  
18 booths in our career fairs. I recall they came  
19 with us to Victoria, Kamloops. I can't recall off  
20 the top if they came to Prince Rupert with us.  
21 They brought a number of officers, motorcycles.  
22 They had pamphlets and brochures and engaging  
23 officers, you know, that have an easy way about  
24 them talking with members of the public.

25 Q And do you know if they were successful in

1 recruiting aboriginal officers?

2 A Well, this is a question I have of them. I know  
3 they've made some efforts at recruiting aboriginal  
4 people in the force. I don't know if it's just to  
5 their officer -- contingent of officers, their  
6 officer program, or if they've made any efforts  
7 beyond that to recruit throughout their  
8 administration. I'm not sure if they've done  
9 that. I've read newspaper articles where it seems  
10 as though they were facing challenges doing that.

11 Q Okay. And why in your role with the Service  
12 Commission did you think it was important to have  
13 the Vancouver Police Department at these career  
14 fairs?

15 A Because the police are very active in the  
16 aboriginal community throughout Vancouver. They  
17 came into and still do come into frequent contact  
18 with aboriginal peoples, particularly in the east  
19 side of Vancouver, but not necessarily confined to  
20 that part of the city, and I thought it would be  
21 wise for them to have aboriginal officers in  
22 uniform on -- on the beat, as it were, in their  
23 vehicles working -- working inside the aboriginal  
24 community, and I thought it might be comparable to  
25 what had been known as the special constable

1 program at the RCMP, a program that was successful  
2 and had been in place for years. I'm not sure  
3 that the special constable program with the RCMP  
4 continues. I -- I think they may have shifted  
5 gears and they just recruit aboriginals into the  
6 mainstream, as it were. So that was my hope for  
7 the VPD. And I also knew that a lot of aboriginal  
8 youth had an interest in the VPD, were interested  
9 in working there, were quite taken with the career  
10 option of being a police officer. I've met many  
11 of these young folks.

12 Q Yesterday and just now you mentioned the special  
13 constable program that was created by the RCMP.  
14 Can you expand a little bit on what that program  
15 is or was?

16 A The RCMP does a lot of policing in aboriginal  
17 communities throughout Canada, in what is now  
18 known as Nunavut, in the Northwest Territories,  
19 the Yukon, and each of the provinces in Canada, so  
20 to respond to the policing needs of the aboriginal  
21 community, that would include in urban centres  
22 across the country, they created a program called  
23 the special constable program, and they -- the  
24 goal was to place the officers they were  
25 successful in recruiting into areas of the country

1 and cities across the country where there were  
2 large numbers of aboriginal people living, and  
3 those constables would work -- work with those  
4 communities. And I think they -- the program was  
5 very successful, as I recall it.

6 Q And when was this program implemented?

7 A I believe it was implemented in the early '70s.  
8 It may have survived through to the mid-'80s,  
9 something of that nature.

10 Q So, to your knowledge, today this program is not  
11 in existence?

12 A To my knowledge, it doesn't, although they do make  
13 a concerted effort to attract and recruit  
14 aboriginal people to the role of police officer.

15 Q And what kind of efforts have you seen be made?

16 A Well, I can see it in my community. There are  
17 senior native officers that police in the Fraser  
18 Valley, and they have a good reputation in the  
19 communities. When there are disputes in the  
20 community with regulatory agencies such as the  
21 Department of Fisheries and Oceans, they're  
22 usually Johnny on the spot and are very effective  
23 at helping resolve disputes. So that's the --  
24 that's the value I see in this. And they don't  
25 hire the shy ones, let's put it that way.

1 Q Do you think there's still a need for aboriginal  
2 RCMP --

3 A Yes.

4 Q More aboriginal people to be hired within the  
5 RCMP?

6 A I definitely do.

7 Q And what makes you say that?

8 A Because I've seen how effective it can be in  
9 different -- in different parts of British  
10 Columbia and elsewhere in Canada where I've  
11 worked.

12 Q So have you seen effectiveness in the rural areas  
13 of BC?

14 A Yes.

15 Q You also mentioned yesterday that you worked with  
16 the United Native Nations, correct?

17 A That's correct.

18 Q And what is the United Native Nations?

19 A It's -- it's the main political organization for  
20 aboriginal people who live off reserve in British  
21 Columbia, people who live in urban areas, people  
22 who continue to have the designation of non-status  
23 Indians. So this organization is the main  
24 advocacy group for these people. It's a political  
25 organization. Although it's an incorporated

1 society with a charitable mandate, it's  
2 nonetheless politically active.

3 Q And does that include Metis people?

4 A Yes.

5 Q Okay. And you were the vice-president and then  
6 president of the United Native Nations; is that  
7 right?

8 A That's correct.

9 Q Okay. And you mentioned yesterday that you were  
10 involved in cultural sensitivity training programs  
11 to train law enforcement officers --

12 A Yes.

13 Q -- correct?

14 And approximately when did you provide this  
15 training?

16 A Where the RCMP is concerned it was in the latter  
17 '70s in places like Prince George, north central  
18 British Columbia, and later on in the early '90s  
19 when I was with the -- sorry, I was with the UNN  
20 in the '70s but in a community development officer  
21 role, but in the early '90s I was one of the  
22 executive members of the UNN Society, and at that  
23 stage, in the early '90s, there were cross-  
24 cultural workshops, orientation sessions for VPD  
25 officers. They were usually staged at the Italian

1 centre, I believe, out on West 12th, as I recall.

2 Q And did you provide the training yourself?

3 A I was one of several people from the UNN that were  
4 involved.

5 Q Okay. And was it primarily aboriginal people  
6 providing the training?

7 A Yes.

8 Q And why did you think this training was necessary?

9 A Well, at that time Canada was in the midst of a  
10 discussion about its constitution, and there was a  
11 lot of interest in the interests of the aboriginal  
12 people, and the population of aboriginal peoples  
13 was growing in the Lower Mainland, but  
14 particularly in Vancouver, and that would bring  
15 the aboriginal people in close contact with the  
16 VPD, the aboriginal people principally in the  
17 eastern side of Vancouver, but not exclusively,  
18 but primarily in the eastern side of Vancouver,  
19 and the police themselves wanted to have these  
20 types of sessions. I believe they felt that it  
21 would be important for their officers to  
22 understand the history of the aboriginal peoples,  
23 the laws that may apply to aboriginal peoples.  
24 After all, we have a federal statute that's  
25 exclusively for Indian people, and it's been there

1 for well over a hundred years, and there's a range  
2 of policies and programs exclusively for Indian  
3 people, native Indian people or status Indians,  
4 treaty Indians in the country. And then there  
5 were the aspirations of the aboriginal peoples  
6 that the police wanted us to talk to their  
7 officers about, and then, of course, cultural  
8 differences that the officers wanted to know  
9 about, wanted to explore those issues. I think it  
10 was all in the service of them doing a more  
11 effective job policing in the aboriginal  
12 community. I think that was the thrust of their  
13 interest.

14 Q And you referred to federal legislation. Are you  
15 referring to the *Indian Act*?

16 A Yes, that's correct.

17 Q And how long did this training go on for, how many  
18 years?

19 A I recall, I think, attending two sessions over two  
20 years. The years were back to back, as I recall.  
21 Whether it continued after I left the UNN Society  
22 I'm not -- I'm not sure.

23 Q So it didn't stop while you were with the UNN?

24 A That's -- that's correct.

25 Q Okay. And what did the training generally consist

1 of?

2 A Giving the officers an overview of the history of  
3 the aboriginal peoples, differences between and  
4 amongst aboriginal societies. There was -- there  
5 seemed to be a perception in the latter '60s and  
6 '70s that an Indian was an Indian, that they were  
7 all the same whether they were from the Yukon or  
8 from Nova Scotia, that there was a homogeneous  
9 aboriginal society, and so we -- we were offering  
10 training that advised these people of the  
11 differences between and amongst us, not only  
12 political, but cultural and linguistic  
13 differences, and some of the overarching  
14 legislation that applied to all of these  
15 societies, like the *Indian Act* and any of the  
16 regulations and policies and programing pursued by  
17 the federal government for aboriginal peoples.  
18 And we discussed with them how aboriginal  
19 societies are organized, whether matrilineal or  
20 patriarchal. Just a general overview of these  
21 differences and then some advice on how they might  
22 best work with aboriginal communities, whether  
23 urban or in outlying areas or rural settings. And  
24 we tried to give them some idea of the -- of the  
25 struggle that was going on at the -- at the

1 constitutional table over the entrenchment of  
2 aboriginal rights, you know, telling them that the  
3 constitution had been repatriated in '82 and then  
4 the entrenchment of section 35 and then sections  
5 of the *Charter of Rights and Freedoms* that are  
6 applicable to aboriginal peoples. The idea there  
7 was to respond to a general lack of understanding  
8 in the Canadian population and agencies that work  
9 with aboriginal people who just didn't understand  
10 why aboriginal people occupy a special place in  
11 Canadian society, responding to this point of view  
12 of aren't we all just the same, why can't we all  
13 just be Canadians, why can't we just all be equal.  
14 We wanted to address those kinds of issues. And  
15 I'm not being sarcastic, by the way, but these are  
16 the types of questions that were posed to us, and  
17 so I've spent a lot of my life explaining to  
18 people that, you know, whether there's an  
19 appreciation of it or not or an acceptance or not  
20 that in Canadian society aboriginal peoples occupy  
21 a special place in the law, live in separate  
22 communities, are culturally different, are  
23 different between and amongst themselves and  
24 different from other groups in society but still  
25 sharing a commonality of experiences as Canadians

1 generally, right. So it was really to encourage  
2 understanding, a better appreciation of the  
3 differences and a search for common ground and  
4 improved relationships.

5 Q Were there any common themes amongst the kinds of  
6 questions that you would get from students in the  
7 training?

8 A Yes, and a little -- a little bit of argument,  
9 which was -- was welcomed. It wasn't our plan to  
10 suppress differences of opinion if they were  
11 there. But there were questions like, well, what  
12 makes your people different, what makes them so  
13 special, why are they asking for special things,  
14 and why is it that we as a tax payer spend so much  
15 money on your people, and aren't the differences  
16 what -- aren't the differences in law, is that not  
17 what is keeping us apart as Canadians, and is this  
18 wise, and, you know, typical questions you might  
19 get from a -- from your average Canadian person  
20 who has little appreciation of the history of the  
21 country and the place of aboriginal people.

22 Q And how did you respond to some of these  
23 questions?

24 A Well, we took them one at a time and explained why  
25 there are differences and why we would over time

1                   need to accept some of these differences and how  
2                   that would -- how that would improve things for  
3                   the aboriginal people and for Canadians generally.

4                   Q   And you said that you would mention the *Indian*  
5                   *Act*. Did you go into any great detail about the  
6                   effects that the *Indian Act* --

7                   A   Yes.

8                   Q   -- had on aboriginal people?

9                   A   Yes, the history of the act, and in its early  
10                  years, Mr. Commissioner would know for sure, it  
11                  was really an oppressive piece of legislation, but  
12                  it evolved over time, and it remains a bit of an  
13                  oppressive piece of legislation in our lives, and  
14                  we would explore -- explore those differences.  
15                  For example, people would ask me, "Well, look,  
16                  Ernie, my people came from Portugal or they came  
17                  from India or they came from Pakistan or they came  
18                  from England or they came from Germany. When we  
19                  got here, we didn't have two nickels to rub  
20                  together. We didn't speak English very well. The  
21                  jobs we got were driving spikes or digging holes  
22                  in the ground or digging fence posts, but, you  
23                  know, we struggled, we made it. My parents still  
24                  don't speak English very well, but I do, and I  
25                  have an education and now I fit into Canadian

1           society. We own businesses. We pay taxes. But  
2           where did your people miss the boat?" And that  
3           was the purpose of explaining the *Indian Act*. For  
4           example, very few Canadians, even though there's  
5           been repeated efforts to explain, don't understand  
6           that Indian reserves are not held in fee simple.  
7           Indians can't go to banks to take out loans to  
8           establish a business, for example, and use land as  
9           collateral. It's federal Crown land. When people  
10          understand that, they go, "Oh. Oh, I see. Okay.  
11          I understand." Right. A lot of Canadians don't  
12          understand.

13        THE COMMISSIONER: Weren't allowed to vote until 1960.

14           A    And so forth. Weren't allowed to vote. Our kids  
15           didn't go to public school. They went to  
16           residential schools. I can remember when they  
17           started to close down the residential schools and  
18           integrate Indian kids into the public schools  
19           there were riots in the streets of British  
20           Columbia. Some people forget that. The white  
21           community didn't want Indian kids in the public  
22           schools. And there's a documentary made about  
23           that. And you'd have Canadians in the streets  
24           saying, "Well, their children are diseased.  
25           They'll bring lice into the school. They'll

1           reduce the performance of our children because  
2           they're not capable students," and so forth. You  
3           know, this is all documented. I don't say this in  
4           response to your questions out of bitterness. I'm  
5           just saying that's the reality that was there in  
6           the '50s and the '60s.

7           Q   And did you see any kind of paradigm shift for  
8           students once they went through this training?  
9           And I know you didn't engage with them much after,  
10          but in the classroom did you see people -- sort of  
11          light bulbs going off in people?

12          A   Well, I found that -- well, I just -- I called  
13          them the knot heads, you know, the hardcore knot  
14          heads in the programs. Some of them would  
15          actually come up to me later and ask to talk about  
16          the issues more deeply and talk about their  
17          feelings towards aboriginal peoples, and we would  
18          explore that, and I'd go into my social work mode,  
19          right, and explore this whole issue of prejudice  
20          and stereotypes and the like, and often it turned  
21          out that the hardcore knot heads turned out to be  
22          the people with the greatest promise. I can  
23          remember in a few incidents some of them said,  
24          "Until we came to this course I didn't really  
25          understand that what accounted for my feelings

1 about aboriginal people was fear. I can remember  
2 sitting at a dining room table at home with my  
3 parents as I was growing up," they would say, and  
4 some of the -- they would listen in on some  
5 terrible things said about aboriginal peoples, and  
6 so what they were basically telling me is they  
7 grew up in an environment where there was no --  
8 very little, if any, contact with aboriginal  
9 people but where they were -- overheard and  
10 listened to stereotypical opinions about  
11 aboriginal people: they're dirty, they're lazy,  
12 they're not productive, they're diseased, they're  
13 amoral, and so forth, right. The things they  
14 would hear at the dining room table. And a few of  
15 the officers said, "But now I know that's not so.  
16 I thought it was so." So we sometimes have a  
17 tearful parting, let's put it that way.

18 Q Do you think that sensitivity training is still  
19 necessary among policing authorities?

20 A They may -- they may still be doing it. I  
21 guess -- I guess, Mr. Commissioner, they'll be  
22 asked these types of things later. They may be  
23 doing it, but if they're not, they should. They  
24 should make it a regular part -- part and parcel  
25 of the training of officers. Mr. Commissioner,

1 I'm not recommending police officers be made  
2 junior psychologists or junior anthropologists or  
3 social workers, you know, people with heart on  
4 their sleeves, but they can learn things that will  
5 help them overcome some of their perceptions,  
6 perhaps their fears, concerns about aboriginal  
7 peoples, and if they do -- I'd rather have an  
8 officer, quite frankly, who's overcome his fears  
9 and misperceptions of aboriginal people on the  
10 beat than I would with an officer who hasn't dealt  
11 with those, let's put it that way. I would see  
12 them as being more effective in their roles, and  
13 I'm all for that.

14 Q Besides the things that you've already described  
15 in past training that you've done, is there  
16 anything else that you think is incredibly  
17 important to put in sensitivity training?

18 A Well, things -- the law is changing where  
19 aboriginal folks are concerned, and there's  
20 broader changes going on in aboriginal society  
21 now. More and more federal departments and  
22 agencies are delegating responsibilities for  
23 programing for aboriginal people directly to the  
24 aboriginal community. There are certain hard-won  
25 rights that are there on the horizon, like the

1 right of self-government -- governance. Mr.  
2 Commissioner, this might mean that in 10 years  
3 time or 15 years time that we may see the  
4 emergence of tribal codes or First Nations codes  
5 of law. We may see tribal courts in British  
6 Columbia. And we already have tribal policing  
7 agencies in British Columbia, so the next logical  
8 steps might be the development of tribal codes of  
9 law, more tribal policing agencies and tribal  
10 courts. And I've invited lots of people just to  
11 look 33 miles from here to Lummi, Washington.  
12 They have tribal courts and tribal police, tribal  
13 game wardens, tribal codes. They handle matters  
14 at law short of capital murder, the tribal courts.  
15 We may see that emerge in British Columbia. So  
16 it's important that people understand these  
17 changes are in the works. Treaties are being  
18 negotiated. So it's important that people  
19 understand this and that they also understand why  
20 it is that so many aboriginal people live in  
21 Vancouver, you know, why they've come in from the  
22 hinterland or other parts of Canada to take up a  
23 life in Vancouver. They need to understand why  
24 that is so and the challenges these people face  
25 making an adjustment to urban life. I think that

1           would help them, you know, do their jobs more  
2           effectively.

3           Q   What kinds of positions do you think aboriginal  
4           people should occupy within policing agencies?

