Vancouver, B.C.

April 2, 2012

(PROCEEDINGS RECONVENED AT 9:30 A.M.)

THE REGISTRAR: Order. The hearing is now resumed.

THE COMMISSIONER: Good morning. I want to take a moment before we begin to welcome new counsel, Suzette Narbonne and Elizabeth Hunt, to the commission of inquiry.

Ms. Narbonne and Ms. Hunt have been appointed to present issues related to aboriginal interests. Ms. Narbonne and Ms. Hunt are experienced lawyers. I am confident they will bring great value to this process.

Ms. Narbonne started her legal career more than 20 years ago as a staff lawyer with Legal Aid in The Pas, Manitoba. She then spent 16 years working in Prince Rupert. From 2003 to 2009 she served as a governor of the Law Foundation of British Columbia. She also served on a range of committees during her terms: Child Welfare, Funding Strategies, New Grants, New Initiatives, and was chair of Special Needs Fund. She served as a bencher of the Law Society of British Columbia from September 2009 to December 2011. She was appointed to the board of the Legal

Services Society in May 2011.

Ms. Hunt is a lawyer and a member of the Kwakiutl Nation. Her practice includes aboriginal law, specifically treaty negotiations, residential school claims, corporate and commercial, intellectual property, wills and estates as it relates to aboriginal interests. She has been a sessional professor at Thompson Rivers University and University of Victoria. Ms. Hunt has a long history of volunteerism with children and youth in the community. She is a member of the Equity and Diversity Committee of the Law Society of British Columbia.

Ms. Hunt was called to the bar in British Columbia in 1995 and started her legal career as an associate with the law firm of Mandell Pinder, which is a well-known law firm that deals with aboriginal interests and aboriginal land claims. She also was associated with the firm of Cook Roberts in Victoria. She has been a sole practitioner for the past several years.

Ms. Narbonne and Ms. Hunt have taken on an important role here, a role I believe that is crucial to this process.

I am aware that this commission has received

some criticism because we have appointed independent counsel to present issues related to aboriginal interests. I want to take a moment to speak to this. First off, I want to be clear, I have a great deal of respect for our critics. I appreciate the feedback they give to us, and I take that seriously.

I understand that there are many issues that the aboriginal community and other communities would like us to deal with during this inquiry. They are not wrong. There is much that needs to be done.

The challenge we face in this inquiry is that many of the issues that have been raised do not fall under the mandate of this commission. I understand the frustration surrounding this. I am also aware that there is strong criticism that we have put too much focus on aspects related to the police. This has made many people upset and angry. I understand that. As much as I wish we could, the commission cannot accomplish everything that people want us to do or need us to do.

It is important to remember that at its core this inquiry is about policing. That doesn't mean that other issues and other concerns that have

been raised are not important or that they should not be investigated or addressed. It only means that in the context of our mandate we are not able to do so through this inquiry. I am sorry for the anger, frustration, and bitterness that this has caused.

Many groups have told us that we need to deal with other issues, such as colonization, the issues relating to poverty. Those are very valid issues and very valid concerns. However, we have a specific mandate, and we are bound by that mandate. As I said a moment ago, this is an inquiry about policing, which includes in our terms of reference a focus on what police did in the Lower Mainland in particular relating to complaints about missing women, how did the police handle the complaints about missing women throughout the province.

This is an issue that's captivated other police forces across the country. This is a national issue. We know that other police forces across the country are looking to this commission of inquiry for advice as to how this vexing issue of investigating missing women ought to be handled.

So, as well, the terms of reference of our inquiry mandate us to examine the issues relating to regional policing. How are police dealing with the issues of sharing information? And I want to remind you that while we are not able to do a lot of the things and a lot of the issues that many members of the public and many people who have come before our inquiry want us to do, we know and we are mindful of how important those issues are, but I do want to remind you that what we're doing here is a strong start, and the commission is committed to doing the best job possible.

We are here to investigate the tragic loss of life, to understand how and why a serial killer was able to prey on our most vulnerable women for an extended period of time without being caught. We, and everyone involved in this inquiry, are charged with an important and highly emotional task to discover what happened and why. We must put forward effective recommendations that will make positive change so such a tragedy can never happen again. This is not an easy job for anyone involved with this inquiry. We know that. It touches our lives beyond what we experience in this room. It follows us wherever we go. It

impacts us in many ways we may not even realize, and I doubt it will ever totally leave us. The responsibility of what we have taken on here sits heavily on my shoulders, as I am sure it does for every person who is a part of this process.

Every day I come into this courtroom with the hope that the groups that have withdrawn their participation will reconsider. No one would disagree that this process needs, in fact demands, representations of the families of the missing and murdered women, many of whom are aboriginal, the aboriginal community, the communities of the Downtown Eastside and the extremely vulnerable women that continue to be victimized today.

I have heard the concerns of the people and the groups that have withdrawn, and I respect their positions. However, I want to take a moment here to say that I strongly believe that the actions of withdrawing from this inquiry is, with respect, counterproductive. Each group that has withdrawn has an important role here, and by choosing not to participate you are, in fact, silencing your own voice in the process. Your voices are at the heart and soul of our communities, and your voices will bring positive

change. Your voices will help guide us along the path to a better future, a safer future for our most vulnerable citizens. The door's always open to any group or person that would like to reconsider their decisions.

I believe that we all share one important goal. We want this commission to produce a report that will make a difference. That is the reason why Ms. Narbonne and Ms. Hunt have been appointed. We need issues related to aboriginal interests presented by independent counsel, co-counsel in this case.

I spend a great deal of time thinking about what we as a commission can do better, how we can learn from the feedback, how we can improve as we move through the process.

This inquiry has had many challenges. It has become a lightning rod attracting strong criticism bearing the weight of the anger and frustration of many people who feel that they have been let down by the police, by government, and by this commission. This has created tension between many stakeholders and this commission, and that is regrettable. All of this anger and frustration takes focus and energy away from the important

objective of producing a report that will save lives.

I believe that no matter what our differences of opinion are, we are all focused on this one important objective - saving the lives of vulnerable women who are at extreme risk.

As a commission we are moving forward with what we have been mandated to do. We have spent a great deal of time listening to the concerns of many people in communities throughout British Columbia. We have been to Prince Rupert, Prince George, Terrace, Smithers, Moricetown, Gitanyow, Hazelton and heard the concerns of many aboriginal people at community forums. There have been consultations in the Downtown Eastside. The one-on-one interviews we have done, the individual testimony, the panels that we have heard and are currently hearing, and our upcoming public forums all provide important information that will produce a strong report. We continue to listen.

To date, we have heard from 32 witnesses here, we have had 64 days of testimony, and we have developed and released eight study reports. We have approximately 20 more days of testimony, plus closing submissions to hear, three additional

study reports to be released, and seven workshops and public forums to hold. There is still a great deal to do over the next months before the final report is produced. We are focused on developing a report with solid recommendations that will be effective in saving lives.

It is my hope that we can make a shift, starting today, in how we move forward together. I'm not asking our critics to quiet their voices. I'm not asking the groups that have withdrawn to go against their principles. I respect every opinion that has been voiced. Those are valid concerns, they're valid opinions, and I listen to them. I just want to make sure that we don't allow our differences to become a roadblock to doing something of value, to producing a report that will make a difference.

Today I ask that everyone involved take a moment to look at this process from an important perspective. I ask you to think about what we are trying to achieve here and to clear your vision and your criticism for a moment. Look at what can be done instead of what is not being done. See it through the eyes of one person, as a sister, brother, mother, father, daughter, son or a friend

of someone who has been or could be at risk. View what can be done instead of what you feel isn't being done. Look at it from the point of view of someone who can help save lives in the future by doing something even if it feels like it isn't enough.

I realize there are things that we could have done differently. I think it's important to become better every day and to learn from what has been done.

We are here because we are committed to making a positive change. I believe that every person here, every person that has shared their voice in criticism and in support, every person that has spoken up and spoken out, comes here with the same goal: to make a positive change.

We cannot let the Willie Picktons of the world triumph because we get caught up in how things should be and aren't. We can't let politics, bureaucracy, anger or frustration with a process or any other issues be our driving force. We must look to our hearts and decide as human beings that we will not let evil triumph. We will do something to stop it.

I know this process is not perfect, but it is

a start. I believe that together we can make an important difference. We can help save lives. Everyone involved wants to know what went wrong so we can make sure that it never happens again, so that another monster cannot prey upon vulnerable women. We want to make sure that what Willie Pickton did does not and cannot happen again.

I'm asking you to contribute to this process in whatever way you feel is of value. If that is as a critic, we welcome your feedback. If it is to attend the hearings or the public forums, tell us your story, it is important. If it is to send an e-mail, tell me what you believe needs to be done to help our most vulnerable people, that is needed, very much needed. All I ask is that you do something, because that is how we will triumph over evil.

I want to leave you with a quote because it is one that I believe speaks to the heart of this process. It is attributable to Margaret Mead wherein she stated, "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

Together we can make a huge difference to the

lives of vulnerable women at extreme risk. Let us hope that those women who have died, those women who have gone missing, that their memories and their deaths have not been in vain. I hope that everyone there in this courtroom, in this city, in this province and there are people, mothers, fathers, sisters, brothers, sons and daughters, who believe this too, because together we form that small group, that one that can and will change the world.

Thank you for listening. Yes, Ms. Brooks.

MS. BROOKS: Mr. Commissioner, I'll introduce today's panel to you. In front of you is Mr. Morris Bates.

THE COMMISSIONER: Yes. Thank you.

MS. BROOKS: And he was, among many other things, a victim service support worker with the Vancouver Police Native Liaison Society for 10 years and during your terms of reference. And beside him is Ms. Freda Ens, and she was the director of the Vancouver Police Native Liaison Society as well as a victim service worker. Again, she worked there during your terms of reference. Later this morning we'll also be asking Detective Constable Jay Johns to join the panel, and he worked at the Native Liaison Unit in the Vancouver Police, and

he was assigned to work with the Native Liaison Society. And you'll also hear from Detective Constable George Lawson, who played a similar role as Detective Jay Johns.

THE COMMISSIONER: All right. Thank you.

MS. BROOKS: There's a brief of documents I'd like to mark as the next exhibit NR, please. It should be before you entitled Panel - Vancouver Police & Native Liaison Society.

THE REGISTRAR: That will be marked as Exhibit No. 118NR.

(EXHIBIT 118NR: Binder entitled Panel - Vancouver Police & Native Liaison Society)

MS. BROOKS: And for the benefit of the panel members and yourself, Mr. Commissioner, I'll just give a road map of where I intend to go today. So Mr. Bates and Ms. Ens, I'll be asking you some questions about your background so we can learn a bit about who you are and what kinds of things you have done in your life. Then I'll be asking you some questions about the relationship between aboriginal people and the police generally, what your experience has been, what you've heard, what you understand about that relationship. I'll also ask you questions about what it's like in the Downtown Eastside, what life is like there. And

then, of course, we'll be discussing your work at the Vancouver Police Native Liaison Society, talking about what that society did and why that society was important, and then, getting to the heart of the matter, the role that the society played in the missing women investigations and specifically what you did and some of the events that occurred during that time period. And then, Mr. Commissioner, when Detective Jay Johns and George Lawson join us we'll be hearing about the Native Liaison Unit and what their role was and also any information they have about the missing women investigations. And then we'll ask all the panel members for their advice and feedback on recommendations and ways that police can investigate these complaints into missing women better.

So I think, Mr. Giles, if you could administer the oath, please.

THE REGISTRAR: Good morning. Would you just turn on your microphones, please. Thank you.

FREDA ENS: Affirmed

MORRIS BATES: Affirmed

THE REGISTRAR: Thank you. Would you state your name, please?

MS. ENS: Freda Ens.

THE REGISTRAR: And your name, sir?
MR. BATES: Morris Bates.
THE REGISTRAR: Thank you. Counsel.
EXAMINATION IN CHIEF BY MS. BROOKS:
MS. BROOKS: So turning then to your backgrounds, Ms. Ens, I'll start with you, and I do want to just preface this by saying that I know that some of the things we're going to be talking about today are difficult and they're emotional, and so to the extent to which I can do anything, I ask that you tell me, and if you need breaks or Kleenex or anything like that, then of course all of that will be provided to you. So, Ms. Ens, you were born in 1957?
MS. ENS: Yes.
MS. BROOKS: And what are you currently doing?
MS. ENS: I'm a case worker with Victim Services in the Crime Prevention Division.
MS. BROOKS: Are you working with Project Evenhanded?
MS. ENS: I still continue.
(REPORTER INTERJECTS)
MS. BROOKS: I think the mike actually can move a bit closer to you.
THE REGISTRAR: Sorry, I'll just put an extension.
MS. ENS: As far as Project Evenhanded, I am -- I do still

continue to send out letters, for example, on behalf of the commission to invite family members, information, etcetera, that goes to families. I'm still a contact person if some of the family members have questions or concerns, if there's things that they need to know about, crime victim assistance, those kinds of things.

MS. BROOKS: And as I mentioned in my introductory remarks, you were a director of the Vancouver Police Native Liaison Society?

MS. ENS: Yes.

MS. BROOKS: And when did you first start working there?

MS. ENS: November of 1991 I was hired on as a victim support worker, and March of 1994 I became the director.

MS. BROOKS: And you were with the society until it closed in 2003?

MS. ENS: Yes. Until they fired me.

MS. BROOKS: Okay. Well, let's just talk a bit about your background. Where did you grow up?

MS. ENS: I grew up in Masset, Queen Charlotte Islands, also known as Haida Gwaii.

MS. BROOKS: And what band are you affiliated with?

MS. ENS: I'm registered with the Haida Band.

MS. BROOKS: And I want to talk about -- a bit about your childhood.

MS. ENS: Yes.

MS. BROOKS: And, again, I know that you are a survivor of abuse and that your childhood is extremely -- was extremely traumatic, and so the extent to which you want to share, and I know we talked about this when we met, and you told me that you're comfortable sharing your story and feel that it's important in terms of us understanding your personal experience with the police and the justice system and also because it informs in such a powerful way why you became a victim service support worker and how you interact with your clients and how you're an advocate for marginalized women, so with that can you tell us about -- a bit about your childhood? I know you were adopted. How did that come about?

MS. ENS: Well, from what I was told as young as I can remember, I was told that my -- I refer to him as my grandfather, and I refer to him as my grandfather because it was his daughter that raised me and -- but I was originally given to him, and the story I was always told as I was growing up was that they were out fishing and they --

MS. BROOKS: Who was out fishing, your birth mother or --

MS. ENS: No, my grandfather and several people from our community. And they had gone into Prince Rupert to -- for a bit of a break from fishing, and while they were there they were celebrating my grandfather's birthday, and while they were in the bar in Prince Rupert and -- they -- there was a woman in the bar that heard they were celebrating the -- his birthday, and she asked when his birthday was, and when he told her, she said that, because my birthday was the same day as his, that if he bought her another drink that she had a birthday present for him.

And so what I was told was that after they left the bar and they went to the room and he -- there were a few of them that -- to my understanding that had gone up to the room. And he always told me that when he saw me it was one of those old iron cribs, and I think the mattress was like a plastic thing, but that I was in the bed and I didn't have any blankets, and I guess I was -- what's the word -- emaciated, and I was full of sores. And he looked around for a bottle or something because I was crying, but the bottle, I guess, that I had was broken, so he found a beer bottle and put the nipple over a beer bottle. So

that was my bottle. And so he just put water in there. And then he wrapped me in a towel he found and took me with him, and then he said when he got back to Masset with me my grandmother looked at me and told him, "Take her back. Take her back. She's going to die," and he didn't want to take me back because of the condition he had taken me from, so what he did was he took me and gave me to one of his daughters, and that was who raised me. And I was the oldest of seven -- of ten, seven girls, three boys, growing up in my adopted family, and later on I was the oldest of six in my foster family, two girls, four boys.

So when he gave me to my mom, she always told me as I was growing up, and I was the oldest of ten, that I was given to her to be a maid, or a slave she always said, because her daughters were Haida princesses. And I'm not telling you that to be disrespectful or anything because I'm very close to my sisters and brothers.

And as we were being raised and as young back -- as far back as I can remember -- I think I was still in diapers from when I remember the touchings and the molesting that happened. As I grew older -- and you have to understand my

parents were the product of residential schools. They had both gone to residential school in Edmonton, Alberta. And, actually, so had my foster parents. So they were residential school survivors, and the impact the residential schools that -- had on them, I never understood a lot of it until later on as I was an adult.

MS. BROOKS: Did you go to residential school?

MS. ENS: No, but I went to the Indian day school on reserve, which was almost as bad. But with -- as I was growing up, my mom, she was the one that was the -- more of the physical, verbal, mental abuse. And I have forgiven my mom because what they must have gone through as children being taken away not only from your community, but also from your own province and taken far, far away to a place that is foreign, and after you grow up in a place where you can run and play and whatever, and that everything you know is dirty and bad and wrong. So when my mom as I was growing up would tell me that, "You're nothing. You're nobody. You're -- you'll never be anything," she was just repeating, I'm sure, what she had been told through the residential school system.

And so the abuse that happened when I was

growing up and with my dad and my mom, it was really crazy making when you think of what was happening in our family and being the oldest, and I was constantly being reminded that I didn't belong. So the physical beatings were one thing, but I remember when my cousin and I would get into a fight my mom would always get mad at me if I tried to fight back or defend myself, and basically growing up I was basically made to feel like I had no rights.

And again I want to say it's not that I'm -- I want to be disrespectful towards my mom or my dad even or my grandparents, but I think you need to understand the impact of what the residential school had.

So my mom would ask me when I was just a little girl sometimes if my dad was touching me or what, and if I said no, she would grab my face or pull my hair or whatever and want me to tell her, but then if I said, "Yes, he's touching me," then the beatings were even worse. And then I got to be told that I was a liar, I was a troublemaker.

And for me growing up I think my high -- my highlight of my childhood was my brothers and my sisters because we were very close and we really

loved each other, but also I think you need to understand when somebody's been a victim and somebody else is a witness to that victimization, whether it's seeing it or just hearing it, they become traumatized as well, and they become secondary victims, and in some of the conversations with my sisters and brothers the hardest thing for them was what they witnessed. Just the same for me. I had an aunt that was also adopted, same as I was, and my grandparents raised her, and I remember her beatings and her just constantly being berated, and I remember how that felt for me.

So for me growing up in that feeling like I had no rights, feeling that I had -- I couldn't defend myself, I couldn't speak for myself, and as the abuse got more serious I did run away at age 14 and ran to live with my foster parents, actually, who lived on the same reserve, ironically, but at that time, because I was made to feel like I was just a troublemaker and a liar and all of that, I couldn't really disclose the sexual abuse. I talked about the physical abuse, but even that was downplayed, and I was made to return home. And later on I did go to live with

my foster parents when they went to Bible school in Seattle, and at that time my mom took the step to leave my dad and fled to Vancouver. And I went to live with my foster parents in Seattle for a couple years.

One of the things I think that people need to know and understand is that many times as victims and you lose -- you lose your self-confidence, you lose your dignity and self-respect and all of that, and, yes, I felt all the time I was growing up this was happening because I didn't belong, this was happening because I was just adopted.

So in the winter of 1979, after I had been married for a little while, one of my sisters disclosed to me that my dad was also molesting her, and I remember the shock and just feeling like it was my fault, that if I would have done more or said more, but I always thought that because I was adopted that was why it happened. I didn't belong. I never really thought that that would be happening to them because they were -- those were their mom and dad. And I used to tell myself as a kid growing up this wouldn't be happening if this was my real mother and my real father, this wouldn't be happening, so when my

sister disclosed to me that that was happening, I felt such guilt, but I also felt that something needed to happen, and then another sister disclosed to me, and I really felt that something needed to happen that -- but not out of a sense of revenge, more out of a sense that I had heard that this had gone on for a long time and that there were other victims as well, and so I did try and make a police report originally, and not knowing and not understanding how the system works and thinking that when you told the police officer something that they took it and they went away and dealt with it and you would hear back, and I didn't understand that there was a process where the police would take the report and then it would go to Crown and then if Crown decided there was enough evidence it would go on.

So I think, I believe it was around 1980, '81 that I first made a police report, and -- but you have to understand my sisters and my brothers both at that time, when they first disclosed, didn't feel strong enough to make a -- come forward and make any report or anything. And then I had heard that dad was living in Vancouver here. He was also baby- sitting for my nieces and that,

nephews, and that really concerned me because they were children. And also I had heard that dad was also offering to baby-sit for people welfare night at the Carnegie Centre, and for me that -- that was like red flags.

