

Vancouver, BC

April 24, 2012

(PROCEEDINGS RECOMMENCED AT 9:32 A.M.)

THE REGISTRAR: Order. The hearing is now resumed.

THE COMMISSIONER: Mr. Gratl.

MR. GRATL: Thank you, Mr. Commissioner. My name is Jason
Gratl, I'm independent counsel for the Downtown
Eastside community and individual interests
including sex workers and drug users. My first
set of questions is for Ms. Cameron.

SANDRA CAMERON: Resumed

RAE-LYNN DICKS: Resumed

CROSS-EXAMINATION BY MR. GRATL:

Q Ms. Cameron, I take it you'll agree generally that
there were systemic problems within the Missing
Persons Unit and the missing persons report,
reception and intake process within the Vancouver
Police Department?

MS. CAMERON:

A Yes.

Q Okay. So when you talked yesterday you spoke
about the 24 hour policy preventing missings from
going into CPIC?

A Yes.

Q Okay. So any delay in receiving a missing persons

1 report would result in a delay in it being entered
2 into the computer system?

3 A Yes.

4 Q And a delay in the computer broadcast being
5 broadcast through the CPIC network?

6 A Yes.

7 Q And that could be a problem for a variety of
8 reasons?

9 A Yes.

10 Q Police officers could encounter the person but not
11 know that they were missing in some people's view?

12 A Yes.

13 Q People could cross the border if there was a child
14 abduction?

15 A Yes.

16 Q Things like that. So the 24 hour policy was
17 problematic?

18 A Yes.

19 Q Then we also heard about the no fixed address
20 problem, that reports were not taken if a person
21 was of no fixed address?

22 A Yes, which I was not aware of until last week.

23 Q All right.

24 A I just thought we took everything.

25 Q All right. You appreciate that the written policy

1 refers to being resident in the City of Vancouver?

2 A That was the policy in the communication centre.

3 Q Okay. But you weren't aware of the policy in the
4 communication centre is what you're saying?

5 A Yes. No, I didn't know that they had to have an
6 address.

7 Q You're saying that people after speaking to the
8 communication centre didn't come to you and
9 complain about what had happened at the
10 communication centre?

11 A They did come to me, but they would just say that
12 they had called there and they had been refused to
13 file a missing persons report, and I would just
14 say well, I need you to call back, mention my
15 name, and ask them to take the report.

16 Q Okay. So you're saying that all of the people
17 that you spoke to over the many years that you
18 were at the Missing Persons Unit dealing with
19 family members and so forth, none of those family
20 members ever provided you with any specifics about
21 why the communication centre or dispatch wouldn't
22 take the report?

23 A No, they would just tell me that they had been
24 refused.

25 Q All right. Now, I take it that you appreciate

1 what Ms. Livingston was saying yesterday in her
2 questioning of you was that there was effectively
3 a bouncing back and forth between people who
4 wanted to report their loved ones missing, they
5 got bounced from missing persons to dispatch or
6 E-Comm and then back to missing persons and back
7 to dispatch or E-Comm?

8 A Well, I would hope it would only happen once that
9 they would call the communications centre, they
10 would call me and then it would go back and the
11 report would be taken.

12 Q All right. Well, I'm just asking you not to --
13 it's not aspirational, I'm asking about what
14 actually happened.

15 A Oh, sorry.

16 Q There would be this bouncing back and forth?

17 A Yes.

18 Q Okay. And sometimes people would just give up?

19 A Possibly, yes. I wouldn't know.

20 Q And then they'd call you back a month later and
21 say I'm trying again to report someone missing, I
22 didn't succeed last time?

23 A I don't remember if that would have happened.

24 Q You don't remember that ever happening?

25 A No.

1 Q You don't remember Ms. Livingston's specific
2 circumstances with Elsie Sebastian?
3 A No, and I spoke on that yesterday that I didn't
4 remember. I don't remember.
5 Q Okay.
6 A But I believe that if it had happened I would have
7 taken a missing.
8 Q If what had happened?
9 A If she had been continually being denied I -- I --
10 Q All right.
11 A In all fairness I don't recall speaking with
12 Ms. Livingston, and I did mention that yesterday.
13 Q Now, aside from bouncing back between missing
14 persons and dispatch E-Comm there's also a
15 bouncing back between RCMP municipal detachments
16 and VPD?
17 A Yes.
18 Q Okay. So RCMP would refuse to take reports if the
19 person was last seen in Vancouver?
20 A Yes.
21 Q And VPD would refuse to take reports even if the
22 person was last seen in Vancouver?
23 A Yes.
24 Q So all the many, many people who came to the
25 Downtown Eastside from outside Vancouver would be

1 bounced back and forth?

2 A I believe so, yes.

3 Q All right. And so that was -- in your knowledge
4 that was a systemic problem with the reports
5 receiving protocol. That was in fact something
6 that you advocated -- an area where you personally
7 advocated for change?

8 A Yes.

9 Q That was something that the Vancouver Police
10 Department recognized as a problem and assigned to
11 the Policy and Research Section of the Vancouver
12 Police Department to try to fix the issue at a
13 policy level?

14 A Yes. I believe they did, yes.

15 Q Okay. And it was Doug LePard who was responsible
16 for the policy and research at that time?

17 A Yes.

18 Q Now, I'll just take you to tab 10 of the book that
19 we looked at yesterday.

20 A I'm sorry, I don't have the book.

21 MR. GRATL: I wonder, Mr. Giles, whether you could provide
22 that.

23 THE REGISTRAR: Is that 147NR, the commission counsel's?

24 MR. GRATL: I think that's it, the commission counsel brief.

25 THE WITNESS: I'm sorry, the tab number?

1 MR. GRATL: It's tab 10.

2 Q And you can see -- you can see that there are a
3 lot of documents under tab 10, approximately 20
4 documents. Am I right about that? I see the
5 first one is an e-mail dated August the 2nd, 2000?

6 A Yes.

7 Q From Lori Shenher to Geramy Field?

8 A Yes.

9 Q And you can see that Lori Shenher there speaks in
10 her memo -- I'm just showing this document to you
11 so you can refresh your recollection possibly
12 about what happened here. She says:

13 I'm just back from having a coffee with Ab
14 Humayun from P & R...

15 Which is policy and research. Am I right about
16 that, P & R would be policy and research?

17 A No, I think it was called planning and research.

18 Q Planning and research. And you can see in the
19 third paragraph, I'll just read this to you, or
20 I'll just read these two paragraphs:

21 He asked me...

22 That is Ab Humayun:

23 ... asked me to discuss VPD policy for taking
24 missing persons reports. This apparently
25 came to their attention after an incident

1 involving a mentally challenged person going
2 missing in Vancouver who resided in
3 Coquitlam.

4 Do you remember that incident, Ms. Cameron?

5 A I remember an incident, and I don't know if it's
6 this one in particular.

7 Q Okay. There's a reference there to Ab Humayun
8 wanting to meet with Dan. That would be Dan
9 Dickhout, would it?

10 A Yes.

11 Q Wanting to meet with Dan Dickhout and Lori Shenher
12 to get a feel for how we do things in there. That
13 is the Missing Persons Unit.

14 He had a discussion with Sandy when calling
15 for Dan. She was apparently quite short with
16 him and didn't want him talking to Dan or me.
17 This caused him some concern.

18 Do you remember that conversation?

19 A No.

20 Q Okay. That's not the important part, the
21 important part here is coming up. It says:

22 This incident caused a usual runaround where
23 the RCMP wouldn't take the report because he
24 was last seen in Vancouver and E-Comm
25 wouldn't take it as per policy because the

1 victim lived outside our jurisdiction.

2 You see that?

3 A Yes.

4 Q Now, is that a fair characterization that there is
5 something like a usual runaround?

6 A Yes.

7 Q So in your experience what Ms. Shenher is speaking
8 about that's an accurate characterization?

9 A Yes.

10 Q That's typical?

11 A Yes.

12 Q And I take it because it was typical it was also
13 notorious within missing persons and known to
14 everybody involved with missing persons?

15 A Yes.

16 Q Like Detective Constable Shenher would have known
17 about that?

18 A Yes.

19 Q Sergeant Field would have known about the usual
20 runaround?

21 A I can't speak for what she knew. I would assume
22 so, yes.

23 Q And Inspector Spencer would have known about that
24 too?

25 A I don't know who Inspector Spencer is.

1 Q Okay. All right. But, in any event, it was
2 notorious within the Missing Persons Unit, you
3 knew about it?

4 A Yes.

5 Q Every detective you worked with knew about it?

6 A I believe so, yes.

7 Q It was a problem of very long standing?

8 A Yes.

9 Q And obviously it was a structural problem that
10 played to the detriment of people who lived in the
11 Downtown Eastside?

12 A Yes.

13 Q Survival sex workers?

14 A It was a detriment to the citizens of Vancouver.

15 Q And then I'll read the next sentence there:

16 It ended up on Doug LePard's desk for him to
17 seek a solution to an ongoing problem that
18 poses serious liability concerns for the VPD.

19 Do you see that?

20 A Yes.

21 Q Did you know that Doug LePard was looking into
22 this trying to fix this problem of long standing?

23 A No.

24 Q You were never told about that?

25 A No.

1 Q Did you know that Ab Humayun was looking into this
2 structural problem?

3 A No. Not that I remember, no.

4 Q Okay. And then if we can turn here -- I take it
5 nobody's presented these documents to you to look
6 at in preparing to give evidence today?

7 A I'm sorry.

8 Q No one presented these documents to you --

9 A No.

10 Q -- to refresh your recollection?

11 A No.

12 Q I wonder if you could turn a few pages in to a
13 document marked on the top right-hand corner with
14 a number 130. It's a longer number, but it's got
15 130 at the top, just at the tail-end.

16 A Yes, I have it.

17 Q Okay. When I read that document it looked to me
18 like a document that had been authored by you. Am
19 I right about that, do you remember writing this
20 document?

21 A It looks like something I would have written, yes.

22 Q Okay. So just on the page 130 there you can see
23 at the second full paragraph there it says:

24 With the proposed amendments you can imagine
25 the frustration of a parent attempting to

1 report their child missing who is told you
2 must call the police department in the area
3 where he's last seen, they will help you,
4 it's not our case, only in turn to have this
5 parent/guardian denied assistance there and
6 told call Vancouver, you must report the
7 missing where they live.

8 Then going on in another sentence there it says in
9 bold:

10 This is what happens now. RCMP do not take
11 reports on children who do not reside in
12 their jurisdiction, they're referred to the
13 police agency where they live regardless of
14 what their policy says.

15 A Yes.

16 Q Okay. So you were advocating for reform to this
17 system?

18 A Yes.

19 Q And you thought that the reform proposed by Doug
20 LePard's section wasn't a good one in the sense
21 that it still relied too heavily on the place of
22 residence?

23 A Yes, the problem wasn't going to be resolved.

24 Q No. And that's -- I take it that what you were
25 advocating as a solution was that VPD would just

1 take all missing persons reports, no 24 hour
2 waiting period, and you'd sort any differences of
3 jurisdiction out between the police agencies --

4 A Yes.

5 Q -- after the information went on CPIC?

6 A Yes.

7 Q So that would ensure the information got on CPIC
8 and it would make sure that families and other
9 loved ones wouldn't be rejected when they tried to
10 report someone missing?

11 A Yes.

12 Q That's right?

13 A Yes.

14 Q That was your position?

15 A Yes.

16 Q And was that ultimately adopted into policy or did
17 they ignore what you had to say there?

18 A Many times, you know, I'd make the suggestions but
19 I would never hear back, and my understanding
20 because I was really -- I was very, very adamant
21 for years that we do not have the 24 hour wait
22 period, but I believe that it always, always
23 remained policy, it never changed.

24 Q All right. And so you're advocating as much as
25 you can from your position, from your vantage

1 point?

2 A Yes.

3 Q Which is a privileged one, you see a lot?

4 A Well, I had been there for so many years and there
5 had to be changes to make it better.

6 Q With your experience you're advocating
7 specifically to Doug LePard's department?

8 A Yes.

9 Q And he's not making changes; is that right?

10 A As far as I know, no.

11 Q Okay. And I'm just looking at the dates here, it
12 looks like that the first record I see of this
13 policy assignment is over at the first page of
14 paragraph or tab 10 there, which is August 2000.
15 Do you remember that as the approximate time that
16 the Vancouver Police Department tried to deal with
17 this long-standing structural problem at a policy
18 level?

19 A What document am I looking at, sir?

20 Q It's still tab 10, the first page of tab 10.

21 A Oh, the first page. Sorry. Yes, it was still --
22 this was 2000, yes.

23 Q You had been advocating for change long before
24 that?

25 A Oh, yes, I think it had been going on for many,

1 many years.

2 Q All right. Now --

3 A If I could just interject, I think it goes back to
4 the time when the Skytrain actually opened, so
5 that would be, I believe, 1986.

6 Q All right. So that set out I'll call them, intake
7 problems, was well known to you and you tried to
8 communicate as much as you could to the Vancouver
9 Police Department internally to change the policy
10 to deal with the inter VPD bouncing around and the
11 RCMP VPD bouncing around?

12 A Yes. I could only supply them with my thoughts
13 and concerns because I didn't write the policy, it
14 had to be changed through the system.

15 Q All right. And then I take it that the problems
16 with the lack of a real full-time active detective
17 were well known within the Missing Persons Unit as
18 well?

19 A Yes, it was well known through most of the
20 department.

21 Q Okay. So I'll just -- and I take it that as long
22 as you were working at the Missing Persons Unit
23 you were saying to anyone who would listen that
24 you were being hung out on your own there to do
25 all the work in the Missing Persons Unit and you

1 weren't getting any substantive assistance from
2 the members of the VPD?

3 A That's correct.

4 Q And I take it in that respect Detective Steinbach
5 assisted you in trying to communicate with his
6 higher ups this problem?

7 A Yes, he did.

8 Q That was one of the good aspects of your working
9 relationship with Detective Steinbach is he was
10 prepared to go to his seniors and articulate this
11 problem that you had either explained to him or he
12 had figured out for himself?

13 A Yes.

14 Q And you and he obviously talked about the problem
15 of having a full-time detective?

16 A Yes, he had requested actually additional
17 assistance.

18 Q Yes. Could we turn then to tab 15 of that same
19 book. This is a memo dated January 18th, 1995?

20 A Yes.

21 Q From Sergeant Barnard who is indicated here as
22 being in charge of missing persons?

23 A That's correct.

24 Q To Superintendent Rollins, the commander of the
25 Investigation --

1 A Yes.

2 Q -- Division. Did you see this memo before?

3 A Yes.

4 Q Did you assist in the drafting of this memo?

5 A No, I think it was in response to a memo that
6 Detective Steinbach had written to Sergeant
7 Barnard.

8 Q All right. And then if you can turn over three
9 pages in or four pages in it appears as though
10 there's a memo dated January 17 from Detective
11 Steinbach to Superintendent Rollins?

12 A Yes.

13 Q Is that the memo there that the subject heading is
14 Request for Manpower Assistance in all caps?

15 A Yes.

16 Q Is that the memo you're referring to that
17 Detective Steinbach had written?

18 A Yes, this memo written by Detective Steinbach
19 generated the report, the memo written by Sergeant
20 Barnard.

21 Q All right. So let's deal with them in
22 chronological order, if we can. Can you turn to
23 page 7 of the Steinbach memo. That's the last
24 page in the tab. You see there in the paragraph
25 beginning another area of concern?

1 A Yes.

2 Q There it says:

3 Another area of concern is when I am on leave
4 there is no one assigned to take my place to
5 investigate new suspicious cases or do
6 follow-up on other files. Sandra Cameron
7 forwards some cases that need immediate
8 investigation to the sergeant, however other
9 cases are set aside until I return.

10 Is that accurate?

11 A Yes.

12 Q So sometimes you would send suspicious cases to a
13 sergeant?

14 A Yes.

15 Q Did the sergeant ever -- in your experience did
16 any of them ever do any work on these files, or do
17 you know? Can you comment?

18 A During this time frame I don't remember.

19 Q All right. And then the next paragraph:

20 With these potential murder files and other
21 disappearances that have to be investigated
22 completely the following should be
23 considered.

24 1) expand the Missing Persons Squad to two
25 permanent detectives.

1 2) transfer the known or suspected homicide
2 cases to Homicide Squad.

3 3) assign a motivated constable on an
4 on-loan two year assignment.

5 That's what it says there?

6 A I'm sorry.

7 Q That's what it says there?

8 A Yes.

9 Q That's what Steinbach is recommending to
10 Superintendent Rollins directly?

11 A That is what Detective Steinbach wrote to Sergeant
12 Barnard.

13 Q I think -- all right. You can see from the first
14 page that --

15 A Oh, wait a minute. Sorry. I'm getting confused
16 here. Yes, that was addressed to Superintendent
17 Rollins.

18 Q All right. So you'll see that really what
19 Detective Steinbach is saying, I guess you're
20 sharing his view, are you?

21 A Yes.

22 Q And you're assisting Detective Steinbach in
23 drafting this memo, it goes out under Steinbach's
24 name, but I take it you saw it before it was
25 released and you've contributed to it?

1 A Yes.

2 Q But what's being said in this memo is that the
3 Missing Persons Squad is short one detective and
4 one motivated constable?

5 A Yes.

6 Q That in effect you're missing two full-time
7 members of the VPD based on the number of
8 potential murder files and other disappearances
9 that have to be investigated?

10 A I'm sorry?

11 Q Based on the number of potential murder files --

12 A Yes.

13 Q -- and other disappearances that have -- that
14 require investigation.

15 A Right.

16 Q Detective Steinbach and you are saying in this
17 memo that you need two more full-time members to
18 get the job done?

19 A I think it's expand the Missing Persons Squad to
20 two permanent detectives. Detective Steinbach was
21 already the permanent detective, and I believe
22 they were asking for one more body.

23 Q Okay. So one more detective and one more
24 constable. Am I right about that?

25 A That's what it looks like here, yes.

1 Q Point one is need one more detective and point
2 three is we need one more constable?
3 A Yes.
4 Q And so your assessment and Detective Steinbach's
5 assessment as of January 1995 is that you need two
6 more members to investigate potential homicides?
7 A Yes.
8 Q Because they're not being investigated?
9 A That's correct.
10 Q And what's being said is that some of these
11 potential homicides involve sex workers. That's
12 pretty clear, isn't it?
13 A There was -- there was the sex trade workers as
14 well as other suspicious homicides or missing
15 persons who had been worked up to be proven to be
16 homicides, yes.
17 Q All right. Now, if we turn back to the January
18 18th memo at the first page of tab 15 you'll see
19 Sergeant Barnard is agreeing in effect with
20 Detective Steinbach?
21 A Yes.
22 Q So you've got all this concurrence, you've got you
23 as the civilian employee with significant
24 responsibilities, Detective Steinbach and Sergeant
25 Barnard all saying you've got half the person

1 power that you need in your section?

2 A Yes.

3 Q You can't get the investigations done that need to
4 be done?

5 A That's correct.

6 Q They're potential murder files and they're not
7 being properly investigated?

8 A That's correct.

9 Q So the warning flag went up at the latest in
10 January of 1995?

11 A Yes.

12 Q I mean according to this memo.

13 A Yes.

14 Q But in reality this memo -- these memos here are
15 communicating something that you've been
16 communicating yourself already for years?

17 A Yes.

18 Q And in particular there were problems in the early
19 '90s with clusters of sex workers going missing.
20 You recall that?

21 A Yes, yes. There were outstanding cases from the
22 early '90s, yes.

23 Q And you raised the flag then, a red flag then?

24 A Yes.

25 Q You said somebody's got to investigate these; is

1 that right?

2 A Yes, yes.

3 Q And was there any investigation done?

4 A No.

5 Q And the nature of the alarm that you raised is
6 very similar to the nature of the alarm that was
7 raised in January of 1995; correct?

8 A Yes.

9 Q And again back in the early '90s that went all the
10 way to the top too, that went to the
11 superintendent level; correct?

12 A I believe so, yes.

13 Q And back then in the mid '90s superintendent is
14 equivalent to a deputy chief; is that right?

15 A I think so, yeah.

16 Q So aside from that you're trying to contribute to
17 this -- to the investigation of these matters in a
18 number of other ways. If you'd turn to tab 40.

19 A Yes, I have it.

20 Q I'm looking for a memo dated October 19, 1995.
21 This is a note in which you're requesting an
22 off-line CPIC search?

23 A Yes.

24 Q In October of 1995 you asked for an off-line CPIC
25 search for all unidentified bodies entered on CPIC

1 since its inception to compare against older
2 unsolved homicides where we know victims of foul
3 play -- that they might be victims of foul play or
4 suicide and their remains could be anywhere?

5 A Yes.

6 Q And that wasn't done, was it?

7 A It was done partially. Detective Steinbach and I
8 had a meeting with the coroner at that time, and I
9 know that his first name was Chico, but I'm sorry
10 I don't know his last name, and we were getting a
11 small printout of new ones that were being entered
12 by the coroner service, but I was looking for a
13 complete list of all of the ones, the historical
14 ones and everything that were on. We were only
15 getting information I believe of ones from the
16 Vancouver area, the Fraser Valley. We were
17 looking for something a little broader.

18 Q I note -- I note as well that in May of 1999
19 you're suggesting that DNA might present a
20 solution to some of these missing women files?

21 A Yes.

22 Q Did anyone take you up on that suggestion?

23 A No.

24 Q So that just went into darkness in effect?

25 A I believe so. Do you have that memo? Could I

1 locate the memo?

2 Q Yes, it's under tab 40, numbered number 8 on the
3 top right-hand corner.

4 A Yes. Yes, there was an idea that I came up with
5 because they were taking DNA samples from the
6 family members of the missing sex trade workers,
7 but we had approximately 125, 150 outstanding
8 missings on the system, and some of them were
9 elderly parents and some I was concerned that we
10 would not maybe be able to get DNA because it was
11 a new investigative tool and it had just been
12 introduced, so I felt that it would be a good idea
13 to start collecting DNA because it doesn't break
14 down and you can maintain it in the file.

15 Q All right. And that was a suggestion you made to
16 Sergeant Field?

17 A Yes.

18 Q And she never communicated back to you whether she
19 had taken you up on that suggestion?

20 A No.

21 Q All right. And then I take it that you worked
22 from time to time locating runaways?

23 A Yes.

24 Q And by runaways I mean children who are wards of
25 the state.

1 A Children. Just -- they didn't -- they weren't
2 necessarily wards of the state, they were
3 children. They run away from their homes, foster
4 homes, foster care or group homes, yes.

5 Q Okay. Well, that tends to be -- I just used wards
6 of the state as an umbrella term --

7 A Oh, sorry.

8 Q -- capturing all of those different ways in which
9 the government takes care of children.

10 A Okay.

11 Q Where the government is in effect the guardian or
12 custodian of the children?

13 A Yes.

14 Q So most of the runaway children that you were
15 looking for were wards of the state?

16 A Yes.

17 Q They were foster children or they were in group
18 homes?

19 A Yes.

20 Q Often they came from challenged backgrounds?

21 A Yes.

22 Q And they had an oppositional kind of defiance
23 against power and authority figures?

24 A Yes.

25 Q And they would run away from the power and

1 authority figures, in effect the state here, and
2 part of your job, the big part of your job was to
3 find them?

4 A Yes.

5 Q And you did that really well I take it?

6 A I like to think I did. Thank you. At the end of
7 the year it was nice when you had no juveniles
8 left missing.

9 Q Well, that's the way it looks. It looks like you
10 did a good job on that aspect of your brief. And
11 I take it you had dealings with the Neighbourhood
12 Safety Office?

13 A Oh, yes.

14 Q That would be Deb Mearns and David Dickson?

15 A Dave Dickson the police officer?

16 Q Dave Dickson the police officer.

17 A Yes, yes.

18 Q You were interested in -- I mean you had special
19 concern for these children who were runaways
20 because they were perhaps the most vulnerable of
21 the vulnerable?

22 A Yes.

23 Q They were going -- they were leaving state
24 institutions and they were going out on the street
25 in effect?

1 A Yes.

2 Q Many of them were young people under the age of
3 fourteen?

4 A Yes.

5 Q Extremely vulnerable to being manipulated and
6 exploited by more street-wise people?

7 A Yes.

8 Q Vulnerable to becoming ensnared in drug addiction?

9 A Yes.

10 Q And vulnerable to being ensnared in sex work?

11 A Yes.

12 Q You were trying in your work to get them off the
13 street before they could get caught up in those
14 webs?

15 A Yes.

16 Q And you understood Dave Dickson to spend a good
17 portion of his time doing the exact same thing?

18 A Yes.

19 Q And so you had a lot of dealings with Dave
20 Dickson?

21 A Yes, I did.

22 Q You knew Dave Dickson as well was dealing with
23 some missing persons type issues?

24 A Yes.

25 Q And had a lot of issues with survival sex workers?

1 A Yes.

2 Q And so you had a lot of overlap between your
3 tasks?

4 A Yes.

5 Q All right. You got the sense, I take it, that
6 David Dickson had a lot of information about
7 survival sex workers?

8 A Yes.

9 Q Some of which he just declined to share with you?

10 A Yes.

11 Q And in your dealings with him he didn't write you
12 memos very often, he tended to be a
13 telephone/pager kind of guy?

14 A Yes, and then he would drop in the office. But
15 occasionally, not very often.

16 Q Okay. So you knew from him, and probably from
17 your own travels outside of 312 Main that there
18 was specific hotels and bars that were problem
19 areas?

20 A Yes.

21 Q You knew about various hotels including the Vernon
22 Rooms and the Regent?

23 A Yes.

24 Q Those were places from which women tended to go
25 missing?

1 A Yes, and the Balmoral and --
2 Q The Balmoral and the Astoria?
3 A Yes.
4 Q Those are all sort of concentrated areas where
5 people tend to go missing?
6 A Yes.
7 Q And you knew that those areas were also places
8 where the strolls were?
9 A Yes.
10 Q So you've got -- and you knew as well that the
11 hotels were wrapped up with sex work?
12 A Yes.
13 Q So they didn't -- these hotels and bars were
14 places where sex work happened and was arranged,
15 and places where drugs were purchased and sold?
16 A Yes.
17 Q And there was a flourishing and somewhat
18 regimented economy down there?
19 A Yes.
20 Q Did you ever bring the connection between missing
21 women and these places, the Astoria, the Balmoral,
22 the Regent, the Vernon Rooms to the attention of
23 the Vice Squad or the Sexual Offence Squad or the
24 Homicide Squad, the Major Crime Squad?
25 A Well, the detective in missing persons at the time

1 was aware of it.

2 Q All right.

3 A And I did at one point -- I used to go up and
4 check the files in the Vice Squad office because
5 they used to maintain a card file of when the sex
6 trade workers would get checked and they would put
7 information into the file. So they had a clerk up
8 there that I would go up and say would you check
9 your records and say what's the most recent you
10 have on this person.

11 Q Surely they'd have photographs there of sex
12 workers?

13 A Yes.

14 Q And the photograph book would be called the hooker
15 book or hooker books; isn't that right?

16 A No, I don't know that.

17 Q But they did have a book of photographs taken of
18 sex workers, and the location where the
19 photographs were taken and so forth?

20 A Yes.

21 Q I mean, very close records were kept within the
22 Sexual Offence Squad. Was it sexual offence or
23 was it vice?

24 A Vice.

25 Q Okay. So they weren't being treated as victims

1 when their information was being collected, they
2 were being treated as their targets, Vice Squad
3 targeted sex workers?

4 A Oh, I don't know. I didn't work in that office.

5 Q But information was kept including photographs and
6 dates and times on which the photographs were
7 taken and other information about the sex workers?

8 A I believe so, yes.

9 Q Right. Including some of the women who were
10 reported missing?

11 A Okay.

12 Q Were you aware? I mean, did you ever go down to
13 the Vice Unit to look at these -- look at this
14 information to pursue -- to follow up on a missing
15 person report?

16 A I think -- I don't know when it was, but I believe
17 that the Vice Squad moved out of the building or
18 it was disbanded, but I don't know when.

19 Q All right. Well, okay, but my real question is
20 whether the Vice Squad was a resource to you in
21 looking for missing women?

22 A Yes. For information, yes.

23 Q And sometimes they actually had information?

24 A Yes.

25 Q I mean, they had files on the women that you had

1 reported missing?

2 A That had been reported missing?

3 Q That had been reported missing.

4 A On some of them, yes, I believe they would.

5 Q Okay. Now, was there any type of analysis or
6 liaison between missing persons and the Sexual
7 Offence Squad or any part of the Major Crime Squad
8 so that patterns that emerged within missing
9 persons could be brought to the attention of the
10 Major Crime Squad so they could do something about
11 it?

12 A Not that I was involved in.

13 Q Well, you knew some women were going missing from
14 the Vernon Rooms?

15 A I've never heard of the Vernon Rooms.

16 Q Mary Lidguerre?

17 A Yes.

18 Q Do you remember her?

19 A I remember the name.

20 Q Okay. Do you remember involvement with Mary
21 Lidguerre with the --

22 A I don't know if I had any -- yeah, I'm sure that
23 the file must have come into the office, to the
24 missing persons office.