5           A   Well, when I -- Mr. Commissioner, I do have a few  
6           speeding tickets, but when I do -- and parking  
7           tickets, but when I do come to town, I don't  
8           recall ever being stopped by an aboriginal  
9           officer. And I'm not saying that, you know, I  
10          should get stopped and an aboriginal officer would  
11          make it better, but my point is I haven't ever  
12          been stopped by an aboriginal officer. I know  
13          they may employ a few aboriginal officers, but I'd  
14          like to see them employ a larger number of  
15          aboriginal officers, particularly at the VPD, and  
16          if they can't employ them as regulars but they  
17          want to orient young aboriginal people to a career  
18          in policing, they could be hired as auxiliaries if  
19          they have an auxiliary program. You know, you'll  
20          see some of these officers who may not have the  
21          full range of skills and knowledge of a regular  
22          officer. I think sometimes they have them, like,  
23          you know, directing traffic and doing other  
24          things. This is a good orientation. I'm talking  
25          about something above the level of ride-along.

1 I'm talking about actually developing a program  
2 that would gradually introduce increasing numbers  
3 of aboriginal people into the VPD.

4 Q And do you think it's important for aboriginal  
5 people to occupy other positions within the  
6 police?

7 A I think as time goes on, for example, they could  
8 take a look at federal programing. Over the years  
9 the federal government has developed programs  
10 designed to promote aboriginal women and men to  
11 the senior ranks of federal departments and  
12 agencies, and it's worked. It's worked to good  
13 effect. So now you can go to Indian and Northern  
14 Affairs Canada and find very senior people who are  
15 aboriginal. Health and Welfare Canada. What had  
16 been called Employment and Immigration. I think  
17 it's called Services Canada. Heritage Canada.  
18 Any department that has as part of its mandate the  
19 delivery of some sort of program to the aboriginal  
20 community now have senior people within their  
21 ranks, and they're every bit as competent as  
22 anyone else, so this is not an argument for hiring  
23 the unqualified. For me it's never been that.

24 Q What effect do you think this would have on the  
25 aboriginal community, if there were more

1           aboriginal people occupying these positions?

2           A    I think the aboriginal community generally would  
3           be very pleased.  If they could look and see a  
4           ranking aboriginal officer in the VPD, they would  
5           be very pleased, and many would be very proud.  
6           And if they saw more aboriginal officers, they  
7           might feel a greater sense of confidence in the  
8           policing services that the VPD does, and wouldn't  
9           that be a good thing.

10          Q    On that note, historically speaking what is the --  
11          what has been the general level of trust between  
12          aboriginal people and policing authorities?

13          A    Well, it hasn't been good, but it's been changing.  
14          But you need to understand the roots of the  
15          relationship between policing agencies,  
16          particularly the RCMP, not so much the VPD.  But  
17          with the inception of the aboriginal schools the  
18          RCMP often played a role of -- of running down  
19          aboriginal children, picking them up, putting them  
20          on planes or trains and -- to be trundled off to  
21          residential schools, so there's a deep-seated fear  
22          in the aboriginal community of -- of police  
23          officers, and it's rooted in our history.  And I  
24          say this not to make people feel guilty.  It's  
25          just -- it's just part of our history, and so the

1 deep-seated fears go back to that era, and it's  
2 not so long ago. You know, there was a time when  
3 the Indian agents from DIA, particularly in the  
4 Prairie regions and for sure in the Lower Mainland  
5 of British Columbia, the police officers, the RCMP  
6 would round up aboriginal children, and they were  
7 put in cattle cars and sent off to residential  
8 school. And I recall this -- it's a well-known  
9 incident, it was in Manitoba, of the RCMP doing  
10 the Indian kid roundup, as they referred to it.  
11 It was the roundup, the fall roundup. So the  
12 Indian agents would bring the RCMP with them, go  
13 out onto reserves, and where there were  
14 recalcitrant parents, people that didn't want  
15 their kids to go to the school, the RCMP would  
16 break down doors and grab the kids, put them in a  
17 horse buggy, wagon, you know, like a hay wagon,  
18 and take them down to the nearby railway tracks,  
19 and the kids would be loaded into cattle cars to  
20 be taken to a residential school in Manitoba. And  
21 as I recall the historic description, the officers  
22 and the Indian agents in one instance looked off  
23 in the horizon, and they saw this dust rising in  
24 the distance, and the RCMP called for the train to  
25 stop, that this might be some additional kids

1 coming. Well, it wasn't. What it was was -- it  
2 was the grandparents, the moms and dads, right.  
3 Yeah, running to catch up to the RCMP officers and  
4 the Indian agents. And when the grandparents and  
5 parents got there, in order to stop the train what  
6 they did was they'd climb up the sides of the  
7 cattle cars grasping the hands of their kids and  
8 their grandchildren, and then the Indian agent  
9 would order the RCMP to crawl up on the side,  
10 using their truncheons break the hands of the moms  
11 and grandmothers. You see? So if you have  
12 your -- if you're someone of my age and you have  
13 your grandmother telling you this incident when  
14 she had her hands broken by the RCMP and you're  
15 listening to this story and you're six and seven  
16 years old, you're going to be afraid and angry and  
17 suspicious, right. And that kind of relationship  
18 that existed there permeated this relationship  
19 between the aboriginal peoples and the Indians.  
20 And by the way, this applied to the Metis children  
21 as well. Those schools were not just for Indian  
22 kids. They were for Metis children. And, in  
23 fact, the residential school at Mission wasn't  
24 called an Indian residential school, actually,  
25 when it opened. It was called a school for

1 orphans and half-breed children.

2 Q We heard evidence last week from Dr. Kate Shannon,  
3 who is a UBC professor of medicine, that women  
4 often do not report violence against them to  
5 police because they feel that there's a sense of  
6 apathy amongst the police and that they simply  
7 don't care. Do you think that having more  
8 aboriginal people in policing authorities and  
9 providing sensitivity training would help?

10 A Yes. Often the officers are called to difficult  
11 family situations where social workers are about  
12 to apprehend kids. They're often called out to  
13 sort of keep everyone calm. Imagine. You can't  
14 really keep people calm in that -- but to keep the  
15 peace would be the best way to describe it. And  
16 so the parents, you know, they become afraid,  
17 right. They become -- they become afraid. And  
18 this relationship is coloured by those types of  
19 things in our community and in the community here  
20 in Vancouver. Often the police are called into  
21 difficult family situations that involve child  
22 welfare authorities, often called into situations  
23 where there are domestic disputes. Right. If  
24 they had a better knowledge of the aboriginal  
25 community, they may learn how to better handle

1           some of these disputes, maybe even help resolve  
2           them, and that's important, and so I think the  
3           training for the non-aboriginal officers and more  
4           aboriginal officers in the service would go a  
5           long, long way to making a great difference in the  
6           community here in Vancouver.

7           Q   Do you think there are any other steps that  
8           policing authorities could take to increase the  
9           level of trust between aboriginal people and the  
10          policing authority?

11          A   Well, I wouldn't know what the demands are on the  
12          VPD. I imagine they're great. But -- and they  
13          may do this already, but they may want to expand  
14          this kind of activity, but taking part in cultural  
15          events in the aboriginal community, getting  
16          themselves invited to cultural events in the  
17          aboriginal community. Being there. Be seen.  
18          That would -- that would go a long -- a long way  
19          to help improve trust in the working relationship  
20          between themselves and the aboriginal community.  
21          They need to do more of that. There's a program  
22          that they may already take part in. There's these  
23          canoe journeys that take place. We have federal  
24          fishery officers and RCMP officers, other policing  
25          agencies that go on these canoe journeys with

1           aboriginal youth, for example, down the Fraser  
2           River or along the coast. That would help a lot.  
3           They may be already doing this, but that kind of  
4           activity needs to be expanded.

5           Q   I now want to turn the focus to the book that you  
6           spoke about yesterday, *Stolen From Our Embrace*,  
7           and talk a little bit about that book and the  
8           child welfare system. You testified yesterday  
9           that you co-authored the book with Ms. Susan  
10          Fournier *Stolen From Our Embrace*, and that was  
11          published in 1997, correct?

12          A   Correct.

13          Q   Okay. And the book is about the effects of the  
14          residential and child welfare system?

15          A   That's correct.

16          Q   Okay. And why did you think it was important to  
17          write a book about that?

18          A   Because I know, Mr. Commissioner, that across the  
19          province there are schools of -- programs for  
20          social workers, schools of social work, for  
21          example, at places like UBC and UVic. Social  
22          workers, like police officers, play a big role in  
23          the lives of aboriginal people. One day it's  
24          either a police officer or the next day it's a  
25          social worker, correct. So they play a big role

1 in our lives, and quite often the social workers  
2 that work in the aboriginal community, you know,  
3 show their faces in the aboriginal community  
4 aren't red faces, unless they're embarrassed, but  
5 they're not aboriginal faces, and I've always been  
6 one to think that social workers -- there should  
7 be far greater numbers of aboriginal social  
8 workers, and the only way to do that is to have  
9 them enroll in these programs such as UVic and UBC  
10 and the University of the Fraser Valley and  
11 Thompson Rivers University. It's important that  
12 that happen. So what happened after -- one of our  
13 goals was we thought that once our book was  
14 published that it would become sort of standard  
15 fare in social work programs across the country,  
16 and as it turns out, that's so. Our book is used  
17 at UBC and UVic and just about every academic  
18 institution that has an -- sorry, a social work  
19 program. And we thought the book would be  
20 different than perhaps any other textbook a social  
21 worker might read. We thought that the stories  
22 that were told in there - it's just not Susan  
23 Fournier and Ernie Crey, you know, pontificating.  
24 We actually wrote a book that allowed for the  
25 voices of aboriginal youth and families speak

1 through, come through, and that it would be a good  
2 thing for these social workers in training to read  
3 a book like that. And our assumption turned out  
4 to be correct, that wherever I go in Canada I've  
5 encountered people that have read the book and  
6 have remarked that it's helped them a lot in  
7 their -- in their work. And it's also intended  
8 for the general readership, you know, in Canadian  
9 society. They don't want to read a textbook.  
10 Canadians don't want to read a textbook.  
11 Canadians aren't students. Students are students.  
12 And so the general readership out there that have  
13 picked up the book have -- find it a good read, a  
14 moving read, a read that's touched them, and  
15 people have come forward to me, cabinet ministers  
16 in the provincial government who have read it and  
17 federal cabinet ministers and others, people from  
18 academic institutions, even some lawyers, for God  
19 sake, have said, "I've read your book, and I took  
20 a lot away from it, and I just wanted to, you  
21 know, say that it was -- it was a really good read  
22 and I learned a lot. It's helped me understand  
23 better what -- understand -- develop a deeper  
24 appreciation of aboriginal peoples and society."  
25 Q Do you think that your book has any place in

1 training the VPD or RCMP?

2 A Yes. Yes, I do.

3 Q Do you think it would foster an understanding  
4 amongst --

5 A Yes.

6 Q You had extensive involvement with the child  
7 welfare system, correct?

8 A That's correct.

9 Q And can you outline your involvement?

10 A In the mid-'70s I was hired by the Union of BC  
11 Indian Chiefs to work in the province's first  
12 aboriginal child welfare program. It was a  
13 collaborative program, Mr. Commissioner, between  
14 what is now called the Ministry of Child and  
15 Family Development and the Union of BC Indian  
16 Chiefs. My colleague and I were stationed in  
17 Kamloops, and another two social workers were  
18 stationed in Campbell River. The reason for  
19 those -- for those two areas being the place where  
20 this new program would be introduced is because  
21 those two areas had the highest incidence of  
22 apprehensions of aboriginal children or Indian  
23 children by provincial social workers. So the  
24 name of the -- the goal of the program was for us  
25 to recruit aboriginal adoptive and foster homes,

1 and the idea was to stem the tide of -- the flow  
2 of aboriginal kids into foster and adoptive care  
3 in the non-aboriginal community in the province,  
4 in the country and into the United States and even  
5 abroad. Back in the '60s and '70s after the  
6 residential schools were being closed down the  
7 federal government created a policy and a program  
8 called Adopt Indian Metis, is what it was called,  
9 and unlike the residential school it was -- school  
10 system -- it was an unabashed program designed to  
11 deliberately take aboriginal kids, whether they  
12 were Indian or Metis, and arrange for their  
13 adoption by non-aboriginal Canadians and Americans  
14 and people from overseas. And it had two  
15 purposes. As one lawyer said, it was to make --  
16 it was to make white people out of red kids. But  
17 the other -- the other purpose was to reduce  
18 federal expenditures on aboriginal peoples. Now,  
19 we're not talking about a couple of hundred kids.  
20 We're talking about tens of thousands of kids that  
21 were taken, placed in first foster care and then  
22 adopted by -- principally by Americans, but over  
23 the years I've found these adoptees in places, Mr.  
24 Commissioner, like New Zealand and Scotland and  
25 Germany and Holland and elsewhere around the

1 world. Once these children were adopted away they  
2 were now the responsibility of the adoptive  
3 parents, and the federal government can go -- each  
4 kid represented over time a line item in a budget  
5 of X thousands of dollars, right. Well, somebody  
6 else would now be responsible for Indians, and  
7 that would be adoptive parents. And so it was  
8 really a program that had two faces. One was to  
9 reduce federal expenditures in the long term on  
10 Indians because, in effect, they were no longer  
11 Indians, and the other one was to transform these  
12 children from being Indians, being culturally in  
13 possession of themselves, to being really  
14 non-Indians. That was the purpose of the program,  
15 and the federal government made no bones about  
16 that, and then they quickly coordinated their  
17 efforts with provincial governments, who enjoyed  
18 the jurisdiction in child protection matters.

19 Q Since you began working in the child welfare  
20 system you've seen it evolve over time, correct?

21 A Correct.

22 Q And what kind of changes have you seen be  
23 implemented?

24 A Well, it's moved from a place where provincial  
25 child protection officers working for the Province

1 of British Columbia, and in an earlier era the  
2 commissioner will remember some private societies  
3 like the Catholic Children's Aid Society and so  
4 forth would do this type of work, but over time  
5 there's been a gradual delegation of some of the  
6 responsibilities for Indian child protection and  
7 Metis child protection to societies that have  
8 established programs. Some of those societies are  
9 -- delegated the child protection responsibility.  
10 Not all of them, but some of them. So those  
11 programs would be responsible for the protection  
12 of children, that is, the removal of children, and  
13 also for recruiting adoptive and child placements,  
14 homes for aboriginal kids. So we've moved from it  
15 being exclusively a provincial matter managed by a  
16 particular provincial agency now to the point  
17 where we're seeing these aboriginal agencies, for  
18 example, in Vancouver the VACFSS, of which I'm the  
19 founder of that society, and the Xyolhemeylh  
20 agency in the Fraser Valley, and USMA in Port  
21 Alberni. I'm not responsible for founding those  
22 other societies, but for sure VACFSS here in  
23 Greater Vancouver. They've taken over some of  
24 those responsibilities under delegated authority  
25 from the Province of British Columbia to provide

1 child protection and to provide a range of  
2 services to families and kids with the goal of  
3 trying to keep aboriginal families intact.

4 Q Do you know approximately how many fully delegated  
5 agencies there are in BC?

6 A I'm not sure at this time. I think there's  
7 probably 40 or more agencies, and I don't think  
8 that half of them are delegated, I don't believe.  
9 My knowledge there is a little bit dated. But a  
10 goodly number of them are delegated agencies.

11 Q And now that there are these delegated agencies in  
12 place where aboriginal people are, I guess, in  
13 charge of removing aboriginal children, do you  
14 think things have changed or are things any  
15 better?

16 A No.

17 Q Why?

18 A Sadly, I don't. And people disagree with me, but,  
19 sadly, I don't. It's not so much -- well, I was  
20 one of the earliest advocates for these agencies.  
21 That's a historical fact. I had a different  
22 vision for these agencies than the agencies that  
23 have adapted. But what do I mean they're not  
24 successful? Well, you just have to look at the  
25 statistics. There's been a demographic change in

1 the aboriginal community. Mr. Commissioner, our  
2 families tend to be younger, on average, than the  
3 general population, young parents, and they're  
4 having children, and some of them are living on --  
5 on the edge, as it were, lacking employment, a lot  
6 of educational skills and the like, so they often  
7 find themselves in a position where they can't  
8 protect and provide for their children. Often  
9 they are far from their home communities, whether  
10 a Metis settlement or an Indian reservation  
11 somewhere in British Columbia. They're in  
12 Vancouver, for example. It isn't long before they  
13 come to the attention of child protection workers,  
14 whether from the ministry or a society like  
15 VACFSS, for instance, and it's not long before  
16 those social workers are in their homes, and then  
17 we quickly have a child pro -- we're quickly  
18 facing a child protection situation. So what, in  
19 fact, we're seeing is a greater number of  
20 aboriginal kids being apprehended at any time  
21 since the early 1960s. In fact, there are more  
22 aboriginal kids in care than ever attended  
23 residential schools in Canada. That's where we're  
24 at right now. And the numbers of kids being taken  
25 into care, protection is growing because the

1 population is growing. Really we have a crisis in  
2 Indian family life and the lives of aboriginal  
3 children, and people don't have to take my word  
4 for it, they just need to read stories in the  
5 *Vancouver Sun* or *Province* in which the child  
6 advocate for British Columbia, Mary Ellen  
7 Turpel-Lafond, as Mr. Commissioner will know, has  
8 already said this is the case. She has said this  
9 is the case. There's too many kids coming into  
10 care, too many kids suffering whilst they're in  
11 care, too many kids being injured or being killed  
12 in the kith and kin program that some of these  
13 agencies run. And it's not confined to British  
14 Columbia. It's taking place all across the  
15 country.