So I started checking on my first police report to find out where it was at, what had happened, and found nothing. So at that time I went to see the RCMP in Prince George. My ex-husband and I were living in Prince George at the time. So I went to see the police there, and the police officer that took my report, Corporal Don Fraser at that time, he was really, really awesome. He was very respectful. He was so -- which was quite different from the first officer that I had dealt with, because the first officer I had dealt with, it felt like he didn't want to touch me with a 10-foot pole, like what I had might rub off. So Don Fraser said to me, "This time, Freda, this time we'll get it through."

And at that time I had to contact my sisters and other family members to see if they would also be willing to speak to the police if they had been victimized. My sisters, a couple of them were quite angry with me for doing that and going

forward because they were just trying to get on with their lives, and I felt that because there were other children at risk we needed to look at that.

And long story short, it did go to trial in Vancouver here. They actually flew the Crown down from Prince Rupert to deal with our case. But before it got to that point, again after -- even after Don Fraser took the report there was a really long lapse in time, and then one day I got a phone call from my -- from somebody from Burnaby RCMP, actually, saying that they had -- that my dad was appearing for submissions in Masset and that he would appear later for sentencing. And I thought, wow, you know, that's great, and I hadn't -- didn't even know that was happening, not knowing how the court system worked. Then I got a call from my sister-in-law saying that they had gotten the same call to my brother, and she said, "But I don't understand. They're saying he appeared in Masset, but I just left him a half hour ago at the Carnegie Centre." And so I started calling to find out what was going on and found out that it wasn't even our dad, that it was an uncle who had been charged with the same thing.

And so I started asking again about my dad's file, dad's case, found out that again it kind of went into limbo somewhere.

And right at that time I saw somebody on TV, and he was talking about how he took special interest in historical sexual assault cases, which ours was by that time, so I called him and spoke with him after just seeing him on TV and how, you know, how he came across there, and I told him our story, and he said to me "Well, Freda, it's been 15 years. Why do you want to waste our time and taxpayer's dollars?" And I remember saying, "But there's no statute of limitations on child molesting."

And so I called Corporal Don Fraser back, and I told him, you know, this is what this person said to me, and so he said to me, "Freda," he goes, "off the record, if you don't like how somebody's doing their job, everybody's got a boss." So I said, "Well, who's his boss," and he told me, and I made some calls, talked to the Attorney General's office, the Ombudsman, the MLA, and I got a call from this man to meet with him at his office. It was a long weekend, so he wanted to meet with me in his office after the long

weekend by myself. I asked if at that time I could bring my husband, and he said no, by myself.

And I remember going into his office, and he had a little tape recorder on his desk, and he's sitting behind his desk, and I remember going in there and basically him telling me how he didn't appreciate the call from his boss, and -- but for me it felt at that time like I was fighting for my life. I was still having the nightmares. I was still -- I was having issues in my marriage which I knew came from my history of the abuse and that. Plus, my ex-husband was also using those things to control me, and which happens many times and very often with victims when they -- they are isolated and they're not allowed to contact family or they're not allowed to do different things. And so that was all kind of a power and control thing, and at that point I was -- I had just my daughter at that time. At one point I remember thinking would she be better off without me because I really believed at that time that I was pretty fucked up. Excuse my language. But it just -- not knowing how to deal with that and not knowing what -- where to go with all of that, nothing was happening.

So after I had talked to the Attorney General and the Ombudsman and the MLA all of a sudden things started happening, and our case went to trial, and my dad was sentenced to nine years. And you'd think -- and you'd think after all of that, when the sentencing came down and they started reading all of the consecutive and concurrent and all of that and that he was being sentenced, I think the Crown kind of expected we were going to all jump for joy, but instead we all kind of gathered in the middle of the courtroom as they were taking Dad away, and we just hugged and we cried, because even though he had been and had done what he had done, there were still times that he was a really good father, and he was a good provider, and I'm sure at times he was a good husband, and it was hard, it was hard to see.

But I think to try and explain some of that as an aboriginal person and understanding some of our history as aboriginal people, many times when we want help, if we want help, we want it for all of our family holistically, not just throwing our men out with the bath water kind of thing, but that if we come -- and that was one of the things working in the Downtown Eastside working with

victims, was that many times a woman would come in with a spousal assault and that she didn't want to leave completely immediately from her relationship. She wanted to find out what her options were for help, could he get counselling, could he take anger management, those kinds of things, and that's really important.

And I think that one of the things I didn't mention was that with all of the abuse that we've grown up in our community, ours wasn't the only family that was experiencing this kind of issue of the violence and the abuse and the incest and that. That was happening -- there were many families within our communities that had experienced that. And for me working in the Downtown Eastside and having victims come into the office so many times, her story was my story and my story was her story or his story, because it happened even to our men, and what could we do to help them. I had sisters that ended up in the sex trade. I had brothers that ended up into addictions and dying and that and their addictions. And I still have that today.

But one of the things that I think so often is that we judge severely our -- people in the sex

trade, but I always think that many of us prostitute ourselves in different ways. I lived for many years in a marriage that was very mentally, emotionally abusive, not physically, but it was a roof over my head and three meals a day, and I didn't feel I could do any better. I felt that this was all I deserved and I should be thankful for that. But even there, that's not how it started out, but that's how it ended up.

So working with many of the people that we worked with in the Downtown Eastside, when they came in and they had their issues, it was more what can we do to help you to be able to be a better parent, to be a -- to find the things that you need to help you to get out of the situation that you're in. And we had a mandate. Yes, we had a mandate under Victim Services, but we were always pushing the envelope and always pushing, because if you're dealing with somebody that's left a violent relationship and they have to leave their home, they need -- they're so vulnerable, they're so traumatized, there's so much going on in their lives right then at that time that they're not thinking straight, they're not -- so we tried to help them in trying to find stable

housing, seeing if we could get them into some of the housing programs, things like that, or if we could run programs that would help them. So I think just having been there and knowing some of the things that they were going through and I think also what -- what it is that they needed from us, and sometimes it was just a hug, sometimes it was just a cup of coffee, sometimes it was somebody just to sit with them, not even necessarily do anything, but sit with them.

It doesn't sound like much, but when I talk about holistically and I talk about our families, you'd think that because our dad went to jail that everything was okay for us. It wasn't. It wasn't okay for us. And one of the things that I really noticed through all of that was that even though it was really hard going to court and it was really hard to sit there like this with my dad sitting right there and having to talk about all of those things, how hard that was, I could kind of separate myself from it in a sense because that wasn't really my dad, but when my sisters got up there to talk, it was so traumatic, and I remember they had to keep taking breaks in court so that my one sister could go and throw up, and then I

remember at one point they even asked if all the men could leave the courtroom so my other sister could give her evidence because she couldn't even talk with other men in the courtroom.

And I remember at that time I didn't know anything about, really, Victim Services or what Victim Services had to offer or anything. I just knew that when we were going through that court process, and I shared this, when I was up on the stand and giving my evidence and you're having to go and say some of the most despicable things and drag up all of that shit, and I'm sitting up there, and I could hear these two guys sitting down there talking about the stock market, and I'm like, you know, wow. And so when it was time for my sisters and my cousin, I was outside the courtroom and I went and asked the sheriff, I said, "You know, when I was in there," I said, "these guys were sitting in the front there, and I could hear them talking about the stock market as I'm giving my evidence," and how distracting that is. "Is there something you can do? Like, why are they even in there, and what do they need to be in there for?" And so he explained to me, he said, you know, you can't keep anybody out of the

courtroom, anybody has a right to be there, but any decent human being that looks at the roster and sees what it's about, if you ask them nicely, like, "Do you really need to be there," then if they don't really need to be there maybe they won't go in there. So I stood by the door, and I was doing that as people were going in, and those two guys came back, and I said to them two that, you know, explained to them when I was up there that's what I heard. They didn't go in. But I was -- I was doing that when there was a group of students going in, and this little police officer, policewoman came and got upset with me for doing that, said I didn't have a right, and I just explained that how hard it was for me, and I said, "But those are my sisters, and it's devastating for them, it's traumatic for them to do that."

And it was important for them to give their evidence. And I've seen in our lives that those of us that were able at the time, because sometimes victims aren't able to come forward and aren't able to give their evidence, they're not at that place, but those of us that did, we were kind of able to move on somewhat in our lives, and those of us that didn't, I see them as kind of

stuck. They can't seem to move on. And I think the importance of the validation that what happened to us as children was wrong, it was a crime, that was the thing, I think, that had the biggest impact on us, was that it was wrong, but at the same time what happened to our parents in the residential school system and what they went through and everything they were stripped of, that was wrong, and that if we could look at that today.

But there's also the -- there's a process in there and there's -- even forgiveness is a process, and I know that when you've been a victim and you're going through that system and it's all foreign to you, you don't know what your rights are, you don't know who you're even allowed to talk to or give information to or whatever. That's all really important things. And when Dad went to jail, all we were concerned about, was he getting some counselling, was he going to go get some help, was there things that he was going to need to do for himself so that hopefully when he came out he wouldn't continue to do those kinds of things and that hopefully that the counselling would help.

And I remember them asking when we were going through the whole court process to describe what it was like, and the closest thing I could describe when he was in that state of -- it was like blank. There was nothing there. It was -- the eyes were open, but there was nothing there, and you couldn't stop, and it was like a boogieman. I guess I'd say it would be like the boogieman.

And just the kinds of things I think that victims need to have for themselves is -- I mean, I was able to have counselling, I was able to have some closure in a sense, but I remember what helped me through that was my co-worker and I went to a program, and we were in this program, and it was called Choices, and we were in this program, and I remember sitting, we were all sitting in a circle, and I remember sitting in that circle and this man walked in, and I about fell off my chair, and I felt like that little girl again. I felt like that little child and here came the boogieman, and I remember sitting there just shaking and looking at him because his nose, his glasses, his hairstyle, his height, everything, looked like my dad, and I was -- I was -- I think

I was -- I don't know how old I was, 45, and I remember that feeling of helplessness and just like being trapped. And as we went through the five days through Choices and this man, I watched him, every day I watched him, and he told his story, and he told his story of being that little child, being that little boy sent off to residential school, being that little boy being abused and raped, being that little boy that turned into that angry man. So in a sense he became my surrogate dad in that I was able to fully understand what residential school had done and that my dad had also been a victim, my mom was also a victim, and that many of our people had been victims.

MR. BATES: Can we take a break soon? Can I go to the washroom soon?

MS. BROOKS: You can use the washroom.

MS. ENS: Did you want to take a break?

MS. BROOKS: Do you need a break?

MR. BATES: Yeah. I didn't want to be here for question number two.

MS. BROOKS: Maybe if we can just take a five-minute break.

THE COMMISSIONER: Yes. All right.

(PROCEEDINGS ADJOURNED AT 10:41 A.M.)

(PROCEEDINGS RESUMED AT 10:52 A.M.)

THE REGISTRAR: Order. The commissioner has decided that this will be the morning break, so we'll take about another 10 minutes. Thank you.

(PROCEEDINGS ADJOURNED AT 10:53 A.M.)

(PROCEEDINGS RESUMED AT 11:13 A.M.)

THE REGISTRAR: Order. The hearing is now resumed.

MS. BROOKS: Ms. Ens, before we took the break you were telling us about what your experience was like in the program Choices. Can you pick up from there?

MS. ENS: Well, as I explained, the gentleman that was there, and to me he looked everything like my dad, and the feelings of powerlessness and feeling like I was that little child again came back, but as we went through the Choices I got to see him, and as he shared his story I was able to kind of relate his story to what must have happened both to my mom and my dad in the residential school experience with the abuse and the -- all of the things that they lost and the impact that all had, so in that way it was sort of a part of the beginning of my healing and my forgiveness towards my dad and my mom both, because I think it's really important to understand that everything is a process. Forgiveness is a process. And a lot

of times when we hold on to all of that it affects us, it impacts us, it makes us sick. And as I went through the Choices program, I finished, and I think it was in May or something, and I think it was that September I was in the Downtown Eastside, I can't remember what I was back down there for, and I ran into one of my brothers. He had lived for quite a while in the Downtown Eastside homeless on the streets there, so when I ran into him I asked if we could go for lunch, and he looked at me really scared, kind of panicked, and I asked what was wrong, and he told me he was supposed to be meeting Dad. And Dad had been sentenced in September of 1989, and this was like 2004, and I hadn't seen, hadn't heard, didn't know where -- what had happened to him, so I was a bit surprised when he said that Dad was in Vancouver. So I asked him, "Can I come with you," and -- which for me was a real big thing because it was kind of going back to deal with some of the demons in my childhood.

So we went into the Carnegie Centre, and we went to the outside part where Dad was sitting, and for me Dad was still this big boogieman, this big huge monster, so to look at him and to see

when we went out to the courtyard and Dad was sitting there and him -- he turned around and he looked at me, and I saw the fear in his eyes when he saw me, and it was like just -- it was hard to really explain. And I remember saying, "Hey, Dad," and he looked so scared, and I asked, "Can I give you a hug?" And we went for lunch, and they walked me back to the bus later on, and as we were leaving and my brother gave me a hug and said, "I love you," and I went to hug Dad, and I was able to say, "I love you." Dad never said sorry. Dad never -- in the beginning he denied everything, and then he pled guilty, but he had never said sorry to me, but somehow I felt that he was feeling that, and so I had thought that, you know, this was a new beginning, maybe our family could somehow work through some of this because I had been talking to some of my sisters and brothers and cousins, and they had asked me several times, because there was a lot of incest and sexual abuse within our family and our community, was there a process, was there a way that we could come together and have some kind of a healing and a healing ceremony, and so I thought maybe that was something we could do, and so I thought, well,

maybe I could invite my brothers and Dad and we can start out small, but the next call I got was from my brother and saying that nobody had seen or heard from Dad in a while and, you know, could I find out, check and see. So I called the morgue, I called the hospitals, and he wasn't anywhere, but he did show up, and so we didn't need to do a missing persons or anything on him. And then the next call I got was from my sister-in-law telling me Dad had died and that he was at the Georgia Rooms, on Georgia Street anyway, and -- which was my brother's room, and Dad had died in there and that the boys wanted me there right away. So I took off and I got there, and the coroner was still there when I got there, and the boys were outside, and they were just really, really traumatized, very upset, and then just like that I went to talk to the coroner to ask him when we could go in and see Dad, and my sisters started arriving, and he said, "We can't let you in there right now. We're cleaning him up, and it's not -- it's not good to go in right now, but I'll let you know."

So my sisters and brothers asked me when they got there, "When we go in to see Dad" -- and some

of them hadn't seen Dad just like since he was sentenced in 1989. Some of them had seen him and a couple of the brothers had seen him and one of my sisters, but the rest of us hadn't, and -- except me that one incident, and so when the rest of my sisters and nieces and nephews got there and they asked, "Can we do what we did when we were kids," and when we were kids every night we used to gather in a circle and we would all pray, so they asked, "Can we do that when we go in?" I said, "Okay, no problem. We'll go in." And as we all started to fill that little room and we got in there, one of my sisters who hadn't seen Dad since trial and had testified at trial sat down at his head as he was on the floor, and she started to brush his head, and she said, "It's okay, Dad. It's okay. I forgive you. You can go now. Go to a better place, Dad." And each one said their things.

Later on I ran into the coroner that was there, and he said, "You know, Freda," he said, "I've never talked about any of my cases at home to my wife, but there was something about that one. I didn't know what was going on in the room. I didn't know -- understand it, but I felt

something." So I explained to him of our history of the incest and sexual abuse and that many of us hadn't seen Dad since he was taken away but that it was important for us to come and for them -- and especially the ones in, like -- when I say that, for us as aboriginal people, many times we want to be holistic and we want something for even the perpetrator because we want to not carry all that hatred and bitterness and all of that that comes with that unforgiveness, and -- and I think that many times that's where we get stuck and we forget and our lives stay in that negativity. So for me, I think that seeing my sisters and my brothers and us all being able to gather around our dad as he died, as he laid there dead, to be able to pray and ask the Creator or God to take him because -- and to forgive and that we forgive, it freed us, and we don't -- no longer have to carry that. And we went through somewhat the same with our mom. She's still alive, but -- and many times in working with victims and working with people that have been so vulnerable and exploited and used and all of that, it's amazing to see that many times they're so willing to forgive and to move on, and I think we need to recognize that and

look at that.

I know working with some of the families and going through the court system, going through the justice system with families how important it was. I remember one family in particular, how concerned they were for the perpetrator's family, his children and his wife. And we'd be in court, and they'd be asking, "Well, what kind of support is there for them? What kind of support?" And I remember when we went and did a notification for one of our families on the Pickton file, and we went to her home, and there was myself, Marilyn, my co-worker, and two constables, and we were doing many of those notifications, and I remember going in and just there was something different when you walked in and you felt, and she asked me, she said as we -- as she was given the information and that, and she looked at me and she said, "Freda," she said, "I know -- I know if I need it that there's support there for me, there's counselling. I can get counselling. But what is there for him? What is there for him?" And I remember I felt my jaw drop, and I'm sure we all kind of felt the same, that here we've just come to tell you that your mother was one of these

victims, but, like, just this amazing person and that she was just concerned even about the accused, how powerful that was.

MS. BROOKS: One of the things that you've told us is how important it is to understand the impact of residential schools on aboriginal people, and this is something that this commission has heard from from Grand Chief Edward John in his opening remarks to the commission, and he stressed how the residential school system has deeply impacted the relationship between aboriginal people and the police, and he told us that in his community the police were known as "those who take us". What can you tell us about your community's experience with the police and how they were viewed and perceived?

MS. ENS: Well, I remember as a child, just my first ever encounter with the police that I remember was them taking my one uncle away. And he was somebody that -- that was just this gentle, loving person, and they took him away, and he ended up in, I think it was called Essondale or something. It was some jail down here somewhere anyway. And he was somebody that was a provider, somebody that looked after his family and had a family to look

after, so the impact of that was -- was very significant.

And I think the impact of residential schools, I know when we would do some of our cultural sensitivity training that we used to sometimes be asked to do, one of the ways that we would express it or I would express it is we're all family. We're all family. We're all either mothers, fathers, grandparents. We're aunties, we're uncles, brothers or sisters. And just imagine, just imagine what it would be like for you. Like, you look at your family and your nieces and your nephews that look up to you and you love and that, and I look at my grandchildren and I think how precious that they are and just what it would be like if somebody came in all of a sudden one day and took all of the children from your community, they came in and they just grabbed them and took them away and you didn't have the power to stop that, you didn't have the power because you would be told that if you did you would end up in jail yourself. And that's some of the -- some of the impact that the residential school system had, is the fact that when children were taken from their communities and taken to the

residential schools, they were -- the people that enforced that were the police, the RCMP or OPP or whoever there was. They were the ones that enforced those children being taken away, and the families had no -- no say in stopping that. So what would it be like for you as that parent or aunt or uncle?

In the aboriginal community everybody had a place. Everybody had -- in our Haida tradition, in our Haida ways we were very matriarchal, and so to take -- to take the children -- everybody had a place. The women did the weeding and the teaching and the different things. The men did the hunting and the gathering and the -- all of those things. And so everybody had their place. Children even had their place. I remember being taken in my grandfather's boat. All of us kids, we'd be taken out to -- we used to have a fishing lodge out at where Langara Fishing Lodge is now. We had a cabin out there, and every summer we would be taken out there and we would go out to -- in the springtime and go out and do the seaweed gathering and all of the different things. We'd be taken by our grandmother and taken out to get the spruce roots and cedar bark and things like that, which

to us as kids, it was a lot of fun swinging from the trees like Tarzan trying to get the bark down. We all had our places. But to come and take -- all of a sudden take and all of those kids are gone, everybody was lost. That impact. Nobody had a role. Like, there were no children to teach. There were no -- and the gathering and the fishing. When the whole -- it wasn't just the residential school. It was the impact of colonization and the fact that we were no longer allowed off where they put us in our reserves without a letter from the band, the Indian agent. You couldn't go off the area that they gave you, so all of the hunting and the fishing and the gathering that our men had done was no longer that. And not only that, where our resources and that were plentiful along the shores and all of that, many communities where the resources were, they got moved out into just barren areas because they knew that this was a rich area. So one reserve might be moved from another and that. So to kind of understand that a whole way of life was gone.

MS. BROOKS: And in terms of the abuse that you told us about that you experienced, were the police ever seen as

a source of protection for you?