25 Q I take it you didn't have training and you didn't

1 feel safe yourself going out on the street and
2 investigating?

3 A I never went on the street.

4 Q And when you say -- let me just change the topic
5 for a moment. I wanted to ask you about Detective
6 Inspector Rossmo.

7 A Yes.

8 Q He wasn't respected within the department, was he?

9 A No, he was not.

10 Q Neither his work nor his education?

11 A No.

12 Q And I wonder if you can go into more detail what
13 you had heard about how -- I mean, you had
14 dealings yourself with Detective Inspector Rossmo?

15 A Yes, I did. And just from my own personal view I
16 agreed with his findings, but that was just my own
17 personal thoughts. But no one liked the fact that
18 he was given a title that hadn't been used within
19 the department for many, many years, and there was
20 a lot of comments made about him.

21 Q What sort of comments were made about him?

22 A The only thing I can say is derogatory, because
23 nobody wanted to put any -- I'm searching for the
24 word.

25 Q Credence to his --

1 A Yes, to his findings.
2 Q To his findings or to his station?
3 A No.
4 Q Or his role?
5 A Yes.
6 Q And when you say you agreed with his results, you
7 agreed that there was a sufficient basis to be
8 concerned about whether or not there was a serial
9 killer?
10 A Oh, yes.
11 Q And that was -- when did those concerns arise for
12 you? It must have been about 1997 or so.
13 A I think it was -- I mean you had to look at the
14 numbers and you had to see that they were going
15 up, and it's just because the nature of the area
16 where they were from there had --
17 Q You saw yourself a geographic cluster?
18 A Yes.
19 Q You saw a geographic and temporal cluster in the
20 Downtown Eastside; correct?
21 A Yes.
22 Q And you brought that to the attention of the
23 detective in your unit?
24 A Yes, and Inspector Biddlecombe.
25 Q And Inspector Biddlecombe. And you brought that

1 to his attention, Biddlecombe's attention, not
2 just as a number, a larger number of missing
3 women, but also that geographic and temporal
4 clustering aspect of it?

5 A Yes.

6 Q It wasn't just we've got a large number of missing
7 women, but we've got a large number of missing
8 women from this area?

9 A Yes.

10 Q Who all fit a similar kind of victim profile, a
11 victimology?

12 A Yes.

13 Q And you thought from the outset that they were
14 potentially connected in some way?

15 A Yes.

16 Q That's what you told Inspector Biddlecombe?

17 A Yes.

18 Q And so -- you didn't send him a memo to that
19 effect, did you?

20 A No, I think I had -- I think it was just a
21 sit-down meeting and I went into his office. I
22 don't think I put anything on paper. If I did I
23 would have had a copy.

24 Q And you talked to Detective Inspector Rossmo about
25 this same set of phenomenon?

1 A I believe so, yes.

2 Q Detective Inspector Rossmo came to you orally and
3 asked you for information about this geographic --
4 I mean, he probably would have put it this way
5 too, geographic and temporal clustering of missing
6 women?

7 A I don't remember if he came to me or if he
8 submitted a memo. I don't know. I do remember
9 having conversations with Mr. Rossmo, but -- and
10 it was around that issue.

11 Q All right. The reason why I ask is because it
12 appears as though at one point Detective Inspector
13 Rossmo asks you personally for information about
14 missings and CPIC reports, and it was a while
15 before you got back to him, and you got back to
16 him in a sort of vague way. And we have the
17 e-mail.

18 A M'hm.

19 Q And you've probably seen it. What I wanted to ask
20 you about was whether or not the chain of command
21 within which you found yourself influenced the
22 amount of information you wanted to give to
23 Detective Inspector Rossmo?

24 A No.

25 Q No?

1 A No.

2 Q All right. So it wasn't by as a result of
3 anything Biddlecombe told you or Sergeant Field
4 told you that you did or didn't provide
5 information to Detective Inspector Rossmo?

6 A No. But I think what Mr. Rossmo was looking for I
7 couldn't -- I think he ended up getting the
8 statistics from Vicky Yip, because he needed them
9 broken down a little bit more than I think what we
10 were able to give him.

11 Q All right. So Detective Constable Shenher arrived
12 full of gusto at the Missing Persons Unit, and in
13 your interview you indicate that she changed?

14 A Yes.

15 Q I take it she lost some enthusiasm because of the
16 politics surrounding the formation of the working
17 group?

18 A I think so. She -- it was difficult for missing
19 persons, I mean for her to go out and do some work
20 just to try to get a car to go out on the road.

21 Q But you remember she showed up in July?

22 A Yes.

23 Q And then in August she started reviewing files?

24 A Yes.

25 Q And she started to get really engaged with those

1 files, and then she tried to set up something
2 called a working group with Detective Inspector
3 Rossmo, and Inspector Greer got involved. Do you
4 remember all of that stuff?

5 A No.

6 Q No?

7 A No, I had no party to that.

8 Q You weren't a party to that?

9 A No.

10 Q Do you remember there was a problem with Inspector
11 Biddlecombe and Inspector Greer and Detective
12 Inspector Rossmo, some politics there?

13 A I might have heard hearsay in the building, but
14 nothing that -- I never heard anything that --
15 that I can remember, but I had no participation in
16 any of that.

17 Q In your interview you mention a newspaper article
18 in which Inspector Biddlecombe is quoted as saying
19 we don't think there's any evidence of a serial
20 killer?

21 A Yeah, that was -- that I never heard personally
22 from Inspector Biddlecombe, but it was being said
23 around the building that he had said that, but I
24 never heard it from him personally.

25 Q It was around that time that was the turning point

1 in Detective Constable Shenher's enthusiasm, was
2 it?

3 A I don't know.

4 Q Okay. So you say that Shenher arrived and then
5 her enthusiasm dropped. I'm just wondering how
6 quickly it dropped. Was it within a couple of
7 months?

8 A I think that maybe when she came into missing
9 persons she had the enthusiasm and then you see
10 the problems that maybe you run into of her maybe
11 trying to get assistance or something, that might
12 have taken some of the enthusiasm away from her.
13 I don't know.

14 THE COMMISSIONER: I think you're really asking her to
15 speculate on a whole bunch of things that she
16 doesn't know anything about.

17 MR. GRATL: I was just asking questions that I don't know the
18 answer to.

19 THE COMMISSIONER: Sorry.

20 MR. GRATL: I was just asking questions that I didn't know the
21 answer to.

22 THE COMMISSIONER: Well, I know, but we've heard ample evidence
23 about the differences of opinion, to put it
24 mildly, between Biddlecombe and Rossmo, so. And
25 it seems that this witness was on the periphery of

1 all of that, and we've had better evidence, if you
2 will, on that issue than you need to get from her.

3 MR. GRATL:

4 Q Now, you say in your interview that Al Howlett was
5 often not present at the office?

6 A That's correct.

7 Q And Dan Dickhout similarly when he was coroner's
8 liaison?

9 A He was a coroner's liaison, yes.

10 Q But after Al Howlett left Dan Dickhout took over
11 the role.

12 A He was doing coroner's liaison as well as
13 assisting with missing persons when Al Howlett was
14 not there.

15 Q So you'd often be in the office alone?

16 A Yes.

17 Q So when you answered the telephone detective
18 agency?

19 A Detective office.

20 Q Detective office?

21 A Missing persons.

22 Q Yes, detective office missing persons you'd be the
23 only person there?

24 A Yes. On many, many times, yes.

25 Q So it would be open for people to draw the

1 inference that you were that detective?

2 A People could certainly draw -- they could draw
3 their own conclusions on that. I never identified
4 myself as a police officer or a detective or a
5 sergeant or an inspector.

6 Q Yeah, I'm just trying to figure out how people got
7 the impression that you were a member of the VPD
8 rather than a civilian employee, and that it
9 occurs to me that --

10 A I don't know, maybe because -- you know what, I
11 was in that office for so long and I was pretty
12 confident in the work that I did and maybe they
13 just thought by the tone of my voice or speaking
14 to me that maybe I sounded like one. I don't
15 know.

16 Q Well, you certainly come across as a competent
17 sounding person and so I could see where the
18 inference could be drawn. Now, if you could turn
19 to tab 23.

20 A I'm sorry?

21 Q Could you turn to tab 23 of this binder, please?

22 THE REGISTRAR: You just reached your time, Mr. Gratl.

23 THE COMMISSIONER: How much longer are you going to be,
24 Mr. Gratl?

25 MR. GRATL: I'm going to be --

1 THE COMMISSIONER: Your time's up so I just want to know.

2 MR. GRATL: -- five more minutes with this witness and then I
3 have five minutes or so of questions with
4 Ms. Dicks.

5 THE COMMISSIONER: Okay. Well, it doesn't help me to hear some
6 of the stuff I've already heard. I just want to
7 tell you that. A lot of her evidence, her
8 frustrations for instance are set out in tab 40,
9 and there's documentary evidence there as to how
10 she felt, and she said that she didn't receive any
11 help, and she continually pointed out they needed
12 more people there, particularly they need at least
13 two full-time people. Her memo to Rich Rollins
14 sets that out, so I don't know what more I need
15 to -- I don't know where you're going with this.
16 Go ahead.

17 MR. GRATL: Thank you.

18 Q Now, at tab 23 we have a missing persons report
19 filled out by yourself; is that right?

20 A Yes.

21 Q For Olivia Williams. Under the section marked
22 disability/dependency you filled in E referring to
23 alcoholic and drug addict?

24 A It says drugs.

25 Q Sure, it says E as noted alcoholic/drug addict.

1 A Yes, this was information that I had received from
2 the Smithers RCMP.

3 Q But I take it that's under the
4 disability/dependence column?

5 A Yeah, if you look a little further down it's got
6 personal habits, it says drugs. She was a
7 prostitute, drug and -- yeah.

8 Q Okay. This is a standard form --

9 A Yes.

10 Q -- that would be filled out?

11 A Yes.

12 Q And you filled this one in yourself?

13 A Yes.

14 Q It didn't go through E-Comm or dispatch?

15 A No.

16 Q Then over the page to tab 24 we have another
17 missing persons report you also filled out from
18 Marnie Frey?

19 A Yes.

20 Q And under disability/dependence you've listed E,
21 which is alcoholic/drug addict again?

22 A Yes.

23 Q Am I right about that?

24 A Yes. This was information that we -- I think we
25 got the -- it had been originally reported to

1 Campbell River, so I believe we took the Campbell
2 River entry off of CPIC and transposed the
3 information onto our report.

4 Q I see. Right. And then under tab 26 we've got
5 another report filled out by yourself for Laura
6 Mah?

7 A Yes, I see it.

8 Q So I take it from time to time that you actually
9 filled out these missing persons reports?

10 A Yes. Yesterday as my lawyer explains if someone
11 attended the public information counter and wanted
12 to file a missing and I was notified by the public
13 information counter there was someone there I
14 would go down and take the report. If people were
15 calling in long distance from the Lower Mainland
16 area I would take the report there because it
17 would be difficult for them to get into the wait
18 line on the non-emerge line, and on many times the
19 families would report them missing as Smithers,
20 Campbell River shows here, and so what we'd do is
21 we get a notification from the RCMP detachment
22 that they had the report, I would fill out the
23 report and then I would notify them that they
24 could remove their entry.

25 Q Okay. So obviously you're able to take reports?

1 A Yes.

2 Q If you're able to take reports why did you
3 sometimes bounce callers to dispatch or E-Comm,
4 why didn't you just take the report yourself as a
5 general practice?

6 A Because we get over 3,000 files a year reported
7 missing.

8 Q All right. There's nothing in your job
9 description that said you're not to take these
10 reports, is there?

11 A No. Well, if you look in the job description that
12 we went through yesterday it says and on the odd
13 occasion take a missing persons report, yes.

14 Q All right. I don't see anything in the procedures
15 manual that says you're not to take reports.

16 A Well, it's just that if someone is living within
17 the City of Vancouver, and this is applicable to
18 all the residents of the City of Vancouver, that
19 if the call was refused by E-Comm then the call
20 came to me I would say I just need you -- I would
21 explain them the procedure that we need to have it
22 entered on CAD, we need a case number issued to
23 it, it has to get put on CPIC, and it's very
24 important that it go through the process down
25 there. I would give them my name and I would say

1 please tell them you spoke to me and then they
2 would take the report. And yesterday we were
3 shown a missing persons report where it showed
4 that they took the -- the communications centre
5 did take it and said on the advice of Sandy
6 Cameron.

7 Q All right.

8 A So it was important that it go through the
9 process.

10 Q All right. I take it that this was an unwritten
11 policy, this bouncing people back to E-Comm or
12 dispatch was an unwritten policy created to manage
13 your workload?

14 A I don't know. Like I couldn't respond to that.

15 MS. DICKS: Can I?

16 MR. GRATL: Yes, you'll have a chance in just a moment.

17 MS. CAMERON: I had -- when I came in in 1979 it was not part
18 of my job to take missing persons reports.

19 MR. GRATL: Okay. Thank you.

20 THE COMMISSIONER: Okay. Wind it up, Mr. Gratl.

21 MR. GRATL: Under tab 1 -- Mr. Commissioner, I'm not sure we
22 have a witness on for this afternoon.

23 THE COMMISSIONER: Sorry?

24 MR. GRATL: Is there a witness coming on this afternoon?

25 THE COMMISSIONER: Yes.

1 MR. GRATL:

2 Q Under tab 1 persons defined -- and you see the
3 last paragraph:

4 Persons defined in the following categories
5 regardless of time period that they have been
6 missing shall receive a missing person report
7 and a field unit response to investigate
8 circumstances:

9 (c) includes:

10 Persons whose mental or physical state may
11 place them at risk to themselves or others.
12 (This would include persons with memory loss,
13 handicaps, retardation, blindness, muteness
14 or suicidal intentions, et cetera.

15 That's the policy as you understood it?

16 A Yes, 'cause this is the policy from the
17 communications section.

18 Q All right. And so I take it that persons
19 indicated by you to suffer from alcohol or --
20 alcoholism or drug addiction as a disability or
21 dependence didn't fall into this category?

22 A This was the policy and procedure manual from the
23 communications centre.

24 Q Okay.

25 A This was the instructions that the 911 operators

1 worked under.

2 Q And I take it that this didn't apply to you to
3 your mind?

4 A The three files that you just showed me that I
5 took, all three of them had drug addiction and I
6 took the reports.

7 Q All right. And drug addiction is a form of
8 disability to your mind, isn't it?

9 THE COMMISSIONER: Why do you need her opinion on that? I
10 mean, it's something you can argue that it's a
11 form of disability and we ought to have treated it
12 that way.

13 MR. GRATL: All right. I'll take that as an objection from --

14 THE COMMISSIONER: It isn't an objection. I don't make
15 objections, I make rulings. There's a difference,
16 you know.

17 MR. GRATL: All right. A self-generated ruling then. I'll
18 take that.

19 THE COMMISSIONER: Okay. Last question. You're fifteen
20 minutes over your limit.

21 MR. GRATL:

22 Q Ms. Dicks, the 24 hour time requirement was never
23 suspended to your knowledge, was it?

24 MS. DICKS:

25 A Not to my knowledge, no.

1 Q Okay. So if there was a request that it be
2 suspended that request was never implemented to
3 your knowledge?

4 A I'm sorry, what do you mean?

5 Q I could take you to a document but I won't take
6 you to a document. Was there a -- did you have
7 dealings yourself with the Vancouver Police
8 Department as they were preparing their report,
9 the LePard report?

10 A No.

11 MR. GRATL: Okay.

12 THE COMMISSIONER: All right. Thank you. Thank you,
13 Mr. Gratl. Ms. Narbonne.

14 MS. NARBONNE: I'm Suzette Narbonne, I'm counsel representing
15 the aboriginal interest.

16 **CROSS-EXAMINATION BY MS. NARBONNE:**

17 MS. NARBONNE: On that note, Ms. Dicks, what sort of cultural
18 sensitivity training did you get with respect to
19 First Nations people?

20 MS. DICKS: Nothing from VPD.

21 MS. NARBONNE: So in the course of your duties with VPD you
22 actually had no cultural sensitivity training in
23 that regard?

24 MS. DICKS: No.

25 MS. NARBONNE: What about you, Ms. Cameron?

1 MS. CAMERON: No.

2 MS. NARBONNE: None at all?

3 MS. CAMERON: No.

4 MS. NARBONNE: Okay. And did either of you ever refuse the
5 offer of that kind of training?

6 MS. DICKS: No.

7 MS. CAMERON: No.

8 MS. NARBONNE: What, Ms. Dicks, did you know about the number
9 of First Nations bands there are in the province,
10 did you have any idea?

11 MS. DICKS: Just from growing up, I grew up in BC up north in
12 the Cariboo, so I was familiar with the Nasko
13 Native Band. I know that they're everywhere.

14 MS. NARBONNE: Okay.

15 MS. DICKS: They're spread across our country.

16 MS. NARBONNE: Right.

17 MS. DICKS: They were here before we were. You know, so I
18 would say that my knowledge would be general as to
19 most of the population.

20 MS. NARBONNE: And what about you, Ms. Cameron, what was your
21 knowledge as to the bands in BC?

22 MS. CAMERON: I've been in British Columbia since 1968, I --
23 there are many, many wonderful things I love about
24 the native culture. I've been three or four times
25 out to Mission to the exhibit there of the Sto:lo

1 Nation, which I love.

2 MS. NARBONNE: Yes.

3 MS. CAMERON: I go to the events on the Fraser River when the
4 canoes come down the river.

5 THE COMMISSIONER: Was there any training available to any
6 member of the Vancouver Police Department or any
7 of the civilian people like yourselves who work
8 there?

9 MS. CAMERON: Not to my knowledge. Not for me, but I can't
10 speak for everyone at the department.

11 MS. DICKS: I was never offered any training.

12 THE COMMISSIONER: Do you know if the police received any
13 training in that area?

14 MS. CAMERON: I can't answer that. I don't know.

15 THE COMMISSIONER: All right. Thank you.

16 MS. NARBONNE: Neither of you knows.

17 Q Okay. Ms. Cameron, I'm going to direct most of
18 these questions to you. And I'll just start with
19 tab 40 of that book, which I'll probably rely on
20 to a large extent, consists of a letter you sent
21 and then a series of attachments to that letter;
22 is that right? Is that what all those things are
23 there?

24 MS. CAMERON:

25 A Tab 40 is the report I wrote in November of 2001,

1 yes.

2 Q Yes. And those attachments -- there's a series of
3 attachments that you include with your letter?

4 A Yes.

5 Q And that's your letter where you let them know
6 that you are leaving missing persons?

7 A Yes.

8 Q Okay. Now, in that tab, and unfortunately the
9 pages aren't numbered, there is an early
10 description of your role of when you started at
11 missing persons. I'll just find that. You must
12 have been aware of it 'cause you attached it to
13 your letter. It is -- it looks like it's
14 attachment 2, and it's entitled "Missing Persons
15 Detective Position Background, Existing Problems,
16 and Related Recommendations." Do you see --

17 A I'm sorry.

18 Q Do you see --

19 A Attachment 2?

20 Q Yeah, at the top it's 000012.

21 A Yes. It says it's the missing persons detective
22 position?

23 Q Yes.

24 A Yes.

25 Q And if you flip the next page to 000013 there's a

1 description of Clerk III. Is that what your role
2 was, Clerk III?

3 A Yes, but when I went in in 1978 I was not a Clerk
4 III.

5 Q Okay.

6 A That happened later.

7 Q Okay. Who is S. Dowds?

8 A That's my maiden name.

9 Q Okay. So in -- at least in this report it says
10 1978 to 1987, I appreciate you weren't there in
11 '78, it says:

12 A system wherein the assigned Clerk III
13 S. Dowds was basically responsible...
14 And it goes on from there; right?

15 A Yes.

16 Q So whether or not you were a Clerk III this
17 appears to be describing what your role was?

18 A Yes, 'cause I went in in 1979.

19 Q Okay. Right from the start one of your functions
20 was to answer phones; right?

21 A Yes.

22 Q And what -- I see a reference in these to F/U.
23 What's that?

24 A Follow-up.

25 Q Follow-up. Okay. So you were assigned to taking

1 follow-up calls; right?

2 A Yes.

3 Q And you told us originally there was only one main
4 phone line there?

5 A Yes.

6 Q So if the phone rang you answered it?

7 A Yes.

8 Q And then you might direct the call to the
9 detective if they were there or handle it if you
10 could handle it; right?

11 A Are we talking in the beginning or are you looking
12 at --

13 Q I'm starting in the beginning right now.

14 A Okay. In the beginning the constable had a desk
15 approximately a little closer from where you're
16 standing now and I with the desk here. I was the
17 receptionist for the third floor coming into the
18 Homicide/Robbery Patrol North detectives, so I did
19 a multitude of tasks. But the constable would be
20 at his desk, it was the light duties constable, he
21 would answer the phone and everything, and then
22 after he left the office then I would answer the
23 phone when he wasn't there.

24 Q Okay. So someone always was there to answer the
25 phone, either you or him or both of you?

1 A Yes.

2 Q Okay. And then another attachment to this is your
3 later job description, and I know you were taken
4 through that yesterday. If you find it first
5 please tell me what page it is.

6 A It's in front of the one that we were just talking
7 about.

8 Q Okay. And that's page -- it's a 9 at the top of
9 the page; is that right?

10 A Yes.

11 Q Okay. So your job changed, the description
12 changed to define it better; correct?

13 A Yes.

14 Q And again one of your roles was answering phone
15 calls; right?

16 A Yes.

17 Q And there were several guidelines put in place for
18 if a detective actually wasn't in the office and
19 you needed to speak to someone else; right?

20 A Yes.

21 Q And you see those in that document at, for
22 example, paragraph 7 where it says:

23 Bring to the attention of missing persons
24 detective or a Major Crime Section NCO all
25 cases where the circumstances suggest the

1 disappearance may be suspicious.

2 Right?

3 A Yes.

4 Q So that's a case where if you don't have a
5 detective there you could take it to someone else?

6 A Yes.

7 Q And you should; right?

8 A Yes.

9 Q And similarly paragraph 8 sends you to the
10 detective or a Major Crime Section NCO; right?

11 A Yes.

12 Q And paragraph 11 does the same thing, you are to
13 bring things either to the attention of your
14 missing persons detective or Major Crime Section
15 NCO; right?

16 A Yes.

17 Q Same with 13?

18 A Yes.

19 Q Same with 15?

20 A Well, no, 13 is about the media, and I didn't talk
21 to the media.

22 Q Okay. What I'm saying is paragraph 13 has you
23 direct something to the detective or to a Major
24 Crime Section NCO; right?

25 A Oh, I'm sorry, yes.

1 Q And paragraph 17 similarly has you do that; right?

2 A Yes.

3 Q So if the detective is not there you are mandated
4 to contact someone else?

5 A Yes.

6 Q And I take it you did that?

7 A Yes.

8 Q Okay. Who would you contact when the detective
9 wasn't there?

10 A The sergeant in charge of homicide.

11 Q Okay. And was that person constantly changing?

12 A Yes.

13 Q But there was always a sergeant in charge of
14 homicide?

15 A If the sergeant was there there'd be an acting
16 sergeant, yes.

17 Q This wasn't something where that person would be
18 gone for six weeks of sick leave without someone
19 replacing them?

20 A No, they would fill that position.

21 Q Okay. So there was always someone you could get
22 ahold of?

23 A Yes.

24 THE COMMISSIONER: So the homicide detective would be
25 accessible to you?

1 MS. CAMERON: Yes, yes. Or the Robbery sergeant as well.

2 MS. NARBONNE:

3 Q Now, I know my friend Mr. Gratl took you to
4 paragraph 14 in that same document where it
5 mandates that in circumstances where accepted
6 missing persons reporting procedures cannot be
7 applied you are to initiate and complete a missing
8 persons report; correct?

9 A Yes.

10 Q So that was a change in your role, and this goes
11 back to I believe it's '87, is that right, where
12 now you are to actually take these reports if
13 necessary; correct?

14 A No.

15 Q No. Why do you say no?

16 A I was never instructed or directed to take missing
17 persons reports. All of the missing persons
18 reports had to go through the communications
19 centre, and in this number here where it says
20 where reporting procedures cannot be applied, but
21 they could be applied, they just had to go back
22 and they had to go through the communications
23 centre because of the computer system and the way
24 it was set up. So if someone came to the front
25 counter, you know, if they have made, you know,

1 they have showed up down there we don't really --
2 I didn't want to send them home and tell them to
3 phone, so I would go downstairs and take it.

4 Q So you could take it?

5 A Absolutely.

6 Q And paragraph 14 lets you take it; right?

7 A In certain instances, yes.

8 Q Well, it's sufficiently vague that if someone is
9 being tossed around from E-Comm to you to E-Comm
10 you could certainly say that these are
11 circumstances where the reporting procedures
12 cannot be applied, because in fact they aren't
13 being applied; right?

14 A Well, I would just say is that if I would receive
15 a call from someone that said that they had tried
16 to report the person missing, I would refer them
17 back, I would explain it, I would give them my
18 name and ask them to call back. It's not like
19 they called me back five or ten minutes later and
20 say they were refused again. If that had happened
21 I would have definitely taken the report and then
22 have an issue with the communications centre.

23 Q Paragraph 14 allows you to take reports in those
24 kinds of circumstances. Do you agree with me or
25 disagree?

1 A You know, all I can tell you is what I've just
2 answered to you. I mean with -- if -- if the
3 department had said we want you to take all
4 missing persons reports I would have taken them
5 all.

6 Q That's not what I'm asking. In circumstances
7 where a person is facing roadblocks to making a
8 missing person report paragraph 14 lets you take
9 the report?

10 A It says where reporting procedures can not be
11 applied.

12 Q Right.

13 A But they could be applied.

14 Q Well, you often took reports. You've told us
15 that; right?

16 A I probably took a dozen a year, that would be it.
17 I didn't --

18 Q And did paragraph 14 apply to each of those based
19 on your interpretation of it or did you decide
20 just to take a report 'cause it needed to be
21 taken?

22 A I'm sorry, I don't understand.

23 Q You knew you could take a report if you wanted to,
24 correct, 'cause you did that sometimes?

25 A But only in extenuating circumstances.

1 Q Right. And someone who calls you and says E-Comm
2 won't take my report and they're upset, you've
3 told us about those people; right?

4 A That they would call up and say they had been
5 refused, yes.

6 Q And they would be upset; right?

7 A Yes.

8 Q And that comes throughout all these documents, you
9 dealt with many upset people whose reports weren't
10 being taken; correct?

11 A Sorry?

12 Q You've dealt with many upset people who were
13 having trouble having their reports taken; right?

14 A Not many, but I dealt with people whose reports
15 were not being taken.

16 Q And so you would tell them -- you call them back
17 and you tell them I told you to call them back?

18 A No, I would explain the procedures to them on how
19 it's done and how the system works, and to please
20 call back, mention my name, and then if there was
21 a problem they would call me back and I would have
22 taken it.

23 Q How does that 14 allow that though, because you're
24 saying the procedure could be applied in that
25 case?

1 A I'm sorry, but I think you'd have to ask my
2 sergeant the interpretation of 14.

3 Q Okay. And your evidence is you didn't really
4 understand what was happening at E-Comm; right?

5 A When E-Comm moved down to Cassiar and Hastings I
6 had no access to it except by CPICs.

7 Q When did E-Comm move?

8 MS. DICKS: It was in June of 1999.

9 MS. NARBONNE: Okay. Thank you.

10 Q So June of 1999 on did you know what was going on
11 at E-Comm in terms of policy?

12 MS. CAMERON:

13 A No.

14 Q Okay.

15 A I just assumed it would be the policy that we had
16 at 312 Main.

17 Q Well, I'm going to take you, and we'll do it
18 fairly quickly, but to tab 10, which Mr. Gratl has
19 already taken you to. And that tab, we have that
20 e-mail from Ms. Shenher that has been read to --
21 parts of it have been read to you of August 2nd,
22 2000; correct?

23 A Yes.

24 Q You recall that. And in that e-mail firstly
25 there's some discussion about you being quite

1 short with someone named Dan. Do you recall being
2 quite short with someone named Dan?

3 A No, I don't recall. And this was written by
4 Detective Shenher, and --

5 Q Yes, I know that, I'm simply asking you if you
6 yourself recall being short with someone named
7 Dan?

8 A No, I don't.

9 Q Okay. We appreciate you didn't write this e-mail,
10 and it would probably be fair to say that she
11 didn't cc. you on this e-mail, did she?

12 A No, she didn't.

13 Q No. Now, in that e-mail they talk about some sort
14 of policy that your department is operating under.
15 Did you actually have a formal written policy for
16 taking missing person reports?

17 A No, I believe the policy was in the policy and
18 procedure manual in the communications centre.

19 Q Okay. So it would be the same policy as E-Comm
20 had?

21 A When they left 312 Main I don't know if the policy
22 changed at E-Comm.

23 Q Okay. Well, I'm going to suggest you did know
24 what the policy was.

25 A I'm sorry?

1 Q I'm going to suggest you did know what the policy
2 was. And if you continue on in that same tab
3 there's a series of further e-mails that you are
4 not copied on, and then ultimately what happens is
5 a meeting is scheduled, I'll just find that, and
6 you're invited to it, and that meeting is for --
7 it's an August 18th e-mail, a meeting that's
8 scheduled with E-Comm and missing persons, and you
9 actually attended that meeting.