16 MS. GERVAIS: Mr. Commissioner, is now a good time for the  
17 break?

18 THE COMMISSIONER: Yes. Thank you.

19 THE REGISTRAR: The hearing will now recess for 15 minutes.

20 **(PROCEEDINGS ADJOURNED AT 11:00 A.M.)**

21 **(PROCEEDINGS RECONVENED AT 11:17 A.M.)**

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

23 MR. WARD: Mr. Commissioner, Cameron Ward, counsel --

24 THE COMMISSIONER: Yes.

25 MR. WARD: -- for the families. I've had discussions with my

1 friends, and they've agreed subject to your  
2 permission that Mr. Crey may be joined at the --  
3 on the stand by his sister Lorraine --

4 THE COMMISSIONER: Yes.

5 MR. WARD: -- for the remainder of the questioning, and I've  
6 invited my friends that if they have any questions  
7 about the family's efforts to find out what  
8 happened to Dawn, which are chronicled largely in  
9 that newspaper article that was --

10 THE COMMISSIONER: Yes.

11 MR. WARD: -- tendered as an exhibit, that Lorraine Crey might  
12 be best suited to respond to those.

13 THE COMMISSIONER: All right. Okay.

14 MR. WARD: And everybody, I understand, is agreeable to that,  
15 and if --

16 THE COMMISSIONER: Yes, that's fine.

17 MR. WARD: Thank you. So, Ms. Crey, you can come on up then.  
18 Thank you.

19 THE REGISTRAR: Mr. Commissioner, as I understand, she is going  
20 to be a witness later. I will also affirm her.

21 MR. WARD: That's correct, yes.

22 THE COMMISSIONER: Yes.

23 MR. WARD: She'll be affirmed.

24 THE COMMISSIONER: We have so many tables it's like a maze  
25 finding your way through there, I guess.

1 MR. WARD: And I'm sorry to interrupt my friend.

2 THE REGISTRAR: Good morning. I will affirm you.

3 **LORRAINE CREY: Affirmed**

4 THE REGISTRAR: Would you state your name, please.

5 A Lorraine Crey.

6 THE REGISTRAR: Thank you. Counsel.

7 THE COMMISSIONER: Yes.

8 MS. GERVAIS:

9 Q Robyn Gervais, counsel for aboriginal interests.  
10 Mr. Crey, I just have a couple questions left for  
11 you with respect to the child welfare system.  
12 Just for a moment pretend that we didn't have a  
13 child welfare system. How would aboriginal  
14 communities deal with families in need?

15 A Aboriginal communities, what we call customary law  
16 in our communities. In the absence of a child  
17 welfare system customary law would prevail.  
18 Customary law is already recognized by the courts  
19 in Canada insofar as customary adoptions are  
20 concerned in the aboriginal community and  
21 marriages, and this has been so for decades. So  
22 it's already there. It's recognized by -- it's  
23 been dealt with by the courts. It's recognized at  
24 law. And where child welfare is concerned, that's  
25 what would apply in our communities, but customary

1 law in child protection in our communities has  
2 been supplanted by provincial statute law,  
3 regulations and policies, and they differ -- they  
4 differ from one province to the next and one  
5 territory to the next, so we have this sort of  
6 patchwork quilt of laws and policies that relate  
7 to child protection from one end of this country  
8 to the other. That's what we have. When people  
9 say, "There you go again talking like some damn  
10 social worker. What do you mean exactly," I give  
11 an example of -- of my grandmother Mamie. When my  
12 parents went through a difficult spell when they  
13 were quite young, they were -- they were coping  
14 with alcohol, and up until I turned about age 6.  
15 My grandmother walked -- she had a cane. She  
16 walked across the Hope bridge down into -- down  
17 into town, where we lived. She came to our house,  
18 and she was -- she was treated reverentially by my  
19 father -- this was his mother -- and by my mother.  
20 She was quite a lady. What she told my parents  
21 is, "Look, you know, if you don't look after your  
22 kids and stop drinking, I'm going to send your  
23 kids to their relatives in Musqueam, the Sparrow  
24 family, and you won't see your kids again. So  
25 what is it? What are you going to do?" She

1 looked at her son, my father. And he looked at  
2 her and said, "I choose to stop drinking," and my  
3 mother followed suit. That's an example of  
4 customary law and practice in our communities.  
5 Today if, Mr. Commissioner, if -- if a young  
6 aboriginal couple were to be told the same thing  
7 by their grandparents, they would say, "You don't  
8 have any rights where my kids are concerned. I  
9 don't care what you say. We're going to live like  
10 we want to live." I don't mean that in every  
11 case, but generally speaking. And it's true, the  
12 grandparents don't have any rights in those -- in  
13 those cases. But that's an example of customary  
14 law and its importance in our community. Well,  
15 that's -- those arrangements have been supplanted  
16 by provincial laws and policies as they -- as they  
17 pertain to aboriginal child protection. That's  
18 what's been replaced. Now we have really what are  
19 proxy agencies for the Ministry of Child and  
20 Family Development in British Columbia. They're  
21 really -- contractors is what they really are, and  
22 what some of us are on about in the province is --  
23 and it's in the title of our book, the book that I  
24 co-authored with Suzanne Fournier. When we say  
25 the restoration of the aboriginal community,

1           that's what we mean. We mean the restoration of  
2           traditional means of governance in our  
3           communities, because if you adopt another system  
4           that's failed you all along, I don't know why you  
5           expect things are going to improve. This may  
6           sound idealistic. I don't think it is. I know it  
7           works, and it will take some time to work, but the  
8           system we have now I -- and it's not just me, it's  
9           all sorts of observers that know a lot about child  
10          protection and the law say it's not working.

11   MS. GERVAIS: Thank you, Mr. Crey. Those are all the questions  
12                I have for you. If we were to ask you to come  
13                back at the recommendation phase of this inquiry,  
14                would you be willing to do that?

15            A    Yes. Yes, I would.

16   MS. GERVAIS: And I don't have any questions for you, Ms. Crey.

17   THE COMMISSIONER: Thank you. Any further questions?

18   MR. HERN: I think commission counsel was going to ask a few  
19                questions of Ms. Crey. Is that no longer the  
20                case?

21   MR. VERTLIEB: No, I was just waiting. I knew Mr. Ward had  
22                thought there might be some concern about some of  
23                the evidence that apparently --

24   THE COMMISSIONER: All right.

25   MR. VERTLIEB: -- Mr. Crey's sister had more knowledge about,

1 but I'm comfortable with everything that's  
2 transpired. I think we've developed a very good  
3 record. But if there's any concerns to any  
4 participants, I think it's helpful she's here for  
5 any questions. Mr. Ward, obviously if there's  
6 something that you wish to cover as well, feel  
7 free to do so.

8 MR. GRATL: Mr. Commissioner, I wonder if we could possibly  
9 stand down for five minutes.

10 THE COMMISSIONER: Sorry?

11 MR. GRATL: If we could possibly stand down for five minutes.

12 THE COMMISSIONER: Yes.

13 MR. GRATL: I'd be grateful for an opportunity --

14 THE COMMISSIONER: All right.

15 THE REGISTRAR: The hearing will now recess for five minutes.

16 **(PROCEEDINGS ADJOURNED AT 11:25 A.M.)**

17 **(PROCEEDINGS RECONVENED AT 11:37 A.M.)**

18 THE REGISTRAR: Order. The hearing is now resumed.

19 THE COMMISSIONER: Yes, Mr. Gratl.

20 MR. GRATL: Yes. Mr. Commissioner, I hadn't expected to be  
21 examining this witness in chief, but I've spoken  
22 to her briefly in the short intermission, and I do  
23 have a few questions for her.

24 THE COMMISSIONER: Yes.

25 MR. GRATL: It might be of assistance. I'll try to fumble

1 through as best as I can with short notice.

2 THE COMMISSIONER: Okay.

3 **EXAMINATION IN CHIEF BY MR. GRATL:**

4 Q Ms. Crey, my name is Jason Gratl. I'm the lawyer  
5 representing the perspectives and interests of  
6 affected individuals and organizations on the  
7 Downtown Eastside, so principally sex workers and  
8 drug users. You've been sworn in, have you, as a  
9 witness?

10 A Yes.

11 Q Okay. And you had a pretty close relationship  
12 with your sister Dawn?

13 A Yes, I did.

14 Q You were working as a property manager for Lu'ma  
15 Native Housing?

16 A Yes.

17 Q In Vancouver?

18 A Yes.

19 Q And how long were you working in that capacity?

20 A 19 years.

21 Q Okay. And so that would include the period from  
22 1997 to 2002?

23 A Yes.

24 Q And you lived in Vancouver as well as working in  
25 Vancouver?

1           A    Yes.

2           Q    And your sister Dawn lived in Vancouver as well,  
3                did she?

4           A    Yes, she did.

5           Q    You and she visited on a weekly basis?

6           A    Yes, we did.

7           Q    Okay.  And so, of course, you, as sisters do,  
8                traded confidences?  She told you what was going  
9                on in her life, and you told her what was going on  
10              in yours?

11          A    As sisters do, we did.

12          Q    Okay.  So when she went -- when she went missing,  
13                do you remember the time period when she went  
14                missing?  That was in -- just at the latter end of  
15                the year 2000, wasn't it?

16          A    It was -- no, it was just -- it was almost 2000.  
17                It would have been the end of '99.

18          Q    Okay.  And at that time she had been living at the  
19                Roosevelt Hotel?

20          A    Yes, she lived there.

21          Q    In a number of different rooms?  She had moved  
22                from room to room?

23          A    She did.  She lived in three rooms before the  
24                Roosevelt.

25          Q    Okay.  But even within the Roosevelt Hotel?  She

1 had moved around a little bit within the hotel?

2 A Once she did. She lived in one room and then she  
3 moved into the last room that I visited her in.

4 Q Okay. The last time you spoke to your sister she  
5 mentioned being afraid of someone at the Roosevelt  
6 Hotel; isn't that correct?

7 A Yes.

8 Q Okay. And did she say whether it was a man or a  
9 woman she was afraid of?

10 A A man.

11 Q Okay. And when you last went looking -- or when  
12 you first went looking for your sister and weren't  
13 able to find her, the place you went was the  
14 Roosevelt Hotel; isn't that right?

15 A Yes.

16 Q And when you got there the doorman or the  
17 concierge or the front-desk clerk at the hotel,  
18 what was his name?

19 A I do not know his name, just his nickname, which  
20 was Boss. People called him Boss.

21 Q They called him Boss?

22 A Yes.

23 Q And when you went up to this Boss and asked him  
24 where your sister was, he told you that his  
25 sister -- that your sister had moved across the

1 street to the Balmoral Hotel?

2 A Yes, he did.

3 Q Did you go looking for her there?

4 A I went directly there right after he told me.

5 Q And what did you find?

6 A Nothing. She wasn't there. There was no answer  
7 on the door.

8 Q If I could have a minute.

9 How long did you look for your sister before  
10 approaching the Vancouver Police Department? I  
11 just mean approximately. I know it's been many,  
12 many years.

13 A Three weeks. I know I reported it two weeks  
14 before Christmas, so for four weeks it would be  
15 that I was searching the streets.

16 Q Okay. So you searched up and down the street  
17 speaking to --

18 A The streets and the establishments around there  
19 and questioned the people on the streets.

20 Q You knew where she --

21 A Frequented.

22 Q Where she frequented, the places she hung out in?

23 A Yes.

24 Q And some of the people she knew either as friends  
25 or acquaintances?

1 A Yes, I knew her associates, the people that she  
2 spoke with, her regular -- her friends, the closer  
3 people that she knew.

4 Q And I take it, of course, that none of them had  
5 seen her either?

6 A No.

7 Q When you went to the Balmoral, who did you speak  
8 to at the Balmoral; do you remember?

9 A I do not know his name, but the desk man is the  
10 one I spoke with.

11 Q Okay. And did you tell the Vancouver Police  
12 Department when you reported your sister missing,  
13 did you tell them about going to the Roosevelt and  
14 hearing that she had moved to the Balmoral and  
15 about going to the Balmoral and hearing that she  
16 hadn't moved in?

17 A When I actually reported it at the VPD?

18 Q Yes, when you first reported it.

19 A I just reported her missing, but they didn't  
20 question me about missing from where. I just gave  
21 them her name, and that's all they asked.

22 Q They didn't ask about whether there were any --  
23 whether, for example, there was anybody that she  
24 was afraid of?

25 A That did not come up at all. They never asked me

1           that. That came later on.

2           Q All right. And it came later on. There must have  
3           been -- there was a gap of some period between the  
4           time when you reported your sister missing to the  
5           Vancouver Police Department and the time that you  
6           were approached by investigating police officers;  
7           is that right?

8           A There was a large gap, yes.

9           Q Can you estimate the size of that gap, how many  
10          months or --

11          A Approximately a year.

12          Q All right. And after that one-year gap when the  
13          police started investigating did they ask you  
14          about your sister's last place of residence?

15          A Yes.

16          Q And you told them what you've told the  
17          commissioner today?

18          A Yes.

19          MR. GRATL: Thank you.

20          THE COMMISSIONER: Anything arising out of that?

21          MR. GRATL: Oh, actually, I'm sorry, Mr. Commissioner, I have  
22          one more question.

23          THE COMMISSIONER: Yes, go ahead.

24          MR. GRATL:

25          Q Did Deputy Chief Evans of the Peel Regional Police

1                   ever try to speak with you about your sister's  
2                   disappearance? I mean in the last year or two.

3           A    Debbie?

4           Q    Did Deputy Chief Jennifer Evans of the Peel  
5           Regional Police ever try to speak with you --

6           A    I don't --

7           Q    -- in the last --

8           A    -- remember speaking with any female officer or  
9           chief, no. I --

10          Q    I mean in the last year or two.

11          A    The last -- I know I spoke with a couple of  
12          officers. I don't remember their names, but I did  
13          speak with -- probably my brother would know that  
14          better than me. I forget their names.

15   MR. GRATL:   Okay. Thank you very much.

16                  A    Yes.

17   MS. GERVAIS:  Nothing arising.

18   THE COMMISSIONER:  All right. Thank you. Mr. Hern.

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

20                  Q    Ms. Crey, my name is Sean Hern. I'm counsel for  
21                  the Vancouver Police Department and the Vancouver  
22                  Police Board, and I just have a couple of  
23                  questions with respect to the evidence you were  
24                  just providing to Mr. Gratl, and you had mentioned  
25                  that the date that you last saw your sister was in

1 1999, and I'm wondering if -- if -- it's obviously  
2 a long time ago now, and I'm wondering if that  
3 could be -- you could just be mistaken by a year  
4 on that because the note that we have in the file  
5 is that the last seen date was November 8, 2000,  
6 for your sister. Is it possible that you're a  
7 year off in your recollection? Do you have any  
8 markers that would help you establish the year  
9 that you can remember her going missing?

10 A We were planning her birthday October. November.  
11 We were planning her birthday. That would have  
12 been in '99, two weeks before her birthday. That  
13 was the last I seen her, was in '99, and then it  
14 went on into the new year, right.

15 Q So did other -- did her other friends or were you  
16 aware of other people who had seen her in the year  
17 2000?

18 A In the year 2000? Actually, I just spoke with a  
19 woman just a couple of days ago that was just with  
20 her two days before, and, yes, I spoke with  
21 somebody. I do not remember the name. But that  
22 is when I found out that she was on Powell Street,  
23 but by that time when I went searching on Powell  
24 Street she was already gone. And Powell, I  
25 couldn't find her there.

1 Q Okay. So was there a large gap between the time  
2 you last saw her two weeks before her birthday, as  
3 you say, and when you found out that other people  
4 had said that she went missing, or would you see  
5 her regularly?

6 A I seen her two weeks before her birthday. I seen  
7 her regularly for years. I always knew where she  
8 was, where I could find her, where she lived, and  
9 she was never far. It didn't take me long at all  
10 when I'd go downtown looking for her. If she  
11 wasn't at home, I would just walk maybe up and  
12 down the block a couple of times and I'd hear her  
13 call my name.

14 Q All right.

15 A If she wasn't at home.

16 Q So there's a note -- do you recall the first  
17 meeting you had with a member of the Vancouver  
18 Police Department about your sister? Can you  
19 remember that in your mind, or is that vague and  
20 blurry?

21 A This is when -- after I reported her missing?

22 Q Yes, after you learned -- after she had gone  
23 missing.

24 A There is a large gap too, about a year, but, no, I  
25 do not know the exact date, time.

1 Q Do you remember the person you were dealing with  
2 at all, whether it was a woman or a man?

3 A There was two. There was -- I didn't keep their  
4 card. I believe there was a male and female there  
5 in my home.