MS. ENS: No, because the police were -- and I think -- well, in all fairness, we're going back 55 years. We're going back to my childhood. I mean, I know even in the work that we did in the Downtown Eastside in the '90s and even 2000, it was pretty hard for people to believe and understand the whole thing around child molestation and child abuse and all of that, so imagine being a rookie police officer in some aboriginal community where you're stationed there for two years and you come in and your first year is just trying to understand the community and whatever. I know -- I know that as a child when I saw police officers going through our community, I didn't feel that I could trust them or that because my -- my thing was them coming in and taking my uncle, and I know that for many of our elders and many of our people in the community the police represented -- they were the enforcers, the ones that came in and took the children --

MS. BROOKS: Did your --

MS. ENS: -- to --

MS. BROOKS: Sorry.

MS. ENS: -- to go off to residential schools.

MS. BROOKS: Did your community have an expression to describe the police?

MS. ENS: Not necessarily my community, but I know that when I sat for a while on a committee with the Canadian Association of Chiefs of Police, aboriginal subcommittee, we were looking at putting together a document, a cultural sensitivity document for police officers to understand some of the issues, and so there were police chiefs from across Canada, First Nations policing, some of the aboriginal communities agencies, and one of the things -- thing that kept coming up quite often from aboriginal communities was when they referred to the police, which would be RCMP or OPP or whatever, that they were "the men with no legs" because all you -- all you ever saw them do in your community was drive through. They weren't there to -- to be friends or whatever, it was just they were there if something happened, and they would take whoever away, and that was it.

MS. BROOKS: And in terms of seeing the police as a source of protection, eventually in the early '80s you do report to the police the abuse that you experienced, and you described for us having a positive and a negative experience making those

reports. Can you just tell us, the initial report that you made, why that was a negative experience for you, and then the second report, what made that a positive experience?

MS. ENS: I think, in all fairness, going back, and we're looking at the early '80s, there wasn't a lot of information or anything out there. I mean, child molesting, incest. And so you're looking at young rookie officers in the community. What -- I know -- like I say, and maybe that wasn't really fair, but to say it felt like his attitude, it felt like he didn't want to get close to me, like he wouldn't touch me with a 10-foot pole, I think it was maybe just a fear of how do you deal with something like this and is this for real.

MS. BROOKS: Did he take your report?

MS. ENS: He took a report. He did take a report.

MS. BROOKS: Did he tell you what steps were going to be taken after?

MS. ENS: No. No. And that's why I say for me, you know, somebody comes in and takes a report and then you don't see or hear from them for, you know what, months or, you know, a long, long time, you think, okay, what happened and where is that, right, and -- but also not understanding that when the

police take a report, at least in BC, that it has to go through Crown counsel, and Crown counsel has to approve whether that's going.

MS. BROOKS: And was that process explained to you?

MS. ENS: No, not -- no.

MS. BROOKS: So how much time passed between making the initial report to when you made the second report?

MS. ENS: At least, I'd say, three or four years. And -- because I remember that -- and for me it was almost like -- a comment that was made was almost that like we were making this up, that we were conspiring. That was the word. And I remember thinking, "But this happened." And, I mean, even through the court process, when it did go through the court process and we were in the prelim part of it, I remember the judge making a comment saying because these offences occurred on reserve and because we were -- we were native and these offences occurred on reserve we should be judged under different laws, and I remember feeling and sitting there thinking, like, "What the hell. I mean, the only difference between you and me and what happened to me is you've got money and I don't," and that it was also painting all native people with the same paint brush, that all native

people were --

MS. BROOKS: Stereotypes?

MS. ENS: -- sex offenders, etcetera. So for me it was really important, and that's why, like I said, going through the court system at that time and not really knowing what our rights were or, you know, that we could have somebody say something on our behalf or whatever I think was a real learning thing for me.

MS. BROOKS: And one of the things we'll discuss is the ways in which the Vancouver Police Native Liaison Society tried to break down some of those obstacles and barriers and create better access for aboriginal people in making reports to the police, but I'd like now to ask Mr. Bates to join us.

MR. BATES: That was your second question? Test one, two.

MS. BROOKS: From your entertaining days you're used to that.

MR. BATES: Old habits.

MS. BROOKS: Mr. Bates, we've heard from Ms. Ens her story about how she eventually became interested in being a victim service worker, and you have quite a different journey that takes you up to your interest in urbanization of aboriginal youth and becoming a victim service worker. Tell us about yourself. Where were you born and when were you

born?

MR. BATES: I think I wrote a book about it, okay.

MS. BROOKS: Maybe you can summarize some of the highlights.

MR. BATES: Well, I'm born right here in Vancouver, Vancouver General Hospital, and I'm from Williams Lake on the Shuswap. My dad's Haida, so Shuswap Haida. Went to -- I didn't go -- we're going to cut to the chase on some of this stuff because we're here for the missing women. There's nothing really about me that's -- you know, I went to school. I graduated from Williams Lake Senior Secondary. I went -- thing was the only thing a little different about my upbringing is that in the 1960s, when they did a major scoop on all the kids going into residential school, my dad -- actually, it's my uncle, he had his -- his first son, his real son was going to go into Grade 1, and his second son was just born, and at that time I was 11 years old, and they were coming to get us, and so my dad on that summer -- and we had -- they would scoop us around August to stick us in school, and my dad that summer left, and he went down to -- he went across the line, there's a place called Oroville, Tonasket, and there's a little bitty community, 253 people there, and it

was named Loomis, Loomis, Washington, and put us into school, so I never did experience the residential school. And I got -- I got there -- I was in Grade 5, so I went from Grade 5 to Grade 10 in the United States. I was a Boy Scout. I sang in the church choir. I was as normal as any kid can be, you know. And then we got a letter exactly five years later that said if we didn't come back to Canada we were no longer considered Indians and we would not be part of this whole brand-new experience that you're going to have of Indian land claims, and they want every Indian to be on an Indian reserve so they could count you and say this is what's got to be done. So my dad, he said -- he didn't have anything else except our heritage, so he got his Buick and we got a U-Haul trailer, put everything in that and went back to -- back to Sugarcane Indian Reserve in Williams Lake, back on the reserve.

When I -- when I had left in Grade 5 to go to the United States, I'd never been in a house that had a bathroom. I never even saw a television set. So we get down there, we get this house. My dad is running this ranch, and we got this house, and it's got two bathrooms in the same house. We

couldn't believe that. I mean, I never saw anything like that. So we had to leave all that behind to come back to Canada to go live on an Indian reserve that didn't even have running water on it. They had a water tap in the middle of the reserve. You used to go down there and you'd put a bucket under, and that was it for everybody on that reserve. We had to come back and live like that so we can be counted for first -- to be an Indian for the treaty things.

Now, this has got nothing really -- I mean, I led a good life, and I went to -- I went all over the world. I travelled. I was an entertainer. I mean, I was in Africa when Mandela was still in jail. So I'm 62 years old. I mean, I was in Bangkok when they were stringing kids up by their necks on telephone poles when you're driving in. I performed over there with Ray Charles. So I've been around the world. I've been in South America. I've lived in Las Vegas for 10 years. When I quit that whole stuff and I says I was coming back to Vancouver, I was coming home, I was -- I was 42 years old, and I thought, well, I should do something different in my life. I think I should -- so I went back, took a course, some

courses, and I was going into criminology, and then I got an offer for a job that says -- not an offer. I was going to go to criminology, and then there was this thing for -- to have a practicum student down at the Vancouver Police Native Liaison Society. I never knew this place even existed. So I had about three months. I got there right in June and -- June of 1993, and I found a guy -- the first couple days I was in there I managed to locate a guy that came into -- he came in in his bedroom slippers, and I found this guy, where he was from. Took me the day, and by four o'clock in the afternoon, five o'clock in the afternoon I put him in my car and took him home, which was just up at 17th and Main, but he had Alzheimer's, and he was supposed to wear a bracelet, but he didn't have the bracelet on. He just walked away.

So one of the guys there, I think it was Mark -- Mark and Mark were there. They're the first liaison constables that I ran into. One was working. The other one says to me, "Would you like to have a job here," and I says, "Sure," it was just a summer job, and that's what I did, and I stayed there for 10 years.

MR. BROOKS: So, Mr. Bates, let me just back up for a moment. One of the things that this commission has heard is about the difficult relationship that exists between aboriginal people and the police, and in particular for aboriginal women who have been victims of assault coming forward and making those kinds of reports is really challenging, and so this commission has heard that it's a very long and complex history that informs that mistrust, but can you tell us anything about your experience being on Sugarcane Reserve? And by the way, I understand that the residential school you managed to escape is one of the more notorious residential schools with Father O'Connor being there, and what --

MR. BATES: Father O'Connor's got, like, eight kids. Got a whole mess of redheaded kids out in the Chilcotin. That's Father O'Connor's work.

MS. BROOKS: And what impact did you observe that the residential school had on your community and in particular how they perceived and understood the police role in that?

MR. BATES: See, I didn't -- those formative years that were between Grade 5 and Grade -- till I was 16, 17 I really didn't have any -- because we were in the

United States, okay, so I don't have an answer. And I lived a very different life as an entertainer. I mean, I had a manager. I had people looking after me. I had a casino that they needed me to be on stage every night. I lived a whole different thing. I only actually started existing in this particular environment is when I came back and I went back and I got that job at the Vancouver Police Native Liaison. Okay. I mean, I ran into some cops along the way, you know, RCMP guys, and being the entertainer you get to be privileged to what's going on, you get to see, because they're coming to you in the club, and you become kind of a different kind of a person than your -- you've got access to things. You've got people. There's just a lot -- every night you're in a nightclub. Every night. And I was in Las Vegas for 10 years. I mean, I tell people I spent 10 years there, and I did, but it's different for me. I can only really tell you I lived a very good life, and for the kind of lifestyle that I lived I'm here to talk about, that means I've done it right because I'm 62 now, so -- and I -- my last 19 years was involved with the Native Liaison, and this I thought is what

we're here to talk about. My lifestyle or me, I don't know if -- it's not all that relevant. It's just I -- I didn't have any problems with -- I mean, I was in -- I was in Las Vegas, I was in Bangkok, I was in Singapore, I was in Kuala Lumpur, all over the world, and I lived in Las Vegas, I lived in California, I lived in Anaheim, you know, so I wasn't experiencing these kind of things that were happening here, but when I came back it was like checking back into a time warp 20 years behind what has going on, and I couldn't believe what was happening in the Downtown Eastside.

MS. BROOKS: Tell us about that. What did you see happening there?

MR. BATES: Jesus. Just sad. It was just -- pick a case. I don't know. You know, I started seeing the cases when they -- like, that one case, that one guy, he came to that office, and he was from Boothroyd. Do you know where Boothroyd is? I looked at a little map. It took me all day. He -- I said, "Where you from?" He says, "Boothroyd." What the hell is Boothroyd. Apparently turns out there's a little Indian reserve right by Yale, and that's where he was from. I called the band. Finally I

found out, oh, that's a guy with Alzheimer's, and his granddaughter lived right up on 17th and -- 17th and Main, right up there where they're tearing all that place down, and I took him home. It felt really good to be able to help.

And the next cases, I mean, I had cases and cases. I know half of these women.

MS. BROOKS: Okay. Well, why don't we start with understanding what the role of the Native Liaison Society was. Tell us about what its objective was. What was the mandate of the society?

MR. BATES: It was called, I guess, to bridge the gap, a matter of trust. They wanted to have -- historically native people just don't like to go to cops. You know, there's not any good rhyme or reason that you want to see one of these guys. I mean, it's just -- I had a little boy in the Native Liaison 239 Main Street. This little boy is in there. He comes in with his dad, and his dad is talking to me, and his little boy was running, like, up the hallway type of thing. All at once one of the constables came through the door, and he runs in there and goes, "Daddy, Daddy, Daddy, Daddy, cops, cops." And so we calmed him down. It was -- in fact, it was Detective Jay Johns, and Jay was --

the little boy, he's only this little, and he was, like, totally terrified of the police. So Jay came along, sat down and took his cap, police cap and put it on the little boy's head. You know what --

THE COMMISSIONER: Mr. Bates, why was a Native Liaison Society formed?

MR. BATES: They wanted -- because natives were not going -- there was too many cases that were just slipping through the cracks. They wouldn't go. They just wouldn't go into -- I mean, you couldn't -- it's hard to stop a cop or get anybody. The whole production of how that whole system was done, you couldn't get that. Once you had a police -- the Native Liaison was so important that you could walk through that door and you wouldn't be arrested, and you could come in there and say, "Look, there's a sexual assault going on," or there's -- you had a contact that was there, just like the Chinese storefront that was there for a while.

MS. BROOKS: And was it established by the police?

THE COMMISSIONER: When was it established?

MR. BATES: The storefront?

THE COMMISSIONER: No, no, the Native Liaison Society.

MR. BATES: The Native Liaison.
MS. ENS: I believe there was a group of agencies and aboriginal community members that lived in Vancouver --
THE COMMISSIONER: Yes.
MS. ENS: -- had in 1998 -- or 1988 had started a committee to look at the issues of the aboriginal people falling through the cracks and what could happen, and so in April, I believe it was, of 1991 is when Vancouver Police & Native Liaison Society opened its doors.
THE COMMISSIONER: I see. How many members are there?
MS. ENS: At that time there were -- I believe it started out with one officer and then added another one.
MR. BATES: As I understand it, Richard Vedan was the driving force behind the Native Liaison, if I remember correctly.
MS. ENS: I believe --
MR. BATES: Yes. And it was a pilot project for the federal government, provincial government, and the municipal government. It was a three-year pilot project, and after three years --
THE COMMISSIONER: So the objective was to have a better relationship between --
MR. BATES: Yes.

THE COMMISSIONER: -- the aboriginal community and the police?
MR. BATES: Yes.
THE COMMISSIONER: Right.
MR. BATES: Because they were not -- a lot of -- a lot of native women and guys -- a lot of native women, if you -- if a police officer showed up and you had kids and you reported a spousal assault, Social Services would be there before you could say Jack Jams twice, and your kids are gone. They're gone. So they won't report them, because as soon as you report them the cops show up. The cops show up, they report it, then you can't get your kids back. And if Social Services get a hold of your kids, God bless your heart because you're not going to see them again for -- even if you do all the hoops, hoopla that they want you to do, you've got to go to anger management, you've got -- you've got to do this, you know, the kids -- by the time you get them you won't recognize them anymore.
THE COMMISSIONER: So the fact that the ministry was seizing young aboriginal children --
MR. BATES: Well, yeah.
THE COMMISSIONER: -- caused a conflict with the police as well because the police were doing the seizing; is that correct?

MR. BATES: Well, no, they didn't want to report them because if they reported it you got -- like, the police would show up.

THE COMMISSIONER: I see.

MR. BATES: And then you didn't -- as soon as the police showed up, then the kids were there, social workers and Social Services got involved, the kids are gone, so she's not reporting because --

MS. BROOKS: It opens a bunch of other doors.

MR. BATES: Take the beating and don't report it or else report it and lose your kids. That's how the system was set up to do. And if you try to get them back, it will take you a year. And they -- they weren't reporting it, so the time frame, like, on these women, the time frame that they went missing and to get them into the police, we're talking -- we're talking -- took one girl here, took me nine years to get her to be listed as missing.

MS. BROOKS: Who are you referring to?

THE COMMISSIONER: How often did you deal with the issue of missing women with the -- as far as the Liaison Society's concerned?

MR. BATES: Oh, geez. Well, it's a real lot to find someone, but it's quite a process to get them listed, to get them upstairs. I mean, it was just so hard to

get an instant report taken.

THE COMMISSIONER: So what was the response of the police when you reported someone missing?

MR. BATES: Well, you couldn't -- you've got to get it reported to somebody in Missing Persons.

THE COMMISSIONER: Someone?

MR. BATES: Somebody in Missing Persons has got to take the report. You've got to have somebody who takes it, and you can only take it over to Missing -- you can show up in Missing Persons and say, "I'd like to report somebody missing." Well, right away, as soon as you do that, they say, they'll go, "Okay." They'll just profile you right then. Right then. And if they profile you, you're not going to get it upstairs. Okay. And you've got to have an instant number. They've got to take a file. And you couldn't get -- you couldn't get through the door to list them as missing, and by the time they went missing -- like, you couldn't get it past the second floor. Okay. There's no way you could get it.

THE COMMISSIONER: In the Native Liaison Society were there any members of the Vancouver Police who were seconded who were part of that society?

MR. BATES: Yes. Yes, we had two officers, but their job is

not missing persons. They're not Homicide detectives. They're not part of that -- the part of the community that do that. So you've got to get that report past the second floor.

THE COMMISSIONER: Okay. So did the officers not help you put reports in on missing women?

MR. BATES: You can't -- that's not their job. It's not their job. They're not Missing Persons. You don't go -- I mean, you don't go to a Missing Persons -- that's not their job to be. They're community officers.

THE COMMISSIONER: Oh, I see.

MR. BATES: And if you try to get up there, I can get it right up to you, Mr. Oppal, but if you're in charge of Missing Persons and if you're not going to take the report, it doesn't matter how many cops you got hanging around if you won't take the missing persons report.

THE COMMISSIONER: So you're telling us that no one would take your reports?

MR. BATES: Yes.

THE COMMISSIONER: Did you complain to anyone that no one was taking your reports?

MR. BATES: You've probably got a list that high of complaints. You've got yourself -- a guy kills 49 women. We

have 28 missing persons. We have one person upstairs which takes a missing persons report, and anybody should know her name. Her name is Sandy Cameron. Okay. She was in charge, one person in the metropolitan here of Vancouver. And we got -- we got -- we got one other person in charge, like, with Dave Dickson, so you can't get it past that desk.

THE COMMISSIONER: I see.

MR. BATES: Okay. And these are the two people. You've got one person that's a civilian employee, that's not even a police officer, and she sits there and decides whether any of your family are going to be reported missing. She makes the decision. If you sit there and you hand it to her, it's not going to go. The person's -- she's -- she went to detox. Take a look at all your files. I mean, there's other places. I mean -- I mean, nine years later they decide, well, nine years later this lady is -- now you are going to call her missing. The fastest one we ever did was Mona Wilson.

THE COMMISSIONER: Yes.

MR. BATES: Okay. Mona Wilson, that's the record. The day that she went missing, it's on there, that -- the

guy came in, like, three days later. And it was real -- it was real simple, actually. This is getting into the missing women's. Maybe I'm moving too fast on this missing women's. But Mona Wilson. Okay. And, I mean, if you came in, you want somebody to find you missing -- now, this is going to sound kind of rude and everything, but I'd say, okay, if the person's missing, how do I check she is missing. I phone up Ed Tempest. Ed Tempest is the coroner's liaison. "Ed, got any new ones up there?" Okay. Ah, this, this, that. Okay. They don't fit the profile. Okay, they're not -- they're not dead. They're not at the coroner's. Another one, speed dial all the hospitals here. And they're going to be around here. They're going to be in St. Paul's, Vancouver General maybe, or Mount Joseph or else North Vancouver. Check. So that. Okay. They're not in the hospital and they're not dead, then let's give another call here. So I phone up and say, "Native Liaison calling," and I'd say -- they'd say, "This is privileged information," they says. "Yes, I know it is. It's Native Liaison. Are they in jail?" "We're not supposed to give that information." I just want to know are they

or not in jail so I can scratch that off my list. So they're not in jail, they're not dead, and they're not in the hospital. Then they're around here someplace. So the next thing to find out if you want to connect them up, are they getting Social Services. Okay. Like, this lady there, Mona, she was getting a Social Service cheque, and they'd both pick that cheque up, her and her buddy.

MS. ENS: Steve.

MR. BATES: Steve. She -- it's a big scam down there, but they pick up their cheques at the same time, and they spend her money on drugs and the other cheque they'd get for a room. Well, they pick up their cheques together. She hasn't picked up her cheque. Okay. But we never got this kind of information before because we were not allowed to because of confidentiality.

So finally -- the first day he comes in he wants to make a report she's missing. She's missing. I go, "Okay, let's sit down and take the information." He doesn't want to do it. He's just big panic style. So finally the next day he comes back in, and I was talking to Tony Sartori, and Tony was our native constable at that time,

and Tony was in full uniform, and I says okay. Now, he says to me, "She hasn't picked up her cheque," and I says, "Who told you that," and I said -- he said, "Social Services." That was the first time that Social Services had said, wow, that he didn't -- so the next thing I did, "Is she on methadone?" And he said, "She's on methadone." I said, "Well, have you been down there to check at the pharmacy? Where does she pick up her methadone?" He says, "They won't tell me." Okay. "They're not going to tell me." So I tell Tony, I says, "Tony, you've got your uniform on. You got a gun. Go down there and find out if she's picked up her methadone." So in the meantime I'd gotten one guy that gave me his card, and he was just put into Missing Persons. A detective had just been moved there.

MS. BROOKS: Who was that?

MS. ENS: I think Al Howlett.