10 A Is the document here?

11 Q Yeah, I will direct you to it. These page numbers
12 make things complicated, but it is -- the top of
13 the page says VPD-035-000090.

14 A I'm sorry, I'm just trying to --

15 Q That's okay, this tab is somewhat complicated.

16 A It's 00 --

17 Q 90 at the top?

18 A 98?

19 Q No, nine-zero. It comes right after a proposed
20 operations procedure document.

21 A Yes, I have it.

22 Q Okay. Now, that e-mail is copied to you, you'll
23 agree with me?

24 A Yes.

25 Q And it says:

1 VPD missing persons procedures discussion for
2 September 19, 2000 with an effort to
3 streamline the process.

4 Is that right?

5 A Yes.

6 Q Okay. And you're invited?

7 A Yes.

8 Q And E-Comm is invited?

9 A Yes.

10 Q Dispatchers. a whole number of people are
11 invited; correct?

12 A Yes.

13 Q Ms. Dicks, do you recall being at that meeting?

14 MS. CAMERON: No, I think they probably would have sent a
15 detective.

16 MS. NARBONNE: Okay. Maybe she can answer. Do you recall
17 that?

18 MS. DICKS: I would not have been privy to that meeting, I was
19 an operator, I was not a manager.

20 MS. NARBONNE: Okay. Thank you.

21 MS. DICKS: I was not involved in policy.

22 MS. NARBONNE: Okay. And were you aware of these kinds of
23 things as they went on or would the policy just
24 then be introduced to you?

25 MS. DICKS: I was aware that there were issues with

1 streamlining the process, that it was cumbersome,
2 and that plans were being made to change it.
3 Nothing beyond that.

4 MS. NARBONNE: Okay. Thank you.

5 Q And, Ms. Cameron, go to the next page there's
6 actually minutes from that meeting of September
7 19th, 2000, and it appears you were present. Do
8 you agree? Yes?

9 MS. CAMERON:

10 A Yes.

11 Q Okay. And then the very next page is a lengthy, I
12 don't know if this would have been an e-mail or a
13 letter, Mr. Gratl pointed you to that you agreed
14 you wrote, and it's clear you wrote it because it
15 starts at the top about missing persons being very
16 important to you personally.

17 A Yes.

18 Q Right. So this is yours; right?

19 A Yes.

20 Q And if you go to the second page just above the
21 last paragraph it says:

22 Just this morning, September 20th, I had two
23 cases.

24 So you wrote this the day after that meeting;
25 right?

1 A Okay. Yes.

2 Q Do you agree with me?

3 A September 20th, yes.

4 Q Okay. And you make a number of recommendations
5 respecting the policy, recommended changes to the
6 missing persons procedures; correct?

7 A I'm writing a memo of my concerns, yes.

8 Q And you made recommendations of changes to missing
9 persons procedures?

10 A I can only put my thoughts down on paper and give
11 them to my NCO and then it's up to him to make --
12 it's up to the higher ups to make recommendations
13 or changes to policy, I can't do that.

14 Q I'm suggesting -- okay. Maybe it's wording. You
15 made suggestions to them of some changes. Do you
16 agree?

17 A Of the ways that the system might be more
18 efficient, yes.

19 Q And you suggested that a line be added to the
20 current procedures to alleviate future problems;
21 right? So these are suggestions you made.

22 A Yes.

23 Q So we can call them what we want to call them, but
24 you actually made -- well, you had been at the
25 meeting, you had concerns about the new process,

1 you made suggestions; right?

2 A Yes.

3 Q And if you keep going on in that same tab after
4 the end of your letter there's a draft
5 recommendation of changes. Do you know who wrote
6 that?

7 A No, I don't.

8 Q Okay. Going past that there's further e-mails
9 about how things actually work, and at the top of
10 the page is 91. It starts an e-mail or the top of
11 the e-mail September 21st, but it's a series of
12 e-mails between you and a Daryl Wiebe?

13 A Yes.

14 Q Who is Daryl Wiebe?

15 A I think he was in charge of E-Comm.

16 Q Is he a police officer or a --

17 MS. DICKS: He's a police officer.

18 MS. CAMERON: Wait a second.

19 MS. NARBONNE: He is a police officer?

20 MS. DICKS: He's a police officer. I believe at the time that
21 E-Comm started up he was a sergeant. He may have
22 a higher rank now. And he's very familiar with
23 procedures at E-Comm. His spouse was one of our
24 team managers.

25 MS. NARBONNE: Okay. Thank you.

1 Q So, Ms. Cameron, if you look at the series of
2 e-mails it appears that Daryl Wiebe sends an
3 e-mail explaining there's been changes and you're
4 cc'd on this. There's minor changes to how E-Comm
5 will handle VPD missing person reports, and he
6 attaches a report according to this e-mail. Do
7 you see that at the bottom of page 1?

8 MS. CAMERON:

9 A Yes.

10 Q Okay. And you agree you were cc'd on this?

11 A Yes.

12 Q Okay. And then you write back and say the only
13 thing I have a problem with, and you tell him that
14 you have a problem with something, and they might
15 want to be rethinking it; right?

16 A Just my suggestion, yes, my concerns.

17 Q Okay. What you say is:

18 The only thing I have a problem with is...
19 You don't say these are my suggestions or my
20 concerns, you simply say the only thing I have a
21 problem with; right?

22 A Yes.

23 Q And then you add:

24 You may want to rethink this.

25 A Yes.

1 Q And then you send a further e-mail explaining some
2 things about how -- how the E-Comm things are
3 working and the duplications that you're
4 experiencing; right?

5 A Yes.

6 Q And then you went further on September 22nd and
7 told Mr. Wiebe that not only you don't agree with
8 the procedures, but someone named Donna Cope
9 doesn't agree with the procedures, and other team
10 managers; right?

11 A Yes.

12 Q So you were very candid in your views, you were
13 happy to tell the police officer what you and the
14 other people thought should be done; right?

15 A Yes.

16 Q Okay.

17 A But, no, I'm not telling them what we thought
18 should be done. We were expressing concerns
19 because it's very -- when you're in the -- when
20 you're in a position within the department and
21 they're going to be changing policy they do look
22 for input from the people in the section because
23 they have to make sure that -- because people who
24 are making the changes and writing the policy
25 don't work in those offices.

1 Q Okay. Well, yeah, I'm just not seeing that in
2 e-mails. I see an e-mail sent to all of you
3 telling you these are the changes. Not asking for
4 your input, just saying this is the way we're
5 going to do things now, you writing back saying
6 yes, but I don't agree with you, and then when
7 they aren't giving sufficient attention to your
8 not agreeing with them you say:

9 I spoke to Donna Cope yesterday, she
10 disagrees as do other team managers, and most
11 operators I've spoken to, and so does
12 planning and research, they believe they
13 should be kept there for...

14 You're talking about how long forms are kept
15 somewhere, right, that's what this is all about?

16 A Yes.

17 Q It's just a matter of where are you storing your
18 forms that this is all about and for how long;
19 right?

20 A Okay.

21 Q So you call these just suggestions based on their
22 request for input, or how are you characterizing
23 this series of e-mails?

24 A Well, I mean, as it showed earlier I mean I sent
25 e-mails to my sergeant. She's suggesting DNA

1 collection or getting an off-line printout for the
2 bodies. It was just something that you make the
3 suggestion to try to make the office work better.

4 Q And in this case they had had a meeting, there
5 have been a series of e-mails, then a meeting, new
6 procedures were put in place, you were told what
7 they were, and you were telling them I don't agree
8 with your procedures; right?

9 A Yes.

10 Q Okay. And your e-mails give detailed descriptions
11 of yellow forms and white forms and --

12 A Yes.

13 Q Okay. At one point you actually even went so far
14 as to phone a police officer and tell him how to
15 fill out his forms, right, for missing persons,
16 'cause they had taken a call and you didn't like
17 the way the form had been filled out, you called
18 E-Comm and E-Comm told you if you want to complain
19 talk to the officer yourself. Do you remember
20 that?

21 A No, I don't. But I had been asked by my sergeant
22 at one point, two police officers were working on
23 a case and she came to me and she asked me if I
24 could go down and give them some advice because
25 they were dealing on a parental abduction. They

1 were sitting in the homicide office, I went down
2 there to help them and to talk to them, and they
3 had never even taken the missing person reports on
4 the children who had been abducted so that had to
5 get done right away. But police officers on the
6 street did not fill out missing persons reports.

7 Q Okay. I'll take you to the e-mail of October
8 26th, so if you just continue on in these e-mails.

9 A October?

10 Q 26, 2000.

11 A Is that in the same tab?

12 Q Yes, it is. There's a 98 at the top of the page.

13 A Okay.

14 Q 'Cause the way the e-mails are we always have to
15 read them backwards, but it starts with October
16 25th where you send an e-mail to Daryl Wiebe and
17 Geramy Field about some reporting. Daryl Wiebe
18 responds to you that yes, you're right, that's the
19 way it's supposed to be done. And then you
20 respond:

21 Thanks Darryl. The incident numbers are ...
22 which I requested E-Comm change. The team
23 manager told me I had to contact the PC
24 Fenton myself and request he do it, which he
25 did.

1 So you actually phoned a police officer and told
2 him to change a form; right? Does that refresh
3 your memory?

4 A Well, if it was the wrong incident number in the
5 police computer I probably would have notified him
6 to give him the right number.

7 Q Okay. So you follow the police officers up?

8 A But I'm not instructing him, I'm just giving him
9 the right number so he's got it for his records,
10 because if he's working on the file he's got to be
11 able to enter his information into the correct
12 incident number.

13 Q Did you request a police officer to do that, yes
14 or no?

15 A It says here that I did. But I didn't request him
16 to do anything, I just gave him information that
17 -- I gave him the correct incident number instead
18 of the one that he had.

19 Q Your e-mail says you contacted the police officer
20 and requested he do that. Do you agree that
21 that's what the e-mail says?

22 A It says the incidents are, and the numbers are
23 there which I requested E-Comm to change back.
24 The team manager told me I had to contact the PC.
25 I was told by the team manager to contact the PC

1 myself and request that he do it, which he did.

2 Q Right. So that's what happened; right?

3 A Yes, but I was directed to contact him by the team
4 manager from E-Comm.

5 Q Well, the team manager told you if you wanted it
6 changed you could make the phone call. That's
7 really what happened; right?

8 A I'm sorry?

9 Q What really happened is you wanted this changed,
10 E-Comm said look, if you want it changed you call
11 the officer.

12 A I'm thinking that the incident number that
13 originally was issued was incorrect, and they
14 changed it to the correct one and then he wanted
15 me to call the PC and give him the right one.
16 That's all I remember is what I can see what's
17 here.

18 Q And ultimately the last e-mail on this is the
19 members say if you want to talk to the E-Comm
20 operators to tell us what to do and vice versa,
21 right, that's how this ultimately played out? Do
22 you see the very top e-mail on that?

23 A Yes.

24 Q How this ultimately played out is it's not up to
25 E-Comm to tell the police how to do their job,

1 E-Comm can correct the numbers if they need them
2 corrected. That's how it played out ultimately?

3 A I don't know the policies at E-Comm.

4 THE COMMISSIONER: Don't answer the question. Yes.

5 MS. BATEMAN: I'm Karlene Bateman, counsel for Sandra Cameron.

6 Perhaps Ms. Cameron could have time -- it's a
7 stream, there's three e-mails, and perhaps it
8 might help her if she read the first, 'cause she
9 was put to the second.

10 THE COMMISSIONER: I agree with you. I thought she had the
11 e-mail before.

12 MS. NARBONNE: I think she does.

13 MS. BATEMAN: She does, but the one that Ms. Narbonne was
14 referring to is the second one. There's one
15 before on the next page which might give some
16 background.

17 MS. NARBONNE: We've been actually doing them in order. We
18 started at the last.

19 THE COMMISSIONER: Do you have all the documents that counsel
20 is referring to? We'll take the morning break
21 here.

22 THE REGISTRAR: The hearing is now recessed for fifteen
23 minutes.

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

25 **(PROCEEDINGS RESUMED AT 11:20 A.M.)**

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

2 THE COMMISSIONER: Go ahead.

3 MS. NARBONNE: Thank you.

4 Q Ms. Cameron, you've had a chance to look at that
5 e-mail?

6 A Yes. I've had a chance to look at the first
7 e-mail which instigated all the other e-mails,
8 yes.

9 Q And you looked at all the other e-mails?

10 A Yes.

11 Q Okay. What this whole flurry of e-mails was about
12 was a police officer changing the call type; is
13 that right?

14 A Yes, he changed it from a missing persons to an
15 assistance -- I think he called it -- he says:

16 It was my understanding that when a missing
17 person report is taken at E-Comm that it
18 stays as a missing person regardless of a
19 patrol unit requesting it be changed to
20 assistance requested or breach, which has
21 happened in two instances in the last two
22 days. I received the missing persons report
23 and when I check on CAD I see that they have
24 been changed. If I am incorrect on this
25 please let me know.

1 Q Okay. My question is though what happened is he
2 changed the type of call; right?

3 A Yes, he --

4 Q I don't need you to read it to us 'cause we all
5 have the documents in front of us.

6 A Oh, sorry.

7 Q Okay. So that was what this flurry of e-mails was
8 about; correct.

9 A Yes.

10 Q And ultimately it resulted in a memo that says:
11 The ultimate responsibility for the call lies
12 with the member, not the operator. Generally
13 the member has more knowledge/information on
14 the call than the operator does.
15 Right? That's in that e-mail? The very top of
16 the page 98, the first paragraph, the last
17 sentence in there. Do you agree with me?

18 A Yes.

19 Q And at the same time they acknowledge that E-Comm
20 and people taking these missing person reports had
21 more knowledge of how the system worked; right?

22 A I assume so, yes.

23 Q Okay. And then again at tab 11, the very first
24 page, there's a memo to Jim Chu from you; is that
25 right? Tab 11.

1 A Oh, sorry.

2 Q That's okay.

3 A Tab 11, a memo.

4 Q It says attention Jim Chu. Is that at tab 11 in

5 your book?

6 A No.

7 Q I'm going to read you this because I've put my own

8 book together and I may have mis-tabbed it, and

9 just tell me if you recall this.

10 MR. DICKSON: It's tab 9.

11 MS. NARBONNE: Thank you.

12 Q It's tab 9. Thank you.

13 A Oh, I have it now, yes.

14 Q I appreciate my friend's assistance. And who was

15 Jim Chu at that time?

16 A This is terrible, because I don't have a date on

17 this either, but I guess it relates to those other

18 e-mails.

19 Q Okay.

20 A He --

21 Q What was his role; do you recall? He's a police

22 officer of some sort; right?

23 A Well, he's the chief now.

24 Q Yes, I know that.

25 A I think he was in charge of the, I'd be guessing,

1 the Information Section. I'm not sure.

2 Q He was a police officer and --

3 A Of rank.

4 Q And because we don't have a date on this we can't
5 say for certain what his rank was at the time.

6 A Yes.

7 Q But again this relates to your discussions with
8 E-Comm, and you've had probably a dozen
9 conversations with different team members to get
10 this sorted out, and it's to do with the
11 paperwork; right?

12 A Yes.

13 Q So I'm going to suggest to you that you looking at
14 all those documents as a whole, and I appreciate
15 it's been a time, it's apparent that in 2000 you
16 had a meeting that included E-Comm related
17 specifically to missing person policy; right?

18 A Yes.

19 Q And you were very aware of that because you
20 followed it up by a series of suggested changes;
21 right?

22 A Yes.

23 Q And you also expressed concerns about things when
24 they seemed to be falling off the rails; correct?

25 A Yes.

1 Q So when you tell us that you didn't know what
2 E-Comm was doing, that's not accurate because you
3 all were operating under the same policy; right?
4 You knew that from the meeting?

5 A Yes, but I can answer yes, they should be doing
6 the policy and following the procedures, but
7 whether that was done I don't know.

8 Q Well, it looks to me, and you would agree would
9 you not, that you were in fairly regular contact
10 with E-Comm through these e-mails, your comments
11 in them, spoke with them at least a dozen times?

12 A I was during this time because of the issues that
13 were being discussed, but after that the only
14 times I would ever contact E-Comm, and I think
15 that my lawyer has documents that were not
16 introduced of me sending messages going well, this
17 report was incomplete or this was wrong or change
18 this and that, yeah.

19 Q But you were all subject to the same policy,
20 right, with respect to missing persons?

21 A Yes. It would be in the policy and procedure
22 manual, yes.

23 Q Okay. And you knew that 'cause you were at that
24 meeting?

25 A Okay. Yes.

1 Q You agree with me?

2 A Yes.

3 Q Okay.

4 A But I don't know if the final recommendations had

5 come out of that meeting.

6 Q Okay. And I'm just going to get back to what in

7 my book appears to be the last part of tab 10.

8 And this is, if I'm on the right page, it starts

9 at VPD-035-000110?

10 A Under which tab number?

11 Q Tab 10.

12 A 005?

13 Q It ends in 110.

14 A Supplementary report?

15 Q Yes.

16 A Okay.

17 Q Okay. And that appears to be, if you look at the

18 bottom of the page, is the documents related to

19 revision of VPD missing persons policy in 2000;

20 right?

21 A Yes.

22 Q Okay. And there's a flowchart; right? Do you see

23 that flowchart?

24 A Yes.

25 Q It's complicated. Have you ever seen it before?

1 A No.

2 Q Okay. That flowchart which is part of that policy
3 includes the 24 hour rule is relaxed to a certain
4 extent to allow suspicious circumstances, signs of
5 foul play or other extenuating circumstances to
6 override the 24 hour policy; right?

7 A Yes.

8 Q And then that is actually discussed in the
9 following pages which talk about procedure. And
10 you've got a little note on there saying:

11 Written in 2000?

12 Do you see that?

13 A Yes.

14 Q And then the very last page is an e-mail that is
15 cc'd to you March 8th, 2001 from Geramy Field. Do
16 you see that?

17 A Yes.

18 Q And Geramy Field says:

19 I do not think it would be too onerous to
20 disregard the 24 hour wait period and take a
21 report when it comes in. It would be better
22 to get going on it asap rather than waiting
23 24 hours.

24 Right?

25 A Yes.

1 Q So it sounds to me like that 24 hour rule actually
2 was relaxed. Do you agree with me?
3 A Yes. I thought it had been relaxed years
4 previous, but I was incorrect on this one.
5 Q Okay. So I'm going to suggest to you that firstly
6 things were changing, the rule did relax by 2000;
7 right?
8 A I don't know. You'd have to check with someone
9 who works in the centre, I don't know.
10 Q Sorry.
11 A I mean --
12 Q In 2000 you worked there; right?
13 A Yes.
14 Q Okay. And in 2000 that memo says we're relaxing
15 the rule?
16 A Yes.
17 Q Okay. So in 2000 --
18 A The rule should have been followed.
19 Q Right. And your understanding is that everyone
20 was working out of the same book?
21 A Yes, my understanding was that.
22 Q Yes. You've told us you never refused to take a
23 missing person report; right?
24 A No.
25 Q You did refuse or you didn't refuse?

1 A No, I did take missing persons reports in
2 extenuating circumstances.

3 Q Okay. Yesterday in your evidence I thought you
4 actually said I'd never refuse to take a report.
5 Am I right or am I wrong about that?

6 A I don't understand.

7 Q Did you ever refuse to take a report?

8 A Can you give me all of the context of that
9 statement?

10 Q Did you ever refuse to take a missing person
11 report, like point blank refuse?

12 A I'm sorry, I can't hear you.

13 THE COMMISSIONER: I can't hear you, you're off mike.

14 MS. NARBONNE: Sorry. Sorry. I will find it.

15 Q Did you ever point blank refuse to take a missing
16 person report?

17 A No, I would refer them to the communications
18 centre.

19 Q Okay. So you wouldn't take a report, but you
20 wouldn't point blank say I'm not taking it?

21 A No.

22 Q You would send them on?

23 A No, no.

24 Q Okay. I have a couple of things I want to touch
25 with you and then we will end there. You talked

1 about that e-mail at tab 33 where you talk about
2 sex workers and hookers. Do you remember that?

3 A Yes. And that was an error on my part.

4 Q What do you mean it was an error on my part?

5 A Because I think at that point people were becoming
6 a little more -- certainly I was trying to be
7 aware of what the proper terminology should be
8 that when you're addressing people, and that was
9 wrong. If I had really, really thought that -- I
10 mean this was serious when I said oops, sorry, I
11 meant that, and if I hadn't I would have just back
12 spaced and deleted.

13 Q Well, that's what I'm asking you, why didn't you
14 just back space it and delete it, why did you send
15 an e-mail referring to these people as hookers?

16 A Because I had made -- and I admit I made a mistake
17 there and I just put oops, sorry.

18 Q Why didn't you hit back space instead of oops,
19 sorry?

20 A Because, you know, I'm just -- I don't have an
21 answer for that, but it was a mistake. People
22 around the building the word was flying left,
23 right and centre with everybody. I wanted to
24 show -- maybe I didn't change it because I was
25 trying to make an effort, and I was changing, and

1 that word was not part of my regular vocabulary.

2 Q But you did edit e-mails routinely, did you not?
3 You just didn't type and send all the time, did
4 you?

5 A Pardon me?

6 Q You would edit e-mails routinely, wouldn't you?
7 Like you're writing an e-mail and you change
8 something and you --

9 A Yes.

10 Q Okay. Thank you. Your counsel covered with you
11 that there were lots of complaints from a lot of
12 different people; correct?

13 A Yes.

14 Q And you've talked in your letter about -- about
15 allegations against you of racism, correct?

16 A Yes.

17 Q And you've told us that you certainly never got
18 any cultural sensitivity training. Did you ever
19 ask for any?

20 A No.

21 Q And then when you left your position you did that
22 letter at tab 40; correct?

23 A Yes.

24 Q Explaining it. And this is in the face of a
25 number of complaints about you; right?

1 A Yes.

2 Q The family meetings had just occurred; right?

3 A Yes.

4 Q And you are responding to that in your letter;
5 right?

6 A Yes, to a meeting I've had with --

7 Q And at the end of the letter before the
8 attachments at page 4 you don't say anything about
9 leaving because of a four day work week or any of
10 that?

11 A No.

12 Q You say:

13 After 22 years I am leaving missing persons.
14 This complaint did have some impact on me and
15 possibly resulted in my final decision to
16 leave.

17 A Yes.

18 Q Is that right?

19 A Yes.

20 Q So, in fact, you left in the face of numerous
21 complaints that had been levelled against you; is
22 that right?

23 A I left because of complaints that were mentioned
24 to me, but I had -- by the time I wrote this
25 report I had already received the new position.

1 Q Right. But the letter that you wrote you
2 attribute in part your leaving to those
3 complaints?

4 A Yes. Well, the whole letter explains how I felt
5 that I was very uncomfortable with where things
6 were going, and the complaints certainly were an
7 issue with me, and they did continue.

8 Q And of course, one last thing, your job
9 description besides detailing a number of things
10 that you were to do required you to be capable of
11 maintaining a positive working relationship with
12 both civilian and sworn staff; is that correct?

13 A Yes.

14 Q You'll agree that your complaints weren't just
15 coming from the public?

16 THE COMMISSIONER: Complaints what?

17 MS. NARBONNE:

18 Q The complaints weren't just from the public, they
19 were also from people in the department; is that
20 right?

21 A There have been many, many allegations made
22 against me by people within the Vancouver Police
23 Department, there was no documentation, these were
24 not raised with me on many, many occasions, and I
25 believe in truth when I made a complaint of sexual

1 harassment against a staff sergeant I put myself
2 in a very precarious position. And people have
3 been allowed for the last year to make all sorts
4 of comments about me in the paper saying well, we
5 heard she was difficult, and this is from sworn
6 members I heard this or I heard people had had
7 problems or I heard they had been trying to move
8 her out of there for years. I applied for other
9 jobs. Why didn't they pursue it and get rid of
10 me? Why did they keep me there, even after I was
11 successful in getting another job keep me there
12 for 30 more days? They could have let me go
13 immediately. I have real -- and I have to say the
14 department has made numerous allegations against
15 me, people have made allegations against me,
16 anyone can say whatever they want. And last night
17 Deborah Hope used a word that I have been vilified
18 in the media, and I have.

19 Q Thank you.

20 A And I'm not up here to sit here and say how bad
21 someone else is.

22 Q Ms. Cameron, look --

23 A But I have been the target. I'm sorry.

24 Q I don't know how responsive that was.

25 A I'm sorry, it's just that --

1 THE COMMISSIONER: Let her answer the question.

2 MS. CAMERON: It's just that people have been allowed to say
3 any and everything they want about me and not have
4 any documentation to back it up. I responded to
5 the Freda Ens complaint with documentation that
6 proved I did work hard on the grandmother's twelve
7 year old granddaughter. I have five pages of
8 documentation on that complaint that were never
9 submitted.

10 MS. NARBONNE:

11 Q Ms. Cameron, do you take any responsibility for
12 the difficulty that people had in lodging
13 complaints of missing persons?

14 A I would say that if the problem had continued -- I
15 take responsibility for a lot of things that I
16 have done. I take responsibility for the fact
17 that not all the phone calls went well. I take
18 responsibility for many, many issues, but when
19 someone calls and wants to report someone missing
20 and then I have to explain the procedure and they
21 do it, I'm going to say that the majority of the
22 time they never call back to report them missing
23 I assume the report was taken.

24 Q So is that a yes or a no?

25 A I'm sorry, I can't remember the question. I do

1 take responsibility for what I did in my work at
2 Vancouver Police Department, yes, I do.

3 MS. NARBONNE: Thank you, those are my questions.

4 THE COMMISSIONER: Mr. Dickson.

5 MR. DICKSON: Yes, Mr. Commissioner, Tim Dickson for the
6 Vancouver Police Department. I'm going to direct
7 my questions first to you, Ms. Dicks, and then to
8 you, Ms. Cameron.

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

10 Q Ms. Dicks, you were at the VPD comm centre from
11 1995 until the transition to E-Comm; right?

12 Ms. Dicks:

13 A Correct.

14 Q And from January of 1997 until October of '98 you
15 were on mat leave?

16 A I believe I was first on sick leave. I was having
17 a difficult pregnancy, I did end up in the
18 hospital just before Christmas, and I don't
19 believe I returned. So there may have been some
20 sick time in there before my official mat leave
21 began.

22 Q Okay. You were away from the comm centre for that
23 period of time?

24 A Yes.

25 Q And it would be shortly after October of '98 that

1 the transition to E-Comm occurred?

2 A June of 1999, correct.

3 Q Thank you. You were in the comm centre for
4 something over two years?

5 A Yes.

6 Q Were you full time or part time through that
7 period?

8 A I was initially hired as auxiliary, as was
9 everybody, and the rule back then was you were to
10 log 1500 hours as auxiliary before you qualified
11 to compete for a full-time position when they
12 became available. The first or second time I
13 believe one became available I then was successful
14 in attaining a full-time position.

15 Q And when was that?

16 A Oh, maybe January of 1997. Don't quote me on
17 that. I was there for just over a year, so
18 October '95, yeah, it would be January '97.

19 Q January of '97 when you went on maternity leave?

20 A No, I went on maternity leave in 1998 when my son
21 was born. So it would have been from December or
22 so of '97.

23 Q Oh, I see.

24 A My son was born in March of 1998, and I returned
25 in October of 1998.

1 Q Okay. Your will say, Ms. Dicks, do you have a
2 copy of it in front of you?

3 A I have it in my purse if you want to hang on for a
4 second.

5 Q Certainly. You have it?

6 A Yeah.

7 Q On the bottom of the first page it says this:

8 When she worked in the VPD dispatch between
9 1995 and 1999 she had a minimum of ten
10 reports from friends or family members of the
11 missing women who called 9-1-1 in an attempt
12 to file a missing persons report.

13 And I just want to ask you about that. I read
14 that correctly?

15 A Yes.

16 Q But it's not a totally correct statement, I think,
17 and what I mean by that is that not all of these
18 ten reports you're referencing there are of the
19 missing women you see to your left?

20 A No.

21 Q No. What you mean to say, I think, is that there
22 were calls in respect of sex workers; yes?

23 A Yes, the women from the Downtown Eastside area who
24 were missing. Whether they were sex workers or
25 not I can't remember specifics.

1 Q I see. You're not sure whether they were sex
2 workers?
3 A No.
4 Q I see.
5 A Missing women from the Downtown Eastside.
6 Q Okay. They were women missing from the Downtown
7 Eastside?
8 A M'hm.
9 Q They were not necessarily the missing women?
10 A That's correct.
11 Q But I think yesterday you did say that you took
12 two calls in respect of women we referred to as
13 the missing women?
14 A It's been confirmed I've taken two reports of the
15 women whose DNA was found on the Pickton farm.
16 Q And those are Cindy Feliks and Patricia Johnson?
17 A Correct.
18 Q Yesterday I have a note of your evidence that says
19 this:
20 I believe when I was at the VPD I spoke to at
21 least ten families who were trying to report
22 aboriginal women missing.
23 Do you remember saying that?
24 A Yes.
25 Q And then you spoke of Cindy Feliks and Patricia

1 Johnson as being two of the missing women?

2 A Yes.

3 Q Why do you say that they were aboriginal?

4 A Probably simply because the majority of the
5 missing women whose DNA was found on the Pickton
6 farm were of aboriginal descent.