6 Q All right. And I have in the file notes that  
7 there were telephone discussions between you and  
8 the Vancouver Police Department in February 2 of  
9 2001 and February 5 of 2001. Do you have any  
10 recollection of those occurring?

11 A Telephone discussions? We may have. The date and  
12 time I don't know.

13 Q Okay. And you don't have -- you don't personally  
14 have any notes about your dealings with the police  
15 department in reporting your sister missing or  
16 discussing those things with them?

17 A My personal notes? I never kept any. I never  
18 thought I would have to. I would assume that the  
19 VPD would have all of that.

20 Q Sure. I understand.

21 A As civilians, I don't think we do that.

22 MR. HERN: I wasn't expecting that you had them. I was just  
23 asking whether you did. So those are all my  
24 questions in relation to your evidence with Mr.  
25 Gratl, but I do want to say on behalf of the VPD

1 and the board that -- how sorry we are about your  
2 loss, and I hope that through this proceeding we  
3 can provide you with some answers as we go along.  
4 And, Mr. Crey, we've heard and appreciated your  
5 thoughts and perspectives and opinions and  
6 experiences, and I want to thank you for that.  
7 I've noted many of them down, and I do hope, as  
8 Ms. Gervais suggested, that you can come back so  
9 we can discuss further how things can be improved,  
10 and over the course of this proceeding we'll have  
11 an opportunity to -- to explain the changes that  
12 have been made to make things better and to learn  
13 how things can be further improved. So thank you  
14 for that.

15 MS. CREY: Sorry, it will take me time to forgive the VPD  
16 because I don't think "sorry" cuts it for me at  
17 this time.

18 MR. HERN: I understand.

19 MS. CREY: Thank you.

20 THE COMMISSIONER: Any further questions by any counsel? Ms.  
21 Livingston, do you have --

22 **CROSS-EXAMINATION BY MS. LIVINGSTON:**

23 Q Hi, I'm Ann Livingston for VANDU. I was listening  
24 to Ernie Crey this morning and felt I needed to  
25 ask a few questions about the suggestions that you

1           were making about involving more aboriginal  
2           recruits in recruiting for both the Vancouver  
3           Police Department and the RCMP and some of the  
4           changes, and I wasn't sure, I just wanted to ask a  
5           question. Do you think that aboriginal police  
6           officers would not follow orders or enforce --  
7           enforce unjust laws? I just wanted to clarify  
8           whether -- you know, I don't know if you get what  
9           I'm getting at about whether being aboriginal  
10          makes you a better police officer than not in that  
11          if you're ordered to carry out the Criminal Code  
12          of Canada and if it includes an unjust law,  
13          whether you think on that level it would help. I  
14          think I understand some of the subtleties of  
15          having an inclusive policy of recruitment.

16        THE COMMISSIONER: I didn't understand the question. Maybe Mr.  
17                            Crey did.

18        MS. LIVINGSTON:

19                    Q    Okay. If the prostitution laws are unjust, the  
20                        drug laws are unjust or something like potlatch  
21                        laws are unjust, would aboriginal police officers  
22                        be forced, if they were sworn to, you know, serve  
23                        in the police department, have to enforce those  
24                        laws?

25        THE COMMISSIONER: Your question is if there are laws that are

1           perceived to be unjust would aboriginal police  
2           officers enforce those laws? Is that what you're  
3           saying?

4   MS. LIVINGSTON:

5           Q    Yeah, just in terms of your recommendations about  
6           recruitment, which I don't disagree with, by the  
7           way, but I'm just -- I just wanted to be  
8           clear about this.

9           A    It may be the case that police officers of all  
10          backgrounds may feel that some of what they're  
11          doing perhaps is unjust, but their job is to  
12          enforce the laws as they stand.

13          Q    Okay.

14          A    And as to changes in the laws, well, we know what  
15          the process is in Canada, right. The last time I  
16          checked, it's a democratic country, and groups  
17          with interests in changes in the law, that's their  
18          job to advocate for those changes.

19          Q    Yeah, and -- well, there could be more comments  
20          about how slow that is, but I won't get into that.

21          A    Yes.

22          Q    And whether aboriginal people have been very  
23          successful. I was involved with preventing the  
24          apprehension of what I call a VANDU baby a number  
25          of years ago, and many of the members of the

1 Vancouver Area Network of Drug Users are  
2 aboriginal people. She was Plains Cree. I  
3 observed that the aboriginal services, such as  
4 foster care and support workers, were equally  
5 eager to place this baby in care and were biased  
6 against the woman because of her drug use. Do you  
7 have a comment or explanation? And I heard some  
8 of your comments that you're disappointed that the  
9 rates of apprehension are higher than ever.

10 A Well, this goes to my concern about the current  
11 state of affairs in child protection in BC, but  
12 specifically where aboriginal families are  
13 concerned is that the aboriginal social workers  
14 who work for these delegated agencies are really  
15 contract workers for the ministry. They're  
16 accountable to the ministry and the arrangements  
17 they've made with the ministry to enforce child  
18 protection laws and policies as they currently  
19 stand. The child protection policies and  
20 approaches to child protection and support for  
21 families do not emerge from the communities, the  
22 aboriginal peoples. They're enforcing child  
23 protection laws of British Columbia. So where I'm  
24 at at this stage in my career is advocating a  
25 restoration, the restoration of customary laws and

1 practices in the aboriginal community.

2 Q The -- my experience with that family and other  
3 aboriginal families when -- when the rest of the  
4 family -- for instance, this new baby that had  
5 arrived in the world that is actually under the  
6 care of the mother, it took a pushy white woman  
7 like me to take custody and bring her into my home  
8 and give her enough time to jump through a bunch  
9 of hoops, and she kept her child and has her child  
10 to this day. In her family, both of her brothers  
11 are in jail for life for murders they committed in  
12 jail after being in jail for quite petty charges,  
13 and I believe -- so do you have a comment about  
14 the -- when you go back to the family and look for  
15 the traditional family supports and find that the  
16 family's broken up with them being in care plus  
17 jail, do you have a comment about envisioning what  
18 it will take to go back to traditional family  
19 values and have --

20 A Yes, it takes resolve from the community.  
21 Aboriginal peoples, Mr. Commissioner, perhaps like  
22 some other ethnic communities in British Columbia,  
23 are communal, communal people, and cling to  
24 traditions and cling to their values, so in an  
25 instance like that it's not so much the family in

1 and of itself a nuclear family, it's really the  
2 community needs to wrestle with these issues  
3 before there can be a restoration of these  
4 customary practices and traditions in our  
5 community.

6 Q The -- in my 18 years of advocating for effective  
7 treatment for people who use drugs who are  
8 extremely marginalized, and by these I mean  
9 legalized heroin and cocaine prescription  
10 prescribed legally, injection sites for people who  
11 inject drugs outside and in dangerous  
12 circumstances inside hotel rooms, I observed that  
13 aboriginal treatment centres can sometimes be the  
14 slowest to adopt these considered radical  
15 initiatives. Do you have a comment?

16 A Well, I'm on record as supporting Insite, and I'm  
17 on record -- I've written letters to the  
18 aboriginal groups in British Columbia like the  
19 Union of BC Indian Chiefs and the First Nations  
20 Summit asking them to stand up for Insite, and now  
21 it appears as though this matter may be resolved.  
22 There's been a Supreme Court decision. So I'm --  
23 personally I'm an advocate for those things, and  
24 it may be that some aboriginal treatment centres  
25 and groups that are offering services are maybe

1           slow to keep pace with developments in the larger  
2           community, but those things change.

3           Q   And the -- I just want to make the comment that  
4           plenty of non-aboriginal treatment centres are  
5           also very rigid in these policies. I'm bringing  
6           this up because many of these women approached  
7           treatment and were the most likely to fail within  
8           the closest periods of time for, and I don't know  
9           about your sister, very strict requirements of the  
10          way they behave while they're in treatment and  
11          very rigid rules about being kicked out very  
12          quickly. Do you have a comment about that effect  
13          on your sister?

14          A   I'm aware of treatment centres for aboriginal  
15          people around the province, and I know that they  
16          operate differently, they have different policies  
17          and approaches, and many of the treatment centres  
18          are -- make a sincere effort to root their  
19          approach to treatment in aboriginal traditions and  
20          values.

21          Q   I think my comment is more directed about detox,  
22          which is something you need to jump through before  
23          you can get to the treatment centres you're  
24          mentioning.

25          A   Well, I can remember taking my sister Dawn to a

1 detox centre here in Vancouver, and let's put it  
2 this way, it wasn't a very welcoming environment.  
3 Not a reflection on the staff, it was just how the  
4 facility was run. I think it was called Great  
5 Northern Way.

6 Q Right.

7 A And I thought, I don't think my sister's going to  
8 stay here. Of course I was right.

9 MS. LIVINGSTON: We have a great deal of work to do.

10 A Yes, I agree.

11 MS. LIVINGSTON: Thank you.

12 A Thanks.

13 THE COMMISSIONER: Anything further?

14 I just want to thank both of you for coming  
15 here today. Mr. Crey, we're most grateful not  
16 only for you coming here to talk about your  
17 personal tragedy and how it affected you and your  
18 family, but I'm particularly grateful for the  
19 other evidence that you gave regarding the plight  
20 of aboriginal people in Canada. We could talk  
21 about this topic for days, and the many things  
22 that you've said about the residential schools and  
23 their legacy, the *Indian Act* and its legacy, and  
24 the relationship of aboriginal people to the  
25 criminal justice system are comments that need to



1 MR. CHANTLER: -- Bridget Perrier?

2 THE COMMISSIONER: Yes.

3 THE REGISTRAR: I'll just affirm the witness.

4 **ANGEL WOLFE: Affirmed**

5 THE REGISTRAR: Would you state your name, please.

6 A Angel Wolfe.

7 THE REGISTRAR: Thank you. Counsel.

8 THE COMMISSIONER: Sorry, your first name is?

9 A Angel.

10 THE COMMISSIONER: Angel.

11 **EXAMINATION IN CHIEF BY MR. CHANTLER:**

12 Q Thank you, Miss Wolfe. You are the daughter of  
13 Brenda Wolfe; is that correct?

14 A Yes.

15 Q And Brenda was last seen on -- in February 1999  
16 while living in Vancouver's Downtown Eastside; is  
17 that right?

18 A Yeah.

19 Q You were only six years old then, and you're 18  
20 years old now?

21 A Yes.

22 Q On December 17th, 2007, Robert William Pickton was  
23 convicted for second degree murder in the death of  
24 your mother; is that correct?

25 A Yeah.

1 Q You now live in Toronto?

2 A Yes.

3 Q And you've travelled here with your stepmother  
4 from Toronto to participate in these proceedings?

5 A Yeah.

6 Q You're a student. You've taken time off school to  
7 be here today?

8 A Yes.

9 Q I'm going to hand up some photos that have been  
10 provided. You've seen those photos before?

11 A Yeah.

12 Q And these are photos of your mother?

13 A Yes.

14 MR. CHANTLER: If those could be marked as the next exhibit,  
15 Mr. Commissioner.

16 THE COMMISSIONER: Yes.

17 THE REGISTRAR: That will be marked as Exhibit number 27.

18 **(EXHIBIT 27: Document entitled - Photocopy of a**  
19 **memorial photograph of Brenda WOLFE)**

20 MR. CHANTLER:

21 Q Now, I understand, Miss Wolfe, that you've  
22 prepared a statement to be read today?

23 A Yes.

24 Q Do you have anything you'd like to say to the  
25 commissioner before you read your statement?

1 A No. I think it's all in my statement.

2 Q Okay. Why don't you go ahead and read that.

3 A Okay. Thank you. Ani. Hello. My name is Angel  
4 Wolfe. My Indian name is Woman of Sacred Dreams.  
5 I am 18 years old. I am presently a student in  
6 Toronto. I love photography and poetry. I'm also  
7 a survivor. I grew up as a Crown ward in the care  
8 of CAS but recently was able to find my youngest  
9 half sister and now have a family who I reside  
10 with. I've been through a lot due to my mother's  
11 passing.

12 My mom's name was Brenda Ann Wolfe. She was  
13 murdered by Robert Pickton in Vancouver, BC, and I  
14 was eight years old when I found out about her  
15 death. I grew up with her name all over the press  
16 and heard many grotesque details of those murdered  
17 in the Downtown Eastside. I have heard many  
18 untrue stories about my mother.

19 I remember my mother. She was a very happy  
20 person, loved music and always dancing -- was  
21 always dancing and singing. I grew up -- I grew  
22 up with my mother and my abusive father. She  
23 tried to leave my dad many times, but it never  
24 worked out. I can remember happy memories with my  
25 mother, though, because my parents had lived in

1 separate places at this time. I had an  
2 interesting childhood.

3 Finally my mom fell hard into her addiction,  
4 and I fell -- I was in my dad's care and was  
5 moving to Toronto due to his mother being sick.  
6 My mom kept in contact by telephone. We were in  
7 Toronto living with my grandma. My dad's  
8 girlfriend at that time was introduced into my  
9 life. She took care of us. She is a great woman,  
10 and I always remember her always giving me the  
11 phone to talk to my mother in BC because my father  
12 didn't necessarily promote me and my birth mom's  
13 relationship. I would talk to my mom regularly  
14 and then finally the calls stopped. My father  
15 wanted to be oblivious to the fact that my birth  
16 mother had stopped calling her children. Bridget  
17 wasn't. She knew if my mother was in jail or the  
18 hospital or something someone or -- someone or she  
19 would have called Bridget or her children to let  
20 us know that she was fine. Bridget knew something  
21 was wrong. She had gotten concerned about my mom  
22 and talked to her sister, who was out west here,  
23 to look out for her here. Bridget got the news  
24 from her sister that my mom hasn't been seen.  
25 Last time I talked to my mom I was about six years

1 old.

2           Shortly after my dad started to lose himself  
3 to drugs and alcohol, and my grandma died and left  
4 him with all her estate. He lost all  
5 responsibility and then lost us to CAS. I was  
6 then put into a native group home, which after got  
7 closed down due to sexual and physical abuse going  
8 on in the home. Then CAS finally Crown warded me,  
9 and I was placed into a Jewish foster home, where  
10 I spent most of my years there growing up. I  
11 couldn't properly identify myself as a First  
12 Nation. And then finally the cold brutal truth  
13 came knocking at the door.

14           I remember the day the police came to my  
15 foster home. I was eight. I opened the door.  
16 Two officers, one male, one female. The officers  
17 said to my foster mother already behind me as she  
18 rushed me to the door -- as I rushed to the door  
19 after her, "Hi, Miss, can we talk to you," he  
20 said, totally ignoring the fact of my existence  
21 standing in front of him. They went aside for a  
22 bit, but finally I got called back downstairs and  
23 got told the second I sat down in the family room,  
24 "So we may have found your mother's remains on a  
25 pig farm," like it was just finding a missing

1 needle in a haystack, so monotone, no emotion at  
2 all. There was already -- they were already  
3 inside my home, so I couldn't ignore this. The  
4 man interrupted all the judgments -- the man  
5 interrupted me with all his judgments he was  
6 thinking up in his head. "So, Angel, if you don't  
7 mind, we need to question you." I can still  
8 remember like it was yesterday. Then the woman  
9 officer finally did something and put a black  
10 binder and a silver recorder down in front of me.  
11 They started by just talking to me. By this time  
12 I was so zoned out and just noticed the silver  
13 recorder. It was a little pocket-sized like it  
14 was the same one they used family to family, I  
15 thought to myself. He continued on asking me  
16 questions one after another. I really couldn't  
17 stop thinking what they had told me wasn't true  
18 because in my mind as a little girl I still  
19 thought I was finding my mom one day. Finally the  
20 officer was over the questions, and to me it felt  
21 an -- to me it felt like an interrogation, though.

22 For me living in my foster home -- in my  
23 foster home for two years it gave me enough time  
24 to become an angry, abandoned-feeling little  
25 eight-year-old girl. I had trust -- I had trust

1 and authority issues through the roof from moving  
2 around, and finally the home I ended up living in  
3 wasn't for me. The people who were ruining -- who  
4 were running it were -- were -- participated in  
5 their own religion and taught me nothing about  
6 mine. I was very confused about my identity, did  
7 not identify myself as a native for the longest  
8 time, but finally the news hit me. My mom was  
9 murdered, and in the area I was living in I was --  
10 it was very rich, and all my friends' moms started  
11 reading the papers, and you would be amazed at how  
12 many mothers didn't want their children hanging  
13 out with me anymore or friends telling me I lied  
14 to them about the whole -- about my whole life and  
15 when it was just I didn't want to accept it all.

16 Brenda Ann Wolfe was my mother. She was an  
17 aboriginal woman who was killed by Robert Pickton.  
18 He got away with this because, like my mom and  
19 many of these women, they were of high-risk groups  
20 and of a marginalized community. They were  
21 already forgotten in society's eyes. The police  
22 ignored the problem almost for two decades.  
23 Finally they realized that they were a -- there  
24 was a monster in the Downtown Eastside that was  
25 taking women from the streets but with no crime

1 scenes. Many missing women were already reported  
2 by many families -- by many friends and families.  
3 It took 31 women to just vanish off the streets  
4 before authorities couldn't -- couldn't ignore it  
5 any longer.