MR. BATES: Al Howlett. He had just been moved there. It's on the police report if you look at it. And so I was filling this all out, and I called him up and I says -- I met him, like, maybe twice, so I says on the missing persons report -- "We got a missing persons here," and he says, "I'll be down there in

five minutes," which is -- that is unusual, I mean, you know, like, and he comes down, and just at the same time he came -- he came down through the door, and I was talking to him, we had Steve there and we were explaining the welfare cheque was gone, and Tony Sartori, Constable Sartori walked through the door, said he came back from the pharmacy and she had not picked up her prescription in seven days. Okay. Now, if you've got free drugs and you've got free money and you don't pick either of them up, you've got a problem here. He looked me right smack in the eye, okay, and said to me right there, I'd only met him, like, sporadically for maybe a minute and a half, he looked at me and he said, "She's dead." Now, that was the first woman that they have, Mona Wilson, that is listed missing within seven days of her being actually missing. You know what -- and that's one of the six girls they found on the Pickton pig farm.

MS. BROOKS: And was that the first time that you'd ever heard an officer from the Vancouver Police Department tell you that the woman had died?

MR. BATES: Yeah, he said, "She'd dead." I mean, I was sort of like what kind of crystal ball do you have type of

thing. Like, whoa. I mean, the evidence was sitting there all the time. I mean, look at them. They're all there. This is not about aboriginals. This is about people. You know.

THE COMMISSIONER: So you told us the difficulty of finding out whether someone had picked up their welfare cheque in order to decide whether they're missing or whatever happened to them.

MR. BATES: Yeah.

THE COMMISSIONER: Would the police who were on the liaison committee not help you do that?

MR. BATES: See, a constable can't go and do that. It's against the -- like, you can't send a police officer in there to -- they will not get past the door of -- they will not give you that information. A police officer can't do that.

MS. BROOKS: Mr. Commissioner, the two officers who worked with the liaison society are in the gallery. Perhaps now is an appropriate time for them to join the panel.

THE COMMISSIONER: That's fine.

MS. BROOKS: So that's Constable Jay Johns and Detective Constable George Lawson.

MR. BATES: Do they have microphones?

THE REGISTRAR: Yes, you'll have to share the microphones.

THE COMMISSIONER: Thank you for coming.
THE REGISTRAR: Just leave one on that side and one on this side. Good afternoon, gentlemen.

GEORGE LAWSON: Affirmed

JAY SCOTT JOHNS: Affirmed

THE REGISTRAR: Could you state your name, please.
MR. JOHNS: My name is Jay Scott Johns, J-o-h-n-s.
THE REGISTRAR: Thank you.
MR. LAWSON: It's Constable George Lawson, L-a-w-s-o-n.
THE REGISTRAR: Thank you. Counsel.
MS. BROOKS: So Detective Lawson and Detective Johns, I would like to have you join in this discussion, but just quickly before we do I'll just lead you through your background with the police department. So, Detective Constable Johns, I understand that you were sworn in in January 1989?
MR. JOHNS: That's correct.
MS. BROOKS: And you worked on patrol District 2, which is the Downtown Eastside, from '89 to '94?
MR. JOHNS: That's correct.
MS. BROOKS: And then you worked at the Native Liaison Unit, which is a unit within the police department, from 1994 to 1998?
MR. JOHNS: That's correct.
MS. BROOKS: And as an officer with that unit you were also

assigned to the Native Liaison Society?

MR. JOHNS: That's correct.

MS. BROOKS: And then you worked in 1999 in the Sexual Offence Squad?

MR. JOHNS: I did.

MS. BROOKS: And did you go back to patrol after that?

MR. JOHNS: After that, yes, I went back to patrol, and then I did the forensic investigating.

MS. BROOKS: Okay. And so that the commissioner knows, in December of 2009 I understand you were involved in a very serious motorcycle accident and that you're on long-term disability right now and the effect of that accident was that it has had some impact on your memory; is that right?

MR. JOHNS: That's correct.

MR. BATES: I never knew that.

MS. BROOKS: Detective Constable Lawson, I understand that you were sworn in with the VPD in August of 1990?

MR. LAWSON: That's right.

MS. BROOKS: From 1990 to '93 you worked in patrol?

MR. LAWSON: That's correct.

MS. BROOKS: Was it in District 4?

MR. LAWSON: It was in District 4.

MR. BROOKS: And then from 1993 to 1999 you were the officer assigned to the Native Liaison Unit?

MR. LAWSON: That's correct.
MS. BROOKS: And then after you were seconded to Musqueam?
MR. LAWSON: That's correct as well.
MS. BROOKS: And from 2004 to present you've also worked on patrol?
MR. LAWSON: That's correct.
MS. BROOKS: And what district?
MR. LAWSON: I worked back in District 4.
MS. BROOKS: So thanks for that. Now, you've just heard Mr. Bates and Ms. Ens give evidence, and they were talking about the steps, Mr. Bates was discussing the steps that he takes to try to locate missing persons, and the commissioner was asking what role the officers that were assigned to the Native Liaison Society played in terms of assisting and whether they could turn to you for some help with that. Can you explain to the commissioner what your role was and whether that was something that fell within your mandate? Detective Constable Lawson, do you want to start?
MR. LAWSON: Okay. It didn't really fall within our mandate. As a liaison unit we focused more of our attention on liaising with the different agencies in Vancouver, which at that time were quite a few, probably about 64 different agencies, not all of

which got our attention, but the majority of them did. And most of our enforcement was low profile. And dealing with the agencies we'd attend schools, women's groups, help groups, recovery groups. And our main focus at that point was mostly with teens, youth. Anything else dealing with investigation through the storefront was usually facilitated by the storefront staff. They had their little pipeline to the upstairs rooms of the police department.

MS. BROOKS: And Mr. Bates has just discussed some of the problems that he saw with the pipeline. Did you have any knowledge about that?

MR. LAWSON: I wasn't aware of any.

MS. BROOKS: And Detective Constable Johns, were you aware of some of the difficulties and challenges that the staff at the liaison society were having trying to get reports taken by the Missing Person Unit?

MR. JOHNS: Yeah, you would see that, like, Freda and Morris would be frustrated, and there would be a few things that, you know, were said, but it's frustration, it's work, it's -- but I understand.

MS. BROOKS: So, Mr. Bates, we've moved now into the issues around reporting, and I'd like to get a bit more information from you about that, but before I do,

I know that you were well-known for having success in finding people and that people came to you to look for their loved ones and their relatives. Can you tell the commissioner how you were so successful in locating people? What steps did you take? And in particular could you focus on if a person was aboriginal what kind of sources you tapped into to try to track them down.

MR. BATES: I guess one of the -- I started working with Ed Tempest. Ed was the coroner's liaison, so if somebody is missing, that's where you start. So I got to phone up Ed Tempest. And then if they're native -- if they're native, chances are they'd have an Indian status card, and I had a list of every Indian band in Canada. Okay. 780 of them, I think. So if I had an ID, a number on that, which most people didn't have because they didn't -- they didn't care about them, I just look on that number, and if you were band number 219, I says, okay, looks like Nova Scotia. I could tell where they're coming from. And then I get that number. I phoned the band office and says, "Look, we're looking for this person." It's as simple as that.

MS. BROOKS: And did the band offices generally keep track of

their members?

MR. BATES: Well, they keep track. I mean, we're wards of the federal government. I mean, they want to know every time you brush your teeth. Somebody in Social Services is going to pay for it. They want to get paid for that stuff. I don't care where you go you're going to have some kind of a record. So if you went down to the drugstore and you got Tylenol, you got -- it's a record because Department of Indian Affairs is paying for it. And that guy, if you go into -- if you got a tooth, you go into the doctor, you show your Indian status card, it's got your medical report. It's real simple to find these people if anybody wants to look for them. You know. I mean, I can find out -- in 10 minutes I can find out about anybody in this whole room if they go -- somebody missing. The thing was, is that when we look at these things there's that basic timeline, okay, when the person goes missing right there, so you only got, like -- they always say if you go up to Missing Persons, "Look, we want to make a missing persons report," you've got to wait 48 hours. That's not in law. Or you've got to wait 72 hours. Where in the hell is that written down? I

mean, if any one of you right now didn't make it home for supper, you didn't do something, we got that time frame, maybe an hour to find out where were you from the time you went missing, and somebody cares about each and every one of you. So that starts from that time thing.

MS. BROOKS: So it's really important that these files be treated with urgency?

MR. BATES: Yes. Then you go and you talk to someone, you talk to a police constable, if you can get one to take a report on it, but you go right to Missing Persons and then you've got to wait, and they'll say, "Well, we can't do that because you're not next of kin." So if a person goes missing from Quesnel, they say you've got to report it in Quesnel, and Quesnel, that's RCMP. Okay. And that's going to be next of kin. Most of those people are estranged from those people, and they're not going to know in Quesnel whether the person is missing here, and they won't take the report, and by the time -- I mean, it takes me -- okay, by the time that you can get a person's report up there, you've got to look on this documentation, we're talking nine years for Elsie Joan Sebastian, and that's when the police decide,

you know what, I think she's missing, and that's --

MS. BROOKS: So in your experience then, Mr. Bates, looking for people there's that really critical time period --

MR. BATES: Yes.

MS. BROOKS: -- where information can get lost?

MR. BATES: We had one case of a young lady that her father -- the hairdresser. The Carpenter case. Now, her daddy was the one that instigated that. I think it was from Surrey. But she didn't -- she called her daddy all the time. Her daddy didn't answer -- or she didn't answer. Wow, something's wrong. So he starts calling. Wow. So he goes and sends somebody down to the tanning salon or the beauty salon. The door's wide open, and her -- and she's gone. And then the next thing he gets on the phone with the RCMP, and they went and checked her bank card. Right there on that bank card there's a guy sitting down there that's got her number and pulled her money out of this card. Then they -- they found out -- they jumped on it, and within three hours she was on the six o'clock news. That guy took her to Yale, murdered her, and then he went to Alberta and killed himself. Now, when you're talking to people about going missing, why

did that lady get on the six o'clock news within three hours of being missing? Because her daddy drove the case. If it wasn't for her father, we wouldn't have got -- we would have been down to Missing Persons. They would have buried it for two years and then somebody says, "Oh, I think they're missing." I mean, something wrong's here, you know.

MS. BROOKS: One of the things, Mr. Bates, you said is that if any of us went missing -- if any of us didn't show up for dinner at night there might be a problem, and I think what you're highlighting there is the routines that we're all involved in.

MR. BATES: Yes, we're all -- everybody's got to be someplace in the next couple of hours. Jay's going to phone -- do you still have a wife? But, you know, you're going to -- you're going to talk to somebody. I mean, I'm going to make a phone call and maybe I'll say hi to Freda.

MS. BROOKS: Tell us about the routines that the women that were involved in the sex trade had that would be indicators if they weren't meeting those routines.

MR. BATES: Well, this becomes kind of a -- I like that word challenge. What happens is that -- the one that made these cases hard to access is because most of

these, not all of them, some of these women -- I mean, I tell people -- I do a program for kids. I says what is the common denominator here with these people? Okay. What is the common denominator? They're not all women because there's a guy in there. They're not all prostitutes. So the one common denominator is that they were addicted to drugs. Now, I'll tell you, there's a video out someplace. Now, you're going to see your doctor when you're sick. You're going to see your dentist when something goes wrong with you. But how many times are you going to go see your drug dealer? Okay. On the video it says, "As often as I can." So that person there knows, okay, the drug dealer will know, but do you think the drug dealer is going to come and say, "You know what, I haven't seen her for three days, and she usually comes here every six hours." So who does that person go to? Or what about the girl, that she's standing on the street corner, "Where's my girlfriend at? She took off in a car." You know. So -- okay. That makes it kind of like very dubious. So that person knows you're missing. The drug dealer knows you're missing, and the girl on the corner with you and

possibly -- and this particular girl, Mona Wilson, it was her boyfriend Steve. Now, Steve got to us, and even getting to us, it still took seven days, and that's the fastest anybody had ever been listed missing on that whole board.

MS. BROOKS: Detective Constable Johns, you also worked in the Downtown Eastside. What can you tell us about the routines that the women had while they lived there that could have been sources of information for the police in trying to track them down?

MR. JOHNS: There's a variety of things, Mr. Commissioner. There's -- if the ladies are working and they're prostituting themselves, they have a spotter, and things like a spotter would take a plate number or is supposed to take a plate number down of the car that the lady would just get into. And more than enough times I did give out pens and papers because these guys wouldn't even have a pen or paper. So you ask them what's the plate number of the car, and they wouldn't know or they'd just say it was a blue car. Well, that needs to be narrowed down more than that. Does that answer your question? Sorry.

MS. BROOKS: Yes, that's helpful. And Detective Constable Lawson, part of your role as a liaison officer in

the Native Liaison Unit was to reach out to different aboriginal organizations. Would the women have relied on some of the services provided by those organizations, and if so, which ones?

MR. LAWSON: Usually the self-help groups, people in recovery. We would often at times -- part of our mandate was to attend these different service providers, just give a spiel on what the native storefront does, what we do as Native Liaison officers there, and it wouldn't be to necessarily set up an appointment at that time but sort of give them the information that we have counsellors that are there if they have something that they think is something that they can deal with, and if it involves us as police officers, then at the storefront they can facilitate that as well, but normally the first contact would be our counsellors to determine whether or not the police officers need to be involved.

MS. BROOKS: And in terms of the services that the women used that were available to them in the Downtown Eastside, like health centres or WISH or other safe houses, did you ever drop in and visit any of those places, and what were they?

MR. LAWSON: There were a number. It would be hard to think of

what their names were at this point. Sheway is one that sort of comes to mind. DEYAS would be another one we went to. There's so many. Most of the education groups.

MR. BATES: I think the Downtown Eastside Women's Centre was really a place -- because these girls were out and about. The Downtown Eastside Women's Centre, men weren't even allowed in there. So if she was -- if she was out there doing some tricks and got some money and she wanted to get away for a while, she could go into the Downtown Eastside Women's Centre, and you couldn't get through the door. So if you wanted to really find out if somebody was not showing up, you'd go down to the Downtown Eastside Women's Centre, you make a phone call if you know somebody. "Oh, yeah, we saw them. They were here two hours ago."

MS. BROOKS: And in your experience did the women use those services with some regularity so that visiting them --

MR. BATES: Oh, yeah. That's like getting up and going to Starbucks. It's right there. Because they -- that's what -- that's what that was before, you know. So if you -- like, I mean, the way I used to do it is if they're in the Downtown Eastside

they're over at -- there's a place called The 44, which is actually called the Evelyne Saller Centre. You get a meal in there for $2. Okay. A good meal. It's run by the City. And between -- I could go out, and I would put a name on a piece of paper that the native -- contact the Native Liaison. I'd go over to The 44, which is the Evelyne Saller Centre, I can go to the Carnegie Centre, I can go up to the Native Friendship Centre, and I'll tell you, by -- nine times out of ten by the time that I got my two little posters out there that they were sitting at my desk, "What's going on out here? Everybody's talking." It's a very small, little community down there, everybody knows each other, and you can find these people.

MS. BROOKS: And if you couldn't find them, would you be worried?

MR. BATES: Well, it's -- then you go into Missing Persons. I mean, yes, they're my concern, but I'm not -- I'm not a police officer.

MS. BROOKS: But would you think something bad happened?

MR. BATES: Yes. For sure. I mean, we know these women were falling off the sidewalks down there. I mean, we knew of these girls, and I'll tell you, when one

of them wasn't around on one of the street corners, you know, and you're driving, they'd be there, they'd be there. All at once, geez, they're not here no more or who's here, and they'd come in, "Oh, did you find somebody?" Well, that's how it happened with Elsie Joan Sebastian. I mean, okay, where's she at? Then it was kind of a thing which you got to all know about it already. We had one police constable. I mean, we got one police constable that's for the Downtown Eastside, which we don't even know what the hell he's been doing, and he was in all these -- he'd be up at WISH, he'd be down there. He's still doing it. So you say, "Okay. Well, we told Dave Dickson about it." Well, Dave Dickson doesn't tell nobody. So if you're talking to a constable, you're talking to him, he'll take a note out and write it down and say, "Look, okay, we better check on this person," you know, and just run it through the different. Not in jail, not dead, ta da. Maybe we'll take a look at it. Well, if you got a guy out there that's -- women are leaving and he's not following through on the stuff -- you see, you've got one -- one Vancouver PD officer sitting there with this information. It's not

getting up to the second floor for Missing Persons, and we've got a Missing Persons up there. If you have a person right in front of you, she would have been -- I mean, it was just -- you couldn't get past the second floor, and all the stuff was just sitting there, and then you've got -- and then you've got this mess right here.

MS. BROOKS: One of the things that is an issue in this case is that the police or certain police officers, particularly in management positions, believed that the women were transient, that they came and went from the Downtown Eastside, so when they couldn't find them right away, it might not have been an issue because they were perhaps moved somewhere else or were living somewhere else. In your experience, did the women live in the Downtown Eastside?

MR. BATES: Did they live in the Downtown Eastside?

MS. BROOKS: You talked about their regular routines. Were they all centred in the Downtown Eastside?

MR. BATES: Well, unless -- pretty well the answer to that would be yes. I mean, they might come in -- like, Welfare Wednesday the girls might come in from Surrey or they might come in -- a couple days before they'd come in from North Vancouver, they'd

come in from Musqueam or, you know, they would come, they would be around. But if they're -- if they're -- if they're -- if they're in the Downtown Eastside and they're doing that, they're going to have their drugs down there, they're going to collect -- they've got to collect a welfare cheque someplace. They've got to have some kind of a number. I mean, you know, like they're gone and they're missing, but nobody's red flagging it because it's sort of like, well, she'll turn up and, oh, she went into rehab, she moved to Victoria.

THE COMMISSIONER: We'll stop there for the noon hour break.

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

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

(PROCEEDINGS RESUMED AT 1:50 P.M.)

THE REGISTRAR: Order. The hearing is now resumed.

MS. BROOKS: Detective Constable Lawson, we didn't get to hear about your background. Can you tell us where you were born and raised?

MR. LAWSON: I was born in Cassiar, BC, and I was raised in Port Simpson, British Columbia, which is about 25 miles north of Prince Rupert.

MS. BROOKS: And what First Nation are you a member of?

MR. LAWSON: Tsimshian.

MS. BROOKS: We heard from Ms. Ens and Mr. Bates about their background and how the police and aboriginal relationships have evolved over time. Can you tell us a little bit about that from your perspective? When you were growing up, what kind of relationship did your community have with the police?

MR. LAWSON: Our -- I guess our understanding of police and stuff, whenever we saw the police coming, the only way into town is by boat or by plane, and both are very distinguishable, so whenever we saw the police boat coming into town, everybody sort of abandoned the streets and dove into their houses until they finished their business and left.

MS. BROOKS: So there was a fear of the police?

MR. LAWSON: There was definitely a fear of the police.

MS. BROOKS: And what was your understanding of what informed that fear?

MR. LAWSON: I think it's just the understanding from my parents, being residential school survivors themselves, and it's just the authority figures just cause everybody a little bit of panic, and didn't matter whether it was a social worker or a police officer. More police officer than anyone else. People just clear the streets.

MS. BROOKS: And as the Native Liaison Unit officer I understand that you would liaise with various aboriginal organizations, and from that you also learned a lot more about the perspective that aboriginal people have about the police, and in one particular instance you were told a phrase that was used to describe the police. Can you tell the commissioner about that?

MR. LAWSON: Yeah. I was on a workshop in Prince George and was introduced to a community member, and we were interested in finding out what the word for police officer was, and she says there is no one word. She says it's just a phrase. It's "man who throws you in hole". And that was her saying for police officer. That's how they identified them.

MS. BROOKS: And is it your experience then that that distrust and that fear for the police in aboriginal communities is passed down through generation and generation and that it's a very complex, long, entrenched history?

MR. LAWSON: I believe so.

MS. BROOKS: I'd like to go back now to some of the issues we were talking about before the break, and in particular you were describing for the commissioner some of the problems that you had in

making reports of missing women to the Missing Persons Unit, and if I could just start with you, Ms. Ens. If you could turn -- there should be a document brief before you that's been marked as Exhibit 118NR. If you could turn to the first tab of that, the commissioner was asking you whether you had made any complaints about the difficulties that the liaison society was having in making reports, and this is a letter that was written to the chief constable at the time on January 22nd, 1997. And I'll read it out and -- well, perhaps you could read it out since you wrote it and then I'll ask you a few questions about it.