7 Q I see.

8 A And so it's an easy slip to go from missing women
9 in general who were located in the Downtown
10 Eastside area to being aboriginal.

11 Q Right. You accept some were likely aboriginal and
12 some were not?

13 A Exactly.

14 Q And because when I look at your report in respect
15 of Cindy Feliks and your report in respect of
16 Patricia Johnson, neither of them were aboriginal?

17 A I'd have to look at the report to see. I'm sorry,
18 I can't confirm or deny.

19 Q If you wish it's tab 25 and tab 27 of the binder.

20 A In this book?

21 Q Yes.

22 A Twenty-four and 25?

23 Q Twenty-five and 27.

24 THE COMMISSIONER: So why do you want her to look here?

25 MR. DICKSON: Just to --

1 THE COMMISSIONER: To show that they're not aboriginal?

2 MR. DICKSON: Well, that's correct.

3 THE COMMISSIONER: Well, can't she just agree that they're not?

4 MR. DICKSON: Yes.

5 MS. DICKS: I can't dispute that they are or not.

6 THE COMMISSIONER: That Cindy Feliks and Patty Johnson were not
7 aboriginal. Does everybody agree in that?

8 MR. DICKSON: Yes.

9 THE COMMISSIONER: All right.

10 MR. DICKSON: Thank you.

11 Q Now, Ms. Dicks, of the ten calls that you took in
12 respect of women from the Downtown Eastside, how
13 many were there where the reportee did not notice
14 the sex trade -- sorry, the woman's home address?

15 A I would have to say if I did not take the report
16 because there was no fixed address then it would
17 be -- then it would be all of them.

18 Q Are you saying that of these ten reports all of
19 them you did not take -- of these ten calls all of
20 them you did not take the report?

21 A Well, clearly two of them I have.

22 Q Indeed, that's my question.

23 A So --

24 Q So I want to get your evidence on this. On the
25 ten calls that you were referencing is it your

1 evidence that none of those did you take a report
2 for?

3 A Correct. With the exception of these two, I took
4 a report for these two, so eight.

5 Q Right. There may be others?

6 A There would be eight that I turned away for
7 purposes of no fixed address.

8 Q I see.

9 A Or it was not immediate family member who was
10 making the complaint. Yes, absolutely I was
11 complicit in part of the problem. Absolutely.

12 Q Well, that's not my question. Now, of those eight
13 calls where the family did not know an address, I
14 think I heard you say yesterday that you would ask
15 the family if they were on -- if the woman was on
16 welfare, because if she was then they could call
17 welfare and find out if welfare had an address and
18 then they could report that?

19 A Yes, I was looking for a way in which we could get
20 a report taken, absolutely.

21 Q Yes. And once you advised them of that fact then
22 they would go and perhaps do that, and they might
23 call back, and if they called back odds are they
24 went to a different operator; is that right?

25 A I was one of ten or twelve women in the room, yes.

1 Q And those calls may have ended up in a reported --

2 A They may have.

3 Q In a report?

4 A They may have.

5 Q On occasion you would receive a call from a family
6 member who was simply unable to get an address for
7 a family member?

8 A Yes.

9 Q And you were then supposed to apply this policy
10 and the report would not be taken and they would
11 told to contact the Missing Persons Unit?

12 A Yes. I would usually at that point approach
13 whichever sergeant was on duty and give them the
14 details that I had and ask for their advice. I
15 was on at least one occasion told to have the
16 family member come to the front counter at the PIC
17 and to ask to speak to someone from missing
18 persons there if they were being really insistent.
19 When I did so and the family member did come to
20 312 later the next day it came back at me from
21 that same sergeant giving me heck for having
22 actually done so.

23 Q Yes, we have heard that. As you were saying there
24 you would sometimes go to your sergeant about that
25 policy?

1 A M'hm.

2 Q And you received some comments back from sergeants
3 that you have spoken about that you took offence
4 to, and you stated that one was from Sergeant
5 Joyce and one was from Sergeant Yeoman?

6 A Correct.

7 Q Do you recall any other instances where you raised
8 the issue of this no fixed address policy and that
9 you were dissatisfied with that policy and the
10 sergeant said something to the effect of being
11 dismissive of sex workers?

12 A Any other instances?

13 Q Yes.

14 A This happened an awful lot.

15 Q Yes. Can you name -- can you name any other
16 sergeant?

17 A No.

18 Q You've spoken of the incidents relating to
19 Sergeant Joyce?

20 A Yes.

21 Q And you've attributed words to him?

22 A Yes.

23 Q And the same with Sergeant Yeoman?

24 A Yes.

25 Q And I'm asking you are there any other instances

1 or any other persons that you can remember?

2 A It's -- the problem is remembering the officer's
3 name, that's where the issue comes in. I worked
4 most with Sergeant Joyce and Yeomans, and to be
5 really, really clear at the time that that was
6 happening it was frustrating to me that I couldn't
7 take a report, but I was as complicit in the
8 comments or remarks and that general culture as
9 everybody else was. I'm not the angel here who
10 tried to say that I'm not responsible for this.
11 Not at all. I specifically remember laughing at
12 some of the mimicry. It was awful. When I look
13 at it now and I go oh, geez, how could I have done
14 that. Yes, I remember those officers' names
15 because I worked with them the most, but honestly
16 I had to ask and recollect after having my first
17 interview with Robyn Gervais, I could not remember
18 Sergeant Yeoman's name, so I had to go scramble
19 around and try to find out amongst friends whom I
20 worked with there what his name was.

21 Q Yes, and how many sergeants did you have during
22 your time in the VPD comm centre?

23 A Oh, five, six, eight.

24 Q And can you recall their names?

25 A No.

1 Q And there were about 125 sergeants in the VPD at
2 the time. You accept that?

3 A Okay. I have no evidence to prove otherwise.

4 Q There were about 200 corporals in the VPD I'm told
5 at that time?

6 A Okay.

7 Q The only place in the VPD that you worked, I
8 understand, was the comm centre?

9 A Correct.

10 Q You've been watching the proceedings off and on at
11 least since they began in October?

12 A I've seen some of the news, yes.

13 Q And just referenced just a moment ago that you
14 came forward to Robyn Gervais, did you not?

15 A I was in class at Kwantlen and a BC Civil
16 Liberties lawyer by the name of David Eby was
17 speaking, a guest speaker, he began speaking about
18 the Pickton matter, and as is my habit I was front
19 and centre, it's a very emotional matter for me,
20 and he saw the look on my face. He approached me
21 during the break and we started having a
22 conversation. He asked me if I was willing to
23 have a conversation with Robyn Gervais, and I said
24 yes, so we went from there.

25 Q Did Ms. Gervais ask you if there are other

1 individuals that you knew who would speak about
2 these things that you've spoken about in the comm
3 centre?

4 A No.

5 Q And the comm centre, I think you described it as a
6 dungeon; is that right?

7 A At 312, yes.

8 Q And this was not a large room?

9 A No.

10 Q There were maybe eleven to thirteen operators in
11 there at any one time?

12 A Plus dispatchers, yes.

13 Q And how many dispatchers were there?

14 A Four, plus a chief dispatcher who was a corporal.

15 Q And the sergeant was sitting in the room as well?

16 A Yes.

17 Q It was a cramped environment?

18 A Yes.

19 Q Can you name any other employee that you know of
20 who observed the things that you have said about
21 the comm centre?

22 A That would be hard to say. I'd have to pin it
23 down to an exact day and which team was I working
24 with. You know, and this leads back to it was a
25 general culture. I was as much a participant in

1 it as many of the other women were whether we
2 liked it or not.

3 Q You have not spoken to any of them about these
4 things?

5 A I have. I have spoken to several. They were not
6 people who worked at VPD, but later at E-Comm.

7 Q I see. You haven't spoken to anyone in the VPD
8 comm centre?

9 A A couple of them are on my friends list and we
10 have general chatter, but do I talk about those
11 days back in VPD? No, I don't.

12 Q You were in a union back then, I understand?

13 A Yes. Teamsters.

14 Q You had a supervisor who was a civilian and a
15 supervisor who was a sworn officer?

16 A The Comm III would have been a supervisor to me,
17 yes.

18 Q Did you ever file a grievance over the comments
19 you took offence to?

20 A No. You have to understand back in those days I
21 was as much complicit as everybody else was.

22 Q I see.

23 A It created in me an internal conflict that later
24 grew into my actually hating who I became. It
25 ruined my marriage. It caused all kinds of

1 problems for me in my personal life absolutely.

2 So, yes, I named those two people as those
3 comments are there, but, you know what, I probably
4 made some myself. So am I going to go and point
5 fingers at other operators who were also a part of
6 that culture? No.

7 Q You gave evidence yesterday about a young sex
8 worker who had been raped and --

9 A Yes.

10 Q -- that resulted in that exchange of messages with
11 the investigating officer which disturbed you?

12 A Yes.

13 Q And Mr. Hern asked you whether you could provide
14 the name of the victim or the officer or the date
15 of the incident because we wanted to see if we
16 could get that CAD report?

17 A Absolutely.

18 Q And you weren't able to?

19 A I was able to, and I believe I spoke -- I
20 responded to an e-mail that I received from Karey
21 Brooks late last night. I was able to nail it
22 down to it was when we were still on the old CAD
23 system before Alterus (phonetic) CAD the new
24 system went live, and it was on the instant
25 messaging that would go from station to station or

1 unit to unit. It was two years later that I
2 testified at the trial, and that happened before I
3 went over to fire, so I believe I went over to
4 fire in 2002.

5 THE COMMISSIONER: Mr. Ward?

6 MR. WARD: Mr. Commissioner, yes, I know that counsel for the
7 VPD throughout this hearing has been very
8 sensitive to issues of privacy. I just rise to
9 say that I know the name of the victim, I know the
10 details of the incident. I can provide those if
11 requested. I've obtained all that from Bonnie
12 Fournier, who I've had discussions with, and as
13 we've indicated to commission counsel repeatedly
14 over the last months Ms. Fournier is very familiar
15 with all of the events relating to this
16 commission's mandate, and has been seeking to
17 testify, wants to testify and wants to describe
18 her interactions with the police officers who were
19 supposed to be investigating the disappearances.
20 But I have that information, if it's needed for
21 some purpose I can certainly provide it, but the
22 woman's name should not be uttered in this public
23 forum, in this submission.

24 THE COMMISSIONER: Okay. I agree with you that if she's a --
25 if this is sensitive and she's an innocent third

1 party obviously her name should not be mentioned.

2 MR. DICKSON: Definitely not.

3 THE COMMISSIONER: All right.

4 MR. DICKSON: Definitely not. But I think my friend and I will
5 seek to --

6 MS. DICKS: Absolutely.

7 MR. DICKSON: -- obtain that information.

8 Q Now, I want to turn to Ted Yeoman. Based on your
9 interactions with him, as we heard yesterday, you
10 formed the view that he's racist towards
11 aboriginal people; is that fair?

12 A That's my view now of his behaviour then. Do I
13 know him now? No, I do not.

14 Q And you're absolutely certain that it was Ted
15 Yeoman who made the comments you attributed to
16 him?

17 A Yes.

18 Q And you've testified that he would imitate a drunk
19 aboriginal woman; correct?

20 A Yes.

21 Q And again you're certain that was him?

22 A Yes. I am also certain that I laughed at it.

23 Q Yeah, and I take it that it's your view that this
24 imitation Sergeant Yeoman did was sort of an
25 expression of his disrespect for aboriginal women;

1 is that right?

2 A Yes.

3 Q And Mr. Yeoman has been married to an aboriginal
4 woman for 20 years, reaching back even before that
5 time. I take it you had no idea of that?

6 A Nope.

7 Q I've spoken to Mr. Yeoman, he's in the gallery, we
8 will seek to have him called to testify, he
9 utterly denies the statements and the actions you
10 attributed to him, and so I put it to you that
11 you're quite incorrect about your testimony about
12 it?

13 A You know what, I remember what I remember from
14 those days, those are my experiences and my
15 memories, and I'm here today to testify. I'm not
16 getting anything out of this testimony. It's -- I
17 have no motivation. There is no motivation here.
18 There's no benefit to me coming forward and
19 speaking about the culture at VPD. This is but
20 one example of it. And I put down there and put
21 those peoples names on it, because those are the
22 names that I could remember saying those things.
23 We were all a part of that culture. All of us.
24 There are nasty things that I said back then that
25 I'm certain Sergeant Yeoman can attest to. You

1 know, did I know that his wife was aboriginal?

2 Absolutely not. Was he making reference to
3 aboriginal women in general? Probably not. He
4 was probably making reference to a situation that
5 I had come to his desk to ask for advice on. So
6 one doesn't have anything to do with the other.

7 Q I see.

8 A You know, if he is making reference and making a
9 joke about a drunk aboriginal woman I'm guessing
10 quite certain that his wife is not a drunk
11 aboriginal woman. She may be a very beautiful
12 woman who he loves and respects and has spent a
13 good portion of his life with. So one has nothing
14 to do with the other.

15 Q I see. So your testimony about him imitating an
16 aboriginal woman, that may have been a particular
17 incident that occurred?

18 A It would have been a particular incident,
19 absolutely. I would have come to him with a
20 situation, asked him for his advice and guidance
21 on it, and that would have been the response, yes.

22 Q I see. You say that you heard Ron Joyce say "Who
23 cares, it's just another hooker." Those are the
24 words that you attribute to him?

25 A Yes.

1 Q I spoke yesterday to Mr. Joyce, he's astounded to
2 hear you say that, and again we'll seek to have
3 him testify. And so I put it to you again that
4 you're quite wrong about his testimony or about
5 your testimony about him.

6 A Again, those are the words that I remember with
7 regards to my conversations with Mr. Joyce, or
8 sorry, Sergeant Joyce, comments such as that came
9 from Mr. Joyce on more than one occasion, and
10 again I was as complicit in it as they were.

11 Q You testified yesterday that there was a
12 regimental dinner which only male senior officers
13 were invited to. Do you recall that?

14 A I was asked if I was aware of it. Yes, I was
15 aware of it.

16 Q And is it your view that that's an illustration of
17 the sexism within the VPD?

18 A Well, if they're going to have a regimental dinner
19 in which only male officers are able and invited
20 to attend and the women are excluded that would be
21 sexism, wouldn't it?

22 Q It would.

23 A Yes.

24 Q What did you base your testimony on regarding this
25 regimental dinner?

1 A What do you mean?

2 Q Well, what's the basis of your knowledge of this

3 regimental dinner?

4 A That there were conversations about it during my

5 time at VPD in 312, I was aware that the dinner

6 was going on, I was aware that women were not

7 invited.

8 Q And with whom did you have these conversations?

9 A Oh, you know what, it could be any one of the

10 women that I was sitting with.

11 Q There were other operators?

12 A Yes.

13 Q Civilians?

14 A Yes.

15 Q Because the truth is that the VPD does not have

16 anything called a regimental dinner. It has a --

17 that's an RCMP term.

18 A Okay.

19 Q It has an officer's mess dinner.

20 A Maybe that's what it was then.

21 Q That's for the ranks of inspector and above.

22 A M'hm.

23 Q And it's not limited to men, and it never has

24 been. But you don't actually know anything about

25 that, do you?

1 A Pardon me?

2 Q You don't know about that, do you?

3 A I know what the conversations were going on around
4 there being a dinner for police officers, men
5 only, plain and simple.

6 Q Right.

7 A Whether it was called a regimental dinner or
8 whether it was called a mess dinner, you know.

9 Q And whether that was true or not you don't know?

10 A Well, no, I never attended, why would I know it?

11 Q Right.

12 A Yeah.

13 Q And just for the commissioner's sake I'll inform
14 you that in 1999 five female officers attended the
15 officer's mess dinner. You wouldn't know that?

16 A No, I wouldn't know that.

17 Q Currently 13 female officers are members of the
18 officer's mess.

19 A Okay.

20 MR. DICKSON: Ms. Cameron, I have just a couple of questions
21 for you.

22 Q Yesterday you testified that you were denied legal
23 counsel in your interview with Deputy Chief
24 LePard. Do you recall that?

25

1 MS. CAMERON:

2 A Yes.

3 Q And I understand that what happened there is that
4 you first stated to him that you would not attend
5 an interview without legal counsel present, and
6 then -- and he had no problem with that, he had
7 expressed absolutely no objection to that
8 whatsoever, and then you appeared to have changed
9 your mind and you attended the interview without
10 counsel anyway?

11 A My attorney has all of the e-mails that -- the
12 correspondence back and forth between Deputy
13 LePard and me. I did seek the advice of legal
14 counsel, who said it would be -- I'd have to
15 actually have my counsel enter those documents in
16 as evidence, because I'm not going to just try and
17 tell you off the top of my head, but the e-mail
18 that I received from Deputy LePard was that no,
19 because of the sensitive nature of the issues to
20 be discussed no. And my lawyer was actually
21 requesting a letter that be obtained from Deputy
22 LePard and he said -- as I said I'm just going
23 from recall, Deputy LePard says well, no one else
24 had asked for a letter, but if I wanted one he'd
25 give me one, but which I never received.

1 Q I see.

2 A It's a little complicated. As I said she has the
3 documents and didn't get the opportunity yesterday
4 to have them introduced yet.

5 Q Right. Well, I'll have a look at those documents
6 after.

7 A Okay.

8 Q I want to take you just quickly, one last thing,
9 to tab 15 of the binder. And if we go to the last
10 page -- Mr. Gratl was asking you about this. This
11 is the last page at tab 15 --

12 A Yes.

13 Q -- is the memo of Detective Steinbach?

14 A That's correct.

15 Q And he was taking you to the items one, two and
16 three there.

17 A Yes.

18 Q And he was suggesting to you that you and
19 Detective Steinbach were saying there needed to be
20 an additional detective and an additional
21 constable added to the Missing Persons Unit. Do
22 you recall that?

23 A I didn't say that. This is written by Detective
24 Steinbach, those are his opinions.

25 Q Yes, I'm asking about your exchange with

1 Mr. Gratl. I thought I heard you agree that that
2 was the gravamen of Detective Steinbach's memo,
3 that he was saying there should be a detective
4 added and a constable added?

5 A Oh, I'm agreeing with what Detective Steinbach
6 wrote, but I didn't write it, yes.

7 Q Yes, I understand that. Now, I just want to
8 clarify that when I read this I see at the bottom
9 paragraph Detective Steinbach says that:

10 The preference of the undersigned is of
11 course number one. With a permanent
12 detective assigned you can take the time to
13 learn the cases in depth, et cetera.

14 I read him as saying one, two and three are
15 alternatives to one another, and my preference is
16 to go with number one. Would you agree with that?

17 A Well, you'd have to ask Detective Steinbach.

18 Q Right. Detective Steinbach of course won't be
19 called, so I was just asking to clarify your
20 testimony with Mr. Gratl. So if we turn to the
21 front of this tab, this is Sergeant Barnard's
22 resulting memo to Superintendent Rollins?

23 A Yes.

24 Q If we go to the second page, second last paragraph
25 you'll see there it says:

1 I concur with Detective Steinbach's
2 recommendation that another full time
3 detective be assigned to assist him.

4 See that?

5 A Yes.

6 Q And again I read that as suggesting that the
7 recommendation was just for the addition of one
8 detective, not one detective plus one constable.
9 Would you agree with that?

10 A Well, this memo is written by Sergeant Barnard so
11 you'd have to ask him.

12 Q I see. You won't agree with that?

13 A I will agree that he is asking for a detective,
14 yes.

15 Q Right. And that's what the recommendation from
16 Detective Steinbach was?

17 A As I said I don't know if he was asking for both
18 positions.

19 MR. DICKSON: Very well, Mr. Commissioner, those are my
20 questions.

21 THE COMMISSIONER: All right. Thank you, Mr. Dickson.

22 MR. MAKOSZ: Yes, Mr. Commissioner, Rory Makosz for the
23 Government of Canada. Given the evidence to this
24 point I do not need to cross-examine this panel.

25 THE COMMISSIONER: All right. Thank you.

1 MR. VERTLIEB: I believe counsel for Ms. Cameron has some
2 re-examination.

3 THE COMMISSIONER: You have re-direct, Ms. Bateman?

4 MS. BATEMAN: Yes, I do have a few questions, but I just wanted
5 to review my notes for the e-mail that was just
6 brought up in my file to see if I have it.

7 THE COMMISSIONER: Do you need some time for that?

8 MS. BATEMAN: Yes.

9 THE COMMISSIONER: Mr. Gratl?

10 MR. GRATL: Before we go for the break, Mr. Commissioner, I
11 understood from Ms. Cameron's testimony that there
12 may be some more documents in her counsel's
13 possession that may be relevant to the terms of
14 reference of the inquiry, and if there are any
15 such documents I just ask that they be distributed
16 to all participants.

17 THE COMMISSIONER: Okay. Are there more documents?

18 MS. BATEMAN: Well, she's referred to this e-mail, and as well
19 she was referring to a lawyer that was I believe
20 her counsel back in --

21 THE COMMISSIONER: How much time do you need?

22 MS. BATEMAN: -- 1990, or sorry, in 2003 when the interviewing
23 was happening, so.

24 MR. VERTLIEB: I'd prefer if we could to just take a quick
25 break for counsel and then finish up, because we

1 do have the panel for 1:45.

2 THE COMMISSIONER: All right.

3 THE REGISTRAR: The hearing will now recess for ten minutes.

4 **(PROCEEDINGS ADJOURNED AT 12:09 P.M.)**

5 **(PROCEEDINGS RESUMED AT 12:20 P.M.)**

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

7 MR. DICKSON: Mr. Commissioner, Tim Dickson for the VPD again.

8 Ms. Cameron has had a look through e-mails that
9 her counsel has with her, and she cannot find the
10 e-mail that she believes to exist. She says she
11 will look for it. I have not had an opportunity
12 to see it or to cross-examine her on that. The
13 understanding I have from my side is quite
14 different and so I flag that issue that there's
15 not been disclosure on that point.

16 THE COMMISSIONER: All right. Thank you.

17 MR. WARD: And Cameron Ward, counsel for the families. I've
18 observed the exchange between my friend
19 Mr. Dickson and counsel with interest, and it
20 appears that there's a large volume of e-mails
21 that passed between Ms. Cameron and Doug LePard of
22 the VPD concerning his interview of her in 2003.
23 As Deputy Chief LePard is a prominent member of my
24 friend Mr. Dickson 's client group all those
25 e-mails ought to be accessible to him, but in any

1 event I seek disclosure of those because they go
2 to the merits and weight and form and substance of
3 the LePard report that was tendered at the very
4 beginning, and I seek disclosure of the e-mails
5 that were exchanged between LePard and this
6 witness respecting the interviews.

7 THE COMMISSIONER: Yeah, I don't know if anybody knows, maybe
8 you know, I don't, that they go to the heart of
9 his report. This is what you're saying, but in
10 any event your application for the disclosure is
11 not without merit so I'll deal with that right
12 now.

13 MR. WARD: Thank you.

14 MR. DICKSON: Well, certainly, Mr. Commissioner, Tim Dickson
15 for the VPD again. Mr. Commissioner, there has
16 been huge disclosure from the VPD, and there's
17 been disclosure with respect to the statements
18 taken by Mr. LePard, his notes by Deputy Chief
19 LePard. That's what's relevant that goes to his
20 report. That's what he based his findings on.
21 The little the e-mail chain setting up the
22 interviews and the like, which are what the
23 e-mails I've seen here are about, have no
24 relevance whatsoever, and that's just a make work
25 project.

1 THE COMMISSIONER: Well, could somebody find out what those
2 e-mails are? I mean, counsel has a right to have
3 them if in fact they form a substantive part of
4 the evidence. But you're quite right,
5 Mr. Dickson, if the e-mails merely are an exchange
6 as to when someone would be available then I'm
7 sure they're not relevant. In any event, I want
8 somebody to make an inquiry of them.

9 MR. DICKSON: Right. What I suggest is that counsel for
10 Ms. Cameron and myself will have a look there.

11 THE COMMISSIONER: All right.

12 MR. DICKSON: And if there's a relevant e-mail going to this
13 issue it will be disclosed to all the
14 participants.

15 MS. CAMERON: Am I allowed to make a response to this
16 conversation?

17 THE COMMISSIONER: Yes.

18 MS. CAMERON: The e-mails that my attorney has are e-mails that
19 I sent to Doug LePard disputing my statement that
20 he typed because there was no recorder in the
21 room. He sent me rough copies of the notes. I
22 sent notes back to him saying I didn't say this, I
23 didn't say this, I didn't say this, and that's
24 what those e-mails pertain to, because the
25 statement that I got from him was incorrect and I

1 never got a finished statement from his office.

2 Never.

3 THE COMMISSIONER: All right.

4 MR. DICKSON: Mr. Commissioner, my understanding is that e-mail
5 chain with Ms. Cameron's notations on her summary
6 has been disclosed.

7 THE COMMISSIONER: Okay. Ms. Bateman, are you able to tell us
8 whether or not the exchange of e-mails that
9 Ms. Cameron has referred to have been disclosed?

10 MS. BATEMAN: I have not disclosed them. I just became able to
11 use the document mechanism that's set up by the
12 commission, so I don't know if they've been
13 disclosed by the VPD.

14 THE COMMISSIONER: Okay. Well, I would like the three of you
15 to look at the various e-mails to determine
16 whether or not they have been disclosed.

17 MS. BATEMAN: We have no issue disclosing them.

18 THE COMMISSIONER: All right. Thank you.

19 MR. DICKSON: And again, Mr. Commissioner, my understanding is
20 the e-mail just referenced by Ms. Cameron said
21 going to the substance of her evidence with
22 Mr. LePard has been disclosed.

23 THE COMMISSIONER: All right.

24 MR. DICKSON: And this was just an issue that she raised in her
25 testimony about a lawyer.

1 MS. CAMERON: Yes, but I think it's important to note that I
2 never did receive a final statement of my
3 interview with LePard which I think others did
4 get. The first notice of what he had written was
5 when he released it in his report, and his report
6 was released on a Monday and --

7 THE COMMISSIONER: All right.

8 MS. CAMERON: -- I was called on a Saturday and had a half an
9 hour to look at it.

10 THE COMMISSIONER: Well, I think at this stage without going
11 any further I think I can conclude she disputes
12 whatever LePard said in his report about her. Is
13 that fair enough?

14 MS. BATEMAN: Yes.

15 THE COMMISSIONER: All right. Okay. Yes, Mr. Gratl.

16 MR. GRATL: I think, Mr. Commissioner, it may go a little bit
17 beyond that.

18 THE COMMISSIONER: Well, I said at this stage.

19 MR. GRATL: We were disclosed a document which was purported to
20 be a statement of Ms. Cameron prepared by
21 Inspector LePard, we had a lot of testimony from
22 Inspector LePard about how he prepared those
23 reports, and I think it's only fair that we
24 receive that correspondence.

25 MR. DICKSON: For the third time, Mr. Commissioner, the e-mail

1 chain, it is my understanding that the e-mail
2 chain setting out Ms. Cameron's comments on Deputy
3 Chief LePard's summary of the interview which was
4 disclosed to her, maybe not the final version as
5 you say, has been disclosed to the participants.

6 THE COMMISSIONER: All right.

7 MR. DICKSON: In answer to Mr. Gratl.

8 THE COMMISSIONER: Yes, go ahead in re-direct.

9 MS. BATEMAN: I just have a few questions for Ms. Cameron.

10 **RE-EXAMINATION BY MS. BATEMAN:**

11 Q Ms. Cameron, if you could just turn to tab 40,
12 please, of the large book. That's the memo that
13 you wrote to Sergeant Hetherington?

14 A Yes.

15 Q I just wanted to clarify, did Sergeant
16 Hetherington ask you to write that memo?

17 A No.

18 Q And then I just wanted to clarify a couple of
19 things with respect to the missing persons
20 reports. Could you go to tab 23, please. This is
21 a report for Olivia Williams and you testified see
22 attached reports from Smithers?

23 A Yes.

24 Q And then at tab 24 I believe with the Williams
25 report you said as well the information was

1 received from Smithers?

2 A Yes.

3 Q And at tab 24, that's the missing persons report
4 for Ms. Frey?

5 A Yes, from Campbell River.

6 Q Now, this is your writing and your signature at
7 the bottom of both of these?

8 A Yes.

9 Q And I just wanted to clarify that these were the
10 reports that you filled out and that was based on
11 information, as you said, from information from
12 Smithers or Campbell River?

13 A Yes.

14 Q So you didn't actually take a call to fill out
15 that report?

16 A No.

17 Q All right. And then tab 25 at page 2, or actually
18 page 1 is the original missing persons report,
19 looks like it was taken by Ms. Smallwood?