6 Finally a missing task force was made on  
7 February 6th, 2002. Robert Pickton's farm was  
8 raided by the police. They had found their crime  
9 scene. The media and everyone wanted to identify  
10 these women as drug-addicted sex workers. Not me.  
11 I see them as survivors. I remember looking at  
12 the poster for the first time and seeing the 69  
13 different women. What I saw was hurt families,  
14 other people's mothers, sisters, aunties, and  
15 friends. No one wanted to perceive that story in  
16 the media.

17 The media really went nuts with the case, and  
18 I was not ready for the grotesque detail of the  
19 murder in the Downtown Eastside and the many  
20 untrue stories about my mother. I grew a hatred  
21 to my mother with no reason because at that time I  
22 was being said -- it was being -- what was being  
23 said in the paper I didn't know what to be certain  
24 of. I didn't know what had happened from when I  
25 was six and that last call. After all it felt

1           like I was getting punched in the face. Finally  
2           with the truth of my real family, where I was  
3           from, and all the questions I've had with being in  
4           care, but no one could or would really answer them  
5           for me. I needed to know more. For some reason  
6           my foster mother did not want to hear any  
7           information given by the media, so I had -- I had  
8           a book of every newspaper article about the  
9           pre-trial and trial. Finally I burned the book  
10          for my own healing, but something in me needed to  
11          know everything before I could let go.

12                 I would like to now read a poem I wrote for  
13          my mom.

14                 Many women died years ago. Most of them I  
15                 did not know, but one of them was close to my  
16                 heart. One of them I knew from the start.  
17                 One of them was my mother. I thought I knew  
18                 her like no other, but I did not know what  
19                 she kept from me, and those are the secrets  
20                 that tore apart my family. Life isn't normal  
21                 anyways, but I'm safe now and I have loved  
22                 ones to spend the holidays. But I know time  
23                 has been taken from our frame 'cause the  
24                 devil's like whiskey and cocaine, led you to  
25                 a man who was worst, and then he took you

1 from me forever. First I'm a daughter of a  
2 mother, and I don't think I should be asking  
3 myself why, why no one wanted to protect  
4 these women and let them die. No one --

5 Sorry.

6 I used to blame myself all the time for all  
7 her wrongs and all her crimes. I'll never  
8 forget and I'll always try for now I hardly  
9 ever cry. I wish you were still here with me  
10 instead of being held as evidence. I have a  
11 smile and don't hide each day for now I know  
12 there's a secret place you lay.

13 I'm a very lucky girl, though. I could have  
14 followed in her footsteps. Having society as my  
15 parents it allowed me not to have proper  
16 supervision, and I ran away. I ran away for six  
17 months from the care of CAS. I ended up finding  
18 my stepmom Bridget, who right from the start had  
19 reminded me that my mom loved me. She has gotten  
20 custody, and even though our home is crowded with  
21 kids and dogs and chaos, I love it. It's filled  
22 with tons of love, which I needed from the start.

23 Bridget has set me up with a lot of people,  
24 and for the first time ever I feel like I have a  
25 community that supports me. Me and my mom and my

1 community have helped me a lot to get the strength  
2 to speak up now. I tell my story so I can inspire  
3 people and have a voice. I'm involved in Canadian  
4 Roots Foundation, was lucky enough to be an  
5 aboriginal youth representative at the Truth and  
6 Reconciliation Commission. I'm also part of Up  
7 With Women Foundation, MP Joy Smith and Sex Trade  
8 101, who I'm presently working for as a youth  
9 representative. I do not believe that  
10 prostitution is a choice, the promotion of sex  
11 work in our community, and I believe that Canada  
12 needs to learn from its mistakes.

13 This July we had the missing task force come  
14 to our house, and I saw the photos and the crime  
15 scene layouts, but let me tell you in the air of  
16 that room all I could feel was error. I was  
17 offered \$10,000 for my mom from the Crime Victims  
18 Unit. That amount is nothing. My mom will never  
19 be there to see me graduate, to walk me down the  
20 aisle or to stand beside me when I give birth, and  
21 for them to put a money -- a price tag on my  
22 mother hurts me.

23 Canada needs to wake up and see the body  
24 count. 600 plus missing or murdered Anishnawbek  
25 women in Canada. It's an atrocity. This is

1 genocide. What can we do so that these women are  
2 accounted for? We need to keep up this dialogue  
3 and continue more inquiries such as this. We need  
4 more detox beds, more treatment centres,  
5 disinvolvement of the current police board and new  
6 creation of a new board with aboriginal and  
7 community representation, ongoing support and  
8 funding for the children of the victims that --  
9 and get the guidelines and all the, you know,  
10 things you need, because it's really horrible, and  
11 have our traditional counsellors we want to work  
12 with and go through our sorrow with. And, yeah, I  
13 want more traditional counsellors for kids and  
14 more supports for the kids and the victims of  
15 these kids. Thank you.

16 THE COMMISSIONER: Thank you.

17 MR. CHANTLER: Thank you, Miss Wolfe.

18 THE COMMISSIONER: Thank you. Thanks for coming. Thanks for  
19 telling us your story, and we're -- it's -- you've  
20 impacted all of us in what you've told us and how  
21 this horrible crime has affected you, and I just  
22 want to admire you for your courage, admire you  
23 for what you're doing and getting involved as you  
24 are as a student, and I just want to wish you good  
25 luck.

1 A Thank you.

2 THE COMMISSIONER: Thank you again.

3 A Thank you.

4 (WITNESS EXCUSED)

5 THE COMMISSIONER: We'll adjourn till 2:00.

6 MR. CHANTLER: Yes.

7 THE COMMISSIONER: Who is your next witness?

8 MR. CHANTLER: Lilliane Beaudoin.

9 (PROCEEDINGS ADJOURNED AT 12:16 P.M.)

10 (PROCEEDINGS RECONVENED AT 2:00 P.M.)

11 THE REGISTRAR: Order. The hearing is now resumed.

12 MR. CHANTLER: Mr. Commissioner, Neil Chantler, counsel for the  
13 families. I'm calling the next witness, Lilliane  
14 Beaudoin.

15 THE REGISTRAR: Good afternoon.

16 A Good afternoon.

17 THE REGISTRAR: I'll read the oath to you.

18 LILLIANE BEAUDOIN: Affirmed

19 THE REGISTRAR: Would you state your name, please.

20 A Lilliane Beaudoin.

21 THE REGISTRAR: Thank you. Counsel.

22 EXAMINATION IN CHIEF BY MR. CHANTLER:

23 Q Ms. Beaudoin, you are the sister of Dianne Rock?

24 A I am.

25 Q And if I was to be technical, I might call you the

1 adoptive sister?

2 A Yes.

3 Q But you referred to each other as sisters --

4 A As sisters, yes.

5 Q -- throughout your life?

6 And Dianne Rock is believed to be one of the  
7 victims of Robert William Pickton; is that  
8 correct?

9 A That's correct, she is.

10 Q Robert Pickton was charged with her murder, but  
11 those charges were stayed in August 4th --

12 A Yes.

13 Q -- 2010?

14 A Yes, they were.

15 Q Dianne was last reported seen by her social worker  
16 on October 19th, 2001; is that right?

17 A That's correct.

18 Q And at the time she was living in the Downtown  
19 Eastside?

20 A Yes, she was.

21 Q Before I ask you more about Dianne's life and her  
22 disappearance and your involvement with the  
23 police, can you tell us a bit about yourself.  
24 You've travelled here from Welland, Ontario?

25 A Yes, I did.

1 Q And you've come here to participate in the  
2 inquiry?  
3 A I certainly did.  
4 Q And your husband Rene is here with you?  
5 A He is.  
6 Q And he's here in the gallery. You've been married  
7 for 42 years?  
8 A Yes, I have.  
9 Q And are you currently employed or are you retired?  
10 A I'm -- I'm retired.  
11 Q And what were you doing before then?  
12 A I was a healthcare aide.  
13 Q What about Rene? Is he employed?  
14 A Yes, he is.  
15 Q What does he do?  
16 A He's a mobile crane operator.  
17 Q You have two children?  
18 A Two children, yes.  
19 Q And aside from Dianne you have three other  
20 siblings?  
21 A Yes, I do.  
22 Q Moving to Dianne's life, she was born September  
23 2nd, 1967, correct?  
24 A That's correct.  
25 Q Your parents, Ella and Denis, adopted Dianne at

1 quite a young age?

2 A Yes.

3 Q Can you tell us a bit about that?

4 A Dianne was six weeks old when she came to the  
5 house. My sister Denise brought her over to  
6 baby-sit her for the evening, and Dianne was  
7 coming down with a cold, so the family decided  
8 that, you know, she should stay on for a while  
9 longer. So we also kept Dianne's birth mother,  
10 Denise, who stayed with us for a while, and as  
11 time went on we just -- she just stayed on and  
12 stayed on, and we just grew to love Dianne, and we  
13 just kept her and her mother for a few years.

14 Q And you eventually -- your parents eventually  
15 formally adopted her; is that right?

16 A Yes, we did. At the age of four she was -- she  
17 was adopted and given our family name.

18 Q And that was in 1971?

19 A Yes.

20 Q What was Dianne like as a little girl?

21 A Oh, she was a spunky little one. She was --  
22 beautiful curly hair. She just loved being with  
23 my -- my daughter. They grew up together, my  
24 daughter was born in '71, so the two of them were  
25 just like two sisters. They played together.

1                   They spent weekends together. They had mutual  
2                   friends. They just loved hanging out with each  
3                   other.

4                   Q   When did Dianne move out of your parents' house?

5                   A   Dianne moved out of my parents' house at a young  
6                   age of around 15 years old when she got pregnant  
7                   for her first child.

8                   Q   And what did she do?

9                   A   She took an apartment of her own and just lived on  
10                  her own for a while.

11                  Q   She was married in 1985?

12                  A   Yes, she was.

13                  Q   She would have been 18 at that time?

14                  A   Yes.

15                  Q   And she had three children by age 20; is that  
16                  right?

17                  A   Yes. Yes, she did.

18                  Q   What was her life like at that point?

19                  A   Her life was fine. She was doing well. She was  
20                  staying home taking care of her children, raising  
21                  the three little ones because she did have them so  
22                  close in age that she stayed home watching over  
23                  her children, and then things started getting  
24                  rough in the marriage and they decided to  
25                  separate.

1 Q How did she cope with that separation?

2 A She didn't cope very well with the separation, but  
3 she managed to carry on with having to raise three  
4 children. She decided to go into, as I call it,  
5 exotic dancing.

6 Q Was she still living in Welland, Ontario at that  
7 point?

8 A Yes, she was. Yes.

9 Q At some point she moved from Welland to Brantford,  
10 Ontario?

11 A Yes, she did.

12 Q And what was that move for?

13 A That was just to move away because she had met her  
14 second husband, and he lived in the Brantford  
15 area, so she decided to move up there with him.

16 Q At some point she left Brantford and moved to  
17 Vancouver, the Vancouver area; is that right?

18 A Yes, she did, after her and -- her and her second  
19 husband got -- like, they were married, and she  
20 had had her one child by him by then, and they  
21 decided to move up here to -- to BC.

22 Q So she moved out here with her second husband?

23 A Yes, she did.

24 Q And where did they settle?

25 A I am not exactly sure of the town that they

1 settled in, but it was with her second husband's  
2 father. He was -- he was going to give her a job  
3 -- give him a job paving driveways and --

4 Q Somewhere in the Vancouver area?

5 A Somewhere in the Vancouver area, yes.

6 Q Did you come out and visit her at any point on the  
7 west coast?

8 A I did not come out to BC to visit her. My mother  
9 did. My mother was out here quite often.

10 Q She remained close with the family out east,  
11 though, did she?

12 A Oh, yes, she did. She called us quite frequently,  
13 and my mother visited her once to twice a year.

14 Q And your mother would come out and visit?

15 A Yes.

16 Q So at that point in her life she's living in  
17 Vancouver. She has how many children?

18 A She had four children then.

19 Q And she's with her second husband?

20 A Yes.

21 Q Is she employed?

22 A Yes, she was. Yes, she was. She was working -- I  
23 don't know the name of the facility, but she was  
24 she was a healthcare aide working there and part  
25 time taking care of a quadriplegic in the

1                   evenings. So she did have two jobs at one point.

2                   Q Did she have any special training for that job; do  
3                   you know?

4                   A Not necessarily, but she did go to school. She  
5                   was in school at -- in the last years of her life.  
6                   She was in school taking up for her nursing, her  
7                   healthcare aide.

8                   Q It sounds like she was doing quite well?

9                   A Oh, she was -- was. She was doing very well.

10                  Q And just to put it in context, what years does  
11                  that cover, that period?

12                  A That would cover '93, '94, '95, '96, '97, '98.  
13                  All the way through she --

14                  Q Dianne's life, it could be said, took a turn for  
15                  the worse in 2000, would you agree?

16                  A I would agree, yes.

17                  Q And what happened in her life then?

18                  A In the year 2000 she again separated from her  
19                  second husband. Things weren't going very well at  
20                  the time, and she decided that -- they both  
21                  decided that they were going to break up, so she  
22                  moved out on her own and took her own apartment  
23                  with the three children.

24                  Q And what happened next, over the next few months?

25                  A I think over the next few months things started

1 getting rougher, and I think that's when she  
2 started back into the drugs.

3 Q Okay. Are you aware when she might have first  
4 began using drugs?

5 A I would say in about the year 2000, later 2000.

6 Q Okay. And do you know what she might have been  
7 using?

8 A No, not per se that I know what she was using, but  
9 I knew for a fact she was not an injection user,  
10 so it had to have been cocaine.

11 Q Okay. And how are you in possession of that  
12 knowledge?

13 A Dianne was terrified of needles. Don't come near  
14 her with a needle. One time she punched the  
15 doctor in the face. Like, don't come near her  
16 with needles. She was petrified of them.

17 Q What about the drug use generally? Is that  
18 something that you talked to her about or was it  
19 from your mother you know this?

20 A From my mother, yes. My mother -- my mother  
21 became aware that she was using drugs.

22 Q Okay. And your mother came out to visit Dianne  
23 you said fairly regularly.

24 A Oh --

25 Q Can you tell us about those visits?

1           A    Yes, my mother came out quite often.  She was so  
2                    used to the children, when Dianne moved away, that  
3                    did upset her a bit because then she was going to  
4                    be away from the children, but she'd come up here  
5                    and spend a month with Dianne or she'd come up and  
6                    spend Christmastime with the kids, you know, just  
7                    to keep in contact with the children.

8           Q    And Dianne would phone your mother in Ontario as  
9                    well?

10          A    Oh, yes, every month.  Oh, yes.  Sometimes more  
11                    than -- in a month.

12          Q    Would your mother tell you when she would return  
13                    from these visits what Dianne's life was like in  
14                    Vancouver at that time?

15          A    Yes, she did.

16          Q    And can you describe Dianne's living conditions  
17                    and what she was doing in 2000?

18          A    In the year 2000?

19          Q    Yes.

20          A    Things were going good at first still in the year  
21                    2000.  She -- that's when she was separated from  
22                    her husband, and Mom really didn't see that much  
23                    of a change in her until she had spent a little  
24                    bit more time with her and then slowly she'd  
25                    noticed that Dianne was getting different, you

1 know, and then she assumed that she was going back  
2 on the drugs. And she did, she hid it pretty well  
3 at first.

4 Q Did your mother ever witness any abuse in Dianne's  
5 relationships?

6 A Yes, she did.

7 Q Can you tell us a bit about that?

8 A There was a few times that my mother stated that  
9 Dianne's boyfriend at the time would get angry  
10 with Dianne for something she said or didn't do  
11 and slap her around.

12 Q When was the last of those visits?

13 A From my mother?

14 Q Right.

15 A My mother came up in early February of 2001 to  
16 help Dianne gain custody of her two boys, the two  
17 youngest.

18 Q What had happened to her two boys in that time?

19 A Dianne's ex-husband came and took the boys away  
20 because apparently he had found out that she was  
21 taking drugs and didn't want the boys to be around  
22 that.

23 Q Where were her other children at that time?

24 A At the time the oldest girl had left home and so  
25 did the second -- third daughter, left home.

1 Q Did your mother tell you about Dianne when she  
2 returned from that trip?

3 A Oh, yes, she did.

4 Q What did she have to say?

5 A Well, she was upset with Dianne at that time.  
6 Dianne had, you know, done some things towards my  
7 mother, took her banking card and took some money  
8 out of the bank in my mother's account, and she  
9 had witnessed Dianne, you know, really strung out  
10 on drugs and the abuse that had -- her boyfriend  
11 had, you know, did with Dianne, and my mother  
12 couldn't handle it anymore. She just couldn't  
13 handle it, so she left.