MS. ENS:

> Dear sir:
>
> We have recently received a complaint from a mother that I feel is very serious. It is regarding Sandy Cameron from the Missing Persons Department. This is not the first time we have had complaints about her.
>
> In October 1995, when a grandmother tried to report her 12 year old granddaughter missing, she was told by Ms. Cameron that they were not a baby-sitting service and not to bother them again.

Do you want me to read the file number?

MS. BROOKS: No, it's okay.

MS. ENS:

I then assisted the grandmother and we were able to bypass Ms. Cameron and have the missing person report filed.

I know of other instances where people have complained about the treatment they have received from Ms. Cameron at the Missing Persons Department. I am concerned for the other people who try to report a missing person.

Are they prejudged before there is an investigation?

Thank you, for your time and consideration, and then my name.

MS. BROOKS: So you were writing this letter in January of 1997, and the first paragraph references a complaint that you received from a mother you said is very serious, and you don't put any detail in this letter about that complaint. Can you tell the commissioner who was making the complaint and what the nature of the complaint was?

MS. ENS: Actually, the letter -- the next page is a letter from Dorothy Purcell, who was the mother of Tanya

Holyk, and that was the complaint, and she -- her letter, if you'd like to read that, goes into how she was treated in trying to report her daughter as missing, and it's quite self-explanatory.

MS. BROOKS: This is a letter that she wrote to you?

MS. ENS: No, she --

MS. BROOKS: In terms of the Native Liaison Society.

MS. ENS: Yeah.

MS. BROOKS: Did you have any contact with her? Did she come into the office?

MS. ENS: Yes, she came into our office. And she had been -- since Tanya had gone missing in October of 1996 she had tried originally to make a missing persons report on Tanya, and if my memory serves me right, I think there was originally -- she was given a number, and -- can we just read this letter?

MS. BROOKS: Yes, let's read it. I think it's important.

MS. ENS: I think it's worth reading.

MS. BROOKS: Sure.

> I went to the police station to report Tanya missing & they told me to call 911 and they referred me to Sandy Cameron whom I thought was a police officer.

And I'll just stop there. Had you heard that other people complained that Ms. Cameron was

representing herself as a police officer?
MS. ENS: Yes, I'd heard that, and before this I had also complained -- I didn't do a letter, but I had complained about Sandy Cameron originally when Mary Lidguerre and Dorothy Spence went missing in 1995, and I was refused the opportunity to do a missing persons report on Mary because I was not next of kin, and later on Morris -- I don't know if you want to speak to that -- but we had a youth worker from our office, Jack Spence, who was Dorothy's brother, and Dorothy went missing two weeks after Mary, and Jack had tried to report his sister missing and ran up against the same kind of roadblocks we had, and after I was told -- after I was told I couldn't report Mary missing because I wasn't family, I wasn't blood, it really shocked me to find out that Jack also had problems trying to report his own sister as missing.
MS. BROOKS: Okay.
MR. BATES: I'd like to just add a little bit here. Jack Spence worked in our office. Okay. His sister goes missing. His sister. And he works in our office, and he can't go into the police department and get her listed as missing.
MS. BROOKS: Why couldn't he?

MR. BATES: Because she wouldn't take the report.
MS. BROOKS: Why not?
MR. BATES: Because she just says no. I mean, you couldn't get your report. If she didn't want to take it, you couldn't get it listed.
MS. BROOKS: What explanation did she give?
MR. BATES: She don't have to give nothing. She's just, "Get out of here." I remember one time we had one girl. Her name is Ada Prevost. Ada -- I used to bother about these girls, "Come on, we got this listing," because they were trying to get some of these going. They wouldn't take her. Finally they found -- I mean, she had every rhyme and reason in the world not to do it. She was finally found, this young girl, Ada Prevost, which she's not on here. They found her in Phoenix.
MS. BROOKS: "She" is Ms. Cameron?
MR. BATES: She found her in Phoenix. She comes into my office -- or come into our office. I'm sitting behind and watching. She comes in with a piece of paper that says Ada Prevost was found in Phoenix. She grabs the document and throws it to the girl that's working behind the desk and says, "Tell Morris we found one of his whores."
THE COMMISSIONER: One of the what?

MR. BATES: That was her response.
THE COMMISSIONER: Found one of the what?
MR. BATES: She says, "Tell Morris we found one of his whores," because that -- see, everything was like, "They're over here." And when I did find that Ada Prevost was down in Phoenix and she had -- she was pregnant, and she was caught smoking crack, and they stuck her in a mental institute down there until she had the babies, so she -- but we didn't have -- we couldn't get her listed as missing. We didn't have anything on her. But finally when it did show up that Ada was alive, then she came into our office and throws a paper on the girl's desk and says, "Tell Morris we found one of his whores." That's verbatim.
MS. ENS: And going back to Mary, when Jack tried to report Dorothy as missing, and just like when I was trying to report Mary as missing, I was told, "Oh, she'll show up at the Sunrise behind a pint of beer. They always do," and Jack was given the same information. And for me it was really frustrating. And when Mary had gone missing -- because Mary was somebody that came into our office. If she didn't come in, she called. So we heard from her on a regular basis. And when she

didn't show up -- we had appointments set up, and when she didn't show up, I knew something was wrong, and I had -- I was on holidays, but I start calling asking, you know -- well, Dave Dickson was one of the ones that I asked, "Have you seen Mary? Do you know where" -- you know, I was concerned. And when Dorothy went missing and Jack was basically told the same thing, I had called the Missing Person section and spoke to, I believe it was Jim Steinbeck, Steinbeck, and I had complained about, you know, the treatment I was given as someone trying to report someone as missing, and --

MR. BATES: What did Dave tell you when you tried to report Mary missing?

MS. ENS: Well, when I said --

MS. BROOKS: Dave who?

MS. ENS: Dave Dickson. When I tried to report the treatment I had gotten about, you know, oh, well, you know, I wasn't family, and I was really upset, he basically told me, "Oh, that -- you know, she's a very nice person. She wouldn't say something like that," and I'm like, but she did.

MS. BROOKS: Referring to Ms. Cameron?

MS. ENS: To Ms. Cameron saying that to me. So for me --

MR. BATES: Dave said Mary was living --
MS. ENS: No, that came later. But what had come -- what started coming back from our -- because we kept asking all of the different sex trade workers or people that frequented our office if they knew Mary, because Mary was -- you couldn't miss Mary. And then a couple of them came in and they said, "Oh, well, we heard she's living in Surrey. She's living with a trucker in Surrey." And I'm like, "Well, where did you get that?" And, "Well, Dave Dickson told me." And so Morris and I both confronted Dave later on about that because for me, I knew Mary, and I knew Mary lived and -- with her other children, and I knew that she had lived with a longshoreman. He made really good money, and they lived quite comfortably, but she still depended on her welfare and she still depended on what she made through her prostitution. So for me to say that Mary was living out in Surrey with a trucker, it didn't make any sense because even if she was, she would still have contact with us. And so it was really frustrating to kind of get that -- that roadblock. And even though Mary went missing in July, was last seen in July of 1995, and Dorothy I think August of 1995, we didn't get

missing persons reports until November of 1995, and that we had to go in through the back door within the Vancouver Police Department.

MS. BROOKS: What do you mean when you say you had to go in through the back door? What does that involve?

MS. ENS: Because we couldn't get -- like Jay and George were saying, it wasn't their mandate. That wasn't their -- and whether that was that way for Dave Dickson too I can only guess, but that these women were women that frequented our office. They were women -- I mean, it was Jack's sister. And for Mary to be missing, I felt it was really important to get some information out there, and, you know, like even though people were saying that she was living in Surrey with a trucker, don't worry about her, I knew that wasn't Mary.

MS. BROOKS: And Detective Constable Johns, I know that you had also a close relationship with Ms. Lidguerre. Could you tell us what you knew of her and whether this -- what Ms. Ens has just said about her living in Surrey with a trucker, whether that would have made any sense to you?

MR. JOHNS: Mr. Commissioner, when I met Mary, Mary was cocaine dependent, and like Freda was saying, she was a very large woman. If she wasn't six feet, she'd

be just under six feet. And she had a very affectionate, contagious laugh. And we became good friends because I appreciated how strong she was, and both physically and mentally, but she said that she wanted to get off the cocaine, and so George and I gave her a bit of help. We -- what hit home is that Mary thought Canada was all like Skid Row, and me being from the Maritimes and have seen this country, I was shocked. So we got Mary into -- into the hospital. We got her down to -- down to Musqueam, where it was a learning process so that she can work on a lot of her issues. She went down to school down there, and then we had got her teeth fixed and got her a place to stay in Marpole. I knew the manager down there. And she had a residence, and she was so happy down there. And she used to phone or page daily. And Mary became I'll say a friend, and at one point I asked Mary to come to my house and have tea with my wife and my kids and stuff and just to show her what normality is, and then after tea, you know, took her back to the SkyTrain, and she just continued on, and then all of a sudden, you know, pages started to stop, so --

MS. BROOKS: Did you think something was wrong?

MR. JOHNS: No, you think that -- at that point I was thinking, okay, she's back into the cocaine and back into prostitution, and so, you know, you kind of look for her, you kind of, you know, check out -- check things out, see if you can find her.

MS. BROOKS: How much time passed before you thought something had happened to her?

MR. JOHNS: You know, you're inundated with work, so I don't know.

MS. BROOKS: Ms. Ens, we were talking about the complaint that was made by Tanya Holyk's mother.

MS. ENS: Yes.

MS. BROOKS: And I'll just take you back there. So continuing on from the letter that she's written on January 22nd, 1997, which is in tab 1, she then says this after she said that she was -- Sandy Cameron referred to her -- or she thought Sandy Cameron was a police officer:

> I told her when Tanya went out & described her & the clothes she was wearing. She asked me if she had a drug problem and I told her Tanya was in a rehab program before baby was born. She called a few days later and told me that Tanya was a coke head that abandoned her child. She went on and on about it and

said she was going to call Social Services to apprehend the baby.

And I'll just stop right there. Mr. Bates described that this is a problem for women when they call the police. Is that something that you can add to as well, that making a report to the police, it's not just the concern that you may have about that isolated experience but what else may snowball as a result of that? Can you tell us about what this would have done to Ms. Purcell to hear that news?

MS. ENS: Well, we had seen it before, and I know that was something that she was very concerned about, is that once the ministry comes and apprehends your child, it's a minimum of three months, if you even get the child back. And we had seen that with some of our other mothers, and it becomes a really vicious cycle because they're in a relationship and that relationship becomes violent, the police are called, and the children are apprehended if there are children in the picture, and that family, and usually it's the mother, then starts to have to jump through all of these hoops to try and get these children back. And when we had our Pathways to Empowerment for our women, many of the

women that attended that program had lost children to the ministry and were jumping through the hoops. And just to give you an example, we had one mom who had lost her children because of a spousal assault, and because she lost her children, her children were now in care, she then loses the subsidized apartment she has because the apartment is for a family and she no longer has the family unit together. So now she loses her apartment and she's now having to look for housing. And what welfare allows is not very good for, you know, first of all, a single person, never mind someone with children. And not only that, she's expected to go look for different programs that they want her to go into, and she goes into those programs and she's expected to keep up, and if she's got children, and this one had, I believe, three different children, they're placed in different foster homes. She wants to see her children. She might be going out to Surrey to see one of her children. She might be maybe in East Van to see another child and then maybe in Burnaby for another one. So trying to satisfy the ministry, it was almost like set up to fail. And so for, you know, for her to threaten

that she's going to come and take the child, that she's a coke head that just abandoned her baby, to grandma that was like just -- she couldn't deal with that, and she knew that her daughter couldn't deal with that either because her daughter at that time had been preparing and planning not only her 21st birthday but her son's first birthday and his first real Christmas because, you know, to her those were important things, so the fact that she wasn't coming back home, wasn't showing up, was a real concern for mom.

MS. BROOKS: Detective Constable Lawson, what Ms. Ens has just described here in terms of the response and fear that many of the women and family members may have in making reports to the police and the doors that that could open up, is that something that you heard when you went into the aboriginal organizations and dealt with aboriginal people in trying to bridge the differences there? Is that a common thing that you heard from those folks?

MR. LAWSON: Yes. I'd say yes. On many occasions where we did go to the self-help groups or to the women's groups and do a presentation on a storefront, people would often talk about their reluctance to go to the police department and that there was

always that fear of dealing with the police, and most of their contact had been negative, so one of our responsibilities is try to bridge those gaps and try to create a more positive image of the police department and give them the opportunity to come and talk to us, if necessary, and that was also through the storefront.

MS. BROOKS: How do you do that? How do you bridge those gaps or those difficulties?

MR. LAWSON: To show them that there is a friendly side, more approachable side. And it doesn't just stop with visiting the particular groups that deal with women's issues or things like that. We go to family nights, schools. So word gets around the community that, you know, the Native Liaison is doing something positive and that people could feel a little more relaxed about them. We did attend, like, a lot of the family functions, the pow-wows, so we became hopefully a very familiar face in the community.

MS. BROOKS: So organizations like the Native Liaison Society assists in bridging those relationships?

MR. LAWSON: Yes.

MS. BROOKS: And Constable Johns.

MR. JOHNS: I think that -- I think what we're trying to say is

that we tried to get them to not see the blue, the blue of the uniform, and see the human side of it. So we would organize soccer games with the kids, lose, and then we'd turn around and we'd play road hockey and organize that or basketball games so they'd get to see police officers outside the uniform, and I think that built bridges, I think the loose saying is. And as we got to go to the Friendship Centre and you get -- you go there more and more and more, they get -- the blue starts to fade a little bit and out comes the human side of us.

MS. BROOKS: Do aboriginal people feel more comfortable dealing with aboriginal police officers?

MR. LAWSON: I don't think so.

MR. JOHNS: Aboriginal people are individuals. You know --

MS. BROOKS: Can't generalize about that?

MR. JOHNS: I wouldn't, no.

MS. BROOKS: What do you say about that, Mr. Bates?

MR. BATES: Well, there's some -- with -- I think George has said -- I mean, because you're native and you're a cop, chances are you probably won't talk to Jay. That's -- that's -- that's kind of a thing. But it's got nothing to do with -- they're both qualified constables, but it seems like it might

be looked upon is that George would be patronizing because he's native, and so -- but it goes a lot of different ways too. I mean, I -- just to do another -- sort of on the same type of concept, we got sexual assault cases, and as soon as that would start happening and we found there was a sexual assault thing, like, I'd go, "Whoa, whoa." I mean, I don't want -- I'm -- they start talking to you and they start telling you this stuff, and I'm going --

MS. BROOKS: You're saying as a man?

MR. BATES: As a man. So I said, "Okay, we've got a native lady, a native -- we've got a female component in Victim Services that you might want to talk to about this sexual assault that happened." They would say, "No, I want to talk -- I want to talk to you," to me. And it makes me really uncomfortable, but the things about it, they're preconceived if they're talking to another woman that they're telling you stuff and there's already why was she there at that time or this -- it's kind of like telling another woman that you've been sexually assaulted, that it's kind of prejudgmental on it where she'd listen to a man, which made me uncomfortable, you know. I am going

to give you one more instance that happened to me. It happened -- she's now deceased, Dorothy Lampert (phonetic). Dorothy Lampert, native lady, she comes in. She comes, and she's raped. Okay. And she goes down to the police station, and they say, "Well, we can't take the report because you got to go home and phone it in." Okay. You go to the PIC counter. So you've got to go home and phone it. She doesn't have -- a lot of these people don't have phones, so where are they going to get a phone? Or if they've got to phone, they've got to sit beside their -- in their room next door to someone who's got a phone and wait until the police department shows up, could be six days or six hours, whatever, to get that police report in. She came down there and tried to report it at 312 Main, and there was a constable there. And she'd come over to me, and she had been hit so hard. She was in a rooming house. The guy hit her, and her whole face was just a big purple mark. And he hit her, knocked her down, and raped her. It was on a Sunday. She couldn't get nobody. She came in on Monday. Okay. And I couldn't believe, and I'm trying to take this report. So I got to phone the sex offence, SOS guys, Sex Offence Squad, so I

take it right across the street, and I'm in there telling this constable who's sitting there with his feet up on a desk, and I says, "I'm here to -- she's got to report a rape. Can't you see her face?" He looks at me and he says -- there was a big purple mark just like that, you know. He says to me, "I thought it was a fucking birthmark." This is a police officer trying to get -- she's been sexually assaulted and you're trying to get past that kind of mentality and you've got to try to get this upstairs. This is what these people are dealing with in the Downtown Eastside, and they're probably still dealing with it. You know, you've got to go home and sit beside your phone, and maybe an officer will show up and take -- I mean, this is way too much too late. If you would have had one qualified Missing Persons detective, we would not be sitting here today, just one person in the Vancouver PD that you could go to and say, "Can I report this person missing? Can you take a report so we can get it going," we would not have this. That's the best I can say about that.

MS. BROOKS: And so my understanding from your evidence is that you believe that Ms. Cameron was a significant

obstacle --

MR. BATES: Totally. Totally.

MS. BROOKS: -- of having reports taken?

MR. BATES: You can't get it past her desk, it doesn't exist. And you got one constable, Dave Dickson, who's taking information, but he ain't writing it down, and he didn't tell nobody about it. So this is your police department. In a million people there two people basically caused all this chaos, and you can't find one guy that's a pig farmer sitting out in the middle of Coquitlam. You got all these smart people can't -- they can't put this together.

MS. BROOKS: Ms. Purcell also states in this letter, referring to Ms. Cameron:

> She called me one day and told me I must not care too much about Tanya because I haven't been calling her regularly. I was busy out trying to find her and figured if she heard anything she'd call me.

So there's obviously some confusion about who's supposed to be calling who. Ms. Ens, did you hear concerns raised by the families when you were dealing with them about being kept informed of what was happening with their missing persons

file?

MS. ENS: Well, with Tanya's, the same with the other 12-year-old that grandma was calling about, grandma said she had tried for two weeks to get her 12-year-old granddaughter listed as missing. I mean, 12-year-old. That's 12 years old. And she kept being told, "We're not a baby-sitting service. Quit calling." So, I mean, if they're being told on one hand, like, you're bothering us, many times -- and this is what I know that Dixie had done, was she had gone and had gone on foot and tried her best to find any friends, anybody that had information on her daughter.

MS. BROOKS: And the 12-year-old that you're referring to is the one referenced in the letter --

MS. ENS: Yes.

MS. BROOKS: -- that you complained about to the chief?

MS. ENS: And just an aside to that, the 12-year-old was found working the streets in Alberta, and her boyfriend had taken her and put her to work on the streets in Alberta.

MS. BROOKS: And Detective Constable Johns and Detective Constable Lawson, these are concerns that Ms. Ens is raising to the chief of police about matters where she feels the aboriginal community has been

particularly impacted by. Were you aware of these issues? Did anyone come to you to try to find a solution or ask you to work with them to better the situation?

MR. JOHNS: Go ahead, George.

MR. LAWSON: I'm not aware of any information that was brought forward for us to even approach that there was an issue.

MR. BATES: Can I --

MS. BROOKS: We'll just let Detective Lawson finish and then of course.

MR. BATES: I mean, they're constables. When you have a murder case -- I mean, it doesn't start here. It starts upstairs. If you can't report -- they're not here to go down and -- they're officers that were in the community, but you've got to get it past the first step. If you can't get it through the door, there's nothing they can do. It's not their -- they are not working -- they don't work for Missing Persons, and they don't work in the Homicide Division. So you've got to have the people who are working in the Homicide Division dealing with homicides and the people dealing with Missing Persons dealing with missing persons. You can't say, oh, yeah, these two constables, yes,

but that's not their job. I mean, everything that happened down there suddenly went -- you can't go and tell Jay and George, "Okay, we've got this one." That's not their job. That's upstairs in Missing Persons. And that's a homicide -- it's got to get past that level.

MS. BROOKS: And Detective Constable Johns, as the Native Liaison officer who's supposed to be building bridges between the aboriginal community and the police, and here you have a situation that clearly needs to be addressed, do you think that it was your -- did you have any role in assisting with that or facilitating that?

MR. JOHNS: No, and I think what happens is that because Ms. Cameron is a civilian, we're not civilians, we have a protocol to go through and certain steps, whether it be to their sergeant or to Internal or something like this, where Freda would have much more power or have the chief's ear. She knows a lot of people, and that would be a better way to go, is Freda's civilian and Sandy Cameron's civilian, and so we don't have any dealings with Sandy. I don't think I even met Sandy.

MS. BROOKS: Just picking up on the letter that Ms. Purcell wrote, she also states this on the second page:

Sandy called me back and said Tanya was out having fun doing drugs and did abandon her child and the police were not going to waste their time trying to find her.

MR. BATES: That's Sandy Cameron.

MR. JOHNS: Yes.