20 A Yes.

21 Q And that was Ms. Dicks' maiden name I understand.

22 A Oh, yes.

23 MS. DICKS: No, it's my married name.

24 MS. BATEMAN: Oh. Okay. Sorry.

25 MS. DICKS: Dicks is my maiden name.

1 MS. CAMERON: I didn't realize that.

2 MS. BATEMAN: It is Ms. Dicks aka.

3 Q So that was taken by her in the E-Comm?

4 MS. CAMERON:

5 A Yes.

6 Q Or communications?

7 A February of '99, so I think they were still at
8 312.

9 Q And then if you could flip the page.

10 A Yes.

11 Q It appears as though it made its way to missing
12 persons?

13 A Yes.

14 Q And could you just read the notation on the
15 bottom?

16 A It says that we -- the file was going to be
17 handled by the Surrey RCMP as per Constable
18 Shenher.

19 Q Okay. So that was the handling that you had?

20 A The instructions were from her that the file would
21 now be taken over by Surrey RCMP.

22 Q So you did not take that report?

23 A No.

24 Q All right. And then tab 26, that's Laura Mah?

25 A Yes.

1 Q And is that your signature at the bottom left
2 there?
3 A Yes, it is.
4 Q So it appears as though this is a report that you
5 took?
6 A I may have. I've made a notation on the missing
7 persons report to see CAD.
8 Q Okay. So you may or may not have taken that,
9 you're not sure?
10 A It may have come in -- yes, I'm -- because that
11 she was last -- or she had just returned from
12 Edmonton, and so I'm not sure if her sister called
13 it in. I'd have to have the CAD to check.
14 Q But it's possible that you took that report?
15 A Possible, yes.
16 Q And the missing persons report form itself, that
17 was something that was generated by the VPD?
18 A Yes.
19 Q The blank document?
20 A Yes.
21 Q The form. And then could you just turn the page,
22 and there's a missing person supplementary report.
23 Could you just tell us what that is very briefly?
24 A This was a report that was generated by the RCMP
25 which we inherited, because the computer systems

1 were getting a little more complex, a little more
2 information could be put into the file on each
3 individual missing person. So on the -- if you
4 look on the missing persons report it's pretty
5 basic what they're asking for, and on these ones,
6 the supplementary report, we needed to see if we
7 could obtain blood type, if there were body
8 x-rays, the dental charts, if there was photo
9 available and if it was a male whether he was
10 circumcised or not.

11 Q And is this your printing, your handwriting?

12 A Yes.

13 Q Okay. So that's a form that you would generally
14 fill out?

15 A Yes. These were normally filled out if a person
16 was still missing for over 30 days.

17 Q And this is information that you would gather
18 either from the file or from the family?

19 A Yes.

20 MS. BATEMAN: Thank you. Those are my questions.

21 THE COMMISSIONER: All right. Thank you.

22 MS. BROOKS: Mr. Commissioner, just before we break I just
23 wanted to clarify one thing on the record.
24 Yesterday you may recall there was a suggestion
25 made that Ms. Cameron disclosed a memo that's

1 found at tab 40 of Exhibit 147 to the commission
2 and that the VPD did not, and I just want to
3 clarify that the memo was disclosed by the VPD to
4 the commission in January or February of 2011.

5 THE COMMISSIONER: I see.

6 MS. BROOKS: And it was posted on Concordance, and I'll send an
7 e-mail to counsel with the Concordance number if
8 they are interested in that.

9 THE COMMISSIONER: All right. Thank you.

10 MS. BROOKS: So that's it for this panel, and this afternoon
11 we're going to be hearing from the major crime
12 panel.

13 THE COMMISSIONER: All right. Thank you. I want to thank each
14 of you for appearing here. Your evidence
15 obviously is important and so it's important to
16 this inquiry. I want to thank you for coming here
17 and testifying. Thank you, we'll adjourn.

18 **(WITNESSES EXCUSED)**

19 MS. CAMERON: Oh.

20 THE REGISTRAR: The hearing is now adjourned till 1:45.

21 THE COMMISSIONER: Did you want to say something?

22 MS. CAMERON: I did, I just want to catch my breath.

23 THE COMMISSIONER: Oh, all right.

24 **(PROCEEDINGS ADJOURNED AT 12:33 P.M.)**

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

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

2 MR. VERTLIEB: Thank you, Mr. Commissioner. We had originally
3 contemplated a panel of five, but have concluded
4 that to do it with three might be preferable.

5 THE COMMISSIONER: All right.

6 MR. VERTLIEB: So therefore seated before you this afternoon
7 are three witnesses for this panel. Mr. Giles,
8 please.

9 THE REGISTRAR: Good afternoon. Would you just turn on your
10 microphones, please.

11 MR. WARD: Just before the witnesses are sworn. It's Cameron
12 Ward, counsel for the families of 25 missing and
13 murdered women. I earlier indicated I would be
14 objecting to proceeding in panel format, I wasn't
15 given any time to make an argument. All I propose
16 to say is that I continue to object. In my
17 respectful submission hearing three factual
18 witnesses of this nature in this forum offends the
19 principles of fairness and natural justice that
20 govern all tribunal proceedings, it impairs the
21 abilities of this commission to get to the truth,
22 and it seems to be a process that has been adopted
23 merely for the expediency, and on behalf of my
24 clients we categorically reject that this is the
25 appropriate way to proceed. I've never seen

1 anything like it in 28 years of practising before
 2 tribunals and courts. I know that some
 3 commissions of inquiry in this country because
 4 I've researched the point have provided in their
 5 rules of practice for witnesses to appear in
 6 panels, but they have invariably been expert
 7 witnesses such as the fishery, recent fishery
 8 inquiry where they were scientists from one
 9 particular department who were testifying about
 10 scientific matters, not controversial evidentiary
 11 matters. The mischief in this approach is
 12 obvious. You have subordinate officers appearing
 13 with senior officers, you have the possibility of
 14 influence passing from one to another in the
 15 testimony, and quite frankly makes it impossible
 16 to conduct an effective cross-examination. So I'm
 17 going to object to this panel and the next one and
 18 every other panel that appears with multiple
 19 witnesses on those bases. Thank you.

20 THE COMMISSIONER: Well, there's absolutely no evidence at all
 21 of anybody's rules of natural justice or anybody's
 22 rights are being abused by this. You keep saying
 23 that. There's not one iota of evidence anywhere
 24 to suggest that. And if you'd take the time to
 25 look at the Public Inquiry Act you'll know what

1 the intent of that act was, and that is to receive
2 evidence in any way that is fair and just to
3 everybody concerned. So I keep hearing this from
4 you, in any event I don't want to hear any more
5 from you, your application is dismissed, if it is
6 an application.

7 MR. WARD: Thank you.

8 THE COMMISSIONER: Okay. Mr. Vertlieb.

9 MR. WARD: It's not an application, it's an objection, and I
10 just have to make it to preserve my clients'
11 rights in the event that they seek judicial review
12 of these proceedings. I need to preserve those
13 rights. And you well know, Mr. Commissioner, that
14 counsel must make the objection on the record to
15 preserve his clients' rights. That's all I've
16 done and I stated it succinctly.

17 THE COMMISSIONER: Well --

18 MR. WARD: I'm not interested in arguing either.

19 THE COMMISSIONER: Well, you could have fooled me. The fact is
20 no one's rights are being abused. No one's rights
21 are being abused. You have the right to full
22 cross-examination of every witness that's here.
23 And you have that right. So, carry on,
24 Mr. Vertlieb.

25 MR. VERTLIEB: Mr. Giles, please.

1 THE REGISTRAR: Good afternoon. Would you turn on your
2 microphones, please.

3 **GERAMY POWELL: Affirmed**

4 **FRED BIDDLECOMBE: Affirmed**

5 **DAN DUREAU: Affirmed**

6 THE REGISTRAR: I need to go back and get your names.

7 MS. POWELL: Jeremy Powell.

8 THE REGISTRAR: Thank you.

9 MR. BIDDLECOMBE: Fred Biddlecombe.

10 THE REGISTRAR: Thank you.

11 MR. DUREAU: Dan Dureau.

12 THE REGISTRAR: Thank you. Counsel.

13 MR. VERTLIEB: Thank you.

14 **EXAMINATION IN CHIEF BY MR. VERTLIEB:**

15 MR. VERTLIEB: So briefly for each of you tell us the number of
16 years and your ending rank with the Vancouver
17 Police Department starting, please, with you,
18 Ms. Powell?

19 MS. POWELL: I joined the Vancouver Police in 1975, and I left
20 the Vancouver Police in 2001 as a sergeant.

21 MR. VERTLIEB: Thank you. Mr. Biddlecombe?

22 MR. BIDDLECOMBE: I had 30 years with the Vancouver Police
23 joining in 1970, retiring in the year 2000 with
24 the rank of inspector.

25 MR. VERTLIEB: Thank you.

1 MR. DUREAU: And I joined the VPD in 1975 and left in 2005
2 after 30 years with the rank of inspector.

3 MR. VERTLIEB: Thank you, Mr. Dureau. And because it's a panel
4 format I will attempt to direct questions to each
5 of you individually, but if any of you want to add
6 comment to what you've heard, please feel free to
7 do so. The object is to assist the commissioner
8 in his mandate to make facts about what happened,
9 so we want you to feel as welcome as can be to
10 comment in these proceedings. Now, just,
11 Mr. Biddlecombe, you were supervised by
12 Mr. McGuinness, he was your immediate superior?

13 MR. BIDDLECOMBE: That's correct.

14 MR. VERTLIEB: And just to help us understand how you
15 understood he would monitor your work, how did you
16 understand that he would monitor what you were
17 doing when you were in charge of major crime?

18 MR. BIDDLECOMBE: Well, I would meet with Deputy McGuinness
19 every morning, there would be a briefing given to
20 him of all of the overnight occurrences along with
21 updates of ongoing investigations. Periodically
22 he would come down to my office and we would
23 discuss ongoing investigations.

24 MR. VERTLIEB: Thank you. Now, all of you are here because of
25 the work surrounding the investigation commencing

1 with the Pickton work, and you understand that all
2 three of you, so I really want you to confine your
3 time frame to the terms of reference which we know
4 to be '97 to 2002. You all understand that. Ms.
5 Powell, we've always known you as Sergeant Field,
6 that's how you've always been referred to, but --
7 MS. POWELL: That's fine, Sergeant Field would work.

8 MR. VERTLIEB: No, but we respect your oath taking and your
9 name as it is, and we're grateful for that. You
10 were sergeant during the time that Ms. Shenher was
11 acting as a detective constable?

12 MS. POWELL: That's right.

13 MR. VERTLIEB: So tell us about your role in supervising
14 Ms. Shenher and the work she was doing with the
15 Missing Person Unit?

16 MS. POWELL: Ms. Shenher and I came into the section about the
17 same time in the summer of '98, and it was a busy
18 summer. My understanding is that she had come
19 into the Missing Person Section as an additional
20 person to help with the workload. I became aware
21 of the issue of the increase, potential increase
22 at that time of missing women in the Downtown
23 Eastside. And as things evolved throughout the
24 summer by September things had become more
25 apparent that there were a number of missing women

1 and the investigation was getting a little more
2 intense.

3 MR. VERTLIEB: September 1990 --

4 MS. POWELL: '98.

5 MR. VERTLIEB: Thank you.

6 MS. POWELL: And a few things had been brought to my attention
7 at that point, but mainly throughout that summer I
8 was supervising eight detectives who were my
9 section of my squad for homicide duties and I was
10 called out a number of times for active homicides
11 or shootings or police involved calls of a serious
12 nature.

13 MR. VERTLIEB: That would be unrelated to missing person work?

14 MS. POWELL: That's right.

15 MR. VERTLIEB: You were the supervisor in charge of the Missing
16 Person Unit?

17 MS. POWELL: That's correct.

18 MR. VERTLIEB: But you had other duties as well?

19 MS. POWELL: Yes, I did.

20 MR. VERTLIEB: Roughly what percentage of your time when you
21 were a sergeant on the force was spent dealing
22 with Missing Person Unit matters, roughly what
23 percent?

24 MS. POWELL: Possibly 10 percent.

25 MR. VERTLIEB: And what priority therefore did you believe it

1 was receiving from the VPD in general?

2 MS. POWELL: Priority is kind of a hard word. I felt that it
3 was being handled fairly well, and I was glad that
4 they were bringing in another person, they saw the
5 need to address that issue.

6 MR. VERTLIEB: Now, Mr. Biddlecombe, you had examined Major
7 Crime Section functions of other police
8 departments across Canada?

9 MR. BIDDLECOMBE: That's correct.

10 MR. VERTLIEB: And what were your thoughts on the work of major
11 crime under your direction as it related to
12 investigating missing person reports?

13 MR. BIDDLECOMBE: From my understanding of how things were
14 working in missing persons at the time I went in
15 there in 1998 was that we had one full-time
16 detective, one clerk, and that we were looking at
17 expanding that to a second full-time detective.
18 There was a re-organization going on I guess in
19 the spring of 1998, and one of the proposals that
20 was put forward was for a second investigator that
21 would handle the missing persons increase, but
22 also be there afterwards to assist as a second
23 investigator.

24 MR. VERTLIEB: Did it seem to you from your work in examining
25 other Major Crime Sections across the country that

1 the VPD had less staff, as it were, to missing
2 persons as opposed to other major cities?

3 MR. BIDDLECOMBE: I think we had more staff. In fact, I think
4 we were one of the few police departments that
5 actually had a dedicated Missing Persons Unit.

6 MR. VERTLIEB: So from your perspective you thought at the
7 material time the VPD was doing a good job with
8 missing persons?

9 MR. BIDDLECOMBE: The information I was getting was yes, that
10 we were doing a good job.

11 MR. VERTLIEB: Now, a question then for you, Ms. Powell. As
12 the direct supervisor of the Missing Person Unit
13 what characteristics would you want in an
14 investigator being assigned to that unit?

15 MS. POWELL: Somebody that had some obviously patrol
16 experience, some investigative experience. From
17 my information Lori was -- had about seven years
18 policing experience, some in Strike Force, and
19 some on the street. She was an articulate
20 individual, and being articulate and also
21 considering that she was going to be dealing with
22 probably a lot of missing women issues that
23 because she was a woman somebody could show and
24 express that compassion to the victims was
25 important as well.

1 MR. VERTLIEB: What about energy level?

2 MS. POWELL: I mean if they had those qualifications they would
3 have the energy level that was suitable.

4 MR. VERTLIEB: But the reason that we ask you that question is
5 that we've heard that it was a place that seemed
6 to be attracting police officers on light duties
7 or perhaps those close to retirement?

8 MS. POWELL: And I wasn't responsible for bringing people into
9 that section so I don't know what they would be
10 looking for in that regard.

11 MR. VERTLIEB: But from your knowledge of the unit when you
12 were supervising it would you say it was a place
13 where people on light duties should be sent?

14 MS. POWELL: I think they might have the qualities or
15 characteristics that are required to do those
16 jobs, but because they're on light duties there
17 might be a physical issue so they wouldn't be out
18 on the road in the capacity where they might be
19 carrying their sidearm and things like that,
20 having to react to situations, so the light duties
21 issue wouldn't necessarily be part of it, it
22 wouldn't matter that much.

23 MR. VERTLIEB: Did you wish to say something, Mr. Biddlecombe?

24 MR. BIDDLECOMBE: I do. Staffing within that unit was -- they
25 were staffed with full-time investigators. When I

1 went in there it was Detective Steinbach who was a
2 full-time regular detective in there. When he
3 transferred we brought in Detective Al Howlett,
4 who is another senior full-time detective.
5 Occasionally we would be offered investigators
6 that were on light duties. They would augment the
7 staff that were already in there, so you could end
8 up with three or four or five investigators in
9 there. Two would be the full-time people -- oh,
10 sorry, one would be the full-time and you may end
11 up with two or three others that were on light
12 duties assisting.

13 MR. VERTLIEB: Now, we've heard that the most vulnerable people
14 in the missing person investigations would receive
15 the most attention, and we were told that
16 vulnerable people were considered to be children,
17 elderly and mentally challenged. Does that accord
18 with each of your understanding of the missing
19 person investigations relating to vulnerable
20 people. Ms. Powell?

21 MS. POWELL: Yes.

22 MR. VERTLIEB: Mr. Dureau?

23 MR. DUREAU: Yes, it does. And I would just say that that
24 description that you gave informed the reaction
25 that patrol members would have as well, not just

1 the Missing Persons Section. So obviously the
2 more vulnerable the person the quicker that this
3 investigation would be launched.

4 MR. VERTLIEB: Mr. Biddlecombe, you agree?

5 MR. BIDDLECOMBE: I would agree. The more vulnerable the
6 person is, a young child or an elderly person, I
7 think most of those calls would initially go to
8 patrol to be dealt with instantly and then up to
9 missing persons.

10 MR. VERTLIEB: But that then leads to this question about the
11 people that we've heard about in the sex trade
12 industry and the vulnerabilities associated with
13 those people. Can you tell us back when you were
14 dealing with these events in 1998 and '99 why the
15 sex trade workers were not considered to be part
16 of a vulnerable group requiring the most
17 attention?

18 MR. BIDDLECOMBE: I think when it was brought to our attention
19 we did apply a number of resources to try and
20 resolve the problem. It was first brought to my
21 attention in I think around April or May of 1998
22 when we had four or five sex trade workers
23 missing, and at that time I asked that all of the
24 files be gone through and pull out any files that
25 related to that type of a missing person. At the

1 same time I was bringing in a second investigator
2 that was to be assigned full time to look into
3 those crimes or those individuals. I don't think
4 I can offer anything other than that at the moment
5 that flowed from that process.

6 MR. VERTLIEB: Since you were just commenting perhaps,
7 Mr. Biddlecombe, I want to address this to you,
8 and that is the analysis that took place in the
9 fall of 1998. I'm sure all three of you are alive
10 to the fact that there was a missing person
11 working group organized. Mr. Dureau, you're
12 nodding, you're shaking your head in affirmative?

13 MR. DUREAU: Yes, I'm aware of what you speak.

14 MR. VERTLIEB: And tell us when you first heard about that and
15 who was going to be on it?

16 MR. DUREAU: Well, actually it was in receiving the documents a
17 couple of weeks ago when we were originally
18 scheduled to testify it was good to refresh my
19 memory because I didn't have a recollection of
20 that, but in reading those documents it is clear
21 that while Inspector Biddlecombe was on holidays I
22 was presented with a report I believe from Deputy
23 Chief McGuinness that came via either Deputy Chief
24 Greer, who would be Inspector Greer at the time,
25 around that working group. I passed that to

1 Geramy for her input, and when Inspector
2 Biddlecombe returned from his leave it was -- that
3 information was given to him.

4 MR. VERTLIEB: So why don't we just look at the document so we
5 know what it is that you're referring to.

6 Mr. Giles, can you help with the binder that I
7 gave you. Are they before the witnesses?

8 THE REGISTRAR: Yes, what did I do with them?

9 MR. VERTLIEB: The three binders that -- the small ones. Thank
10 you. These are documents for the examination of
11 the Major Crime Section panel. Thank you,
12 Mr. Giles. Turn to tab 4, please, Mr. Dureau.
13 You'll see this memo to Mr. Greer dated September
14 14, 1998. Is that one of the documents that
15 refreshed your memory?

16 MR. DUREAU: Yes, I believe it is.

17 MR. VERTLIEB: Okay. Now, when you heard about this working
18 group you were at the time in charge of Major
19 Crime Section as acting inspector?

20 MR. DUREAU: Yes. And if I could just correct a little bit of
21 what Deputy Chief Evans reported, if I may. In
22 her report there is a chart that indicates that
23 the chain of command within that section was
24 Inspector Biddlecombe, then me, then Sergeant
25 Field, then Lori Shenher which is incorrect. At

1 the time this -- I had -- I updated a chart and
2 gave it to my lawyer, but I don't know if it's
3 before the commission. It's basically incorrect
4 in that there was two streams, two chains of
5 command that reported to Inspector Biddlecombe.
6 The correct chain there would be Inspector
7 Biddlecombe, Staff Sergeant Giles, Sergeant Field
8 and then Constable Shenher. On the other side of
9 the house was me, my sergeants and then the
10 constables that worked in my section. So, yes,
11 when this memo came through I was over acting for
12 Inspector Biddlecombe because I was a substantive
13 staff sergeant, Staff Sergeant Giles was an acting
14 staff sergeant, so whenever Inspector Biddlecombe
15 went away I was pulled over to do the acting.

16 MR. VERTLIEB: And because of Mr. Biddlecombe's absences you
17 were from time to time acting as the officer in
18 charge of major crime?

19 MR. DUREAU: That's correct.

20 MR. VERTLIEB: You were initially in favour of the working
21 group as you understood it to be organized?

22 MR. DUREAU: I have no independent recollection of whether I
23 was for or against it. In reading this I
24 certainly would have passed it on and taken part
25 in any of the meetings that were put before me as

1 the acting inspector to gather the information
2 that was there and to see what was being said so
3 we could make decisions in the Major Crime Section
4 where I could give that information to Inspector
5 Biddlecombe.

6 MR. VERTLIEB: And, Ms. Powell, were you in favour of the
7 working group that had been formed with
8 Mr. MacKay-Dunn and --

9 MS. POWELL: Yes, I would have been.

10 MR. VERTLIEB: It seemed like a good idea to you?

11 MS. POWELL: Definitely.

12 MR. VERTLIEB: So you were supportive of it?

13 MS. POWELL: Yes.

14 MR. VERTLIEB: And, Mr. Dureau, you have no recall of being
15 either pro or con?

16 MR. DUREAU: No.

17 MR. VERTLIEB: So, Mr. Biddlecombe, it comes to you then to
18 discuss your view once you came back to work, and
19 apparently from what we've heard and read that you
20 had a different view about that working group's
21 ability to be helpful.

22 MR. BIDDLECOMBE: I think as I indicated to you previously due
23 to a medical condition, and you have a letter from
24 my doctor, a psychiatrist, there are issues that I
25 have absolutely no memory of and this is one of

1 them, this document and some ongoing meetings that
2 occurred after this, so I'm sorry, I'm unable to
3 comment on it.

4 MR. VERTLIEB: Just so you know that I have no letter, but I
5 understand you have been treated and are still
6 under active treatment?

7 MR. BIDDLECOMBE: Yes.

8 MR. VERTLIEB: Since you've raised the subject, and it's
9 important that you feel free to discuss this,
10 we're talking about your health back in 1998, in
11 particular with this working group. Tell the
12 commissioner about how you were doing back then?

13 MR. BIDDLECOMBE: Back at that time, Mr. Commissioner, I was
14 suffering from headaches, lack of sleep, night
15 terrors, I'd wake up screaming at night, weight
16 loss, weight gain, inability to concentrate,
17 inability to make decisions, vacillating on
18 decisions. I would be irritable with people,
19 argumentative with people. I attended for my
20 yearly medical at that time in June of '98, of '99
21 sorry, and at that time I was diagnosed as
22 suffering from job related stress bordering on
23 burnout. I was required to take three to four
24 weeks immediately off work, which I did, and I was
25 also required to meet with a psychologist,

1 Dr. Minettes (phonetic) here in Vancouver, which I
2 did on four or five occasions in the months of
3 July and August 1999. Do you wish me to go into
4 the more recent diagnosis?

5 MR. VERTLIEB: Well, if you wish to bring us up to date because
6 it may assist everyone here to hear.

7 MR. BIDDLECOMBE: More recently my doctor referred me to -- due
8 to some ongoing stress related issues I was
9 referred to a psychiatrist, Dr. Peter Strauss. He
10 diagnosed me as suffering from a major depressive
11 disorder from in the late '90s, and a major
12 anxiety disorder, both of which he has me on
13 medication for.

14 MR. VERTLIEB: So, Ms. Powell, then tell us your recall of what
15 happened with the working group and then I'm going
16 to ask Mr. Biddlecombe if he -- if any of that
17 rings home to him as he hears you tell us about
18 the working group and what came to be of it and
19 why?

20 MS. POWELL: Well, unfortunately I was only involved in one
21 meeting in that September time period and I was
22 transferred to the Co-Ordinated Law Enforcement
23 Unit for another project, so I was removed
24 completely from the building and this issue for
25 approximately six months, but my understanding is

1 that the working group as it was was dissolved.

2 MR. VERTLIEB: And what is your understanding of the person
3 that was the driving force behind the dissolution
4 of the working group?

5 MS. POWELL: I don't know whether it was one person, but I --
6 from what I've read it looks like there was a
7 conflict between divisions and who was going to be
8 looking after the increase in the missing women
9 between the Investigation Division and the
10 Operations Division. That's my understanding.

11 MR. VERTLIEB: And you were gone six months with CLEU?

12 MS. POWELL: That's right.

13 MR. VERTLIEB: And came back?

14 MS. POWELL: Came back in March.

15 MR. VERTLIEB: As? What was your title when you came back?

16 MS. POWELL: I was sergeant in charge of the team two of
17 homicide.

18 MR. VERTLIEB: Did you still have missing persons as part of
19 your work?

20 MS. POWELL: Yes, I did.

21 MR. VERTLIEB: So did you then want to bring yourself up to
22 speed on what had happened in the six months while
23 you were away?

24 MS. POWELL: Eventually that occurred. There was getting
25 caught up on that as well as getting caught up on

1 all the current homicides being investigated by my
2 team.

3 MR. VERTLIEB: Mr. Dureau, can you help us with the working
4 group and what happened to it and why it happened?

5 MR. DUREAU: No, I can't. I wasn't at any of the meetings.

6 MR. VERTLIEB: So, Mr. Biddlecombe, I want you to turn to tab
7 4. There's a sentence -- this is apparently a
8 memo from you dated September 14, '98 to
9 Mr. Greer. You've seen this before?

10 MR. BIDDLECOMBE: Yes.

11 MR. VERTLIEB: So let's just look at the first paragraph. I,
12 meaning you, correct, Mr. Biddlecombe?

13 MR. BIDDLECOMBE: Yes.

14 MR. VERTLIEB: Recently had the opportunity to review the
15 strategic plan for this committee along with
16 your proposed news release scheduled for
17 1998-09-30. As I've already related to you I
18 found the draft news release unacceptable
19 from my standpoint. I found it to be
20 inaccurate and quite inflammatory.

21 Can you help us understand why that is written?

22 MR. BIDDLECOMBE: No, as I've stated, Mr. Vertlieb, I have no
23 recollection of this document. I would have
24 recalled this if we were called at the time I
25 wrote it, but 14 years later and with everything

1 else, no, I don't recall.

2 MR. VERTLIEB: In your preparation to give evidence to
3 Commissioner Oppal have you looked at the draft
4 press release?

5 MR. BIDDLECOMBE: I saw it today, yes.

6 MR. VERTLIEB: And was there anything in there that impressed
7 you as being inaccurate or quite inflammatory when
8 you read it?

9 MR. BIDDLECOMBE: Well, having read it today and trying to
10 relate it back to what might have been in my mind
11 14 years ago I can't comment one way or the other
12 on it 'cause I don't recall this document.

13 MR. VERTLIEB: Do you have any -- I'm sorry.

14 MR. BIDDLECOMBE: This document or the meetings or the
15 discussions.

16 MR. VERTLIEB: Now, I wanted to ask all three of you about what
17 we've heard was a hesitancy to accept the theory
18 of a serial killer being responsible for the
19 increased number of missing women from the
20 Downtown Eastside. I'll start with you, Ms.
21 Powell. Help us understand from your perspective
22 whether there was in fact a reluctance to accept
23 the theory of a serial killer being involved?

24 MS. POWELL: At which point?

25 MR. VERTLIEB: At the point that we're talking, 1998.

1 MS. POWELL: In September?

2 MR. VERTLIEB: Yes.

3 MS. POWELL: I can't comment too much about September only
4 because it was just occurring. Lori's job at that
5 point was to find out how many women have gone
6 missing and the circumstances surrounding that.
7 As far as trying to accept a serial killer theory
8 at that point I can't comment. It may have been a
9 thought that was going through a number of
10 people's minds, but I can't comment.

11 MR. VERTLIEB: Do you recall it being brought to you as a real
12 concern?

13 MS. POWELL: In September?

14 MR. VERTLIEB: Yes, or August or July of '98?

15 MS. POWELL: No, I think it was still at the examination point
16 of they're looking at our numbers. What have we
17 really got here, are these individual cases or is
18 there a serial killer at work?

19 MR. VERTLIEB: When do you have a memory of it actually being
20 entertained as a real concern, this serial killer
21 theory?

22 MS. POWELL: When I came back in March Constable Shenher
23 briefed me on what had gone on and what the
24 numbers meant. There was also a report from, who
25 is it, Detective Inspector Rossmo that had brought

1 to that attention. The first one was in September
2 and then he did another one in May, so I may be
3 getting my impressions mixed up, but by the time I
4 got back with the increased number and looking at
5 what we had and what they had already done to try
6 to find these women it became apparent that it was
7 definitely foul play seemed to be at work.
8 Whether it was one killer or more killers nobody
9 could be sure.