14 Q They had a bit of a falling-out?

15 A Yes, they did.

16 Q All right.

17 A Yes.

18 Q And during that period presumably Dianne wasn't  
19 phoning home to speak to you or Rene either?

20 A No, not at that time, no.

21 Q So you lost touch with her for a while?

22 A Yes, I did.

23 Q And where was she living when your mother went out  
24 to visit in February 2001; do you know?

25 A Alls I knew is down near Vancouver area but not in

1 Vancouver.

2 Q Do you know much about Dianne's life in the summer  
3 of 2001 shortly before she disappeared?

4 A No, I don't really.

5 Q She wasn't phoning home?

6 A She -- she wasn't calling -- well, she did call my  
7 mother in I think it was April or May to ask her  
8 for some money, that her car was being towed away.

9 Q You don't have any knowledge of Dianne working in  
10 the sex trade?

11 A No, I don't.

12 Q Okay. As far as your family's aware, Dianne did  
13 not work in the sex trade?

14 A That's right. We didn't -- we were not aware.

15 Q You were aware of her drug addiction or problem  
16 with drugs?

17 A Yes, we were, yes.

18 Q Are you aware if she had sought treatment for  
19 that?

20 A No, I don't know.

21 Q You know now that the summer of 2001 wasn't  
22 particularly good for Dianne. What do you know  
23 about that summer now even if it's from  
24 information you've learned later?

25 A I do know that from that summer, late August

1 Dianne called home, which is my place, my number.  
2 She had my number. And she had asked to speak to  
3 my mother, and at that time I told her that my  
4 mother was not at home, that she was gone on  
5 vacations, and she sounded very lonely, very  
6 distraught, and that was the end of the  
7 conversation. But I did learn after that that the  
8 reason why she called home was because she had  
9 been held captive for a few days and she was  
10 beaten and raped, and she wanted to speak to my  
11 mother to probably talk to her about it.

12 Q How did you acquire that information?

13 A Actually from learning it in the book, Stevie  
14 Cameron's book. I read it in the book that she  
15 had been beaten. And when I attended the trial  
16 back in 2007 there was a nurse there that said  
17 that she had treated Dianne for that injury and if  
18 I wanted to go and speak to her that, you know, to  
19 come forward, but after that I didn't see her.

20 Q Can you tell us a bit -- in a bit more detail what  
21 you know happened on that occasion, that horrific  
22 occasion?

23 A In August?

24 Q In August 2001.

25 A Yes. Apparently she told her friend that she was

1 out partying at Pickton's farm and that she was  
2 held captive for two days and beaten and raped,  
3 and she called her girlfriend and asked her  
4 girlfriend if she would come and pick her up on  
5 the Lougheed Highway, and her girlfriend went down  
6 and did pick her up, and she said what she saw was  
7 very upsetting to her, that Dianne -- her clothes  
8 were all ripped up, she had handcuff marks on her  
9 wrists and her ankles, and she was, you know,  
10 badly hurt. This girl wanted to take Dianne to  
11 report this to the police, and Dianne refused to  
12 go.

13 Q And as far as you're aware, did Dianne not report  
14 this to the police?

15 A As far as I know, she did not. She refused to go  
16 to the police. At that time I didn't understand  
17 why, but hearing what I'm hearing now is I do know  
18 why.

19 Q Based on what you know about Dianne can you give  
20 us some idea why she might not have reported to  
21 police?

22 A Yes, because they would not have taken her  
23 statement, you know, seriously, and they probably  
24 would have laughed at her and said that she  
25 deserved it.

1 Q The last contact anyone in the family had with  
2 Dianne was when she called her son on his birthday  
3 in 2001. Can you tell us about that?

4 A Yes. She called her -- her youngest son in  
5 October 17th to wish him happy birthday and to  
6 tell him that she'd be seeing him on the weekend,  
7 but she never did show up.

8 Q And what did he or anyone else in the family do  
9 after that?

10 A They actually did nothing.

11 Q Okay. When did you or your family in Ontario  
12 realize that something might have happened to  
13 Dianne or that she might be missing or might be  
14 hiding from police or --

15 A We had no indication that Dianne was on the  
16 streets. We had no indication that Dianne was  
17 prostituting herself. We had no indication of  
18 anything. The -- I had a phone call from Dianne's  
19 daughter in November asking me if I had seen or  
20 heard from Dianne, and I told her no, that I  
21 hadn't, but if Dianne was to call me or come over  
22 that I would certainly have her call.

23 Q Okay.

24 A And then sometime near the end of November a  
25 police officer from Vancouver had called me. I

1 don't recollect his name, but he called and asked  
2 if we had seen or spoken to Dianne, and I told him  
3 no, that I haven't spoken or seen her in some  
4 time, and I asked him why, and the only thing he  
5 said to me was that, "We have two bags of Dianne's  
6 clothes," and refused to give us any other answer.  
7 I asked him was there something wrong with Dianne,  
8 is everything okay, did, you know, she do  
9 something wrong, and he refused to answer.

10 Q You know now that the police officer that called,  
11 his name was Ted Vanoverbeek; is that right?

12 A Yes, I do know now.

13 Q And you know that from review of the police  
14 records, or how did you learn that?

15 A Yes, from the police records.

16 Q Okay. You think that was around the end of  
17 November 2001?

18 A Around there, yes.

19 Q And he called you out of the blue and --

20 A Yes.

21 Q -- said, just so I have it clear, that they had  
22 two bags of Dianne's clothing, had you seen her?

23 A Yes.

24 Q And --

25 A That's all he said.

1 Q Did you have questions for him?  
2 A Yes, I did.  
3 Q What questions did you ask him?  
4 A I asked him if there was something wrong, if  
5 Dianne had done something wrong for them to be  
6 looking for her, and he refused to answer.  
7 Q Did he give you any more information about what he  
8 knew about Dianne?  
9 A No, he didn't.  
10 Q Did he describe the two bags of clothing in any  
11 more detail?  
12 A No, he didn't.  
13 Q Did he suggest where the two bags of clothing  
14 might have come from?  
15 A He just said that the two bags of clothing were  
16 left in her apartment.  
17 Q And that she hadn't been back to her apartment?  
18 A No, he never said anything.  
19 Q Okay. How long was this phone call?  
20 A A couple of minutes, two minutes at the most.  
21 Q Did he ask you for any other family's information?  
22 A No, he didn't.  
23 Q Do you know how he had your contact information?  
24 A No, I do not know how he had my information.  
25 Q Did he ask to speak to your mother or Rene?

1 A No, he didn't.

2 Q What was the impression that he left you with  
3 after this call?

4 A I was left with the impression that she skipped  
5 out on her rent.

6 THE COMMISSIONER: What?

7 A That she skipped out on her rent.

8 THE COMMISSIONER: Oh, I see.

9 A That she moved out of her apartment or room.

10 MR. CHANTLER:

11 Q Did he suggest or imply to you that Dianne's life  
12 might be in danger?

13 A No. No, he didn't.

14 Q Did he suggest or imply to you that Dianne hadn't  
15 been seen in some time?

16 A No, he didn't.

17 Q Did he inform you at all that there was at the  
18 time numerous missing women from Vancouver's  
19 Downtown Eastside?

20 A No, he didn't.

21 Q Did he give you any indication of the scale of the  
22 problem --

23 A No.

24 Q -- the magnitude of the problem that we now know  
25 he might have been facing?

1 A No, he did not.

2 Q Based on what you know now today, what might you  
3 have done if he had given you a bit more  
4 information?

5 A Well, had he said that there was a possibility  
6 that Dianne was missing, my mother and I would  
7 have been on the first plane down there to  
8 Vancouver to see what was going on because that  
9 was certainly unlike Dianne.

10 Q You know now that the two bags of clothing he was  
11 describing to you were actually a collection of  
12 other personal belongings?

13 A Yes, I do know now.

14 Q Can you recall what some of those other belongings  
15 are that she left behind in her hotel room?

16 A Yes, personal items, personal hygiene items, blow  
17 dryers, divorce papers from her husband Darren  
18 Rock and some other papers that were quite  
19 important to her, bag of clothing, shoes.

20 Q Are those the kind of items that you would expect  
21 Dianne to have left behind in a room?

22 A Oh, no. No, she would not.

23 Q Would you have acted differently if he'd described  
24 in detail the items that had been left in the  
25 room?

1 A I would have been very concerned, yes.

2 Q You know now that Dianne was added to the missing  
3 persons list in December 2001?

4 A I know now, yes.

5 Q You didn't know at the time?

6 A I did not.

7 Q Do you know who reported Dianne missing in  
8 December 2001?

9 A No. I -- well, yes, I do know now.

10 Q You know now?

11 A I know now.

12 Q You didn't know at the time?

13 A I did not.

14 Q Did you hear back from the police in December?

15 A I didn't hear from the police in December. I had  
16 a phone call from Dianne's oldest asking me again  
17 had I seen Dianne or spoken to her, and I told her  
18 no, that I hadn't, that -- "I told you that if I  
19 had seen her or spoken to her I would have her  
20 call you," and I was, you know, a little bit upset  
21 and nervous, and I said to her daughter that --  
22 "Check the morgue. If you hadn't seen her, check  
23 the morgue," and she got very upset with me.

24 Q And why did you say that to her?

25 A It just came out. It just came out. I felt bad

1                   that I said that to her at the time. I should not  
2                   have. Scaring a young girl, as she was -- I think  
3                   I scared her, and I shouldn't have said that.

4                   Q    What did you think might have happened to Dianne?

5                   A    She ran away.

6                   Q    You had no reason to believe otherwise?

7                   A    No, I didn't. No.

8                   Q    You heard about Robert William Pickton's arrest on  
9                   February 5th, 2002, on the evening news; is that  
10                  right?

11                  A    On the evening news, yes.

12                  Q    Can you tell us about -- what were you doing when  
13                  you heard that news and what were you thinking?

14                  A    Well, my husband and I were sitting there watching  
15                  the news, and all of a sudden the news bulletin  
16                  came up that a man from Port Coquitlam was  
17                  arrested, a pig farmer. I looked at my husband,  
18                  and I said, "Port Coquitlam. I remember Dianne  
19                  living there," and we looked at each other and  
20                  said, "Wouldn't it be a son of a bitch if she was  
21                  there," and that was it.

22                  Q    Okay. And as far as you know, what was the next  
23                  contact the police had with the family?

24                  A    That was on April 1st. They contacted Dianne's  
25                  oldest daughter on -- in the late evening, and she

1 did not relay the message to us for -- till the  
2 following day because of the time difference.

3 Q How do you recall that day so clearly?

4 A Because I was told on April 2nd. That's a day  
5 I'll never forget.

6 Q On April 1st the police contacted Dianne's eldest  
7 daughter in Vancouver?

8 A Yes.

9 Q By phone?

10 A By phone, yes. No, actually two officers came to  
11 her house and told her.

12 Q Okay. And what did they tell her?

13 A They told her that her mother was murdered by  
14 Robert Pickton, and that was it.

15 Q He was being charged with the murder?

16 A That he was being charged with her murder.

17 Q Dianne Rock. And did they tell her that they  
18 would be releasing this information publicly?

19 A No, they didn't say anything to her. We got the  
20 information the next day, on April 2nd, by the  
21 oldest daughter, who left a message on the  
22 answering machine, and when I was given that  
23 message we immediately called the Vancouver Police  
24 Department, which told -- he then told us that it  
25 was going to be on the news within a half an hour.

1 Q Within half an hour?

2 A Yes.

3 Q And was it?

4 A Yes, it was.

5 Q Had you or the other family members had adequate  
6 time to contact all necessary family members to  
7 inform them that Robert William Pickton had been  
8 charged with Dianne's murder?

9 A No, I didn't. My main concern was to get to my  
10 mother, to get to my mother before she heard it on  
11 the news. But I did learn that my sister Denise  
12 in Alberta was at work and she found -- she saw it  
13 on the front page of the newspaper. That's how  
14 she found out.

15 Q Okay. Lilliane, how do you feel about -- Ms.  
16 Beaudoin. I'm sorry.

17 A That's okay.

18 Q How do you feel about the sensitivity shown by the  
19 police in their communications with you and your  
20 family in Ontario?

21 A I felt it was very insensitive of them to -- not  
22 to speak to us, not to let us know what was going  
23 on, not to say anything to us. It -- it was very  
24 devastating to hear it the way that we did hear it  
25 and having to approach my mother, you know, in her

1           seventies, go and approach her and tell her that  
2           her youngest daughter was just murdered by this  
3           pig farmer. It was very difficult. Something  
4           nobody really wants to ever have to do.

5           Q    You know that we're here to inquire into and make  
6           findings of fact about the missing women  
7           investigations that took place during that time  
8           frame when Dianne went missing and when you had  
9           your dealings with the police. Do you have any  
10          recommendations or suggestions for how it could  
11          have been dealt with better in your case?

12          A    Yes. I would have appreciated someone coming to  
13          my home and personally telling me what had -- what  
14          took place, even if to let us know that my sister  
15          was on the streets, that she was reported missing.  
16          We didn't know that, and then to find out she was  
17          murdered. I thought it was very insensitive that  
18          no one came to the home to tell the mother of this  
19          girl that her daughter was murdered, very  
20          insensitive.

21          Q    Ms. Beaudoin, I know you've prepared something  
22          that you'd like to read to the commission. Is  
23          there anything else you'd like to say before you  
24          read that?

25          A    No.

1 Q Okay. Would you like to read your statement --

2 A Yes, I would.

3 Q -- with the commissioner's permission to read a  
4 statement?

5 THE COMMISSIONER: Yes, go ahead.

6 MR. CHANTLER:

7 Q All right.

8 A First I'd like to thank everyone before us. The  
9 commissioner, before my statement there are a few  
10 people that must be thanked by this family. Wayne  
11 Leng for his website and the dedications that he's  
12 shown the families. Cameron Ward and Neil  
13 Chantler for stepping forward and taking on this  
14 incredible task representing the families. We  
15 would like to thank Lynn and Rick for giving us  
16 the strength and the will power to carry on with  
17 our journey. We'd like to thank all the families  
18 that have had this happen to them. But I also  
19 would like to say, Mr. Commissioner, counsel,  
20 family, and members of the media, I am thankful  
21 for this commission for granting me this  
22 opportunity to speak at this inquiry on behalf of  
23 this nightmarish case of Robert Pickton and his  
24 never-end -- never-ending effect it's had not only  
25 on my life but those I love and those I've lost.

1           Mr. Commissioner, this case seems like it was  
2 taken right out of a Hollywood horror script.  
3 From the onset leading right up to this inquest  
4 and everything in between it is blatantly obvious  
5 that the justice system was allowed to fail and it  
6 is in need of serious repairs. The investigation,  
7 or lack thereof, the trial and the post-trial  
8 betrayals of families just like mine by the  
9 Criminal Branch, including the Crown, has shown  
10 the world that British Columbia and Canada has a  
11 long journey ahead to ever attempt to heal Lady  
12 Justice.

13           It is unfortunate that this commission has an  
14 agenda commencing from the year 1997 to present  
15 date because it is well known that Robert  
16 Pickton's killing spree started much earlier,  
17 possibly as far back as the 1980s. The stayed  
18 charges of attempted murder of Miss Anderson,  
19 Pickton's killing spree continued for many more  
20 years to come. The reason of the stayed charges  
21 makes no sense at all considering all the evidence  
22 that was before the authorities and the Crown.  
23 The handcuff, the keys to those cuffs, and the  
24 extent of the injuries of Miss Anderson should  
25 have been sufficient reason to investigate this

1 act of violence further. Today we all know that  
2 DNA of two other women, Miss Cara Ellis and Miss  
3 Andrea Borhaven, was found on Pickton's clothing  
4 and more DNA of the same two women were found on  
5 Pickton's farm.

6 Mr. Commissioner, the severing of the charges  
7 by Justice Williams in this case was appalling.  
8 Justice Williams' words in the ruling were hurtful  
9 and undermined the intelligence of all Canadian,  
10 words like materially different, trying Pickton on  
11 26 counts all at once would be too much for any  
12 juror to comprehend and would drag on needlessly.  
13 Mr. Commissioner, the re-instruction by Justice  
14 Williams to the juror after the deliberation had  
15 commenced could have resulted in a mistrial or --  
16 and nearly did. The question posed to justice by  
17 the juror has shown Justice Williams that the  
18 Canadians are a resilient, skillful, comprehensive  
19 people. Mr. Commissioner, this family has gone on  
20 record to say that the decision by Justice  
21 Williams to sever the charges was wrong, and our  
22 thoughts were reinforced when the three appeals  
23 judges openly agreed that this decision was wrong.  
24 Perhaps, Mr. Commissioner, a seasoned judge would  
25 have not made mistakes and a verdict of first

1 degree murder could have been rendered by the  
2 jurors if all the evidence was allowed to be  
3 presented.

4 It was at this point, Mr. Commissioner, that  
5 our faith and the trust in the justice system  
6 began to fade, but we still had hopes that the  
7 Crown and the Criminal Branch would step up and  
8 seek justice for the remaining 20 families. This  
9 is in -- been indicated to me that the Crown  
10 counsel, Mike Petrie, has had a huge -- has had --  
11 he hugged me on the -- on -- when the verdict of  
12 second degree was reached by the juries. Mr.  
13 Commissioner, when the counsel and the defence  
14 lost their appeals we began to see and feel the  
15 Crown was using 20 families as pawns depending on  
16 the outcome of the ruling of the appeals judge.  
17 Statement like, "We'll do this if this happens or  
18 we'll do that if that happens," began to have  
19 innuendo of betrayal by the Crown. Still the  
20 Crown continued to insist that a second trial  
21 would happen.