MR. BATES: That's her.

MS. BROOKS: Had you ever heard of other instances when people reporting their loved ones missing were told that they were around when, in fact, they weren't?

MS. ENS: That was -- that was some of the -- some of the -- later on when -- okay, we're 1995, and Dorothy and Mary go missing. This is the first that I've really been -- been aware of somebody that we knew so well that was missing and --

MR. BATES: Elsie in '94.

MS. ENS: You dealt with that. I didn't.

MR. BATES: Elsie went missing in 1994 because I started her in '93 in the summer, and I --

MS. BROOKS: You're referring to Elsie Sebastian?

MR. BATES: Yes. And the reason I remember the call so well is that I'm best man to -- to Gordon Sebastian, who is Bobby Sebastian's first cousin, and I have known them since we were 13 years old. So when Elsie went missing I got a call from her daughter,

who was just going to graduate from high school in Kamloops, and says, "Can you find my mother because I want her to be up here for graduation," and I thought -- we're not talking about missing. She just says, "My mother's in the Downtown Eastside. Can you locate her?" Okay. I says, "Sure, I'll go up and I'll -- you know, I'll" -- so I happened to go -- I said, "Well, who do you talk to out there that's going" -- so I was still pretty -- kind of pretty rookie about the Downtown Eastside, but I still -- you know. So they said to me, "Go talk to Dave Dickson." So -- now, this is not an investigation. I'm just trying to find Elsie so she can go to her daughter's graduation. So I went out, and he said, "Yeah, she hangs down Oppenheimer Park. She's usually down there, Oppenheimer. I'll keep an eye out for her. As soon as I spot her I'll tell her to come in and I'll connect her up with her daughter." Okay. So that goes on a while. I never hear nothing at all. And so this goes on to the spring. All at once we're getting closer to June now and her daughter is going to graduate, so I go again through the whole process again. Okay. I talk to Dave again. I put some little posters up around

here. And, oh, somebody said she's -- she said she was selling rice wine out at Oppenheimer Park at 6:00 in the morning. Well, I walked the horse race tracks between quarter to 6:00 until 8:50 in the morning. I'd done it for 10 years. So I thought, okay, I'm going to scrap this morning. I'm going down to Oppenheimer Park to see if she's down there. So I went I think three different times, and I'm there quarter to 6:00 in the morning watching out for her, this lady. Nothing happens again. Okay. I can't find her.

The next thing goes down, her daughter phones me again. Now, this is like two years later now, maybe even more than that. Her daughter now has a little baby boy, and she wants to find grandma to tell her that she has got a grandchild. I start the process again. Okay, I've got to find her. So I go down, do some pictures and everything. We can't report her missing. Nobody's got an idea because the kids are up in Kamloops, and I'm just digging around all over the place. So I get on the phone. Somebody said to me -- I'm not going to say it was Dave, but I was informed that she lived in Seattle and she was down there living in Seattle. So I get on the phone and I phone down

to Seattle to the Native Friendship Centre in Seattle. I know western Canada -- I mean, western part of the United States. I phoned Wenatchee, Seattle. I covered all the way down to Phoenix, everything, and I can't find nothing on her. Nothing. Nothing on her. And I turned up every rock. If she was alive, I would have been able to find somebody that knew her, and that's -- and then -- on the original stuff you guys -- you don't even have a picture of her, you know. I don't know where that one came from. And this is nine years later. So somebody decided nine years later, hey, I think we got somebody missing here. And that's how it happened. What am I going to say? And lots of these girls, the difference of when they go last seen until they were reported stopped at the second level on the Vancouver Police Department, like eight months later or 12 months, two years, four years. They would say, "Well, I guess we got somebody missing here."

MS. BROOKS: And for some of them you're saying that was despite the efforts you made to try to report them soon after --

MR. BATES: Yes.

MS. BROOKS: -- you learned they disappeared?

MR. BATES: We had a case here of -- the beautiful girl. She lived at the Mar Hotel. Jennifer. Jennifer. Jennifer from Richmond. And she would go out on the street. And the Mar Hotel is right at Oppenheimer Park, but they used to stand under the Patricia Hotel right in there, and there was an alley. That's where these guys would pick up these girls. Well, this guy that lived in the Mar Hotel -- it's a rooming house, but most of them keep their doors open. They see who's coming and going. So I can't -- what's the guy's name?

MS. ENS: Noel.

MR. BATES: Noel. Noel was his name. And he used to go out there, and this is -- this was like in November, December. It was cold outside. So he'd go out and buy her a cup of coffee and bring it out to her on the corner when she'd be out there prostituting. Well, he sees her, goes around to get a cup of -- walks to the little convenience store to bring back the cup of coffee. She's gone. Okay. He lives next door to her in this rooming house, and I don't know what the case was, because either she had a cat or he kept a key for her, but he saw her every -- like, he lived next door. He'd see it. She's working. And it was

not -- he wasn't a whore guy, and she's a beautiful young girl, and, you know, it was just -- it was a friendship. And he comes into us and says, you know, "I think something's wrong. This girl, she hasn't -- she didn't come back last night." And I'm going, well, you know, like -- but he -- you can't fill a missing persons report because she's -- she's a prostitute. So it just dangles there until -- so he comes back the next day. She hasn't showed up. So he comes back, so we try to get it listed as missing. Well, he can't list her as missing because he's just a friend of hers next door. He would see her every day. They share the same washrooms, you know, on those places. They're just one room little things, you know. So he knows that she is not around, and -- but you can't do nothing about it because nobody will take the report. Just the other day you said in the paper there was a lady that was murdered, and they went -- and she was reported missing by an acquaintance. Okay. And she was found in her apartment dead. But in those days -- there we couldn't even get it listed as missing. So from the day that she actually goes missing until the day it was actually report as a

missing person was sometime in June, so it was seven months, and that was real quick for the Vancouver PD. If you got listed missing within two years of actually being last seen, that was -- look at all these people. They've been missing for years and years before they're even reported you've got a problem.

MS. BROOKS: And something else that you raise, Mr. Bates, as well is the sources of information that are available to learn more about these women's lives and their comings and goings, and you've highlighted going to the hotels or the managers or the neighbours of these women would be sources of information that would be available.

MR. BATES: Sure. You got somebody on the street, I mean, it was -- I was not a police officer, so you could come in and talk to me, and I could go around the corner, I'd say, "Have you seen such and such and if they've been around?" "Oh, yeah, they were just yesterday." "Okay." They're in our -- "Have you seen them?" "No." I mean --

MS. BROOKS: It's a very close community?

MR. BATES: It's very close. I could go -- it's only about eight square blocks. In that eight square blocks it is -- you could not live down there and not --

I could find you. They would be down at the Downtown Eastside Women's Centre. You would go down there. You'd go to The 44 to have a $2 lunch or breakfast. You'd go, native, up to the Friendship Centre. If you're down there, I'm going to find you, but we can't get you listed because nobody's going to go look.

MS. BROOKS: Ms. Ens, just going back to this complaint that you made in January of 1997, it's to the chief constable?

MS. ENS: Yes.

MS. BROOKS: Were you in the habit of writing letters to the chief constable?

MS. ENS: No.

MS. BROOKS: So this, you thought, was a more serious matter?

MS. ENS: Yeah, because I was really disappointed and frustrated, I guess to say, that I thought after Mary and Dorothy had gone missing and speaking to Sandy's supervisor, or I thought he was her supervisor, about some of the issues that things would have been different, so to find out, like, two years later that this was still continuing, it really bothered me that --

MS. BROOKS: And it was Chief Canuel at the time, was it?

MS. ENS: It was Chief Canuel, but I believe right at that time

he was looking at retirement, and I think he was on time off or on -- and there would be an acting chief, because I remember there was something in there and so who do I make the letter out to, Chief Canuel or to the acting constable.

MS. BROOKS: What response did you get to this complaint?

MS. ENS: Well, my -- okay. It's been many years, but from the best of my recollection I believe it was in March of that year, because this letter's written in January, Bob Cooper came and met with Dorothy and I in our office, and basically I was told that Ms. Cameron was very, very disappointed that I would allege any such treatment and that -- and, first of all, that -- especially any kind of racism and -- because she had received many commendations over the years and some from, you know, the Aboriginal Friendship Centre, and I basically just said, "Well, you know that was then, this is now, and it seems to me things haven't changed," and it was -- for me -- and especially because the mom being told, "Well, we're not a baby-sitting service," and having had grandma two years earlier go through that same thing, being told, "We're not a baby-sitting service. Don't bother us," and then almost verbatim two years later we have

another grandma or another mother being told this about her daughter, it really -- it bothered me, and so -- but then in that same meeting I was told that basically we were dealing with a civilian employee and that they couldn't deal with that. If it was a police officer, it's one thing, but when it's a civilian, and so --

MS. BROOKS: Was there ever any suggestion that there be a meeting with you folks and some of the complainants and Sandy Cameron and trying to sort through this issue? Was that ever suggested?

MS. ENS: No.

MR. BATES: I remember Bob Cooper, short guy, really dapper, dapper, and you -- you couldn't get -- you got -- if you got in front of Sandy's face, then Bob Cooper come round and sort of, "Okay, okay, be nice civilians and we're going to go up and make sure some problem gets solved." Well, he's a detective. And then he goes up and does what he's going to do, but we don't know what the hell he's even doing. And he says, "Well, okay, I think we got it under control now, so everybody go back to their little lives and it's under control," you know, but we never know. It just kept going on and on.

MS. BROOKS: You're not kept informed about how --
MR. BATES: Nothing.
MS. BROOKS: -- it's being handled. And if we turn to tab 3, there is a memo here that's written by Sergeant Cooper to Inspector Biddlecombe, and it's dated January 9th, 1998, and he states in this memo that him and Detective Constable Tempest, who you dealt with regularly --
MR. BATES: Ed Tempest, yes.
MS. BROOKS: -- met with Freda Ens and Morris Bates of the Police Native Liaison.

Both have received complaints in the recent past from people who have been rebuffed by staff at both the Public Information Counter and Communications when attempting to file Missing Persons Reports. Among the reasons supplied for not taking reports are:

1. That the reportee is only a friend of the missing person as opposed to a relative.
2. That the person must be missing for 24 hours before a report can be taken.
3. That just because the reportee has not seen the person doesn't mean they

are missing.

And he states:

> This situation has become a source of great frustration for these people and has reinforced the impression that because they are Native or residents of the Downtown Eastside, the police don't care about them and apply a different standard. While these people tend to live a transient and more unstable life-style than most, if they care enough to contact the police they should be listened to and taken seriously in the first instance.

And then he goes on to describe a case that you outlined, Mr. Bates, that he says would have caused great embarrassment to the department had it become public. Can you tell us about what the -- what he's referring to there? Do you recall that instance?

MR. BATES: No, I don't. You understand, I had over 800 active files, and a BC file was into 5,000. Okay. I mean, at one time I had done the stats. In order to get our money funding we had to -- we had to talk to you, I've got to write it down, write your name, your address, who it is, what we talked

about. Now, that's just a BC file. That means if I need you later. A files mean it's an active file, we've got a report going down. Okay. One day we had a record of 144 walk-ins and calls in one day, and there was just myself, Marilyn, and Freda. Well, George. But that -- they would not be handling those particular calls. They only handled a call -- I mean, if somebody came in and said somebody kicked her kitty, well, I wouldn't get Jay or George to say, you know, we've got to talk to this. I mean, they got cases that, you know -- and that's not their job either. That's how busy the office was down there. So if you're asking me, I'd need a little bit more than -- time. Give me an incident number or whatever. I mean, you'd have to give me more than this right here.

MS. BROOKS: Ms. Ens, this is a year later now, and you're still facing the same problems and still raising the same concerns. What response did you get after you had that meeting with Sergeant Cooper? Do you recall anyone coming back to you and telling you what steps were going to be taken?

MS. ENS: No, I don't. And later on that year, in October of 1998, I was asked to present at a conference for

civilian oversight in law enforcement, and at that conference I presented, and I didn't mention names or anything, but I stated the issues that we were having around our missing persons and that, and at the coffee break I had three Internal Affairs guys come up and talk to me from the Vancouver Police Department, and they said to me, "Freda, you didn't even have to mention names," which I didn't, "We know exactly who you're talking about." And the one detective said, "Yes," he said, "my dad was an officer, police officer. 20 years ago he tried to have something done with this same woman and the same kind of thing happening," and that there were binders of complaints. And there were three of them. I knew the one, but I didn't know the other two, but I know the one talked about his dad, but one of them made a comment that it's because she had dirt on somebody way up in the union that protected her job. And, like, for me, I'm like just little old me. I don't know -- I mean, I was told by Chief Canuel at one point if at any time I needed to talk to him, if there was anything, come on over, come on over. I did that once, and I was very quickly told that I was not following protocol and

that I was to go through the rank and order, and so --

MS. BROOKS: Who would that have been?

MS. ENS: That --

MS. BROOKS: Who should you have gone to?

MS. ENS: First my officers, constables. The inspector. Whoever the inspector was on our board, and that -- basically that was how I would deal with it.

MS. BROOKS: Did you raise these concerns at board meetings?

MS. ENS: Yes, we had raised some of the concerns and issues at board meetings, and --

MS. BROOKS: And the inspectors there would have been Inspector Greer and Inspector Beach?

MS. ENS: Oh, there were several. We had Inspector Bob Taylor, we had Chris Bjornrud, we had Chris Beach, MacKay-Dunn, Greer, McGuinness. And it changed all the time.

MS. BROOKS: Were you satisfied with any steps that were taken as a result of the concerns that you raised about this at the board meeting?

MS. ENS: Well, you have to understand that when Mary and Dorothy went missing, and, like, we're really -- like, our office was very, very busy. We were taking all kinds of calls. We had a lot of spousal assaults and criminal injury compensation.

We were very busy, and it wasn't that these things didn't matter, but, you know, you kind of think, okay, if I bring a concern to them they're going to deal with it and they're going to deal with it in their -- however they deal with it, but I've left it with them, they're going to deal with it. So we were just trying to do the work that was there and that needed to be done.

MR. BATES: Can I respond to this one here?

MS. BROOKS: Yes.

MR. BATES: If you would like.

MS. BROOKS: You're referring to the memo that Sergeant Cooper wrote?

MR. BATES: Can you read that out to me? It says, "One recent case..." Can you read that, please?

MS. BROOKS: Sure.

> One recent case outlined by Mr. BATES would have greatly embarrassed the Department had it become public.

Do you want me to keep reading?

MR. BATES: Keep going.

MS. BROOKS:

> A female attended the Public Information Counter and later phoned Communications to report her boyfriend missing. She apparently

tried to do this on more than one occasion and was refused every time. After 2 weeks she sought assistance from the Police - Native Liaison. Police - Native Liaison staff contacted Detective Constable TEMPEST who checked and informed them that the boyfriend had died 2 weeks previously. Had someone taken 5 minutes to fill out the Missing Persons Report at the time, the connection would have been made very quickly. In addition to the woman's prolonged anguish, this resulted in needless effort and expense in the Public Trustee's Office who had to open an investigation when information on next of kin would have been easily obtained from the reportee at the outset.

MR. BATES: See, exactly what I explained to you. The person comes in there and says it's missing. They try to get upstairs. Finally they come into my office and say, "Well, we're trying to get this person listed as missing." So what do I do, I just go -- I just put a speed dial to Ed Tempest. I just say, "Ed, I'm looking for such and such," da, da, da, da, da. "Oh, yeah, they've been dead for two weeks." Click. And I'm sitting there, like,

okay. Like, I mean, it took me as long as I just told you. That's how long it took me to find out that this person is dead, and then -- and that just took a second of saying, "Look, this person is missing. We don't know." For those weeks that this person sits and then all at a once, "Oh, yeah, by the way, the person's dead." I mean, that's how fast you can find people there, like I said.

MS. BROOKS: Right.

MR. BATES: I told you, if they're not dead and they're not in the hospital and they're not in jail, well, they're breathing there someplace.

MS. BROOKS: Detective Constable Lawson and Detective Constable Johns, what puzzles me about this is that the memo here states that Sergeant Cooper's identifying a concern raised by First Nations people and residents of the Downtown Eastside, and he says that there's an impression that because they are native the police don't care about them and apply a different standard, so I'm wondering, you know, about the communication within the department. Were you aware that these issues were going on? These are the people that you're supposed to be developing relationships with and presenting a

positive image of the police. Did anyone come to you and say, "We need to work on this"?

MR. JOHNS: No, nobody came.

MR. BATES: It's not their thing.

MS. BROOKS: And Detective Constable Lawson, did anyone come to you?

MR. LAWSON: No. With regards to people coming and complaining of other police officers or -- I'm not exactly understanding.

MS. BROOKS: Specifically, Sergeant Cooper has identified a concern here that's been raised by Ms. Ens and Mr. Bates that there's an impression within the First Nations community that they're being treated differently by the police and a different standard is applied to them with respect to missing persons reports, and so it seems to me that that would trigger your involvement as the Native Liaison officers who are supposed to be --

MR. BATES: Cooper is a detective. He's above everybody. These guys are constables. They're beat cops. They're not even -- they're in there for the community. And so when you give it to Cooper, Cooper goes upstairs and finds out what the problem is. He doesn't go downstairs and say, "Okay, guys." I mean, if there's a problem, he's

got -- it goes up, like, and it -- I mean, it's like -- like telling a junior, junior constable that we have a problem here, but you got -- and the guy that you're telling it to or something is the detective up on the third floor. Well, he's got to find out what's going on. That's his job. It gets up there.

MS. BROOKS: What I'm wondering, and maybe Detective Johns and Detective Lawson, you can help me out with this, is that the Native Liaison Unit is established to build positive relationships with the police. Are you having meetings with members of the department sharing concerns from the First Nations community about various issues that they may be having with the police? What kind of information sharing occurs there?

MR. JOHNS: I think what we're doing here is that we're not quite sure of what our job was. Our office is within the society, and we are liaising with the native community, and so the society may have problems with people within the department that we may not know about and they have meetings, whereas we're out on the road and we're -- you know, we could be in Squamish, we could be all sorts of places. So are we part of that complaint? No.

And does a detective have to come to us? No.

MS. BROOKS: Don't you think it would have been helpful to have that kind of communication with you so that you have Mr. Bates and Ms. Ens, who are really the voice of their clients coming in and telling them concerns that they're having, and they're trying to work with their clients and figure out what can be done, and the concern really is between, in this case anyway, the First Nations clients and them getting stopped somewhere in the police department in terms of a very serious issue? Would it have helped for you to have been informed about that?

MR. JOHNS: Sure, but this is one aspect of many different things that we do, and so like I was saying, Freda and Morris, they have more clout being civilians than we do as being constables, and we're still liaising with other agencies and other people, so what's there happening in the storefront is that we may not be aware of what's going on.

MS. BROOKS: And Detective Constable Lawson, what Detective Constable Johns just said, that Mr. Bates and Ms. Ens has more clout, what do you say about that, within the department than you do? Is that your experience as well?

MR. LAWSON: Well, they may not have as many hurdles as we do, which makes it a lot easier for them to get the direct pipeline to the upstairs offices or people involved in the different specialized units.

MS. BROOKS: Did you feel that you had a lot of clout with the department?

MS. ENS: No, definitely not.

MR. BATES: Not with the department, but if -- I could do -- I could do things and go places that the police officers could not go. If I wanted to find somebody, I don't have a hippocratical oath, I'm employed, so if they go and start going down to Social Services and says, "We want to find this person," they're going to get blown off in two seconds, where I could phone up somebody and say, "Look, I'm really trying to find this person," you know what, I'll probably find them, but they can't go into that because they can't go as officers and say, "Okay, we want to do this." You can't. You've got to go through different channels. So I could get into places as a victim service worker that they couldn't.

MS. BROOKS: And --

THE COMMISSIONER: Have you seen any change in your relationship with the police?

MR. BATES: I don't know. They fired me in 2003. I haven't heard shit.
MS. BROOKS: When did the native --
THE COMMISSIONER: I got a frank answer there. Certainly don't mess around with words, do you, sir.
MR. BATES: I'm too old for that.
MS. BROOKS: When did the Native Liaison Society shut down?
MR. BATES: June 2003.
MS. BROOKS: Does it exist today?
MR. BATES: No. They took -- they came and took me and threw me in the street, fired Freda and took all of our reports. And we must have had 5,000 reports, and you got -- I mean, we had shelves of evidence that we don't know where they're at, and we got a couple little documents here. So they just stopped it right then. I think that we were kind of an embarrassment. We could have been an embarrassment to them, to the Vancouver Police Department, because we were actually doing the job of finding these people, and they didn't give a care about them. And I think if you go to the files, that's where you're going to find -- that's where it all stopped. And so you've got this big mess out there, so if you get rid of the Native Liaison, that stops all that. All those boxes are

gone, I mean, files and files. They took 24 boxes out of my office personally, just my office, and then the whole Native Liaison I think they got about 12.