10 MR. VERTLIEB: Now, at this time of spring '99 Mr. Biddlecombe
11 was still on the job?

12 MS. POWELL: Yes, he was.

13 MR. VERTLIEB: Did you go and talk to him about this concern?

14 MS. POWELL: Inspector Biddlecombe was made aware of our
15 concern through memos, and I believe they're in
16 the documents that you've seen. And I know that
17 he attended a few meetings that we had to discuss
18 the investigation and how it's progressing.

19 MR. VERTLIEB: Mr. Dureau, how can you assist with the fact
20 finding concerning this issue of when a serial
21 killer became a real concern as opposed to other
22 thoughts about these disappearances?

23 MR. DUREAU: Well, I would say probably spring summer of '99
24 would be the point at which having done quite a
25 bit of leg work regarding missing people and where

1 they might be would have brought us to that point.
2 In my recollection it would have been now, okay,
3 as Sergeant Field has said, yes, I believe that
4 they probably met with foul play of some sort, any
5 or a number of them, but whether it was one serial
6 killer or a number of killers was again it was
7 open to investigation.

8 MR. VERTLIEB: Now, we've heard here in these proceedings that
9 there was a theory that the women were transient
10 and they had perhaps gone travelling and other
11 explanations of that sort, so I want to have all
12 three of you comment on that. Did each of you
13 have that view, and if so what was the basis for
14 that? Ms. Powell.

15 MS. POWELL: I have to say that that was one of the thoughts
16 and the avenues that we looked at 'cause that was
17 a possibility. However, it was probably in
18 hindsight in looking at the particular group of
19 women and the narrow geographic area from which
20 they were going they probably did not fit somebody
21 travelling. That came to light further on as we
22 examined all the possibilities, nobody was being
23 found, we looked more at their lifestyle, so
24 generally the conclusion was they were probably
25 going missing from our streets.

1 MR. VERTLIEB: Mr. Biddlecombe, did you have a view that these
2 women who were considered missing were simply
3 travelling or in some way transient and they would
4 ultimately show up?

5 MR. BIDDLECOMBE: I think my initial view with the word
6 transient, and I've heard mentioned here that
7 people would go off to Calgary or Edmonton, that
8 certainly was not my thought when you talk
9 transient. My thought was that they might be in
10 Vancouver today, they might be in New Westminster
11 tomorrow or Richmond or Burnaby, they were not
12 travelling out of their province. They might be
13 travelling back to their home that might be in
14 Prince George or other communities. But I think
15 as we got further into the investigative process,
16 which for me would have been late summer of '99,
17 it was becoming more apparent that that was not
18 the case.

19 MR. VERTLIEB: Mr. Dureau?

20 MR. DUREAU: And I do recall that that was one of the theories,
21 but I had no expertise or knowledge of the
22 activities of street prostitutes so I really had
23 nothing to base agreeing or not agreeing with that
24 theory, but it was something that needed to be
25 looked at along with all of the other things that

1 the investigators did to try to find out where
2 they might have gone.

3 MR. VERTLIEB: Did anybody that you worked with have a
4 knowledge of the crack cocaine issue and how that
5 would impact on people's ability to travel from
6 the Downtown Eastside? Mr. Dureau.

7 MR. DUREAU: As I recall Sergeant Field had been in the drug
8 squad so may have had some insight. There was
9 people all over the building that had insight into
10 that sort of lifestyle, and I had worked in the
11 past with Dave Dickson on a peripheral nature so I
12 know that he knew about their lifestyles, and
13 that's what was drawn upon when we did the
14 investigations to try to find out where they might
15 be and what their lifestyles were.

16 MR. VERTLIEB: Mr. Biddlecombe, what was your knowledge of
17 people with addiction to crack cocaine back in
18 1998?

19 MR. BIDDLECOMBE: I had worked the streets for a number of
20 years as a constable. I had never worked the Drug
21 Squad. I had supervised the Drug Squad at one
22 time when it was part of the Major Crime Section.
23 However, we did have Detective Constable Shenher
24 who had worked the Downtown Eastside for a number
25 of years and was aware of the drug situation. I

1 believe we also had made available two members
2 from the DISC program, I don't recall their names
3 at the moment, but they would have had some
4 knowledge of the Downtown Eastside situation.
5 Detective Inspector Rossmo, who was also a
6 resource to this group, had worked the Downtown
7 Eastside for a number of years and would have been
8 able to bring some expertise to them. I can't
9 think of anything else.

10 MR. VERTLIEB: But if you were holding the view that the
11 missing women might be travelling did that accord
12 with your knowledge of the addiction and how women
13 on crack cocaine would be absolutely prisoners in
14 their own neighbourhood? Did you have knowledge
15 of that?

16 MR. BIDDLECOMBE: No, I did not.

17 MR. VERTLIEB: Your drug knowledge was more related to heroin
18 usage?

19 MR. BIDDLECOMBE: Yes.

20 MR. VERTLIEB: And you understand now that a heroin addict has
21 a different need to be close to the supplier of
22 drug?

23 MR. BIDDLECOMBE: Yes.

24 MR. VERTLIEB: Let's move to a subject on the leadership issue,
25 if we may. In terms of your time away,

1 Mr. Biddlecombe, we received information from you,
2 and it's at tab 6, and these are monthly summaries
3 you provided to us through counsel?

4 MR. BIDDLECOMBE: Yes.

5 MR. VERTLIEB: And just tell us what it is that these pages are
6 indicating to the commissioner? What's your
7 purpose in wanting the commissioner to see these?

8 MR. BIDDLECOMBE: This reflects the 19 months that I spent in
9 the Major Crime Section. At the best I could I
10 was able to rebuild the days I was at work and the
11 days I was absent from work, be it on other
12 projects that I had going at that time, sick
13 leave, holiday leaves.

14 MR. VERTLIEB: In summary form of those 19 months how much time
15 were you there at the office working as the
16 officer in charge of Major Crime for the Vancouver
17 Police?

18 MR. BIDDLECOMBE: I would only be guessing without going
19 through all the dates here, but probably half the
20 time.

21 MR. VERTLIEB: So that raises the question of the transfer of
22 leadership knowledge when you were not there.

23 MR. BIDDLECOMBE: Yes.

24 MR. VERTLIEB: And so, Mr. Dureau, you were acting person in
25 charge when Mr. Biddlecombe was not there?

1 MR. DUREAU: Correct.

2 MR. VERTLIEB: And you've just heard him say that perhaps half
3 the time he was not there?

4 MR. DUREAU: I don't think that's accurate, I think it's less
5 than that, but it was a lot.

6 MR. VERTLIEB: When you say less than that what do you mean?

7 MR. DUREAU: He was there more than half time.

8 MR. VERTLIEB: Okay. But he was away a lot?

9 MR. DUREAU: He was away a lot.

10 MR. VERTLIEB: So the question then is how did you and
11 Mr. Biddlecombe arrange to transfer the
12 information that you would need to know to be able
13 to be the person in charge of major crime when he
14 was not there?

15 MR. DUREAU: Fred would meet with me before -- many of these
16 absences were if not planned long in the future,
17 were certainly not I'm not coming in today, I'm
18 staying home. They were -- I knew ahead of time.
19 I knew the Friday that on the Monday I'd be
20 acting, and Fred would meet me in his office and
21 fill me in. And every day I would come across.
22 My office was in a different building on a
23 different floor supervising a different group of
24 squads. I had the Sex Offence Unit, I had the
25 Criminal Harassment Unit and plus a couple of

1 more. So I would come across every morning to
2 Inspector Biddlecombe's officer where I would meet
3 with Staff Sergeant Giles, Inspector Biddlecombe
4 and one or more of the sergeants in the different
5 squads. We would discuss what's happening, what
6 needed to be dealt with immediately, what was
7 going on in different projects. We would then go
8 from there up to the deputy's office for a morning
9 meeting. So that happened every day. If Fred was
10 going to go away for a length of time and there
11 was something that he needed to tell me or have me
12 do or take care of for him in his absence he would
13 tell me before we left.

14 MR. VERTLIEB: But we've heard about Mr. Biddlecombe being
15 taken off work because of illness. You were aware
16 of that?

17 MR. DUREAU: I was aware he was off sick.

18 MR. VERTLIEB: But you did not have a time frame on when he was
19 expected to be back?

20 MR. DUREAU: Often times I did.

21 MR. VERTLIEB: And times you would not?

22 MR. DUREAU: True.

23 MR. VERTLIEB: So if you were sitting there holding the fort,
24 it as were, would it be a case of you just trying
25 to do the best you could to keep things going

1 while he was away?

2 MR. DUREAU: Oh, I think it was more than that, but also it was
3 not me taking over the section and putting my own
4 stamp on it from the point of view of rearranging
5 or rescheduling or any of that. It was his
6 section and I respected that. Certainly anything
7 that came up on a day-to-day basis that I was
8 required to deal with I did. Many of the absences
9 were of a shorter nature and just for logistics
10 purposes I wouldn't leave my office with all of my
11 files and come down and work out of his office, I
12 would work out of my office and simply carry on as
13 it was.

14 MR. VERTLIEB: If he was away a lot as we've heard you describe
15 and Mr. Biddlecombe discuss, did you ever go to
16 anybody at the higher level and say this is
17 becoming a problem with Mr. Biddlecombe's absence
18 and we need to look at how we're going to deal
19 with this?

20 MR. DUREAU: No. However, when he booked off sick for the last
21 time and wasn't coming back there was a
22 conversation between myself and Deputy Chief
23 McGuinness, and he made it clear to me that I was
24 in that position until such time as the new
25 inspector's list came out and then another

1 inspector would be put into that position, so it
2 was within a matter of months that this would
3 happen.

4 MR. VERTLIEB: And you stayed in that acting position until it
5 was formalized?

6 MR. DUREAU: The day the new list came out another -- Inspector
7 Spencer was transferred into that position.

8 MR. VERTLIEB: Was there any formalized process for how someone
9 would transfer information when there is to be
10 illness or extended leave?

11 MR. DUREAU: Not that I'm aware of.

12 MR. VERTLIEB: So it's just done between the two of you
13 talking?

14 MR. DUREAU: Yes. There could also be reports passed, there
15 could be e-mails passed, there could be any
16 different kinds of communication done. And again
17 day to day we all knew, you know, generally what
18 was happening within the whole of the section
19 because we met every morning.

20 MR. VERTLIEB: Let's talk about missing person supervision.
21 Ms. Powell, when Ms. Shenher arrived what is it
22 that made you think she had the skill set to deal
23 with what she was finding? We now know that there
24 was a serial killer at work, which we've all heard
25 is complicated police work.

1 MS. POWELL: Well, not when she arrived, I mean, we didn't know
2 that. But she has seven years experience on the
3 street and dealing with all sorts of issues
4 working in Strike Force which is a very active
5 pressure cooker environment at times. She is very
6 articulate, and I believe she had a great skill
7 set to work on that.

8 MR. VERTLIEB: So you did not think that she needed any
9 development to fulfill that duty?

10 MS. POWELL: Not at that time, no.

11 MR. VERTLIEB: Did you ever worry about her experience as you
12 became more knowledgeable about the responsibility
13 of a serial killer at work?

14 MS. POWELL: Not her experience, no. I always felt that there
15 was enough experience around the office, she's
16 working in the homicide office there, that if she
17 ever needed anything, particularly when I wasn't
18 there for the six months, there was a number of
19 people that she could rely on for any questions
20 that she had regarding that.

21 MR. VERTLIEB: Who were those people?

22 MS. POWELL: Other detectives in the office, they're all
23 homicide detectives, and NCOs.

24 MR. VERTLIEB: But detectives wouldn't necessarily be
25 supervisors?

1 MS. POWELL: Not in the true sense of a supervisor, but they
2 are of a higher rank.

3 MR. VERTLIEB: So who was there to supervise her work? There's
4 obviously a reason they're supervisors.

5 MS. POWELL: Yes. I don't know who was assigned to be the
6 supervisor when I left. Usually they put in an
7 acting sergeant, which would have been another
8 detective who would have been acting for me in my
9 absence, or it would have been Staff Sergeant
10 Giles who was a staff sergeant in the section.
11 That's my understanding as who was going to be
12 supervising Detective Shenher at that point. Oh,
13 I've just been advised that Sergeant Boyd was.

14 MR. VERTLIEB: Mr. Biddlecombe?

15 MR. BIDDLECOMBE: From my recollection when Geramy left the
16 area Sergeant Boyd took over the responsibility
17 for both homicide teams and he became her direct
18 supervisor at that point in time.

19 MR. VERTLIEB: And that's Al Boyd?

20 MR. BIDDLECOMBE: That's Al Boyd.

21 MR. VERTLIEB: Ms. Powell, how much supervision did you give to
22 Detective Shenher on a daily basis?

23 MS. POWELL: Well, supervision is kind of a hard word. She
24 didn't really need to be supervised. I was there
25 from March onwards, we worked very closely.

1 Throughout that early summer of '98 it was a busy
2 summer with a number of calls and other issues
3 that were going on. And then from mid-August '98
4 to mid-September '98 I was on leave myself.

5 MR. VERTLIEB: So you say she didn't need much, but let's
6 discuss this issue. We've heard that a man named
7 Bill Hiscox came to the attention of police with
8 important information in the summer of 1998?

9 MS. POWELL: Yes.

10 MR. VERTLIEB: Now, we've understood here that there are ways
11 to handle informants.

12 MS. POWELL: Yes.

13 MR. VERTLIEB: It's not something that everyone would know how
14 to do just 'cause you're wearing the badge of a
15 police force.

16 MS. POWELL: Right.

17 MR. VERTLIEB: So specifically what assistance did any of the
18 three of you give Ms. Shenher with respect to her
19 handling an informant, particularly Mr. Hiscox?

20 MS. POWELL: When I first became aware of the Hiscox
21 information it was right in that transition period
22 from when I was going from -- I had just come back
23 from holidays and I was going to be going to this
24 CLEU project. She told me the information, and I
25 expressed it in the document, I told her to go for

1 it, to work on it. And that means develop the
2 information. And I would have felt confident in
3 her ability to talk to other individuals in that
4 section if she needed any assistance with
5 developing or working on the source that it was
6 there, because there's a number of very
7 experienced of detectives in that section who have
8 worked sources throughout their whole career.

9 MR. VERTLIEB: Let's hear it from the other two witnesses,
10 please, and then I do want to explore this a bit
11 more. Mr. Biddlecombe, how would Ms. Shenher know
12 the ins and outs of dealing with an informant?

13 MR. BIDDLECOMBE: She may have developed some of that when she
14 was in the Strike Force. But your question I
15 think was when did we find out about Mr. Hiscox,
16 and I have to say that I never found out about
17 Mr. Hiscox or the source information that she was
18 receiving back in 1998 or the fact that she was
19 dealing with the Coquitlam RCMP throughout '98 and
20 '99.

21 MR. VERTLIEB: You never found out about Mr. Hiscox?

22 MR. BIDDLECOMBE: The first I heard of all of that was when I
23 read it in the report submitted by Deputy Chief
24 LePard ten years or twelve years later.

25 MR. VERTLIEB: Can you help us understand why you would not

1 have known about an important, potentially
2 important informant on a murder case?

3 MR. BIDDLECOMBE: I cannot. I have no idea why the information
4 never got to my level.

5 MR. VERTLIEB: Mr. Dureau.

6 MR. DUREAU: Unfortunately I'm in the same boat, I didn't know
7 about that information till well after the fact
8 years later. I do support what Sergeant Field is
9 saying from the point of view is if you're an
10 investigator who has come into the Major Crime
11 Section you're not inexperienced otherwise you
12 wouldn't be there. I don't know specifically what
13 Lori's experience was, again I was too far removed
14 from that section to really have investigated that
15 or to have researched that at the time. So her
16 saying that she had at her fingertips experienced
17 qualified detectives who could work with
18 informants is absolutely accurate. They were
19 there for the asking if she felt the least bit
20 unable to deal with an informant.

21 MR. VERTLIEB: Going back to Ms. Powell, you were the immediate
22 supervisor. Just hearing that she had at her
23 fingertips experience to go to that's one thing,
24 but the key is to go get it.

25 MS. POWELL: That's right. I understand that she did speak

1 with four detectives in homicide about that issue.

2 MR. VERTLIEB: About handling an informant?

3 MS. POWELL: Yes.

4 MR. VERTLIEB: But would that not be part of your job to make
5 sure that was done?

6 MS. POWELL: I wasn't there then. I had left by then. So
7 either Inspector Boyd or one of the other --
8 whoever was acting for me should have taken that
9 responsibility.

10 MR. VERTLIEB: But you had heard about this issue of Hiscox
11 before you left?

12 MS. POWELL: Yes, and it was just developing.

13 MR. VERTLIEB: Did you sit with Ms. Shenher and say anything
14 about informants are different and they need to be
15 handled differently?

16 MS. POWELL: No, I didn't.

17 MR. VERTLIEB: Do you think that would have been helpful?

18 MS. POWELL: It never occurred to me at that point that she
19 would need help with that.

20 MR. VERTLIEB: Let's move on then with Caldwell, because he was
21 another informant in the summer of '99 and,
22 Mr. Biddlecombe, you were obviously gone by the
23 time Caldwell surfaces; is that correct? He's in
24 August of '99.

25 MR. BIDDLECOMBE: No, I was still there in August of '99.

1 MR. VERTLIEB: When did you go on leave?

2 MR. BIDDLECOMBE: I was out of the department basically most of
3 July of '99. I came back for small periods
4 through the month of August. I think I was there
5 for a week in August. I was back again I think
6 for about a week in September, and then I left on
7 extended sick leave on October the 7th.

8 MR. VERTLIEB: Of '99?

9 MR. BIDDLECOMBE: Of 1999, yes.

10 MR. VERTLIEB: And extended sick leave meaning?

11 MR. BIDDLECOMBE: I was off on sick leave until I retired
12 eleven, twelve months later in September of 2000.

13 MR. VERTLIEB: So once you went on extended sick leave your
14 work as a police officer was essentially finished?

15 MR. BIDDLECOMBE: Yes.

16 MR. VERTLIEB: So, let's talk about Caldwell, Ms. Powell. We
17 were told that there was this second informant,
18 and this information came in the summer of '99,
19 and by that time you're back now as the sergeant
20 in charge?

21 MS. POWELL: That's right.

22 MR. VERTLIEB: And so you'd be the direct sergeant for
23 Ms. Shenher?

24 MS. POWELL: Yes.

25 MR. VERTLIEB: So let's talk about what you did with respect to

1 Caldwell and Ms. Shenher.

2 MS. POWELL: Well, Caldwell, actually that information was
3 taken over by Detective Lepine and Detective
4 Chernoff.

5 MR. VERTLIEB: Did you have any involvement with Ms. Shenher
6 and how that should be handled?

7 MS. POWELL: Not directly, no.

8 MR. VERTLIEB: So let's talk about Lepine and Chernoff. Who
9 was their direct sergeant?

10 MS. POWELL: That would have been me.

11 MR. VERTLIEB: And what did you do with respect to Mr. Caldwell
12 and those two detectives, Lepine and Chernoff, in
13 terms of supervising them and directing them?

14 MS. POWELL: When the information concerning Mr. Caldwell first
15 came in I transferred that information to
16 Detective Chernoff who was in the squad. At the
17 time Detective Lepine was on holidays. In very
18 short order because the information was so, we'll
19 call it, good we called in Detective Lepine from
20 holidays and he came in on his annual leave to
21 assist with that. So Detective Chernoff and
22 Detective Lepine were assigned to develop that
23 information.

24 MR. VERTLIEB: And how did you supervise the development of
25 that information?

1 MS. POWELL: In terms of supervise I was just given updates.

2 MR. VERTLIEB: And what did you do with the information in
3 terms of informing people above you?

4 MS. POWELL: Specifically off the top of my head I can't answer
5 that. I'd have to look at the meeting minutes.

6 MR. VERTLIEB: Now, let's talk about the work of Sandy Cameron.
7 Ms. Powell, she was again someone who you would be
8 in supervisory capacity to?

9 MS. POWELL: Yup.

10 MR. VERTLIEB: Were you ever made aware of any problems or
11 complaints about her and her work?

12 MS. POWELL: When I first arrived in homicide I was aware that
13 a file had been created on Sandy Cameron by the
14 previous sergeant, I think that was Sergeant
15 Cooper, and it had to do with I believe her
16 possibly misrepresenting herself on the phone as a
17 detective, and I understand an investigation had
18 taken place and that either she had been spoken to
19 or it had been handled by Sergeant Cooper and been
20 dealt with. I had a bit of personal knowledge of
21 Sandy Cameron because I had seen her in the
22 offices when I was there in the Sex Offense Squad
23 when we were all part of one office. Basically
24 that was my knowledge of her when I arrived.

25 MR. VERTLIEB: So were you ever made aware of problems or

1 complaints about her work when you were sergeant?

2 Not pre-existing you, of course, but when you were
3 actually sergeant.

4 MS. POWELL: When I was sergeant Lori Shenher had brought to my
5 attention a couple of times that she felt that
6 Sandy had been possibly rude and abrupt with some
7 people on the phone. There were two instances
8 where I ended up acting as a bit of a liaison, one
9 with a family member of one of the missing women,
10 and the other was another separate missing person
11 case, because there had been a personality
12 conflict between Ms. Cameron and those
13 individuals.

14 MR. VERTLIEB: So you were acting in a mediating capacity?

15 MS. POWELL: More or less. I had spoken to Sandy about her
16 attitude. Sometimes she would be a little short.
17 Like a number of times when people would phone in
18 or she would begin conversations with them they're
19 agitated, they're very upset, and sometimes the
20 personality flow doesn't go well.

21 MR. VERTLIEB: Is there anything else that you believe you
22 should have done concerning those complaints?

23 MS. POWELL: No, I handled one in a formal manner and dealt
24 with it, and dealt directly with the family and
25 with the family member of the missing woman, I

1 went out and met with her a couple of times. I
2 never personally observed her to be rude or
3 anything else with anybody on the phone myself.
4 She was in a separate office quite a ways down the
5 hall from us.

6 MR. VERTLIEB: Did you keep your superiors informed about any
7 issues concerning Ms. Cameron?

8 MS. POWELL: There was no issue that I felt needed to be
9 brought to their attention.

10 MR. VERTLIEB: Now, I wanted to just ask you, Ms. Powell, about
11 the issuance of a warning to the community. You
12 know that's a live issue and there's been comment
13 about the community being warned or not warned?

14 MS. POWELL: Yes.

15 MR. VERTLIEB: And, Mr. Biddlecombe, are you alive to that as a
16 concern?

17 MR. BIDDLECOMBE: Yes.

18 MR. VERTLIEB: Mr. Dureau?

19 MR. DUREAU: Yes.

20 MR. VERTLIEB: Okay. So let's hear from each of you, please,
21 about your view concerning the issuance of
22 warnings to the community that we live in?

23 MS. POWELL: Early on I know there was some discussion about
24 that, and I think that my feelings at the time
25 were that there wasn't a lot to -- there was

1 nothing specific to warn them about. My general
2 sense of the sexual predators that were down there
3 and the nature of the women and their
4 vulnerabilities, that any male that they get in a
5 car with is a potential danger, and because we
6 didn't have anything specific like a description
7 or anything else to go on my general feeling at
8 the time was that it wouldn't have been too
9 productive.

10 MR. VERTLIEB: Mr. Biddlecombe.

11 MR. BIDDLECOMBE: From my recollection there was. I gave the
12 media release I believe in October of '98. I
13 can't recall the exact words now, but it was to
14 the effect that we were doing an investigation and
15 looking into whether there was a serial crime. I
16 don't recall the specifics of that conversation or
17 that media release, and I think it was around the
18 same time that Inspector Greer also gave a very
19 similar media release. From my perspective almost
20 all the work that Detective Shenher and Sergeant
21 Powell and the group that formed the later missing
22 women work group, their whole thrust was to let
23 the public know what was going on and what they
24 were doing. John Turvey, who unfortunately is no
25 longer with us, was very active in the Downtown

1 Eastside and he made a number of media releases
2 prior to his passing basically along that fact
3 that everything the VPD were doing was to bring
4 this to the attention of the people in the
5 Downtown Eastside. I believe there were a number
6 of other media releases from other members of the
7 Downtown Eastside that supported that. So from my
8 perspective as an inspector I thought a lot of
9 this information was getting out in a timely
10 fashion.

11 MR. VERTLIEB: Mr. Dureau?

12 MR. DUREAU: Yes, I had been a staff sergeant in the Downtown
13 Eastside prior to coming to major crime for a
14 short time, and I was aware at this time of the
15 work being done by Inspector Greer and Staff
16 Sergeant MacKay-Dunn along with Dave Dickson, at
17 the time we were doing work in the Major Crime
18 Section, and I don't think there was any lack of
19 media attention and warnings that were going on
20 down there. The argument is that the police
21 warning would hold more weight. I think there was
22 lots of police talking about it. I think the
23 community was completely alive to the fact that
24 there were issues and there were missing women, so
25 again I don't know that any other warnings or more

1 warnings would have been beneficial.

2 MR. VERTLIEB: So then please all of you turn to tab 10 of this
3 binder and then I'll ask Mr. Giles that it be
4 marked as the next exhibit, please, on an NR
5 basis.

6 THE REGISTRAR: On an NR basis it will be 149NR.

7 **(EXHIBIT 149NR: Binder entitled Commission**
8 **Counsel Documents for Examination of VPD's Major**
9 **Crime Section Panel)**

10 MR. VERTLIEB: Thank you. So look at that draft press release,
11 which we are told was not cleared for release. Do
12 all three of you understand that this draft was
13 not actually issued? Yes, all three of you agree
14 with that?

15 MS. POWELL: M'hm.

16 MR. DUREAU: M'hm.

17 MR. VERTLIEB: So let's hear why that would not have been a
18 good news release to go out. What would be the
19 harm of sending that news release out? Ms. Field?

20 MS. POWELL: Well, the day of the news release is September
21 30th and I wasn't around at that point, so I had
22 no input as to whether this would or would not
23 have gone out.

24 MR. VERTLIEB: No, I understand that. But you've read it?

25 MS. POWELL: Yeah.

1 MR. VERTLIEB: And you came back to the work?

2 MS. POWELL: Yes.

3 MR. VERTLIEB: And you were involved in missing women
4 investigations for many months?

5 MS. POWELL: Yes.

6 MR. VERTLIEB: So having seen this document, we know it's
7 beyond doubt that it was not cleared for release.

8 MS. POWELL: Yes.

9 MR. VERTLIEB: And you know that to be the case?

10 MS. POWELL: Yes.

11 MR. VERTLIEB: Tell us what would have been wrong about sending
12 that out? How could that have been a bad thing to
13 do?

14 MS. POWELL: I don't see anything wrong with that.

15 MR. VERTLIEB: Thank you. Mr. Biddlecombe?

16 MR. BIDDLECOMBE: As I previously stated I have no -- I just
17 saw this today. I have no recollection of it from
18 back in 1998, but if you're asking me to look at
19 it in today's light and try and make a decision on
20 it, offhand I wouldn't object to it. There are
21 some issues that I'm not sure are accurate. Where
22 it says a number of Vancouver Downtown Eastside
23 were being found murdered, it sort of leaves that
24 hanging as if they have never been solved, where
25 most if not all of the murders of sex trade

1 workers in the '90s have been solved by charges, I
2 think there'd been ten, and I believe only two
3 were unsolved at that point in time. So I don't
4 know if that was just sort of going to leave
5 things dangling that all these women were being
6 murdered when we didn't even know that at that
7 time.

8 MR. VERTLIEB: Mr. Dureau? I'm sorry, Mr. Biddlecombe, I
9 thought you were finished.

10 MR. BIDDLECOMBE: I'm just reading through a few other
11 sentences here. There's a comment about a
12 preliminary analysis having been done by the
13 Vancouver Police Department. I never saw that.
14 I'm not sure what that refers to, what this
15 preliminary analysis is, whether it's Mr. Rossmo's
16 document that I never saw or whatever.

17 MR. VERTLIEB: You say you never saw Mr. Rossmo's document.
18 Have a look at tab 8.

19 MR. BIDDLECOMBE: I don't think I've ever seen this document.
20 It was addressed to me, but I was obviously away
21 at that time and Acting Inspector Dureau dealt
22 with it.

23 MR. VERTLIEB: Mr. Dureau, you'll see your handwriting there on
24 page 1?

25 MR. DUREAU: Yes, I do.

1 MR. VERTLIEB: And a note addressed to Sergeant Field?

2 MR. DUREAU: Yes, this would have gone through the chain
3 through Staff Sergeant Giles to Sergeant Field.

4 MR. VERTLIEB: And you seem to be supporting the document?

5 MR. DUREAU: I am supporting the fact that the patrol members
6 want to form a working group and want to have a
7 meeting, absolutely, and that we should attend
8 that meeting and see where it goes from there.

9 MR. VERTLIEB: And you see, Mr. Biddlecombe, the signature of
10 Brian McGuinness?

11 MR. BIDDLECOMBE: I do.

12 MR. VERTLIEB: And he addressed the note apparently to you, but
13 you say that at the time you did not see it?

14 MR. BIDDLECOMBE: That's correct.

15 MR. DUREAU: This would have been shared with the inspector
16 when he returned. Whether he remembers it now or
17 not I don't know.