22 On April 2nd, 2002, when my mother got a  
23 message on her answering machine from Dianne's  
24 oldest daughter that Robert Pickton had been  
25 charged with Dianne's murder, she had no knowledge

1           that Dianne was ever missing and the  
2           incomprehensible to her. The mere fact that no  
3           remains has been found and the norm of a funeral  
4           or burial that never took place could not be  
5           believed by my mother. After nine years this took  
6           a horrendous toll on her health. This year we  
7           laid my mother to rest with her always believing  
8           in the depth of her soul that some day Dianne  
9           would call or visit. For years I told my mother  
10          the justice system will prove to us of the evil  
11          acts by -- acts by Pickton. The devastating rule  
12          of Justice Williams to sever the charges would  
13          prolong the agony in all of us, but the Crown  
14          always led us to believe that there would be a  
15          second trial and that families needed closure, and  
16          this we believed would come to pass.

17                 Today I continue to wake up in cold sweats at  
18                 times crying in my sleep from nightmares of my  
19                 sister being cut up into bits and pieces and being  
20                 fed to a swarm of hungry pigs. I am awakened with  
21                 dreams of my sister being dumped from a container  
22                 clearly marked with skull and crossbones into a  
23                 pit of slop at the rendering plant. To this day I  
24                 cannot apply makeup or even bath without taking  
25                 my -- thinking of my sister Dianne. Over the

1 years involuntarily I would wake my husband, and  
2 he would tell me and reassure me that my anxiety  
3 attacks would pass and my nightmares subside when  
4 justice is served. Every day I hoped that day  
5 would be tomorrow. I thank God Almighty for  
6 heaven for giving me a man of strength,  
7 understanding, and willingness to forgive me  
8 because my mood swings had strained our  
9 relationship endlessly.

10 Mr. Commissioner, you were quoted on TV news  
11 interview that a second trial may not happen, that  
12 you had and have to put the interest of your  
13 decision. Mr. Commissioner, we feel, other  
14 families feel that in the interest of people and  
15 not in the people's interest a second trial should  
16 have gone ahead for the sake of justice for all  
17 the people and not a selective justice for a  
18 selected few. Mr. Commissioner, this family could  
19 not and to this day does not understand your  
20 decision to stay the outstanding charges of murder  
21 in this case. It is our God-given right to have  
22 justice served, and you as Attorney General of the  
23 day took that away from us with the stroke of a  
24 pen.

25 In closing I leave this inquiry with these

1           questions. Where was the Supreme Court of Canada  
2           for the justice in this case? Where was our  
3           federal government because justice for all was  
4           denied? Lady Justice and her blindfold and her  
5           scale of justice in hand is waiting for wrongs to  
6           be right. Where is my sister Dianne, a lost  
7           sister?

8       THE COMMISSIONER: I am -- I want to thank you for your  
9           sensitive words, and I want to thank you for  
10          taking the time. You've sent a lot of messages to  
11          a lot of people in the comments you've made. I  
12          do, with great respect, have to correct you in one  
13          phase, and that is that the charges against Mr.  
14          Pickton were stayed in August 2010.

15               A    Yes.

16       THE COMMISSIONER: I had left the Attorney General position in  
17          May 2009, so I had nothing at all to do with the  
18          staying of the charges. Those charges were stayed  
19          by the Criminal Justice Branch, which is a branch  
20          independent of the Attorney General within the  
21          Attorney General's ministry. The lawyers are  
22          independent of any kind of political influence or  
23          political direction. And the quote that you  
24          attributed to me was a quote that I had made  
25          probably around 2007 after the convictions, and

1 the import of what I was saying was that those  
2 factors would all have to be considered down the  
3 line after all of the appeals were dismissed by  
4 the Criminal Justice Branch, which would make the  
5 ultimate decision.

6 So while I'm sympathetic to what you say and  
7 I'm -- and I respect what you say and I respect  
8 how it has been hurtful to you and to your family  
9 and to other parties who wish to have those  
10 remaining charges proceeded with, the fact is that  
11 I left the Attorney General position in early May  
12 2009, and it was after the Supreme Court of Canada  
13 dismissed Pickton's appeals in July, the end of  
14 July, that the Crown entered a stay of proceedings  
15 and decided not to proceed at that time. However,  
16 that -- I understand why you'd be under a  
17 misapprehension, because the media has reported a  
18 number of different times that I stayed the  
19 charges.

20 A That's right.

21 THE COMMISSIONER: And I think what happens in the media  
22 sometimes is one mistake is made by a reporter and  
23 the others just keep drawing on that same mistake.  
24 But I wasn't there when that happened. Having  
25 said that, your words are still important.

1           A    Thank you.

2   THE COMMISSIONER:  And what you say is important, and I take  
3                   that into consideration.  I also take your advice  
4                   into consideration, and we will at the end of the  
5                   day hopefully write a report that will reflect  
6                   your views on what happened.

7                   I unfortunately cannot bring back the life of  
8                   your sister.

9           A    That's right.

10   THE COMMISSIONER:  And it's a terrible tragedy from which you  
11                   probably will never recover.  How can you ever  
12                   recover from a loved one being lost and lost in  
13                   that particular fashion, where someone is brutally  
14                   murdered, and so I sympathize with you, I  
15                   sympathize with your husband, who has been here to  
16                   support you --

17           A    Yes.

18   THE COMMISSIONER:  -- and to your entire family, and I just  
19                   want to thank you for coming here and having the  
20                   courage to come and to speak about these very  
21                   sensitive, sensitive issues that impacted on you  
22                   the way they have impacted on you.  I just want  
23                   you to know that everybody associated with this  
24                   commission of inquiry is sympathetic to you.  You  
25                   are -- you are the real victims here, and it is

1 after listening to you that we hope that a lot of  
2 these mistakes, if there were mistakes made, will  
3 not be repeated, and we'll only learn from  
4 citizens like yourself who have had the courage to  
5 come here and tell us about how this has impacted  
6 on you that the system will be improved so it's  
7 more sensitive to your needs and your -- you know,  
8 you make a very good point that someone should  
9 have come and told your mother that --

10 A That's right.

11 THE COMMISSIONER: -- that her daughter had been murdered, and  
12 so we take that advice that you have given to us,  
13 and I want to thank you sincerely for that.

14 A Thank you.

15 MR. CHANTLER: Mr. Commissioner, I would like to have Ms.  
16 Beaudoin identify a photo, please.

17 THE COMMISSIONER: Yes. All right.

18 A Thank you.

19 MR. CHANTLER:

20 Q Ms. Beaudoin, is this a photograph of Dianne?

21 A Yes, it is.

22 Q And how old would she have been in this photo?

23 A Dianne would have been 31, 32.

24 Q Do you know who took this photo?

25 A No, I don't.

1 MR. CHANTLER: I'd like to have this marked as the next  
2 exhibit, please.

3 THE COMMISSIONER: Yes.

4 THE REGISTRAR: Exhibit number 28.

5 **(EXHIBIT 28: Document entitled - Photocopy of**  
6 **photograph of Dianne Rosemary Rock)**

7 MR. CHANTLER: Those are my questions.

8 THE COMMISSIONER: Ms. Gervais.

9 MS. GERVAIS: No questions.

10 THE COMMISSIONER: Mr. Dickson.

11 MR. DICKSON: Tim Dickson for the Vancouver Police Department  
12 and Vancouver Police Board, and I don't have any  
13 questions for you, Ms. Beaudoin. I only want to  
14 say on behalf of the department and the board that  
15 we are very sorry for your loss, and we thank you  
16 for coming today and sharing your evidence.

17 A And I'm sorry, but I don't accept the apology.  
18 Had the police been doing their job at the time my  
19 sister would not have been murdered.

20 THE COMMISSIONER: Any further questions? Thank you. Thank  
21 you for coming here again, Ms. Beaudoin. I very  
22 much appreciate you coming.

23 A Thank you.

24 **(WITNESS EXCUSED)**

25 THE COMMISSIONER: Yes. Do you have any further witnesses, any

1 more family members, Mr. Ward or Mr. Chantler?

2 MR. WARD: While we -- no, we don't for today. There are --

3 THE COMMISSIONER: All right.

4 MR. WARD: -- a number who wish to testify, but our

5 understanding is that there will be an opportunity

6 for them to do that at a later date.

7 THE COMMISSIONER: I'll leave that with you, and whenever it's

8 convenient for you and convenient for them, we'll

9 hear them.

10 MR. WARD: Thank you.

11 MR. VERTLIEB: Thank you, Mr. Commissioner, and Mr. Ward and I

12 had discussed that very point, and I assured him,

13 as you've just now assured him, that the time

14 would be made available in the future, as Mr. Ward

15 requests.

16 THE COMMISSIONER: All right.

17 MR. VERTLIEB: So we are at the end of the evidence for this

18 week. As you know, we had planned this week for

19 family evidence, and I am grateful to my learned

20 friend Mr. Ward and Mr. Chantler for taking their

21 clients through their evidence. I think they

22 handled that very well, and we've had a -- the

23 benefit of that evidence this week, and we are on

24 schedule. What I would like to do is then brief

25 you on what I expect to happen next week --

1 THE COMMISSIONER: Yes.

2 MR. VERTLIEB: -- and thereafter. So commencing Monday morning  
 3 we will have Ms. Susan Davis. She has very  
 4 firsthand knowledge of the work of sex trade women  
 5 in the Downtown Eastside, and she has been on the  
 6 list for some time and been inconvenienced, so to  
 7 minimize her inconvenience any further we'll call  
 8 her Monday morning and deal with that evidence.

9 Following that Ms. Brooks is going to take  
 10 Elaine Allan through her evidence. Ms. Allan was  
 11 a volunteer at WISH in the material time of our  
 12 terms of reference and has very sensitive -- a  
 13 very broad sense of understanding of the women who  
 14 worked in the Downtown Eastside in the sex trade  
 15 area. And her evidence will take some time, but  
 16 it's important.

17 Then what I'd like to do, Mr. Gratl has very  
 18 fairly been pressing me to allow him to make his  
 19 motion in respect of the dealing with vulnerable  
 20 witnesses, and his material has been with us for  
 21 some time, and Mr. Gratl's motion has been put off  
 22 more than once out of respect for witnesses who  
 23 were here to be called and not to be  
 24 inconvenienced more than necessary, so I'd like to  
 25 do his motion on vulnerable witnesses, which I'm

1 not sure is extremely contentious based on the  
2 sense I get from my colleagues about this, but  
3 nonetheless it's important that he have an  
4 opportunity to deal with that. And then what I'd  
5 like to do is deal with a motion in a formal way  
6 in the context of dealing with sensitive  
7 information.

8 You will recall that last week I asked Mr.  
9 Hern to briefly introduce the subject to you.  
10 You've heard at least in limited form from him.  
11 You heard from Ms. Tobias. You can see there's a  
12 real concern about some of this information that's  
13 been disclosed. I have attempted as your counsel  
14 to see if there would be some common ground that  
15 all of us could share, but I respect all the views  
16 of my colleagues on this, and it's one of those  
17 issues that's just going to need to be resolved  
18 before you because there are very legitimate and  
19 obviously competing interests at stake. And that  
20 motion will take some time. I'm not sure how long  
21 it will take, but it definitely will take some  
22 time to deal with in this hearing environment.  
23 And that, of course -- if we deal with that after  
24 Ms. Allan, that would perhaps take up the balance  
25 of the week. I'm not sure yet, and we'll just

1 have to see how that develops, but none of this is  
2 a surprise in terms of our timing.

3 So that means then, assuming we get through  
4 the motions by the end of next week, and I'm not  
5 sure we'll have time for any other evidence, then  
6 we'd start on the 7th of November with the  
7 evidence of Deputy Chief Constable Doug LePard.  
8 All of us know him by name. His report's been  
9 marked. He will be some time in chief with me.  
10 My plan is to take him through many of the  
11 documents that I think are relevant, keeping in  
12 mind, of course, that he has no firsthand  
13 knowledge of the events because he was not in any  
14 way investigating the missing women issues, but  
15 he's done a major analysis of it, and he's  
16 familiar with the documents, and I think it's a  
17 good way to introduce the documents to the hearing  
18 and deal with that witness. He will be, as I say,  
19 perhaps a couple, three days in chief. I'm not  
20 sure because we're still in the process of  
21 reviewing that. And then my learned friends will  
22 obviously have questions.

23 Following the deputy chief constable we'll  
24 then move to Superintendent Williams. His  
25 report's been marked. There's -- I'm told that

1 the Department of Justice are working on the  
2 redactions and concerns about sensitive  
3 information that you've already heard a bit about  
4 that's in one of his lengthy appendices, but he  
5 would be the next witness.

6 And then finally in this time frame we'd have  
7 Deputy Chief Jennifer Evans. You've heard about  
8 her. We are still hopeful we'll have her report  
9 next week, by the end of October. She has been  
10 working on it full time for many months. There  
11 have been now four police officers engaged in Peel  
12 at their expense to prepare that report.

13 And all of that means that I think we will be  
14 able to complete in the allotted time that we had  
15 tentatively scheduled, which gets us to the  
16 beginning of December, and I'm hopeful that  
17 obviously the much needed extension will be  
18 resolved shortly and that we can then continue to  
19 do our work into the new year.

20 Once again I just remind you, Mr.  
21 Commissioner, that the assessment Ms. Brooks and I  
22 have made about the presentation of the evidence  
23 is that we want to see the cross-examinations of  
24 Messrs. LePard and Williams and Ms. Evans and then  
25 discuss with our colleagues over the intervening

1 weeks between December and renewal hopefully in  
2 January what actual police evidence needs to be  
3 called, the hope being that we won't have to have  
4 every police officer who was involved in the  
5 missing women investigations give evidence. That  
6 will take some time to sit with our colleagues and  
7 work through their issues, hopefully with a view  
8 to narrowing the evidence rather than expanding  
9 it.

10 So I think all in all, this being the end of  
11 our third week now, we have -- with all the help  
12 of our colleagues and the participants I think  
13 we're right on -- more or less we're actually  
14 right on schedule with the best schedule that we  
15 could have anticipated, so Ms. Brooks and I are  
16 very comfortable with where we're at. I think  
17 we're making good progress here. I want to take  
18 some time to outline this to you because I know  
19 that not only are you interested, I know my  
20 colleagues and the other participants are  
21 interested, but I know the families are  
22 interested, and I know the media has an interest  
23 in what comes as the weeks unfold. And I think  
24 that's as much as I can usefully add at this point  
25 in time, and all of that means that there's --

1                   this will be an opportunity now to just adjourn  
2                   until 10:00 a.m. on Monday.

3 MR. WARD: Before we do, Mr. Commissioner, may I address my  
4                   friend's remarks?

5 THE COMMISSIONER: Yes.

6 MR. WARD: Either now or after the break, because I have a fair  
7                   bit to say in response to what I've just heard.

8 THE COMMISSIONER: Yes.

9 MR. WARD: Now?

10 THE COMMISSIONER: Go ahead.

11 MR. WARD: Okay. Thank you. And I don't mean to be the fly in  
12                   the ointment, but I'm surprised by what my friend  
13                   Mr. Vertlieb has just said because I had been  
14                   pressing for the names of the witnesses who would  
15                   be coming next week, and I was told in an e-mail  
16                   communication on October 24th that those witnesses  
17                   would include Chief Superintendent Morrison of the  
18                   RCMP, Superintendent Gresham, Chief Superintendent  
19                   Janice Armstrong of the RCMP, and VPD  
20                   Superintendent Jeff Simm as well as Elizabeth  
21                   Watson from the police board. These were the  
22                   witnesses who were lined up for next week, and  
23                   I've been operating the last four days and  
24                   preparing in the last four days to cross-examine  
25                   those witnesses, and I am surprised to hear for

1 the first time just moments ago that there's no  
2 mention of whether these witnesses are coming at  
3 all, but certainly it seems that as though they're  
4 not coming next week, and I'm very troubled by  
5 that because it looks like I've perhaps wasted  
6 many hours in the last several days. I suspect  
7 others might have known this -- this schedule  
8 before I did. I don't know, but I certainly heard  
9 it for the first time just now, and that's  
10 unhelpful.

11 And while I have the opportunity to record my  
12 concerns on witnesses, I want to say this. The  
13 families' position with respect to police  
14 witnesses is that we should be hearing from every  
15 single police officer who had a role in these  
16 investigations directly, and I have been pressing  
17 for a witness list, and we don't have one. I  
18 don't know who's coming along. I have not agreed  
19 that this is a matter that we can all agree on.  
20 It's a matter of the commission calling the  
21 witnesses it requires in order to make the  
22 findings of fact it needs to make. And I'm sorry  
23 if I'm making a speech, but I just want to make  
24 sure the families' position is recorded and is  
25 understood and that we have very serious concerns

1           about how this is unfolding, and those are my  
2           remarks.

3   THE COMMISSIONER: Mr. Vertlieb.

4   MR. VERTLIEB: Well, I can just tell you that we've had a  
5           number of motions that are outstanding and are  
6           important, and it was obvious yesterday that we  
7           could not come to agreement on the protection of  
8           sensitive information.