THE COMMISSIONER: One of the comments that have been made here in evidence is that you would be more effective as a liaison society if you moved out of the police station.

MR. BATES: No. No.

MR. JOHNS: No.

THE COMMISSIONER: You're all saying no. A reason that we're given here is that more people from the aboriginal community would come to you --

MR. BATES: No.

THE COMMISSIONER: -- if you were not in the police station.

MS. ENS: No.

MR. BATES: It gave us -- being inside the police department gave us complete credibility. You can't stick us in some corner in some alley and say this is where we're going to get things done. No. We sat Vancouver Police Department and the Vancouver Police Native Liaison. They had their own entrance at 312 Main, we had ours at 324. You walk in a separate door, but you're connected down the hallway. No. Our presence inside the police

department gave us the credibility.

MS. ENS: And before we moved from 3 -- 239 Main Street, where we were originally, to 324 Main Street we did do a survey with our clients and the community itself to see if people would still access our services, and they definitely said it didn't matter where we were; if they needed us, they would find us.

MS. BROOKS: You track the number of clients that come in every month. Did you notice any change?

MR. BATES: I told you, we had 144 walk-ins and calls in one day. I kept the stats of them. The minimum we ever had was maybe about --

MS. ENS: The lowest was 700 --

MR. BATES: Something like that. But, I mean, we might have 20, and that would be on Welfare Wednesday, so -- but after -- by Friday on Welfare Wednesday week we'd have, like, 70 people -- calls. It was a lot of people going through that office. So that question I say is -- it was overworked. If we would have had -- we could have used more staff, more everything.

MS. ENS: At that point we did have two Native Liaison officers, and at that point our office was so busy with overload that we could have used one, if not two more officers, but once they shut down Native

Liaison it reverted back to just one officer, 25 per cent of his time was -- was towards the native community. And so the community says that they need Native Liaison back, but what they need is they need that structure where it was set up where they not only had the staff being able to do the work, but they also needed the officers, at least minimum two officers full time.

MR. BATES: Lori Shenher was working for Missing Womens, okay, and she's only a part-time junior constable, and she's put on Missing Persons, okay. She was there two years because finally when she said she quit, she couldn't get nothing done, they put her working part time with Ed Tempest, so when Ed took off on Friday, then she had to cover, and then he tells her if you want to find out about missing persons go down and talk to Morris. She comes down and talks to me, and I open up the stuff and all the stuff. She's like wow. And she had been working with Missing Persons supposedly for two years, and we never ever saw her. She never even came in.

MS. BROOKS: And this touches on the extent to which information was shared. Here you are a resource --

MR. BATES: Yeah.
MS. BROOKS: -- for the Missing Persons investigators.
MR. BATES: And she's the only person in charge of Missing Persons, and I never saw her once. I mean, when I did, she'd already quit.
MS. BROOKS: So you saw -- you did -- she did come to visit your office?
MR. BATES: She came -- I think she came twice, but she had already transferred out of Missing Persons. She was just working part time with Ed Tempest on the coroner's liaison.
MS. BROOKS: When did you first learn that there was an investigation specifically into missing women?
MS. ENS: I think for -- after -- after Tanya's disappearance, for us it was around when the whole Kim Rossmo, you know, that whole thing, and Sarah de Vries went missing, and then it was Sarah de Vries's sister Maggie and Sandra Gagnon, and Janet Henry had been one of the girls that used to come to our office. They put -- they were fighting trying to put pressure on for the missing persons poster. I mean, for us, you have to understand the work that we were doing and all of the things we were doing. Even when Janet went missing we didn't hear about it right away, and Janet was somebody that -- that

the last time I remember and saw Janet, Marilyn and I had taken Janet and another girl to a treatment centre out in Surrey, and she stayed there for a while and then left. So for me it was like if you didn't hear it, like if they didn't come in and actually tell you, we didn't know about it.

MR. BATES: Yeah, we never heard. We were never told.

MS. BROOKS: Did anyone ever come down and say, "Just so you know --

MR. BATES: No.

MS. BROOKS: -- we're doing an investigation into missing women"?

MR. BATES: No. I can't remember -- I mean, we couldn't even get them past Missing Persons up there let alone somebody saying, "Oh, I think we're looking into these people." We could have maybe helped a lot of this stuff, but we -- the first time I think I got -- I gave you a poster. That's the first time I thought that they have done something.

MS. BROOKS: When you received the posters that they had --

MR. BATES: Yeah, and I had the ones where these people are dead on it, and this one are -- you know, and we never -- we never knew.

MS. BROOKS: Did they give you the poster to put up in your

office? How did you come to receive the poster?

MR. BATES: They brought the poster -- somebody -- no, I think we probably stole it. You couldn't -- they wouldn't give you that type of stuff. I mean, getting stuff from upstairs would be like -- you'd have to know somebody and say, "Oh, yeah, here's some posters." They never came down and says, "You know, these missing women are all -- these are missing people." It was never done like that. I mean, I worked there for 10 years, and I met -- a guy was in charge of diversity. I met him in Winnipeg, and he was in charge of diversity with the Vancouver PD. He had been in that position for, like, six, seven years, and he had never ever stepped into the Vancouver Police Native Liaison office or the Chinese storefront. And I was introduced to him. He introduced himself at a big multicultural policing conference in Winnipeg in front of all these people sitting there, "Oh, I'm the police officer from the Vancouver PD," and I went, "What?" Like, where did this guy come from. You know. I mean, like this is -- this is the lack of communication that was there.

THE COMMISSIONER: How much longer are you going to be?

MS. BROOKS: About 15 more minutes.

THE COMMISSIONER: Are they back tomorrow?
MS. BROOKS: Yes.
THE COMMISSIONER: Okay. Are we going to have enough time? You're taking up --
MS. BROOKS: No, we have the panel for tomorrow.
THE COMMISSIONER: All right. Okay.
MS. BROOKS: We'll take as much time as we need. There's lots of time.
THE COMMISSIONER: Okay.
THE REGISTRAR: The hearing is now recessed for 10 minutes.
(PROCEEDINGS ADJOURNED AT 2:55 P.M.)
(PROCEEDINGS RESUMED AT 3:15 P.M.)
THE REGISTRAR: Order. The hearing is now resumed.
MS. BROOKS: Detective Constable Lawson, when did you first learn that there was a missing women investigation?
MR. LAWSON: I actually went to see -- pictures in the newspaper was probably my first instance.
MS. BROOKS: No one from the department came and communicated anything about the investigation to you?
MR. LAWSON: They did not.
MS. BROOKS: No one came and asked you when you were communicating with the aboriginal organizations to warn them or let them know that there was an investigation into the disappearance of missing

women, including many aboriginal women?

MR. LAWSON: No.

MS. BROOKS: And were you given any posters to distribute to any of the aboriginal organizations?

MR. LAWSON: I was not.

MS. BROOKS: And Detective Constable Johns, I know that you left the liaison unit in 1998.

MR. JOHNS: That's correct.

MS. BROOKS: Did you have any communication about the missing women investigations before you left?

MR. JOHNS: I did not.

MS. BROOKS: Now, we've heard allegations that systemic bias was a factor in why it took so long to arrest Pickton, and I'd like to hear your views on whether you think that played a role at all, and, Mr. Bates, why don't we start with you.

MR. BATES: Can you run that question by me again? That's a very large question. Say it again.

MS. BROOKS: We've heard that bias played a role in the missing women investigations. What's your view about that?

MR. BATES: I don't know if it was as much bias -- yes, there was bias because of their lifestyles and they had issues with drugs, alcohol, a lot of those different kinds of things. That's a really tough

question to say that. I mean --
THE COMMISSIONER: If you're not able to answer it, then that's fine, we understand that.
MR. BATES: Yeah. Okay. Let me just leave that alone.
MS. BROOKS: Ms. Ens, do you have any remarks about that?
MS. ENS: I remember when Dorothy Purcell, she said three strikes, you're out. If you're aboriginal is one of them, if you're addicted, or if you live in the Downtown Eastside. Any of those, you're out. One of the things that for me was really important, and Morris touched on that earlier, that this isn't a race issue, and when I had my support group for families of missing and murdered women, I had many of the family members that attended, I worked with families whose daughters were murdered, and those daughters -- they weren't able to see those daughters when they were being buried, and so the issues that they spoke of when they talked about their loved one, and I talked to Dorothy, for example, about her missing daughter, those issues were so much the same in that the feelings of people were getting tired of listening to them or hearing them and that, and so I had an informal kind of a support group, and that support group was -- it wasn't for all aboriginal. We had

family members of some of these women. We had Olive Olajide, who's sitting here today, and I'm thankful that she's able to be here, Linda Joe, who is the mother of Cheryl Joe, and Linda's sister's here today as well, and Dorothy and some of the other family members that came. They weren't all aboriginal. And I remember one of the moms, Kerry Koski's mom saying the Vancouver Police Department's Missing Persons section was missing, you know, and she really hit that on the head. But when we started the support group and the family members decided they wanted to have some kind of a symbol in honour of their loved ones, in honour of their daughters, they were talking about different coloured ribbons, different things that they could do, and we'd have meetings and talk about it, and when they decided on the medicine wheel, it was really important to each one of those mothers that were there and family members that the medicine wheel be a part of it, and the reason for the medicine wheel was because they felt that the medicine wheel represented all races and that all races were equal, that not one was more important than the other, and that this was a women's issue, it was a

poverty issue, and it was an addictions issue. That's what they were looking at it as, and they were there to support each other, and that was important. And so for us it was really important because they were all races and it wasn't, "Well, you can't come because you're not aboriginal." There's a lot of intermarriage in our communities, whether it's black or it's white or it's, you know, Asian. There's a lot of inter -- you know, so that was some of what we realized and we dealt with. So you were welcome whether you were black or not and white, Asian, aboriginal, many different -- so that was something for us that was -- so the bias -- and I have to say when I wrote my letter in 1997 to Chief Canuel, at that time I did feel it was a race issue and that because we were aboriginal, but it wasn't until I started meeting like Kerry Koski's family and Helen Hallmark's family and the different family members, that hearing their stories and realizing that those family members were treated just the same. Patricia Johnson's family being treated just the same as our aboriginal families, in the way they were being treated when they tried to report their loved one as missing and being

dismissed and being told not to bother us. So for me, I think that was a really big learning for me. And to sit in that very first family meeting in October of 2001 and see some of these families that were sitting there, and they were upper middle class white families. They had lost their loved one, and their pain was just the same as our aboriginal families, and Mrs. Olajide's pain was just the same as everybody. The pain is all the same. The reality is the same for them when they've lost their loved one. So trying to make it a race issue, it isn't. You look at that poster. Those women were all races, you know, and I think when you discount one, when you put one above the other, you're discounting the others, and that's not fair. And it's not fair to the children of these women. Each one of these women -- we have 85 children that are motherless. They have lost their mother. And when we start making it a race issue and we're discounting one over the other, I'm sorry, that's not right.

MS. BROOKS: Detective Constable Lawson and Johns, I know that you weren't involved in the missing women investigations. Do you have any comments at all to make on this topic?

MR. LAWSON: I don't have any.
MR. JOHNS: I don't have a comment on this per se, but I think that you're talking 1995. I think as a member of the Vancouver Police Department that mistakes were made, starting with Kim Rossmo, and, you know, information not being passed on. I think that since then the department has grown, has changed a lot of the ways that they do things. And I'm not saying that because I'm a member or anything. I think that, one, it's a shock to think that in this beautiful city that we have somebody that preys, one person that preys on a lot of people and a serial killer, and that's just something that even as a police officer you think, you know, that's just in books and movies and things. It's very hard to take. I think it made us grow a lot as a police department with this happening. I think the city's changed a lot.
MS. BROOKS: And we'll get into that. I understand, Mr. Commissioner, I understand that Ms. Narbonne is going to be addressing recommendations with the panel, so those are my questions, and I'm going to hand it over to her now.
THE COMMISSIONER: All right. Thank you.
MS. NARBONNE: Thank you, Mr. Commissioner. My name is Suzette

Narbonne, and I am independent counsel for the aboriginal interests. I will start, if I could, with just a couple of exhibits. We have handed up a book of documents called Vancouver Police & Native Liaison Society Documents, and I'd ask if those could be made the next exhibit.

THE REGISTRAR: Ms. Narbonne, did you wish that to be marked as an exhibit, full exhibit, or do you wish that to be marked as non-redacted?

MS. NARBONNE: Yes. Thank you. Non-redacted.

THE REGISTRAR: That will be Exhibit 119NR.

(EXHIBIT 119NR: Binder entitled Vancouver Police & Native Liaison Society Documents)

MS. NARBONNE: And then we have also handed up two maps.

THE REGISTRAR: Which one would you like to start with?

MS. NARBONNE: Where --

THE REGISTRAR: I have them back here. Which one would you like?

MS. NARBONNE: The territorial map will be the next exhibit, please. Sorry, I've got them backwards. That is the map of the bands of British Columbia, and the other one is the territorial map. Sorry. From my distance here. Mr. Commissioner, I'll just get copies.

THE REGISTRAR: Yes, if you have a copy for the commissioner

particularly so he can see it.

MS. NARBONNE: Doing it in reverse order here. I am going to ask that these be exhibits. It looks like -- do we have the copies? These are the maps of the bands. We're just looking for our territorial maps.

THE REGISTRAR: The map of British Columbia, you want it marked as an exhibit, full exhibit?

MS. NARBONNE: Yes, please.

THE REGISTRAR: It will be marked as number 120.

(EXHIBIT 120 - Map)

CROSS-EXAMINATION BY MS. NARBONNE: I'll just rely on this now because, I'm sorry, Mr. Commissioner, we don't seem to have the other one with us right -- copies for the commission. So of course now that I've had you put that one map up I'll ask you to switch it for the other one. Is that the same as this? Thank you. Once that map is up there I'm going to start by just giving myself a geography lesson, if I can. Ms. Ens, you've said you're from the Haida Band; is that right?

MS. ENS: Yes.

MS. NARBONNE: And can you, looking at that map up there, can you show us -- do you have the pointer -- show us where that is? Okay. That's what was formerly

called the Queen Charlotte Islands, now Haida Gwaii, right?

MS. ENS: Yeah.

MS. NARBONNE: And are you a member of the Masset Band there?

MS. ENS: Yes. Old Masset.

MS. NARBONNE: Sorry?

MS. ENS: The Old Masset Band.

MS. NARBONNE: Old Masset. That's the top part of the islands; is that right?

MS. ENS: Yes.

MS. NARBONNE: Mr. Bates, is your band shown on there?

MR. BATES: Let's see. Williams Lake, I guess. 719 or 716. I can't see that far.

MS. NARBONNE: I would say 719.

MR. BATES: Right around there someplace. Okay. I'm from the William Lake Indian Band. I think I --

MS. NARBONNE: And Mr. Lawson, Detective Lawson.

MR. LAWSON: That's Williams Lake.

MS. NARBONNE: And while you have that pointer in your hand, you're from Port Simpson; is that right?

MR. LAWSON: That's correct.

MS. NARBONNE: And that's near where I hail from, Prince Rupert, correct?

MR. LAWSON: Right there.

MS. NARBONNE: When did you leave Port Simpson?

MR. LAWSON: 1967.
MS. NARBONNE: '67. Where did you go to?
MR. LAWSON: I actually moved to Vancouver to continue with my education for high school.
MS. NARBONNE: And is your family still in Port Simpson?
MR. LAWSON: The majority of my family moved out of -- everybody's moved out of Port Simpson. They're now living or residing in Prince Rupert, which is just one step or jump away from it right there. The next dot.
MS. NARBONNE: So Port Simpson is still there, but you're family's all moved to the city; is that right?
MR. LAWSON: That's correct. Sorry.
MS. NARBONNE: Now, I appreciate the comments about this not being a race issue. It's an issue about people, right, and it's an issue about missing people. The Downtown Eastside, though, has -- is grossly -- has a grossly over-representative population of aboriginal people, right? They make up 5 per cent of Canada's population, and yet they make up something like 30 to 70 per cent of the population of the Downtown Eastside. Ms. Ens, was that your experience from your work there?
MS. ENS: The numbers have changed a bit. I thought we made up 3 per cent of the total population of Canada. Now

you're saying we're 5 per cent?

MS. NARBONNE: I'm throwing that number at you. 3, 5. There were a lot more than that percentage in the Downtown Eastside, right?

MR. JOHNS: Oh, yeah.

MS. ENS: Yeah.

MS. NARBONNE: And the people who came into your office, were they largely First Nations? Were they all different groups?

MS. ENS: They were all different --

MS. NARBONNE: I'll start with Freda.

MS. ENS: All different groups. Like I said, if we're dealing with a family, we could be dealing with a spousal assault, the couple could be First Nations/Afghan, First Nations/black. You know, it could be anything. First Nations and white. So it --

MS. NARBONNE: Okay. And, Mr. Bates, what was your experience? Who was coming in your doors?

MR. BATES: I wrote in the books a partridge in a pear tree. Everything was coming through there. There was no -- there was no -- it was just an open door that was comfortable, and we had two police constables that you could talk to right now who would take your information for you. We were there -- there were people sitting there at 8:30

when I got there. There would be people sitting there. It was totally multicultural. It was not just -- although it says First Nations, it didn't mean that.

MS. NARBONNE: Yes.

MR. BATES: It actually just means that you could get inside the police department, get to somebody who could connect you a lot faster.

MS. NARBONNE: Ms. Ens, why did you originally think it was a race issue back in '97?

MS. ENS: Well, first, when Dorothy and Mary went missing and dealing with the young 12-year-old, they were all First Nations, and then when Dorothy came in about Tanya and talked about the way she had been treated, and I know she felt very strongly that that's what it was, but when talking to the other families and the way they had been treated, there was no difference.

MS. NARBONNE: Right.

MS. ENS: They were all treated poorly.

MS. NARBONNE: The common denominator was that they lived there? Was it the addiction? What was the common denominator?

MS. ENS: Well, poverty was one of the main things, the poverty that they lived in. The other thing was the -- I

mean, Downtown Eastside is supposed to be the poorest zip code in Canada, right, and so if your address was there or you had dealings down there. The addictions were another really big issue. Or sometimes they called them dual diagnosis, if they were mental health as well, which after they closed Riverview there were a lot of people that ended up in the Downtown Eastside that never should have been there.

MS. NARBONNE: Yes.

MS. ENS: And they were preyed on. They were vulnerable.

MS. NARBONNE: Mr. Bates, you were going to say something.

MR. BATES: Well, no, it's just that in the Downtown Eastside -- I mean, where can you get a room for $325 a month.

MS. NARBONNE: Right.

MR. BATES: And --

MS. NARBONNE: Which was what welfare would allow a person for living?

MR. BATES: Yes, they're allowed 325, and that's -- it's basically why all these SRO rooms -- I mean, you get a little -- if you look at it, 325 buys you about a little bit bigger than this square box here, but if you do the ratio of the amount of money that's actually spent, it's more per square

foot for that little room than you can buy a condo.

MS. NARBONNE: Yes.

MR. BATES: I mean, it's -- a lot of people gravitate down there, native people. The native services down there. Native health down there. Native Friendship Centre is down there. I mean, there's just -- I don't know. Like, it's -- it wasn't a race issue.

MS. NARBONNE: Right.

MR. BATES: It was poverty and addictions and all -- the common denominator is these women had one thing in common, they were addicted to drugs.

MS. NARBONNE: Right.

MR. BATES: And you get them in the Downtown Eastside. You know, it's --

MS. NARBONNE: Why was the aboriginal population so disproportionally represented down there?

MR. BATES: Because it's the cheapest place -- I mean, they've got aboriginal housing down there. I mean, they've got -- they put them all within that little area. I mean, I don't know how many -- not very many people living out in -- except for Musqueam. They're right there because you can't get a room, you can't get accommodation any place

for $325 a month, and that's what they're down there for. That's where their -- in those little rooms, and they're horrible.

THE REGISTRAR: Mr. Bates, would you move the microphone in a little closer, please. Thank you.

MS. NARBONNE: Detective Lawson, I am going to ask you a couple of the same questions. Firstly, who were you primarily dealing with? Who was coming in the doors? Or I guess you were going out the door, right?

MR. LAWSON: We spent more time on the road than we did in the office, but primarily with aboriginal peoples.

MS. NARBONNE: Okay.

MR. LAWSON: Even with the agencies that we went to visit, there was a mix there as well. It wasn't necessarily just aboriginal peoples.