18 MR. BIDDLECOMBE: I was on leave until September 9th, I believe
19 it was that year, and like I say I have no
20 recollection of having seen this when I returned.

21 MR. VERTLIEB: Mr. Dureau, what do you say about this news
22 release?

23 MR. DUREAU: Two things. I would say based on the experience
24 and training I had at the time I probably don't
25 have much of a problem with this, although again

1 putting myself back in that time and I would want
2 to have some information about what they're saying
3 about the people who have been murdered, and I
4 would want more background for myself to be
5 comfortable with releasing this, but having had
6 some experience since then with major case
7 management and the way you do things this would
8 never go out, because there are too many things
9 that have to be massaged and put in context for a
10 press release through the major case management
11 system, and I suggest that this wouldn't be
12 released.

13 MR. VERTLIEB: You're saying today?

14 MR. DUREAU: Today.

15 MR. VERTLIEB: But back in '98 did you see any harm in
16 releasing that?

17 MR. DUREAU: Again having -- if I had a chance to do a little
18 bit of research on it probably not, no.

19 MR. VERTLIEB: And just looking to tab 8 which is the working
20 group document, and this has been covered by other
21 witnesses, if you look at the third page you'll
22 see the paragraph G, topic safety and crime
23 prevention initiatives, you see that?

24 MR. DUREAU: Sorry, are you talking to me?

25 MR. VERTLIEB: Yes, sir.

1 MR. DUREAU: Yes.

2 MR. VERTLIEB: And you'll see reference to media?

3 MR. DUREAU: Yes.

4 MR. VERTLIEB: You understand that part of the news release
5 tactic could be, if nothing else, to deter
6 possible offender, in other words we're on to you
7 and better be careful?

8 MR. DUREAU: I absolutely understand that which is why I said
9 initially I would want to do a little bit more
10 research on this press release to make sure we
11 were doing that correctly.

12 MR. VERTLIEB: Mr. Biddlecombe, when you look at page 3 of the
13 working group document do you see the wisdom of
14 having safety and crime prevention initiatives
15 being undertaken by that working group?

16 MR. BIDDLECOMBE: I would agree, although the media can also
17 cause your suspect to leave the area and stop what
18 he's doing, that could also cause copy cats to
19 start up. So there's an upside and a downside,
20 depending on what you say to the media and the way
21 you phrase it to the media and how they report it.

22 MR. VERTLIEB: But you have no recall of seeing this tab 8
23 document?

24 MR. BIDDLECOMBE: No, I don't.

25 MR. VERTLIEB: All right. Is there anything else any of you

1 want to say about that draft news release that did
2 not go out?

3 MS. POWELL: Can I just ask who the author was?

4 MR. VERTLIEB: Our understanding it was Dr. Rossmo. But
5 obviously he's not in charge of media relations so
6 there would be people involved in that.

7 MS. POWELL: That's right, I was just going to bring that up.
8 There is a whole media section that had a
9 professionally hired media person that worked
10 along with our media people.

11 MR. VERTLIEB: So let's just ask about this working group. We
12 understand that it was disbanded and the concern
13 over missing women would be dealt with by major
14 crime. Do you remember taking that initiative,
15 Mr. Biddlecombe?

16 MR. BIDDLECOMBE: No.

17 MR. VERTLIEB: No memory at all. Do you recall that being the
18 state of affairs as they were described to you,
19 Ms. Powell, when you returned?

20 MS. POWELL: Yes, I do.

21 MR. VERTLIEB: And did you question why that was done?

22 MS. POWELL: No, I didn't.

23 MR. VERTLIEB: Mr. Dureau, can you assist us?

24 MR. DUREAU: Well, I don't recall it being disbanded. As I say
25 when Inspector Biddlecombe returned I would have

1 returned to my duties, however, I do know just
2 because at the time I know that people in District
3 2 didn't cease working on this issue. The working
4 group I guess never got off the ground, but that's
5 not to say they didn't keep doing the work that
6 they were doing.

7 MR. VERTLIEB: So, Ms. Field, when you returned to your job
8 back at the police department, I'm not sure I was
9 clear in the question, did you believe that
10 sending missing women back to major crime was a
11 good or bad move?

12 MS. POWELL: I just accepted it, I never thought whether it was
13 good or bad, it was there.

14 MR. BIDDLECOMBE: Can I add one comment here, Mr. Vertlieb?
15 When you're referring to my document of September
16 14th, which is tab 4, I just noticed that the last
17 two paragraphs of that document would seem to
18 indicate that I was not opposed to that missing
19 women's work group. In effect I have said here if
20 they want access to our documents, be it homicide
21 files or missing persons files, they could do so
22 through Sergeant Field, and that was so that we
23 could maintain control over whatever files are
24 leaving our area. I'm just reading this today and
25 relating it back to how I must have interpreted it

1 back then.

2 MR. VERTLIEB: That is your signature at page 4?

3 MR. BIDDLECOMBE: It is.

4 MR. VERTLIEB: Now, in February '99 we've seen documents
5 relating to a Strathcona Police Liaison Committee
6 meeting. Ms. Field, this would have been before
7 you returned to your duties as sergeant, but this
8 is just shortly before you came back. Tell us
9 what you knew about the work of Ms. Shenher and
10 her work in the community at that time?

11 MS. POWELL: Up until February?

12 MR. VERTLIEB: Well, when you came back.

13 MS. POWELL: Oh.

14 MR. VERTLIEB: Because there's obviously work going on by
15 police officers in the community dealing with
16 concerns.

17 MS. POWELL: Yes.

18 MR. VERTLIEB: And you can see the numbers that were related to
19 that committee meeting.

20 MS. POWELL: Which document are you referring to?

21 MR. VERTLIEB: Tab 11. You've seen this document I presume in
22 your preparation? You can see the numbers seem to
23 be jumping dramatically.

24 MS. POWELL: Yes.

25 MR. VERTLIEB: Look at missing persons in '98, eleven. A

1 pretty dramatic number.

2 MS. POWELL: Yes.

3 MR. VERTLIEB: And it was obvious the community was worried
4 about what was going on?

5 MS. POWELL: Yes.

6 MR. VERTLIEB: So when you came back as sergeant tell us about,
7 if any, dealings with Ms. Shenher about the
8 community and its concerns and how you as the
9 police department in your job as sergeant wanted
10 to deal with it?

11 MS. POWELL: Well, the way you ask the question it's kind of
12 hard to say that it evolved that way. It was more
13 at that time me getting an understanding of the
14 numbers and what work had been done leading up to
15 that point, and I knew that Lori was obviously
16 liaising with the community, she was in close
17 contact with them to be on top of any of the women
18 that had gone missing and those cases. Eventually
19 we got to the point where we were meeting and it
20 was very apparent that we needed more people, more
21 resources, and we needed to wrap this thing up to
22 a more formal investigation.

23 MR. VERTLIEB: So in terms of ramping up, Mr. Biddlecombe, did
24 you become aware of the need to ramp up this
25 investigation around the time of this liaison

1 committee meeting?

2 MR. BIDDLECOMBE: What's the date on this committee meeting?

3 MR. VERTLIEB: February 9, 1999.

4 MR. BIDDLECOMBE: I did not become informed of ramping this up
5 until I came back from leave in May of 1999 and I
6 read a document authored by Detective Constable
7 Shenher with the covering report on it from
8 Sergeant Powell recommending that they wanted to
9 go to a more suspect focus based investigation,
10 and that's when we put together the Missing Women
11 Task Force working group in late May of 1999.

12 MR. VERTLIEB: So this --

13 MR. BIDDLECOMBE: This document here I have never seen.

14 MR. VERTLIEB: Ms. Powell, so we've heard that Mr. Biddlecombe
15 didn't come back till May '99 and you're back in
16 March of '99; correct?

17 MS. POWELL: Yes.

18 MR. VERTLIEB: So tell us what you did to assist the ramping up
19 that you felt was needed? Who did you talk to if
20 Mr. Biddlecombe wasn't there?

21 MS. POWELL: Well, it would have been Staff Sergeant Dureau I
22 imagine.

23 MR. VERTLIEB: And, Mr. Dureau, do you recall this?

24 MR. DUREAU: No, I don't. I have no independent recollection
25 with this specific meeting or this specific

1 report. I do recall that they were meeting with
2 the community at the time, but this doesn't ring a
3 bell, no.

4 MR. VERTLIEB: Is there no formalized process by which a
5 sergeant can get information to an inspector in
6 the way that it can be properly recorded and
7 tracked for action?

8 MR. DUREAU: There are memos that come through, and you have a
9 number of them here, that would come through Brock
10 Giles to me if I was acting, and there would be a
11 file in that office that would have a compilation
12 of these memos in it for reference later. I mean,
13 there are a few of these memos in here that have
14 my signature on them. Any one that I have seen
15 should have my signature on it.

16 MR. VERTLIEB: Ms. Powell, can you help us understand in those
17 two months how you were bringing your concerns to
18 your superiors?

19 MS. POWELL: Well, in March and April, I would have come back
20 in March and I would have been, as you said, been
21 brought up to speed into what had happened in the
22 last six months, and as I said not only with this
23 file, but with the other files that my eight
24 homicide detectives were working on. So that by
25 April I know I was meeting with Lori and trying to

1 find out where she's at with basically her
2 investigation and by I guess, I think it was in
3 May that the reports were authored, that it was
4 very clear that we needed a more formal working
5 group to deal with this issue. So it took that
6 time. Any reports that I wrote or that Lori wrote
7 would have gone up the chain.

8 MR. VERTLIEB: So look at tab 13, please. You've seen this as
9 well in preparation. This is now an e-mail from
10 the deputy chief Mr. McGuinness. So we're talking
11 now February of 1999, a few days after this
12 liaison committee meeting that we just discussed.
13 Okay. Do all three of you see this?

14 MS. POWELL: Yes.

15 MR. DUREAU: Yes.

16 MR. VERTLIEB: So look at the last sentence of Mr. McGuinness.
17 Now, he is clearly in charge of all of you because
18 he's a deputy chief and he's right near the top.
19 Look at his sentence of his memo. And it's
20 addressed to Mr. Biddlecombe and to Mr. Dureau and
21 to Brock Giles, so we've got two of the three
22 people it was addressed to sitting here to assist
23 the commission. Question:

24 Do we have a problem that we are not
25 addressing etc.?

1 So now you've got a deputy chief asking if we've
2 got a problem in February '99. Can you help us
3 understand what happened in those weeks and few
4 months following so that the people in charge of
5 the department are taking the appropriate action.
6 Ms. Field? Ms. Powell, pardon me.

7 MS. POWELL: I wasn't there in February.

8 MR. VERTLIEB: I know that, but you were there in March.

9 MS. POWELL: Yes.

10 MR. VERTLIEB: So just help us understand. You've got the
11 deputy chief asking it we have a problem.

12 MS. POWELL: So eventually that would come to me in March when
13 I returned and I would discuss that situation with
14 Lori and find out what she had, and by throughout
15 April I would be doing the same thing I imagine,
16 assessing the problem, and then it was clear that
17 by May we needed to have a review team or a task
18 force as it ended up being.

19 MR. VERTLIEB: Mr. Dureau?

20 MR. DUREAU: Well, just looking at that memo and then looking
21 at -- I wasn't acting over the next month and a
22 half, so this memo would have been dealt with by
23 Inspector Biddlecombe and Sergeant Field, and I
24 would have been involved I assume, although I
25 don't have any independent recollection of it, and

1 I don't believe I was at the meeting, whatever the
2 meeting was, on the 24th.

3 MR. VERTLIEB: Mr. Biddlecombe, tell us about -- look at your
4 schedule, tab 6.

5 MR. BIDDLECOMBE: Yeah, I was gone on leave from February 1st
6 and I returned on February 22nd, so I would not
7 have seen these memos I'm assuming until after my
8 return. But from my recollection of the evidence
9 that's been given here there's far more e-mails
10 than just these two that pertain to this issue.

11 MR. VERTLIEB: Can you help the commissioner understand what
12 response you gave to Mr. McGuinness given his
13 e-mail that you would have seen perhaps when you
14 came back on the 22nd of February.

15 MR. BIDDLECOMBE: I believe this has to do with, if I'm not
16 mistaken, a set of e-mails that originated with
17 Detective Inspector Rossmo when he attended the
18 Carnegie Centre and heard Detective Constable
19 Shenher give some statistics, and from my
20 recollection Rossmo wrote an e-mail to the deputy
21 chief indicating that he had asked for this
22 information some months before, I believe in
23 October of '98, and he was now just hearing about
24 it in February of '99. And I believe there was an
25 e-mail or e-mails that cover that, that exchange,

1 and from my knowledge there was a -- I had a -- my
2 vague memory is that I had a conversation when I
3 came back with Ms. Cameron because the original
4 e-mail was sent to Ms. Cameron by Rossmo to
5 provide the statistics. The response I got from
6 Ms. Cameron was that she had e-mailed Detective
7 Inspector Rossmo back in October or November
8 asking for a BF update for when he needed that
9 information and that Rossmo never responded to
10 Cameron and she therefore put it on the back
11 burner and didn't think that it was important.

12 MR. VERTLIEB: Did you ensure that Mr. Rossmo got information
13 he needed?

14 MR. BIDDLECOMBE: Well, he already had the information at that
15 point.

16 MR. VERTLIEB: But on a regular basis did Mr. Rossmo --

17 MR. BIDDLECOMBE: I reminded Ms. Cameron that she would have to
18 do better work in the future. If it's requested
19 make several tries, not just one.

20 MR. VERTLIEB: So specifically, Mr. Biddlecombe, what efforts
21 did you make to keep your supervisor
22 Mr. McGuinness apprised of the situation. You've
23 got his e-mail dated February 13, it's addressed
24 to you, you're back at work February 22. Tell us
25 what you did to keep McGuinness apprised?

1 MR. BIDDLECOMBE: I don't have a clear memory. My memory would
2 be -- well, once as I've told you I've cleared up
3 what happened, I've determined what happened I'm
4 quite certain I would have passed that information
5 on to Deputy McGuinness, because he's asking
6 what's happening here, and once I've clarified it
7 with Sandy Cameron I'm quite certain I would have
8 either verbalized it to him or sent him a memo
9 about it.

10 MR. VERTLIEB: Now, let's move to the next discussion I'd like
11 to have with you.

12 THE COMMISSIONER: No, we'll stop there for the break.

13 THE REGISTRAR: The hearing will now recess for ten minutes.

14 **(PROCEEDINGS ADJOURNED AT 3:04 P.M.)**

15 **(PROCEEDINGS RESUMED AT 3:17 P.M.)**

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

17 THE COMMISSIONER: I just want to announce before we commence
18 this afternoon I've allocated some time here for
19 examination and cross-examination. It
20 necessitates us sitting till five o'clock each
21 day, and we will -- we'll sit the balance of this
22 week until five o'clock and I've allocated some
23 times here. All right. Thank you.

24 THE REGISTRAR: I'll make sure that gets distributed.

25 MR. VERTLIEB: Thank you, Mr. Giles.

1 MR. WOODALL: Just one point if it's of assistance. I think
2 Ms. Hatcher estimated that we would want two to
3 three hours, and I will only need one hour if that
4 will assist.

5 THE COMMISSIONER: I can't remember what I've given you here.

6 MR. WOODALL: Oh, okay.

7 THE COMMISSIONER: But total what it's going to amount to is
8 about -- I'm told that this panel will testify in
9 chief for an hour and fifteen or an hour and a
10 half.

11 MR. VERTLIEB: Hour and a half. Total, almost ten hours total.

12 THE COMMISSIONER: Ten hours for cross-examination?

13 MR. VERTLIEB: Ten hours total, Mr. Commissioner.

14 THE COMMISSIONER: Total. Okay. So that means there will be
15 about eight hours, nine hours for
16 cross-examination I think in total, so.

17 MR. WARD: And it's Cameron Ward, counsel for the families of
18 25 missing and murdered women. I just want to
19 understand what I've just heard. You're telling
20 us, Mr. Commissioner, now at 3:20 that we're
21 sitting till five?

22 THE COMMISSIONER: Yes. Are you not able to sit until five?

23 MR. WARD: Counsel have lives and practices. It would be good
24 to get some notice of this.

25 THE COMMISSIONER: Well, I know that, but we need to get

1 finished. You don't have to cross-examine today,
2 Mr. Ward, I'll get someone else to start and you
3 can do yours tomorrow.

4 MR. WARD: And my understanding would be that some or all of
5 these witnesses are represented by counsel and
6 they in the ordinary course would precede any
7 cross-examinations by others given our practice.

8 THE COMMISSIONER: Well, you know, we're not necessarily
9 married to the order that we have been
10 cross-examining. I don't want to -- if you have
11 other commitments, you know, I don't want to force
12 you on, but the thing is if you -- you know, there
13 are enough lawyers here that can cover for you, or
14 not cover for you, but cross-examine and you could
15 do it at your convenience.

16 MR. WARD: Thank you. I'd like to go tomorrow morning then,
17 thank you.

18 THE COMMISSIONER: Yeah.

19 MR. VERTLIEB: Thank you. In the remaining fifteen minutes let
20 me just deal with some topics. I wanted to just
21 tell you, Mr. Biddlecombe, that your lawyer is
22 going to deal with the psychiatric letter you
23 talked about. Your lawyer has it and he's
24 apparently going to be filing it. Now, I want to
25 discuss the work with the attorney general today,

1 Mr. Dosanjh. There's a memo Shenher to Dosanjh,
2 tab 15, and the question for each -- each of you
3 will be this. Ms. Powell, did you have any
4 involvement in the preparation of this memo to the
5 attorney general of our province?

6 MS. POWELL: No, I didn't.

7 MR. VERTLIEB: Mr. Dureau, did you have any involvement in the
8 preparation of that memo?

9 MR. DUREAU: No.

10 MR. VERTLIEB: Mr. Biddlecombe?

11 MR. BIDDLECOMBE: No, I did not.

12 MR. VERTLIEB: Mr. Dureau and Mr. Biddlecombe, on a plain
13 reading of the memo do you believe the information
14 is correct?

15 MR. DUREAU: I'd have to read it, I haven't read it.

16 MR. VERTLIEB: Have you not seen it before?

17 MR. DUREAU: I don't believe so.

18 MR. VERTLIEB: I'll leave that with you. Mr. Biddlecombe and
19 Mr. Dureau, tonight please read it, and tomorrow
20 morning first thing if you don't mind giving us an
21 answer to that. Is that fair enough?
22 Mr. Biddlecombe?

23 MR. BIDDLECOMBE: Yes. I assume I can take this out of the
24 courtroom.

25 MR. VERTLIEB: Yes, we can get you a copy. No problem. Now,

1 let's talk about the case assessment report
2 prepared by Dr. Rossmo. It's tab 16. You have no
3 doubt seen this, Mr. Biddlecombe and Mr. Dureau,
4 back in the time frame 1999?

5 MR. DUREAU: I don't recall seeing it back then, no. I have
6 seen it since, it was one of the forms supplied to
7 me a couple of weeks ago.

8 MR. VERTLIEB: So you have no recall seeing it back in the time
9 frame?

10 MR. DUREAU: None, no.

11 MR. VERTLIEB: Mr. Biddlecombe?

12 MR. BIDDLECOMBE: I don't recall ever seeing it either. Not to
13 say I didn't see it, but I just have no recall of
14 this document.

15 MR. VERTLIEB: Okay. Ms. Powell, when did you become aware of
16 this information outlined in Dr. Rossmo's work?

17 MS. POWELL: Specifically I'd have to refer to my log, but very
18 close to this date.

19 MR. VERTLIEB: Thank you. And the date meaning May 25, 1999?

20 MS. POWELL: Sorry, yes.

21 MR. VERTLIEB: What was your reaction to the information?

22 MS. POWELL: I would say the one where he describes it most is
23 compelling.

24 MR. VERTLIEB: Say again, please?

25 MS. POWELL: Compelling.

1 MR. VERTLIEB: Did you believe the course of action being taken
2 by the department that was underway was
3 appropriate given this information of Dr. Rossmo?

4 MS. POWELL: I believe we were headed in the right direction,
5 yes. We asked for some additional resources to
6 begin to work towards this, and I think Inspector
7 Biddlecombe supported that, and we eventually got
8 a few more resources in terms of some equipment
9 and some people.

10 MR. VERTLIEB: But with what urgency was the department acting?

11 MS. POWELL: Initially with this it was good. We got, as I
12 said, some additional help in the form of -- I'd
13 have to look at the exact sequence, but Alex
14 Clarke, Constable Dickson, and eventually
15 Detectives Chernoff and Lepine who were assigned,
16 and eventually Detective Constables Fell and
17 Wolthers were added as well. That took a few
18 months to get there.

19 MR. VERTLIEB: That's the point, yes.

20 MS. POWELL: Yes.

21 MR. VERTLIEB: It did take a few months?

22 MS. POWELL: Yes, it did.

23 MR. VERTLIEB: And do you realize that Dr. Rossmo was talking
24 about foul play and the serial murderer?

25 MS. POWELL: Yes.

1 MR. VERTLIEB: And he believed that this was happening in a
2 matter of weeks, not months?

3 MS. POWELL: He believed what was happening? Sorry.

4 MR. VERTLIEB: That the serial killer was active.

5 MS. POWELL: I think that the statistics have been gleaned from
6 '98, that we didn't have anything for '99. Up to
7 '98.

8 MR. VERTLIEB: And who were you talking to for supervision
9 about this work? You said Mr. Biddlecombe knew
10 about it.

11 MS. POWELL: Yes.

12 MR. VERTLIEB: Was he the person that you went to?

13 MS. POWELL: Eventually, yes, it would have gone up the chain
14 through Staff Sergeant Giles to either Inspector
15 Biddlecombe or Acting Inspector Dureau. And I
16 also believe that it went through to Deputy Chief
17 McGuinness. I think I believe I saw his signature
18 on this as well.

19 MR. VERTLIEB: Then there's another memo from Dr. Rossmo, the
20 next tab, tab 17.

21 MS. POWELL: Yes.

22 MR. VERTLIEB: So he's suggesting it's most likely a single
23 murderer or partner murderer preying on skid row
24 prostitutes?

25 MS. POWELL: Yes.

1 MR. VERTLIEB: Would you concur that that's somewhat ominous?

2 MS. POWELL: Yes, it is.

3 MR. VERTLIEB: And this is May 27, 1999. What urgency was this
4 work of Dr. Rossmo given?

5 MS. POWELL: Well, I would say that his report gave it very
6 good impetus for us to get the resources that we
7 needed. It certainly helped.

8 MR. VERTLIEB: Mr. Dureau, does this report suggest an ongoing
9 aspect to this crime?

10 MR. DUREAU: Yes, I believe it does.

11 MR. VERTLIEB: So if you've got an ongoing serial killer then
12 would you consider that to be urgent?

13 MR. DUREAU: Yes, I would. However, the information that I had
14 from the people in this section was that we had no
15 missings past January I believe of this year, so
16 we were now a few months later and we were now
17 putting more resources into this to see if we
18 could find out something else and move along, but
19 we had no information other than a smoking gun
20 sort of information.

21 MR. VERTLIEB: Let's just talk about staffing. There are
22 indications, Ms. Powell, that you wanted a full
23 time supervisor?

24 MS. POWELL: That's correct.

25 MR. VERTLIEB: And that was not granted?

1 MS. POWELL: That's correct.

2 MR. VERTLIEB: And there's a document at tab 18, page 6.

3 MS. POWELL: Yes.

4 MR. VERTLIEB: What was the reason given to you as to why a
5 full-time sergeant was not assigned?

6 MS. POWELL: I couldn't recall the reason at this point, but I
7 know that the department was under extreme
8 pressure in all other divisions for manpower.

9 MR. VERTLIEB: What was your reason for --

10 MS. POWELL: And they would have to answer to that. I'm sorry.

11 MR. VERTLIEB: What was your reason for making the request for
12 a full-time sergeant?

13 MS. POWELL: Well, major case management principles direct that
14 when we have a special project of this nature you
15 need somebody in charge in there full time in the
16 room with the things that are going on. As it was
17 I was still continuing on with my homicide duties
18 with the eight detectives and being on call and
19 looking after the Missing Persons Section, it just
20 draws away from your ability to concentrate and
21 react to the issues at hand, this being one of
22 them. You need to have a complete understanding
23 of the nature of the problem as it evolves and be
24 there as it evolves in order to react when it
25 needs to be reacted to.

1 MR. VERTLIEB: You weren't able to do that?

2 MS. POWELL: I wasn't able to do that completely, no.

3 MR. VERTLIEB: So what was the process in place for the type of
4 request that you were seeking?

5 MS. POWELL: The process I would -- I asked Lori to prepare a
6 report which needs some evidence to back up why
7 you need more manpower or more help or more
8 resources. I then made my own accompanying report
9 and then it would go up the chain of command
10 through Staff Sergeant Giles and/or eventually to
11 Inspector Dureau or Biddlecombe who would then
12 pass it on up to their commander.

13 MR. VERTLIEB: Do you understand that it was Mr. Dureau who
14 became the messenger on the refusal, is that your
15 recall?

16 MS. POWELL: On this particular one I can't recall. I do know
17 that at one time I did ask him and I was told
18 there was no one available, so basically it was
19 the summer, I think, and there wasn't going to be
20 any manpower forthcoming in the summer.

21 MR. VERTLIEB: Mr. Dureau, can you help us, were you the
22 messenger in telling Ms. Powell that there was not
23 going to be a full-time sergeant?

24 MR. DUREAU: I believe I was.

25 MR. VERTLIEB: And what was the reasoning for that decision?

1 MR. DUREAU: Because none were forthcoming from the division
2 nor from other divisions.

3 MR. VERTLIEB: Did you have any input into that decision?

4 MR. DUREAU: I would have -- I would have supported this
5 document to the deputy and from there it was a
6 staffing decision that I had no hand in.

7 MR. VERTLIEB: I want to ask you about meeting records. During
8 the course of evidence here we've heard about
9 meetings taking place in a variety of settings,
10 but it doesn't appear that minutes were always
11 kept of meetings. Mr. Dureau?

12 MR. DUREAU: I would say minutes were seldom kept of meetings.

13 MR. VERTLIEB: Mr. Biddlecombe?

14 MR. BIDDLECOMBE: Any of the meetings I attended, like the
15 missing women's work group meetings, I think there
16 were three or four I attended to be briefed on, we
17 always kept minutes of those meetings, and I
18 believe they are in -- I've seen some of them
19 entered in evidence here in this inquiry.

20 MR. VERTLIEB: When you would meet on a daily basis though with
21 Mr. McGuinness as your boss did you keep minutes?

22 MR. BIDDLECOMBE: No, there no minutes of those meetings.

23 MR. VERTLIEB: Ms. Field, you've heard Mr. Dureau talk about
24 minutes not being kept as a normal feature of his
25 life. What can you help us with on that point?

1 MS. POWELL: I think the best practice would be to keep minute
2 meetings or minutes of those meetings. I tried to
3 keep minutes of the meetings that I held that Fred
4 or Inspector Dureau would attend. And just from
5 reflecting back on the transfer of information, I
6 believe there's a log that was kept in the
7 inspector's office that although they would maybe
8 not -- they would talk day to day, but there's
9 also a log or files on all the things that are
10 being worked on, and there should have been a file
11 kept on the Missing Women's Task Force as to what
12 was going on in the inspector's office. That
13 would probably help.

14 MR. DUREAU: And I would concur with that. There was a file
15 folder that was in the office when I went in to
16 act and it would be added to as these types of
17 things came through.

18 MR. VERTLIEB: Okay. Like others here, Mr. Commissioner, we've
19 placed time limits on our function as your
20 counsel.

21 THE COMMISSIONER: All right.

22 MR. VERTLIEB: I've used the time that was assessed, and I
23 appreciate that. I just want to remind both
24 Mr. Biddlecombe and Mr. Dureau to read the memo of
25 the attorney general dated April 7, '99, and the

1 question is if they feel that was an accurate
2 assessment of what was happening. And just to
3 tell you for the rest of the day we can
4 accommodate Mr. Ward's comments to you about
5 availability. Mr. Neave as counsel for
6 Mr. Biddlecombe is next, and he's been assigned 30
7 minutes, I gather, and Mr. Roberts for Marion
8 Bryce 40 minutes, and that would allow us to
9 conclude.

10 THE COMMISSIONER: All right. Thank you. Mr. Neave.

11 MR. NEAVE: Thank you, Mr. Commissioner. It's David Neave,
12 counsel for former Inspector Biddlecombe.

13 **CROSS-EXAMINATION BY MR. NEAVE:**

14 Q Inspector, I'm going to direct the majority of my
15 questions to you, and the first issue I want to
16 touch upon follows on your evidence in chief with
17 respect to certain medical issues, and I
18 understand that you're currently under the care of
19 Dr. Strauss, a psychiatrist?

20 MR. BIDDLECOMBE:

21 A That's correct.

22 Q And you've been seeing him for several months;
23 correct?

24 A Yes.

25 Q And he's treating you, as I understand it, for

1 certain stress related disorders?