9   THE COMMISSIONER: So you're telling me that the motions have  
10           to be heard before the police witnesses are  
11           called?

12   MR. VERTLIEB: Absolutely, because of the nature of the  
13           evidence. I think the lawyers are entitled to  
14           know how that evidence should be handled, so I  
15           think it's important. Also, Mr. Gratl has been  
16           more than patient with his motion which he wants  
17           to have heard. He had wanted it to be heard more  
18           quickly, and I've put him off because of witnesses  
19           that we wanted to accommodate. For example, this  
20           week I thought it was important that the families  
21           be able to give their evidence without  
22           interruption before procedural motions. So it's  
23           obvious, in our view, that that's the best way to  
24           deal with this.

25           Mr. Ward does mention that he wants every

1 witness called, and in fairness to him, he has  
 2 said that, but I'm hopeful that once he hears the  
 3 evidence of the three witnesses I've outlined he  
 4 may change his opinion on that. You never know  
 5 what you may do after you hear evidence because  
 6 sometimes that impacts on how we react to what's  
 7 been heard. But that's a matter for down the  
 8 road, and we'll deal with that as it comes. This  
 9 is not a new view, incidentally. I've told my  
 10 colleagues and participants at meetings we've had  
 11 prior to the commencement of the hearings that  
 12 that was the intention, and I respect that Mr.  
 13 Ward may not agree with it, but he may change his  
 14 mind as he hears evidence.

15 THE COMMISSIONER: But he says that this is the first he's ever  
 16 heard of these witnesses not being called.

17 MR. VERTLIEB: Well, I had hoped to be able to call them next  
 18 week, but I'm worried given what we're -- we need  
 19 to deal with on the confidential information  
 20 motion. We've spent quite a bit of time trying to  
 21 resolve it.

22 THE COMMISSIONER: So as I understand it, there is some  
 23 evidence that the police feel is confidential  
 24 relating to ongoing investigations.

25 MR. VERTLIEB: Yes, that amongst other concerns.

1 THE COMMISSIONER: And so that evidence, you say, has to be  
 2 dealt with before the police witnesses are called.

3 MR. VERTLIEB: I believe it's best for everyone to know what  
 4 the commissioner's view is on that, absolutely. I  
 5 don't want a mistake to be made and have evidence  
 6 be heard that ought not to have been heard.

7 THE COMMISSIONER: Okay. Let me hear from the other lawyers  
 8 here. Mr. Hern or Mr. Dickson.

9 MR. DICKSON: Mr. Commissioner, Tim Dickson for the department  
 10 and the board. Just on the confidential  
 11 information issue, that is, what Mr. Hern  
 12 introduced to you last week, and there are -- the  
 13 issue that Mr. Hern was putting forward is that in  
 14 the document production at present that is  
 15 available to all the participants there is a great  
 16 deal, a huge amount of confidential information.

17 THE COMMISSIONER: What do you mean by confidential?

18 MR. DICKSON: So the names of victims, the names of sex  
 19 workers, the names of people in bad date sheets  
 20 who were not convicted of any crime, the people  
 21 associated with persons of interest who were not  
 22 convicted, all sorts of personal identification  
 23 information that -- that third parties who are not  
 24 before the commission here would not want to be  
 25 out in the public.

1 THE COMMISSIONER: So your position is none of that's relevant?

2 MR. DICKSON: None of it's relevant. And it needs -- and it  
3 is -- it is presently available to all the  
4 parties, and the issue is -- the question that the  
5 commission needs to determine is whether that  
6 information should be out in the public realm.

7 THE COMMISSIONER: All right.

8 MR. DICKSON: That information is entirely available to all the  
9 participants in this inquiry, and the issue is  
10 whether it goes out into the public. That's the  
11 issue that needs to be determined there.

12 THE COMMISSIONER: All right.

13 MR. DICKSON: Mr. Gratl has raised a separate issue, which is  
14 redactions that have already been made to the  
15 documents. That's a separate issue. They are  
16 sometimes intertwined in these discussions, but  
17 really they are separate. So that issue I expect  
18 Mr. Gratl will wish to put before you when these  
19 issues are debated next week, if that's when  
20 they're going to be debated, but at this time I  
21 flag that those issues really should be  
22 conceptually kept distinct.

23 THE COMMISSIONER: All right. Thank you. What's the federal  
24 Crown's position?

25 MS. HOFFMAN: Thank you, Mr. Commissioner. Judith Hoffman

1                   for --

2   THE COMMISSIONER: I can't hear you.

3   MS. HOFFMAN: Sorry. Thank you, Mr. Commissioner. Judith  
 4                   Hoffman for the Government of Canada. I would  
 5                   just echo my friend Mr. Tim Dickson's comments.  
 6                   Really the question is once documents which are  
 7                   put to witnesses are entered as exhibits the  
 8                   question is what to do with the confidential  
 9                   information that is contained within those  
 10                  exhibits.

11   THE COMMISSIONER: You're saying the damage is done then?

12   MS. HOFFMAN: Yes, and we would like to develop a protocol for  
 13                  dealing with those pieces of confidential  
 14                  information, and that's quite important --

15   THE COMMISSIONER: All right.

16   MS. HOFFMAN: -- to deal with.

17                  I do also want to rise just to echo the  
 18                  concerns of Mr. Ward with respect to the witnesses  
 19                  that we had anticipated would be called next week.  
 20                  We had been asked by the commission to put  
 21                  together some witnesses who would provide some  
 22                  contextual information just in terms of the police  
 23                  structure from the RCMP perspective, and I  
 24                  gathered that the same was asked of the VPD. We  
 25                  are happy to have that information or that

1 evidence come forward at any time that's  
 2 convenient to Mr. Vertlieb, but we were just told  
 3 today that it might not be happening next week as  
 4 well, so we're sort of in the same boat as Mr.  
 5 Ward on that front, so I just wanted to make that  
 6 clear.

7 THE COMMISSIONER: All right. Okay. Mr. Ward, I want to be  
 8 fair, obviously, here to all parties, but it seems  
 9 that it makes sense to deal with the evidence that  
 10 may or may not be admissible, legally admissible,  
 11 before the police are called. Doesn't that make  
 12 sense? Why would the police be called if there's  
 13 some question with respect to the admissibility of  
 14 some of the documents that they will be dealing  
 15 with?

16 MR. WARD: Yes. The short answer is yes and no. My  
 17 understanding, and I'm sorry to have to raise this  
 18 in the open proceedings, but I think it's probably  
 19 best dealt with here, my -- the understanding I've  
 20 been operating under this week has been that some  
 21 very senior police officers were going to come  
 22 next week to testify about structural issues  
 23 that the sensitive document issue would not impact  
 24 upon, I understand, and it could be that I  
 25 misunderstood.

1 THE COMMISSIONER: Well, Mr. Dickson certainly doesn't have  
2 that understanding.

3 MR. WARD: Well, there's two types of evidence here. Mr.  
4 Vertlieb has just said, again if I understood him  
5 correctly, that -- he said nothing about when or  
6 if the so-called structural witnesses, Chief  
7 Superintendent Morrison, the RCMP's highest  
8 ranking officer in the province, for instance, who  
9 is scheduled to be here, as I understood it, as  
10 early as Monday, said nothing about whether he's  
11 coming at all. My understanding was that the  
12 issue of sensitive documents would not arise for a  
13 witness like him or the other police structural  
14 witnesses who are going to describe the  
15 organizations --

16 THE COMMISSIONER: Yes.

17 MR. WARD: -- that were in place to deal with investigations  
18 like this. They were not going to speak to the  
19 facts surrounding the investigation.

20 THE COMMISSIONER: Right.

21 MR. WARD: The people who are going to do that are people like  
22 Deputy Chief LePard, Superintendent Williams and  
23 others coming later. So my -- I've been preparing  
24 on the basis, working on the basis that we were  
25 going to have structural witnesses, we were going

1 to deal with the sensitive document issue and then  
2 move on to LePard, Williams, and Evans, and my  
3 concern, as I've tried to indicate, is that it  
4 looks like it's not happening that way at all.  
5 I'm learning this now.

6 THE COMMISSIONER: Wait a minute. Excuse me for interrupting  
7 you --

8 MR. WARD: Yes.

9 THE COMMISSIONER: -- but what does it matter? I mean, so you  
10 prepared. It's not like the preparation has gone  
11 down the drain.

12 MR. WARD: Well, if they're not -- if they're not coming at  
13 all -- these are very senior officers. I'd like  
14 to hear Mr. Vertlieb say when they're coming, if I  
15 may --

16 THE COMMISSIONER: He didn't --

17 MR. WARD: -- so that I know that they're coming.

18 THE COMMISSIONER: Just a minute.

19 MR. WARD: Yes.

20 MR. COMMISSIONER: Maybe these are things that should be  
21 discussed before coming in here, but my  
22 understanding is that those witnesses are coming,  
23 they're just not coming next week, and so I don't  
24 understand how that hurts you. I want to make  
25 sure that everybody's treated fairly here, and it

1           would seem to me from what I've been told that  
2           there's some evidence that I'm going to have to  
3           determine the admissibility of, and so -- and Mr.  
4           Gratl has evidence dealing with -- or has an  
5           application dealing with the sensitive nature of  
6           some of his clients -- or some of his witnesses,  
7           so it makes sense to me that those issues,  
8           procedural issues ought to be dealt with first  
9           before any of the witnesses are called. So -- and  
10          the second issue you raise is that -- deals with  
11          the police witnesses who are going to be here for  
12          structural reasons. That is the only -- as I  
13          understand it, their sole purpose in coming here  
14          would be to testify what the basic structure of  
15          the Vancouver Police is, what the structure of the  
16          RCMP is, but there wouldn't be any evidence  
17          relating to what they actually did. Is that not  
18          so?

19       MR. WARD: I don't know, I didn't get will says in respect to  
20                them, but what I thought was that they were not  
21                personally involved with those investigations.

22       THE COMMISSIONER: Right.

23       MR. WARD: The questions about actual steps taken in the  
24                investigations would be best posed to those who  
25                were involved.

1 THE COMMISSIONER: Right. Right.

2 MR. WARD: I don't know when such people will be here or  
 3 whether they will be here at this stage. I just  
 4 don't know who the witnesses coming down the road  
 5 are. I have no idea, none.

6 THE COMMISSIONER: Oh.

7 MR. WARD: And that's troublesome. That's all. I'm grasping  
 8 kind of at a moving target, and it puts me in an  
 9 awkward spot.

10 THE COMMISSIONER: Well, I want to make sure that everybody,  
 11 all counsel here proceed on an equal footing in  
 12 that you all are entitled to know ahead of time  
 13 what's being done and -- and that everybody is  
 14 dealt with fairly so we hear all the relevant  
 15 evidence, and -- but before I can do that I have  
 16 to listen to what Mr. Dickson and what the lawyers  
 17 for the RCMP have said, and I think that makes  
 18 some sense, that I deal with those issues and also  
 19 deal with Mr. Gratl's issues and then move on from  
 20 there. Look, I want to get this thing done as  
 21 quickly as possible, but it has to be fair to  
 22 everybody here.

23 MR. WARD: Certainly, and I agree whole-heartedly with that,  
 24 and I'm sorry, but I have to -- I have to record  
 25 one more issue. It should be on the record at

1                   this point, and I --

2   THE COMMISSIONER: Everything's on the record.

3   MR. WARD: Well -- my friend Mr. Vertlieb mentioned that soon,  
 4                   perhaps as early as the week after next, Deputy  
 5                   Chief Evans will be here to testify. My  
 6                   understanding from discussions that counsel have  
 7                   had is that Deputy Chief Evans of Peel has been  
 8                   reviewing documents and working on her review and  
 9                   interviewing police officers since at least the  
 10                  beginning of this year and is expected to be  
 11                  producing a report that's based on about a 10- or  
 12                  11-month project that she's undertaken. I haven't  
 13                  got a draft or any part of that report yet, and  
 14                  I'm very, very concerned that I will need time  
 15                  once it arrives because if it's based on a very  
 16                  lengthy undertaking which she and two colleagues  
 17                  have been engaged in for 10 months I'm certain --  
 18                  well, I should never be certain, I suppose, as my  
 19                  friend has indicated, but I'm pretty sure that if  
 20                  I get a big document sometime soon, and I don't  
 21                  know when it's coming, I won't be ready the week  
 22                  after next to be questioning Deputy Chief Evans  
 23                  about it if her work is that involved.

24   THE COMMISSIONER: Okay. Well --

25   MR. WARD: I'm very concerned about that.

1 THE COMMISSIONER: No, No. We don't do anything by ambush  
 2 here, so you don't need to worry about that, but  
 3 if the report isn't prepared, then you can't very  
 4 well have it now, can you?

5 MR. WARD: I would say if the report isn't prepared yet --

6 THE COMMISSIONER: I don't know if it's prepared. Is it  
 7 prepared? No.

8 MR. WARD: I will agree with that, but if the report isn't  
 9 prepared yet, I can't very well be on my feet in  
 10 10 days asking her about it.

11 THE COMMISSIONER: Why don't we cross that bridge when we get  
 12 to it?

13 MR. WARD: Certainly. Certainly.

14 THE COMMISSIONER: All right. Okay. Mr. Vertlieb, what do you  
 15 say to this?

16 MR. VERTLIEB: Well, more than once I've outlined, as I said to  
 17 you now, to people in meetings the plan. Let me  
 18 repeat it again for anyone who misunderstood. We  
 19 will start with Deputy Chief Constable Doug LePard  
 20 on the 7th of November. He could be many days.  
 21 Following him we will then go to Superintendent  
 22 Williams from the RCMP. He could be many days.  
 23 And then Ms. Evans from Peel. So to my learned  
 24 friend's last comment about he might not be ready  
 25 a week Monday, he need not worry because I've said

1           just now and I said a few moments ago and on other  
2           days that that won't be happening. What I've also  
3           said is we have been told that she wants to have  
4           her report to us by the end of October. It's not  
5           the end of October yet. I've told my colleagues  
6           this before and that as soon as we have it they  
7           will have it, and I think we should just let it  
8           unfold that way. All of us are working to time  
9           constraints, and all of us want to get this  
10          inquiry on the way, as we're doing now. There's  
11          nothing new in what I've said about Deputy Chief  
12          Jennifer Evans.

13        THE COMMISSIONER: When is the structural evidence going to be  
14          called?

15        MR. VERTLIEB: We'll deal with that -- assuming there's an  
16          extension, we'll have to deal with that in the new  
17          year. It's something that we've taken into  
18          account. It would be helpful for people to see  
19          the structure, but, frankly, many people know that  
20          Vancouver has a police chief, they probably know  
21          there are deputy chiefs, they probably know  
22          there's divisions that were outlined by me in my  
23          opening, so I'm not sure that that's critical. I  
24          think it's good to have as a foundation for your  
25          report. Some of the structure of the Vancouver

1                   Police is in the LePard report.

2   THE COMMISSIONER:  Is that what the structural evidence is all  
3                   about?

4   MR. VERTLIEB:  Exactly.

5   THE COMMISSIONER:  The chief, the deputy chief, the  
6                   superintendent?

7   MR. VERTLIEB:  That's all.

8   THE COMMISSIONER:  We need to call evidence on that?

9   MR. VERTLIEB:  Well, I wanted to have it for you as a  
10                  foundation, and --

11   THE COMMISSIONER:  All right.

12   MR. VERTLIEB:  -- I wanted to do it all on one day just to have  
13                  it out of the way.  It's not critical at all.

14   THE COMMISSIONER:  Yes.  Okay.  All right.  All right.  We'll  
15                  adjourn until Monday.  Anything else?

16   MR. WARD:  Actually, there is.  And I'm sorry to be the fly in  
17                  the ointment here, but I'm led to understand that  
18                  Deputy Chief Evans from Ontario and two colleagues  
19                  have been working on a review of the missing  
20                  women's investigations from the files they were  
21                  given at the beginning of the year and that a  
22                  report, which may be a critique of those  
23                  investigations, is coming by the end of the month,  
24                  which is Monday.  I hope it arrives, but it has to  
25                  be in hand, my position is it has to be in hand

1           before I start examining Deputy Chief LePard  
2           because he is going to be questioned about his  
3           review of the same investigation, and if there are  
4           criticisms that Evans makes of him, I suggest that  
5           all counsel should be aware of those before they  
6           have the opportunity to question LePard about  
7           them.

8   THE COMMISSIONER: Why don't we just patiently wait until it  
9           all comes?

10   MR. WARD: I will patiently wait until Monday and see where we  
11           are then.

12   THE COMMISSIONER: That's fine. All right.

13   MR. WARD: Thank you.

14   THE COMMISSIONER: Thank you.

15   THE REGISTRAR: The hearing is now adjourned until Monday  
16           morning at ten o'clock.

17                   **(PROCEEDINGS ADJOURNED AT 3:16 P.M.)**

18                   **I hereby certify the foregoing to**  
19                   **be a true and accurate transcript**  
20                   **of the proceedings transcribed to**  
21                   **the best of my skill and ability.**

22

23                   **Leanna Smith**

24                   **Official Reporter**

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