MS. NARBONNE: No. You agree with my proposition that aboriginal people are disproportionately represented in the Downtown Eastside?

MR. LAWSON: I do agree with that.

MS. NARBONNE: And do you have any theories on why that is?

MR. LAWSON: Different theories from different people. Just talking with the people that do frequent the agencies or even the friendship centres, many come for education, many escaping -- you know, they're

victims in their own home reserves. I mean, they're coming here to escape that. But mostly just trying to escape being a victim again back in the reserve. Others leaving for education and for jobs, and if they don't find a job, it's just so embarrassing for them to have to go back empty handed.

MS. NARBONNE: So they end up there?

MR. LAWSON: Staying here.

MS. NARBONNE: Staying. And Detective Johns, what's your view of that? I take it you agree with my proposition?

MR. JOHNS: I do. It's the same as Commercial Drive is mostly Italian, South Vancouver is mostly Indo-Canadians, Pender Street is mostly Asians. So, yeah, it's where they reside, meet.

MS. NARBONNE: And someone was preying on the people in that community, though, right?

MR. JOHNS: That's correct.

MS. NARBONNE: When did it become apparent, and this is directed to the detectives firstly, when did it, if ever, become apparent to you during your term there that a whole lot of women were going missing? Did you ever notice that?

MR. JOHNS: I did not. I didn't know until the poster came out.

MR. LAWSON: And that's my same opinion as well. It wasn't until the posters came out, the papers showed the pictures that you realized that there must be something wrong here.

MS. NARBONNE: Ms. Ens, Mr. Bates, you noticed early on, right, that women were going missing?

MR. BATES: Yeah, they were going missing all right.

MS. NARBONNE: Maybe because I don't understand exactly how -- it seems to me you all got along well, is that fair to say, the four of you? Anyone disagreeing with me on that?

MR. BATES: I don't like that one over there.

MS. NARBONNE: Other than that. And did you speak? Did you have regular meetings? How did things work?

MR. LAWSON: We didn't have meetings between the four of us.

MS. NARBONNE: Okay.

MR. LAWSON: Meetings that -- if there were issues that needed to be dealt with or there were concerns, we had inspectors that represented the department that would frequent the board, and they would have their meetings there.

MS. NARBONNE: Oh, okay.

MR. LAWSON: So what actually happened at the meetings we weren't entirely privy too, so -- unless there was something, I guess, that we could take care of,

but it never really came beyond the inspectors.
MS. NARBONNE: Really.
MR. LAWSON: It would stay at that level.
MS. NARBONNE: Are the society and the unit part of the same thing? Like, maybe I'm not -- I'm just still trying to sort that out in my head.
MR. JOHNS: Yeah, I think that's the misconception, that we are together. We worked together but worked two different entities. So we're in the same office -- same room, but we have our own office. So it's different than the society.
MS. NARBONNE: All right. What about communication between the society and the unit? Was there some kind of regular communication at your level? Forget the board. Let's talk about --
MR. BATES: We saw each other every day.
MS. NARBONNE: Right.
MR. BATES: You know. I mean, we're in the same office. I'm right there, Jay's over there, George is over here, Freda's there, Marilyn's here, and we got a girl on the desk. We're all sitting right together. If something's going on, it was, you know, a very -- it was one of the best working relationship type of offices that I've ever been a part of, but I haven't been a part of very many,

but it was great. I mean, if somebody came in to me and I thought that I couldn't handle it or it was something that -- I'd say, "Okay, Jay," you know, and then Jay would say to her, "Okay." Or George was right there or Freda. If somebody I didn't know -- somebody -- Marilyn. You know, it was -- we all were working together, and we got along great. I mean, it was just -- it was a very good working environment. There was no animosities, no bickering, nothing. It was just, you know, like -- we got along great. You know, if I needed something, I would ask Jay or, you know.

MS. NARBONNE: And, Ms. Ens, how would you describe the working relationship? Like, what was the working relationship rather than it was great or it was horrible, but what was it? How did you work together?

MS. ENS: Well, just like Morris said, if something came in the door, somebody came in, they had an issue, if it was something that we felt that either George or Jay or, you know, any of the other officers could deal with the person there, we would introduce them and, you know, explain, you know, that, you know, "They have an issue and they'd like to talk

to you," and so many times that's how the officers became involved. With some of the other things, when it was something like a sexual assault or something like that, we -- because one of the complaints we heard mostly from victims was that they were tired of having to tell and re-tell their story.

MS. NARBONNE: Yes, to yet another officer.

MS. ENS: "Why do I have to tell you my story and then I have to go tell him my story and then I have to go tell somebody else?" So we tried the best we could, and so if somebody came in, then it would be a matter of, okay, it's a sexual offence, we're going to call Trish Keen up in Sexual Offence or Steve McCartney up in Sexual Offence or going to go to Ed Tempest with something that maybe the coroner's dealing with or, you know, later on we were able to work very closely with Dan Dickhout in Missing Persons or that -- you know, just to -- so that they could tell their story to the person that was going to take it and take the report and deal with it.

MS. NARBONNE: So that had nothing to do with the relationship with these officers --

MS. ENS: No, it had nothing to do with --

MS. NARBONNE: -- it had to do with the role that they played, and you didn't want these women being re-victimized or these people being re-victimized?
MS. ENS: Right.
MS. NARBONNE: Okay. That makes sense. I understand that. Let's talk about the missing women, and I'm going to ask about some specific ones because, I think at least for me, that's an easier way to understand it. Mary went missing in 1995; is that right?
MS. ENS: Yes.
MS. NARBONNE: And which officers were with the unit at that time?
MR. BATES: Jay and George.
MR. JOHNS: Yeah.
MS. NARBONNE: Both of you were there?
MR. LAWSON: Yes.
MS. NARBONNE: This became an issue because Mary was someone who all of you liked, right, and I know, Ms. Ens, you had been preparing her for family court just before you went on holidays; is that right?
MS. ENS: Yes.
MS. NARBONNE: Can you tell us about that?
MS. ENS: Well, Mary was, like Jay talked about -- okay, with Mary and with a couple other of our girls that had

worked in the sex trade, Mary found out she was pregnant. This other girl, I was walking and saw her on the street, and her first comment to me was, "Freda, I need an abortion. I want -- I'm not going through this again. I've lost too many kids to the ministry." So no matter what my beliefs or feelings, I need to support her. So I brought her back to the office, and Jay doesn't recall as much about that, but it was Jay and George that got both these women into the Grace Hospital at that time for drug-addicted moms, and so they both went through their pregnancy at Grace Hospital, had their babies. And Mary cleaned up, and she was doing really good. She had a beautiful baby that she just absolutely loved and adored, and Mary was a really good mom. She had three other children previously and was fighting to try and get visitation and get her daughter back into her own custody, and she didn't want to give up, she wanted to keep fighting to get her children, and so she did go through the process and said she had some court dates upcoming in -- when I was going to be away on my holidays, and I told her not to worry about it, I would still come and meet with her and we'd go to family court and,

you know, support her through that.
MS. NARBONNE: Okay. When I looked at the reports, it appears that she actually never made it to family court.
MS. ENS: No. No, that was when she -- when we first realized she went missing, because I was off on holidays, and I called the office. And Mary was a person that came in or called. If she didn't come in, she called. And when the office hadn't heard from her, that was -- that wasn't Mary, so I started to get concerned.
MS. NARBONNE: And her missing family court must have been a big concern to you.
MS. ENS: Pardon?
MS. NARBONNE: Her missing family court.
MS. ENS: Yes, because that was very, very important to Mary.
MS. NARBONNE: So who do you first speak to about Mary being missing?
MS. ENS: Well, I was calling the office and asking the staff, "Has Mary been in," you know, "Have you seen her? Have you talked to her." "No." "No." And as time went on it became, you know, like, there's something wrong here, and I'm asking the guys, calling the office. And then I did at some point --
MS. NARBONNE: When you said "the guys", you pointed to the two

detectives?

MS. ENS: Jay and George.

MS. NARBONNE: That's okay. We're on the record.

MS. ENS: And, "No, Mary hasn't been in," and -- you know. So because of the fact that Mary had been clean and sober, she'd gone 10 months clean and sober, she was doing really good, she was in a job training program that Jay talked about out in Musqueam and was being a mom to her newborn and had this apartment that she was really proud of, she was doing a practicum at Marpole Library, and they had offered her a job, and she was very excited about that, and when you kind of look at all of those really positive things that were happening for Mary, for her not to show up or call or -- you know, it was concerning.

MS. NARBONNE: So who do you first report it to?

MS. ENS: I remember I called the office and talked to, I believe, Jay probably, and then I remember I did talk to Dave Dickson, and I asked, like, "Can you ask other officers, like other -- you know, guys that kind of go around the area if they could keep an eye out if they see Mary or whatever because this isn't like her?"

MS. NARBONNE: Dave Dickson, he was -- what was his role there?

MS. ENS: Well --
MR. JOHNS: Good question.
MS. ENS: Yeah, good question.
MS. NARBONNE: What did you think his role there was?
MR. BATES: He was on a 25-year coffee break.
MS. NARBONNE: Put the microphone in front of you when you speak, please.
MR. BATES: I was there 10 years, and I couldn't really ever figure it out. He worked by himself, and he'd been down there -- it was pretty political to be in that area for the -- there was DEYAS and there was all these different organizations, and he -- like, most of the guys, they worked a couple years and you go to Traffic or you do this, but they don't keep you. Well, Dave never had a partner, so we could never -- we could never -- I mean, he should have been writing stuff down like other police constables do, but he never had a partner to be accountable to, and I never knew what he ever did.
MS. NARBONNE: Okay.
MR. BATES: And he was just down there. And all I know, as he can tell you, all he did was hang around WISH all the time at five o'clock in the morning, and then you try to ask something about, "Oh, yeah, Dave,

you talk to Dave." But he was like one man that never wrote anything down. If you can find any missing women's reports that he's got his name to or if he made any reports at all. I mean, he had those little books that you get, you write them down.

MS. NARBONNE: The police notebook?

MR. BATES: The police notebooks. He done one in seven years.

MS. NARBONNE: Did you know that at the time?

MR. BATES: No, we didn't. We thought everybody -- I mean, if you talked to somebody, you talked to a police constable, they'd bring out their little thing, okay, just write it down, because you can use this in court. I mean, so you jog your memory. You're allowed to use whatever you write in court. Well, Dave never ever wrote anything down. One time I stopped him and I says, "Look, Elsie Jones Sebastian, I'm just trying to find her." At that time I didn't know she was even missing. He says, "Oh, yeah, I know her. Yeah. Okay. Well, that's good." He never wrote it down. Every time I talked to him he never wrote -- I don't think he even owns a pencil or a pen. I mean, I never seen him write down nothing.

MS. NARBONNE: So would it have been the natural thing, though,

at the time to go to -- is Dave Dickson -- what was his rank; do you know?

MR. BATES: He was just a corporal.

MS. NARBONNE: Okay. Would it have been the natural thing to go to Corporal Dickson and --

MR. BATES: Well, see, he was sort of like -- he was all over the kind of -- I don't know who he was responsible to. Whoever is in charge of -- that's District 2 down there, the Native Liaison, but I don't know who was responsible for him. I mean, he was just -- he was more of a political guy. I mean, he should have been walking around in a Salvation Army uniform instead of a police officer because you could talk to him, but it wasn't like you were talking to a real cop.

MS. NARBONNE: Well, let me ask you, Detective Johns, is Dave Dickson the person that you should go to at this time if you think someone's missing?

MR. JOHNS: I worked with Dave for a year and a half, and Dave knew a lot of people down there, an awful lot of people, and when I worked with Dave I did the enforcement part of policing, you know, did the arrests and things, and Dave had -- he visited families, he did -- he would get -- talk to the girls and things, and we were supposed to be

walking the beat, but, you know, most of the girls had their area in lanes and things, so we spent time in there, and Dave was actually the one that started getting me interested in the Native Society. He introduced me to Freda. He introduced me to a few people.

MS. NARBONNE: Was his role -- his role was clearly different from the role that you two detectives had on the unit, right? He wasn't on the Native Liaison Unit, or was he?

MR. JOHNS: No, Dave was at one time.

MS. NARBONNE: Okay. But at the time when the two of you were?

MR. JOHNS: No, and I think that he would be better to explain what his role was.

MS. NARBONNE: I'm just trying to figure out if I think someone's missing who do I -- who am I supposed to call? Is talking to Dave the right thing to do?

MR. JOHNS: It wouldn't be a wrong thing.

MS. NARBONNE: Okay. And do you agree with that?

MR. LAWSON: I do agree. And Constable Dickson was -- had his own office on Hastings. I'm not exactly sure what the address was, but he was working out of the safety office.

MR. JOHNS: Yeah.

MR. LAWSON: He was a safety --

MS. NARBONNE: So Ms. Ens goes to Dave Dickson and says, "Have you seen Mary? I'm worried about her. She's missing." Do you know, either of you know as police officers what's supposed to happen with that information? What's Dickson supposed to do with that, Constable Dickson?

MR. JOHNS: Well, I know what I would do.

MS. NARBONNE: What would you do?

MR. JOHNS: If it was a report, I'd do a report.

MS. NARBONNE: Okay.

MR. JOHNS: And you get an incident number, and you fill out your report.

MS. NARBONNE: And would you do the same thing, Detective Lawson?

MR. LAWSON: That was the formality for taking a missing person, was to fill out a report for it.

MS. NARBONNE: Okay. So, Ms. Ens, when you first spoke to Constable Dickson, did you at that point -- and we're talking about Mary. From your perspective were you doing a missing persons report or were you at this point just saying, hey, has anyone seen her?

MS. ENS: Well, at that time I wasn't aware of any really missing missing. It was just a matter of, "Have you seen Mary? She hasn't shown up. Mary hasn't

called. She hasn't come to the office. It's not like Mary. There's something wrong. So -- and can you talk to other officers out there to see if they could keep an eye out for Mary?" And because she had been doing so good for so long, and for her to have just kind of dropped out of sight and not call us -- I mean, sometimes if people relapse and that they will go -- you know, because they're ashamed or embarrassed or whatever, they will, but not for that length of time.

MS. NARBONNE: When did she become missing from your perspective beyond I can't find her, but when you did you say this women's missing, something's wrong?

MS. ENS: Well, I -- I tried to have Mary listed as missing a few times and got nowhere with Sandy Cameron, so then after I talked to I believe it was Jim Steinbeck and told him the problems I was having, that I didn't want to deal with this woman any more -- at that time I thought she was also a police officer because of the way she -- she spoke and that, like, you know --

MS. NARBONNE: Tell us what you mean, because I've seen that through the material, but I don't know why.

MS. ENS: It was just the way she -- "Well, we'll get on that,

we'll investigate that."

MR. BATES: It's her constables.

MS. NARBONNE: Okay.

MR. BATES: We'll tell -- like she's in charge of Missing Persons, but it's like her agenda is, "When I decide we're going to do something about it," because she'd say, "Well, who are we going to put on it?" I mean, there should have been a missing persons report and put up to somebody in charge of Missing Persons and then you find out is this person actually missing. I mean, to come in -- that lady that came in and finally asked me, "My boyfriend, I've been trying to get him listed as missing for two weeks now," I make one phone call to Ed Tempest, "Oh, he's dead." So that whole chain, how do you get -- you can't get it past Sandy Cameron.

MS. NARBONNE: Now, after the letter is written, Ms. Ens, and then there's a sort of a follow-up, did things change? Did things improve? Did they start taking --

MS. ENS: No.

MS. NARBONNE: No?

MS. ENS: No. And that's why, like -- but then I believe at that time -- you have to understand we're only a

small office, and there's five of us, right.
MS. NARBONNE: I know.
MS. ENS: We have murder trials. We have, you know, different things that we're supporting victims through and different things. We've all got different case loads and that. There isn't a lot about missing persons and that right at that time, so -- and I think at that time they even felt that the missings had stopped or something. So we're just doing our work, and it isn't until, like, the newspaper articles start coming and then the --
MR. BATES: It wasn't our job to go and look for these people.
MS. NARBONNE: I know that.
MR. BATES: Okay.
MS. NARBONNE: I'm really specifically focusing on -- my question is did things improve with Ms. Cameron after you complained?
MR. BATES: No.
MS. NARBONNE: Okay.
MR. BATES: I think it got worse.
MS. NARBONNE: Really?
MR. BATES: Yeah.
MS. NARBONNE: How?
MR. BATES: Well, just like I explained to you, we're trying to make -- to have these women listed as missing, and

we're getting stopped right there. Okay. Like, behind a beer at the Sunrise. Well, anyway, when we did -- finally found that little girl, Ada Prevost, I mean, by that time we couldn't get -- I mean, it was really -- it was really -- getting up to Missing Persons through her got really even worse, and then finally when they did find Ada, she -- Sandy Cameron came down and says -- threw the document down in front to a girl and she says, "Tell Morris we found one of his whores." Well, that was the attitude, that why did we waste the police department's time and resources, we just found one of your whores, she was down -- and, like, leave us alone.

And then the biggest thing about it is that we couldn't put out any missing posters or anything because the police department wouldn't put anything missing, and their rhyme and reason was that, okay, well, if you put her out as missing and it says on there that, okay, she was known to frequent the Downtown Eastside, prostitute, drug user, addict, whatever like this, and they would say, well, no, no, she probably moved up to Nelson, BC, and she's married a doctor, and we can't have a poster going up and

saying, "Hey, Mommy, look" -- she's now -- three years we haven't found her. Okay. And then all at once, "Look, Mommy, they said that you used to be a prostitute here."

MS. NARBONNE: I understand.

MR. BATES: And so we can't have posters going all over the place for missing people when they've all married Mr. Right and won the lottery ticket and all living happily in Honolulu. That was their attitude down there. You can't get it past up there. They wouldn't even put a poster for you. You can't get them listed. That's where it stopped.

MS. NARBONNE: Okay. And who's "they"? Who said you can't do that?

MR. BATES: You can't get one from the police. You can't go make up that stuff. It's got to come from Missing Persons. There's got to be a case -- got to be a police file/case number on it, and somebody's got to say that we're going to look for this. There's got to be somebody working that says, "We'd like to find this person," you know.

MS. NARBONNE: Now, after the letter is written by Ms. Ens and then there's that response January 9th, 1998, from Sergeant Cooper to Inspector Biddlecombe, and

that's been referred to already, Detective Lawson and Johns, did either of you ever see that memo before getting involved in this case?

MR. LAWSON: I didn't.

MR. JOHNS: No.

MS. NARBONNE: Okay. Did anyone ever talk to the two -- the two of you are there trying to liaise with people, right? Is that fair to say? Like, to work with that community?

MR. LAWSON: Yes.

MR. JOHNS: That's correct.

MS. NARBONNE: And I can tell from the number of agencies you were meeting with you were pretty busy, right?

MR. JOHNS: That's correct.

MS. NARBONNE: Did anyone ever at any point sit down and talk to you about maybe because you're in this community and this community's complaining that there's some racist attitudes toward them, "Can you guys look into this or can you guys help smooth the waters"? Did anyone talk to you about it in any way?

MR. LAWSON: In talking to some of the women's groups, that's one of the reasons why we went to liaise with the groups, was to provide an opportunity for them to come to our office and talk with us --

MS. NARBONNE: Right.
MR. LAWSON: -- and try to build those bridges and have some positive contact, but as far as someone coming along and saying that, you know, that somebody's being racist toward them, no.
MS. NARBONNE: But the police department wrote a memo saying, whether or not it's true, we acknowledge that people are complaining about this, right? The police department know what you're doing. You're part of VPD, right?
MR. JOHNS: That's correct.
MR. LAWSON: A very small part, but we are a part of it.
MS. NARBONNE: A very small part. But they never bothered -- the police department never bothered to come and talk to you and say, "Can you help sort this out"?
MR. LAWSON: No.
MR. BATES: That's Cooper's job.
MS. NARBONNE: Do you think that could have been helpful, or not?
MR. JOHNS: Of course it would have been helpful, yes.
MR. LAWSON: I think for them to tell us about something that we're already doing, right, so I don't know whether they thought that was important enough to approach us with, being that our mandate was to be out their building bridges in that community,

improving relationships.

MS. NARBONNE: Sounds like the bridge was out here, but they didn't ask you to go take a look at it?

MR. LAWSON: No.

THE COMMISSIONER: I think we'll stop there until tomorrow morning. I want to thank all of you for coming.

THE REGISTRAR: This hearing is adjourned until 9:30 tomorrow morning.

(PROCEEDINGS ADJOURNED AT 4:02 P.M.)

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

Leanna Smith
Official Reporter
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