2 A That's correct.

3 Q And I also understand that those arose prior to
4 the year that you retired from the Vancouver
5 Police Department; correct?

6 A Correct.

7 Q And you've given evidence with respect to on the
8 advice of a different physician taking three to
9 four weeks off in 1999 to work related stress or
10 burnout issues; fair?

11 A That's correct.

12 MR. NEAVE: Mr. Commissioner, if it's of assistance I have, and
13 Dr. Peter Strauss has provided me with a short
14 letter which summarizes his diagnosis of the
15 former inspector, and I think it would be
16 appropriate to hand that to you and to have it
17 entered for identification purposes.

18 THE COMMISSIONER: All right.

19 MR. NEAVE: And I have a second copy. Mr. Commissioner, I'm
20 not going to read the document into the record, I
21 don't think that is necessary, but I do want to
22 draw your attention specifically to paragraphs 2
23 and 3 with respect to the neurological damage that
24 Dr. Strauss has indicated exists, and in
25 particular the issues dealing with memory recall

1 problems and concentration issues, that's in the
2 third paragraph.

3 THE COMMISSIONER: Yes.

4 MR. NEAVE: Thank you, Mr. Commissioner.

5 THE REGISTRAR: Do you wish that to be marked?

6 THE COMMISSIONER: Well, do you want -- are you going to read
7 this into the record?

8 MR. NEAVE: I wasn't intending to, your honour, if it could be
9 marked for identification purposes that is
10 satisfactory to me.

11 THE COMMISSIONER: I don't have any problem with that except
12 that the doctor does give an opinion regarding
13 cross-examination.

14 MR. NEAVE: He does, and particular aspects of that,
15 Mr. Commissioner.

16 THE COMMISSIONER: Right. So I think in fairness should
17 counsel not know about what the opinion of the
18 doctor is?

19 MR. NEAVE: I've given counsel a copy of the letter, each one
20 of them.

21 THE COMMISSIONER: Oh, I see. All right. So everybody knows.

22 MR. NEAVE: Yes, Mr. Commissioner.

23 THE COMMISSIONER: Okay. Mr. Gratl.

24 MR. GRATL: Mr. Commissioner, on my reading of the letter what
25 Mr. Neave is asking for on behalf of his client is

1 an abridgement of the right of other participants
2 to cross-examine his client in areas where it
3 might be suggested that his memory recall is
4 selective. If that is what Mr. Neave is asking
5 for on behalf of his client a formal application
6 to that effect should be made and a proper
7 evidentiary record should be introduced.

8 THE COMMISSIONER: Well, I don't think that's what he's really
9 -- that's not what he's really asking for. I
10 think he wants counsel to know and to act
11 appropriately and in a professional way. But I
12 appreciate that everybody has a duty here, and
13 your duty is ultimately to your clients, so I
14 agree with that. Certainly he hasn't asked for an
15 order, and I'm not so sure an order is
16 appropriate, so -- well, Mr. Neave, why don't you
17 tell me what you're asking for.

18 MR. NEAVE: I think you've accurately framed my position,
19 Mr. Commissioner. I can't add anything further to
20 that, that's exactly what I'm asking for. I'm not
21 asking for an order, but I am relying on my
22 colleagues to act professionally with respect to
23 the examination of my client given this
24 information, and quite frankly it would be
25 imprudent of me not to bring that forward given

1 the circumstances under which I received it.

2 THE COMMISSIONER: No, I understand that.

3 MR. GRATL: All I say, Mr. Commissioner, is I've been asked to
4 perform a function as counsel, and that includes
5 vigorous cross-examination of witnesses who
6 deserve it, and based on what we've heard there's
7 no reason that former Inspector Biddlecombe should
8 escape vigorous cross-examination.

9 THE COMMISSIONER: Nobody is saying anything about vigorous
10 cross-examination. What the letter tells us is he
11 shouldn't be mocked and should suggest that his
12 memory recall is selective.

13 MR. GRATL: Well, suggesting memory recall is selective is part
14 of -- I don't propose to mock the witness, but I
15 do intend to cross-examine him on his selective
16 recall, and that's where I'm going to go unless
17 directed otherwise. I'm not going to treat the
18 witness with kid gloves, and so if Mr. Neave wants
19 it otherwise he should make application.

20 THE COMMISSIONER: Anyone else have any problems with what
21 Mr. Neave is asking for? Mr. Skwarok.

22 MR. SKWAROK: Sir, Skwarok appearing for Dr. Rossmo. I share
23 the comments made by Mr. Gratl. I've read this
24 letter and I'm quite frankly confused about what
25 it is I am permitted to do. And I would like to

1 draw the commission's attention to the last two
2 and a half lines where he essentially says that if
3 the witness is -- if somebody suggests to the
4 witness that he recalls some things but
5 conveniently not others then the doctor says that
6 could be deleterious to his mental health. Now,
7 sir, I've got no intention and no desire of doing
8 anything to impact on anybody's mental health.

9 THE COMMISSIONER: No, I'm sure you don't.

10 MR. SKWAROK: But having said that it is a great point in
11 cross-examination to come up and say if you
12 remember certain things that happened at a
13 particular time and not others.

14 THE COMMISSIONER: Well, yeah, I don't think that's what the
15 letter says. The letter says really that the
16 cross-examination -- nobody is suggesting the
17 cross-examination shouldn't be fair, and nobody is
18 suggesting that -- I mean fair to your client.
19 Nobody is suggesting that, and I don't think the
20 letter says that. The letter says -- and it
21 doesn't say anything about vigorous
22 cross-examination either. But some of this about
23 whether the memory recall is selective, that
24 really can be a matter for argument, you know. I
25 mean I leave that to you, but I mean you don't

1 have to suggest certain things to a witness in
2 order to argue at the end of the day that because
3 of the lapses in the memory that I ought to come
4 to certain conclusions and not to others. I mean
5 there's a -- you know, there is a way of doing
6 this without harming the health of the witness. I
7 mean not all targets are the same, you know. This
8 idea that I'll vigorously go at him and come hell
9 or high water, that isn't really what Mr. Neave is
10 suggesting. He's just suggesting, to use his
11 words, that counsel be professional. So it's up
12 to you.

13 MR. SKWAROK: Well, again --

14 THE COMMISSIONER: I'm not making any order, I just leave that
15 to your collective professional consciences. All
16 right.

17 MR. GRATL: Thank you, Mr. Commissioner, I assure you my
18 collective -- my personal conscience as a lawyer
19 is ordinarily my clients and I'm not going to hold
20 back on that obligation to serve the interests
21 that I have to serve because I received this
22 letter saying don't cross-examine this witness on
23 selective memory recall unless you make an order.

24 THE COMMISSIONER: I'm not making an order. That's fine. The
25 remarks are out there, so I'll leave it to you.

1 MR. WARD: Mr. Commissioner, if I can just add one thing,
2 Cameron Ward counsel for the families of 25
3 missing and murdered women, I frankly don't
4 understand any of this. In my respectful
5 submission if the witness is capable of testifying
6 he should testify. If he's incapable of
7 testifying due to some physical or mental
8 condition he shouldn't testify.

9 THE COMMISSIONER: All right. Fine. I leave it to you.

10 THE REGISTRAR: Mr. Commissioner, is that to be marked then or
11 is that still --

12 THE COMMISSIONER: Sorry.

13 THE REGISTRAR: Is it to be marked?

14 THE COMMISSIONER: It's only for identification. Do you want
15 this marked as an exhibit?

16 MR. NEAVE: Just for identification.

17 THE COMMISSIONER: All right.

18 THE REGISTRAR: Okay. That will be marked for identification
19 FF.

20 **(EXHIBIT FF FOR IDENTIFICATION: Letter From Dr.**
21 **Pieter Strauss dated February 22, 2012)**

22 MR. NEAVE:

23 Q So I'm going to continue, Inspector Biddlecombe,
24 with respect to certain general questions with
25 respect to the Major Crime Unit. As far as I

1 understand during the course that you were in
2 charge of that unit there were a number of
3 sub-responsibilities or subsections under that
4 banner for which you were ultimately responsible;
5 fair?

6 A That's correct.

7 Q And those would include, for example, the homicide
8 group, the robbery group, the Missing Persons
9 Section; fair?

10 A Yes.

11 Q And in addition the Provincial Unsolved homicide
12 group, the Sex Offense Squad, the Hate Crime Team,
13 polygraph and something called ViCLAS; is that
14 fair?

15 A That's correct.

16 Q And am I correct that there were approximately 76
17 people who worked under your leadership within
18 those various groups within the Major Crime Unit?

19 A That would be accurate, yes.

20 Q And your functions I think are properly described
21 as being administrative; is that fair?

22 A Yes, that's correct.

23 Q So you would be responsible, for example, with
24 respect to budgeting questions?

25 A Yes.

1 Q And ensuring that the units function within
2 whatever budgetary or financial restrictions the
3 city provided to the department for those
4 purposes?

5 A Yes.

6 Q You would also be responsible with respect to
7 staffing issues; fair?

8 A Yes.

9 Q You would be involved in the selection of
10 individuals who came into the unit?

11 A Yes.

12 Q For example, one of those was Detective Constable
13 Shenher; is that fair?

14 A Yes, that's correct.

15 Q And you were involved with the decision to have
16 her come into the Missing Persons Unit; is that
17 correct?

18 A Yes, I was.

19 Q You as part of your administrative function
20 reported, as your evidence has been to date, to
21 senior management with respect to high profile
22 issues and ongoing investigations of significance?

23 A That's correct.

24 Q That wouldn't be every investigation, but high
25 profile ones; is that fair?

1 A Just the high profile ones, yes.

2 Q And did you have any operational or
3 investigational functions as part of your mandate
4 as the officer in charge of the section?

5 A No, I did not.

6 Q And the structure, as with other paramilitary
7 organizations, within the missing crime or, sorry,
8 the Major Crime Unit is hierarchal; correct?

9 A It is.

10 Q And you depend -- being at the apex of that
11 triangle you depend on information that's provided
12 to you by your two staff sergeants immediately
13 below you; fair?

14 A Correct.

15 Q And that's the normal chain of command that, for
16 example, the constables would report to the
17 detectives who report to the sergeants who report
18 to the staff sergeants and so on?

19 A That's correct.

20 Q Now, during the course of this commission you have
21 followed on and off some of the evidence that some
22 of the other officers have provided to the
23 commissioner; fair?

24 A That's fair.

25 Q And that includes information from Detective

1 Constable Shenher that she was provided with
2 certain Crime Stopper tips and informant
3 information from a person that we now know as
4 Mr. Hiscox?

5 A That's correct.

6 Q That was apparently provided sometime during
7 1998 --

8 A Yes.

9 Q -- the evidence is. At any time were you ever
10 briefed either orally or in writing on that
11 specific information?

12 A No, I was not.

13 Q And Detective Shenher's evidence is also that she
14 recorded this information, this tip information in
15 handwritten notes that she placed in the files of
16 the Missing Persons Unit. I believe that properly
17 captures her evidence. At any time in 1998 and
18 1999, or indeed at any point prior to your
19 retirement, were you provided with those notes or
20 the information contained in those missing persons
21 files?

22 A No, I was not.

23 Q You have also now learned about Detective
24 Constable Shenher's investigational steps with
25 Corporal Connor in Coquitlam, Corporal Connor with

1 the RCMP. Do you recall hearing some of that
2 evidence?

3 A I do.

4 Q And in 1998 or 1999, or indeed prior to your
5 retirement, did you receive any oral briefing of
6 those specific investigational steps?

7 A No, I did not.

8 Q When do you recall first hearing the name Pickton
9 in connection with --

10 A I first heard the name Pickton at a missing women
11 work group meeting of June 23rd, 1999. His name
12 was mentioned along with I believe six or seven
13 other individuals that were of interest.

14 Q Mr. Registrar, may I have Exhibit 74 put to
15 Inspector Biddlecombe, please. That's the news
16 story that appeared on the 18th of September 1998.

17 Now, Inspector, this is an exhibit in these
18 proceedings which is, as I understand it, a
19 printout of a news release that appeared in
20 September 1998, and if I can direct, sir, your
21 attention to the second page, fifth paragraph down
22 you will see this statement:

23 Inspector Biddlecombe, who oversees the
24 Homicide, Sex Offence and Missing Person
25 Section, is not ruling out the possibility of

1 a serial killer, but he said there is no
2 evidence to suggest that at this point.

3 Do you see that, Inspector?

4 A I do, yes.

5 Q And is that consistent with your belief at the
6 time, and the statements that you made publicly?

7 A Yes, it is.

8 Q And if you could hand the document, the exhibit to
9 Sergeant Field, please. Sergeant, you will see --
10 and I apologize for using your former name, it's
11 just --

12 MS. POWELL: That's fine.

13 MR. NEAVE: -- it references you in that fashion in the
14 document. You'll see on the second page four
15 paragraphs up there is a reference to a comment
16 from -- well, that you are said to have made in
17 connection with this particular news story. Do
18 you recall making any such comment?

19 MS. POWELL: No, I don't. I'm not saying it didn't happen, but
20 I don't recall that.

21 MR. NEAVE: Thank you.

22 Q Inspector Biddlecombe, in 1998 and 1999 what
23 procedures were in place within the Vancouver
24 Police Department for disseminating information
25 from casual non-paid or non-coded informants?

1 MR. BIDDLECOMBE:

2 A I don't believe there was any procedure in place.

3 Q As the inspector in charge of the Major Crime Unit
4 what steps would you have taken had you been aware
5 of the tip information about which Constable
6 Shenher has testified and the informant
7 information that she testified about?

8 A You're talking about the 1998 --

9 Q Yes.

10 A -- information? I would immediately assign two
11 senior homicide investigators to it who could
12 assess the credibility and the reliability of the
13 informant. You have to remember when I brought
14 Detective Shenher in to this investigation she was
15 to do a missing persons investigation and not go
16 off and do a homicide investigation, so she would
17 have been relieved of that part of the
18 investigation. I would have had two senior
19 homicide members work it to start. At the same
20 time I would have approached Deputy McGuinness for
21 approval to put the Strike Force immediately on
22 the target Pickton in the event he was active
23 coming down to the Downtown Eastside or other sex
24 strolls and to get background on him. We had a
25 duty to protect vulnerable people or any other

1 people that Pickton might have come in contact
2 with, so steps would have been taken immediately.

3 Q And what steps would you have taken had you been
4 informed at the time of the constable's
5 investigation in conjunction with Corporal Connor
6 in Coquitlam?

7 A Certainly the deputy would have been brought into
8 the picture. As I've previously said I would have
9 talked to him about the Strike Force. I would
10 have asked the deputy and quite possibly the chief
11 constable if we could set up a meeting with their
12 counterparts in Port Coquitlam, Coquitlam so that
13 we could be looking at and discussing with them
14 are we moving into a multijurisdictional
15 investigation or a joint forces operation.

16 MR. NEAVE: Thank you, Mr. Commissioner, those are my
17 questions.

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

19 MR. ROBERTS: Thank you. Good afternoon, Panel, Mr.

20 Commissioner. Darrell Roberts for Marion Bryce.
21 Ms. Powell and gentlemen, Marion Bryce is the
22 mother of Patricia Johnson who was a victim of
23 Pickton. I've provided, Mr. Commissioner, two
24 booklets of documents for the panel, although most
25 of my questions will be directed to Ms. Powell,

1 former Sergeant Field. But the other booklet is
2 so that you can both -- everyone there can follow
3 along without fighting for the documents.

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

5 Q In the booklet of documents would you turn,
6 please, Ms. Powell to tab 6. Tab 6 is a few
7 pages, an excerpt of an interview of you,
8 Ms. Powell, by -- well, I'm not sure. I guess it
9 was conducted by Mr. LePard and by Mr. Macintosh
10 and Mr. Sean Hern at the firm of Farris & Company.
11 You're familiar with the fact there was such an
12 interview?

13 MS. POWELL:

14 A Yes, I am.

15 Q All right. Could you turn, please, to page 2.
16 The full paragraph near the bottom on page 2 which
17 says:

18 Lori worked on the missing women issue
19 specifically. My main job was homicide.
20 About 90 to 95 percent of my working day was
21 on homicide with Lori reporting to me. Lori
22 was most self-directed. If she had a
23 particular issue she would come to me, or Al
24 Howlett who was a senior investigator.
25 Does that capture it pretty well?

1 A Pretty well, yes.

2 Q And another passage at the top of page 3 after the
3 reference to summer off. I take it that that's a
4 reference to somebody else having the summer off.
5 Were you off for part of that summer too, though?

6 A Yes, I was. I was off from mid-August to
7 mid-September.

8 Q Mid-August, so that takes us August 15th to
9 mid-September, so any of the work that Lori
10 Shenher was doing with tipster Hiscox during that
11 time would not be under your supervision?

12 A No, it wouldn't.

13 Q I see. All right. I have only limited time, I
14 better not give in to temptation.

15 Lori told me a couple of interesting things,
16 info she received, and I told her to go for
17 it, to work on it with Al.

18 And that's again Al Howlett?

19 A Yes.

20 Q And then it refers to a homicide conference in
21 September, and it's soon after in September,
22 somewhere around September 20th or 24th if my
23 memory is correct when you went over to CLEU?

24 A That's right.

25 Q All right. So I don't mean to in any way

1 disparage your supervision in any way, but the
2 most you did was to tell her to go for it?

3 A It appears that way with regard to that
4 information.

5 Q I see. With respect to the tipster information?

6 A Yes.

7 Q Would you turn though to page 7. I put in one
8 more page from your interview. I just want to
9 find out how much today you can tell us you
10 remember of what you were told. The last
11 paragraph on that page reads, page 7:

12 I remember Lori telling me about her really
13 good tip, and her source in '98. I told her
14 to keep really good notes about her dealings
15 with him, but then I left for the task force
16 at CLEU. It was such bizarre information it
17 was almost unbelievable, but it had some
18 credibility and it had to be followed up.

19 I've read that correctly, first of all?

20 A Yes.

21 Q You followed along?

22 A M'hm.

23 Q Your word is bizarre?

24 A Yes.

25 Q So that tells me she told you something about the

1 tip information?

2 A Yes.

3 Q Now, let me just check with you what she told you.
4 Did she tell you that the tip information included
5 the ability of the suspect to grind up a body and
6 get rid of it?

7 A I can't remember specifically whether I learned
8 then or later, but it would have been of that
9 nature, yes, the ability to dispose of a body,
10 yes.

11 Q You remember that at some time being told that?

12 A Yes, yes.

13 Q Did the tip information tell you that there were
14 women's things out at Pickton's property such as
15 ten or more women's purses, jewellery, clothing,
16 bloody clothing, et cetera?

17 A Yes.

18 Q Do you remember being told that Pickton had made a
19 request of somebody to go and pick up the victim
20 of a 1997 stabbing and attempted murder so he
21 could finish her off?

22 A No.

23 Q Do you remember being told that Pickton wanted
24 somebody to bring him syringes, some used some
25 new, so he could use them somehow?

1 A Not at that point, no.

2 Q Did you know that -- were you told that Pickton
3 himself didn't do drugs, so he had some ulterior
4 reason for getting these syringes?

5 A I can't recall whether I knew that then or I
6 learned it later.

7 Q All right. And did the name Pickton come up? You
8 were told it was a guy called Pickton?

9 A I honestly can't remember whether the name Pickton
10 was mentioned then or she was just telling me
11 about this guy out in Coquitlam and the
12 circumstances.

13 Q I really want you to try the best you can, I know
14 you are, Ms. Powell. I'd like to know if you were
15 told then that the suspect was Willie Pickton?

16 A I don't know. I honestly can't tell you that.
17 I'm sorry.

18 Q Let's back up one page to page 2 or 3, the one
19 with 3 on the top.

20 A Yeah.

21 Q The full paragraph towards the bottom it reads --
22 when you came back -- by the way, I double
23 checked, you came back from your assignment
24 elsewhere in the LePard report it says March 8, is
25 that about right, '99?

1 A That's about right, yes.

2 Q All right. So the line here says:

3 So from February '99, or March...

4 We'll correct that to March 8th. Is that all
5 right?

6 A That's fine.

7 Q ... when I returned Lori had done a fair
8 amount of work. A website was set up, and
9 Pickton was a person of interest.

10 So you have the name Pickton at that point?

11 A Yes.

12 Q Did you have the name Pickton when you were
13 consulting, when you were supervising Lori Shenher
14 before you went to CLEU?

15 A I can't remember that. The name Pickton is just
16 so much a part of the fabric of everything now I
17 can't remember when that became -- I know what the
18 information was, but I can't remember whether the
19 name was.

20 Q Would you turn, please, to tab 4 in my binder.
21 Moving right along here. The reason I'm pressing
22 you perhaps a little bit, Ms. Powell, is that
23 there was an attempt murder on somebody we now
24 know is Ms. Anderson by Pickton. He was charged
25 with attempted murder and unlawful confinement on

1 March 23, 1997, and with respect to that Corporal
2 Connor in charge of all of that put out a CPIC on
3 the 27th or 29th of March of 1997. You're
4 nodding. Do you remember that?

5 A Well, no, I've seen it here now.

6 Q All right. Well, it's addressed to the various
7 detachments, but specifically to you?

8 A Yes.

9 Q It says:

10 Sergeant Field VPD Sexual Offence Squad.

11 So you got this CPIC?

12 A No, I don't recall getting this CPIC. The CPIC
13 would have come to me or been addressed to me
14 because I was in charge of the Sex Offence Squad.
15 But there's also another sergeant there, so if I
16 was away he would have read the mail, and CPICs
17 would have been in the mail and it would have come
18 in that way. I don't recall reading a CPIC about
19 Pickton.

20 Q But your best recollection is that you didn't read
21 -- if you got this you don't remember reading it
22 or you --

23 A No, I don't.

24 Q And you're not even sure if you got it?

25 A I don't recall reading it.

1 Q In the normal course it would have come to you,
2 it's addressed to you?

3 A It would have come to me or the other sergeant who
4 was there.

5 Q The date that this would come on I'm going to take
6 it to be the date on it 97/03/27. Do you see that
7 date in the reference line?

8 A Yes, I do. I don't know whether that's the date
9 of the CPIC or the date of the offence.

10 Q Go to page 2 of this CPIC, please, sent by
11 Corporal Connor.

12 A Yes.

13 Q It says:

14 It has been determined that...

15 And that's the victim's name that's blanked out:

16 ... is an East Hastings area hooker...

17 That's too bad, police officers didn't use that
18 vernacular, but he did:

19 ... and Pickton is known to frequent that
20 area weekly?

21 Do you see that?

22 A Yes.

23 Q It's still your recollection or that you don't
24 remember receiving this?

25 A No, I didn't.

1 Q Now, keep that there for a moment, please, and
2 turn to tab -- no, I'm sorry. Mr. Registrar,
3 would you be good enough to put before the witness
4 Exhibit 133. It's a binder. It's the stay of
5 proceedings binder regarding the charges, 1997
6 charges against Mr. Pickton, Mr. Commissioner.

7 THE COMMISSIONER: Yes.

8 MR. ROBERTS:

9 Q And there are a number of tabs in this binder, and
10 I think I can do this quickly. Tab 1 you'll see
11 the continuation report of Corporal Connor,
12 Ms. Powell?

13 A Yes.

14 Q And would you turn in that, I think you'll still
15 stay at tab 1, to a page in the report of Corporal
16 Connor which is page 16 at the bottom right-hand
17 corner.

18 A Yes.

19 Q Do you have it? In the very middle of the page
20 you'll see a date reference 97/03/26?

21 A Yes.

22 Q I'm just waiting for people. It reads:

23 Corporal Connor spoke to Sergeant Geramy
24 Field of the VPD Sexual Offence Unit to
25 determine if the female was at all known to

1 them. She advised this subject has an
2 extensive background in prostitution in the
3 East Hastings area. Sergeant Field stated
4 she would pass on the information to their
5 Vice Unit and that someone there will call
6 Corporal Connor with further information.

7 You followed while I read that?

8 A Yes.

9 Q So this in fact, not the CPIC, was your first
10 introduction to this incident in 1997 that
11 involved Pickton?

12 A To this incident, yes.

13 Q All right. And he told you that it was Pickton
14 who was charged with attempted murder and unlawful
15 confinement in this matter with respect to a woman
16 picked up in Vancouver?

17 A No, that's not how it occurred. What happened was
18 I was in the sexual offence office, I received a
19 phone call from Corporal Connor who was asking me
20 about Ms. Anderson, did I know anything about her,
21 was she a prostitute in the Downtown Eastside, and
22 I told him that most of that information would be
23 held in the Vice Section, and either I went and
24 researched it or I referred him to vice and she --
25 or he became aware that she was a Downtown

1 Eastside prostitute. That was what he means.

2 Q Are you understanding that from reading it or do
3 you --

4 A No, I recall that.

5 Q My impression is you recall it?

6 A Yes, I do.

7 Q Thank you. So you recall being phoned about
8 someone by Corporal Connor, someone being picked
9 up in the Downtown Eastside and a victim of a
10 certain event anyway?

11 A Yes.

12 Q And you recall all of that?

13 A Yes.

14 Q Within two days -- excuse me, one day you get the
15 CPIC?

16 A I don't recall getting that CPIC.

17 Q The CPIC is on the very same matter.

18 A I realize that, but I didn't read it.

19 Q I see.

20 A I wish I had.

21 Q You see what I'm asking you about is I'm going
22 back to whatever you discussed with Ms. --
23 Constable Lori Shenher before you went over to
24 CLEU.

25 A Yes.

1 Q She told you bizarre things --

2 A Yes.

3 Q -- about somebody out in Coquitlam who had things
4 in his trailer, and that could grind up a body,
5 and I'm asking didn't she tell you that it was a
6 suspect named Pickton and therefore you put that
7 together with the CPIC information you'd already
8 received?

9 A I didn't receive the CPIC information. The name
10 Pickton did not mean anything to me at the time.
11 I'm pretty good with names. If I had recalled
12 that it definitely would have -- I would have
13 connected the two, but I did not. The name
14 Pickton didn't mean anything to me.

15 Q You see the connectability of all this material?

16 A Oh, I see it, and I wish I had been able to
17 connect it at the time.

18 Q Thank you. Did you discuss a crime with Constable
19 Shenher when you said go for it, did you discuss
20 with her what crime is she going to investigate?

21 A Not specifically, no.

22 Q Not particularly?

23 A No.

24 Q What do you mean by that? You're a supervising
25 sergeant. She gets a source. Normally a source

1 goes with an investigation, does it not, in
2 policing circles?

3 A Yes.

4 Q So I realize I understood what Inspector
5 Biddlecombe had to say earlier, but by the time
6 she gets this source -- a source often goes with
7 an investigation which might even lead up to a
8 search warrant?

9 A Yes.

10 Q With the source entitled to and anonymity for
11 purposes of that search warrant?

12 A Yes.

13 Q The source is entitled to an absolute privilege as
14 a matter of fact, and the privilege is the
15 source's not the police's?

16 A Yes.

17 Q And you didn't discuss with Lori Shenher what
18 crime it was she was supposed to investigate?

19 A No, to me it was rather obvious that she would be
20 investigating a possible homicide.

21 Q Well, tell me about that. There are no bodies on
22 the streets of the Downtown Eastside, were there?

23 A No.

24 Q There was in discussion at the time in 1998 all
25 surrounding Mr. Rossmo and other people about

1 there being suspected foul play with respect to
2 some or more of the missing women; right?

3 A Yes.

4 Q Foul play is police language for treacherous
5 behaviour that might mean manslaughter or
6 homicide?

7 A Yes.

8 Q And yet there are no bodies there, so doesn't that
9 require a police officer engaged in an
10 investigation to think a little deeper as to what
11 kind of homicide it is?

12 A Yes, I guess that would cross -- that would be
13 what they were thinking about, yes.

14 Q Well, let me take it one year later. In 1999 you
15 said earlier today in evidence that the conclusion
16 was, my memory of your evidence, the women were
17 missing off the streets of the Downtown Eastside
18 in 1999?

19 A Yes.

20 Q Is that right?

21 A Yes.

22 Q That was what you said; right?

23 A Yes.

24 Q All right. There's no reason why that conclusion
25 could not have been drawn in 1998, is there?

1 A No.

2 Q And these people were addicted unfortunately to
3 drugs and working as sex trade workers on the
4 streets making bargains with johns through car
5 windows for sex in exchange for drugs or money.
6 Isn't that what they were doing?

7 A Yes.

8 Q And by and large when a deal was made unless they
9 had Grandma's House or somewhere to go to they got
10 in the cars and were taken somewhere; isn't that
11 right?

12 A Yes.

13 Q And you didn't discuss that sort of scenario with
14 Lori Shenher when you said go for it?

15 A The go for it was for her to vet out the
16 information she was receiving.

17 Q I see. So you didn't give her --

18 A And I understand that she did discuss it with some
19 detectives and she --

20 Q Pardon me? I didn't hear that.

21 A I understand she did discuss it with some
22 detectives.

23 Q You understand she did?

24 A Did discuss it with some detectives.

25 Q I see. I'm not going to take the time to go down

1 there unless you can tell me some specific
2 detective's name, can you, that she discussed it
3 with?

4 A Not at this point.

5 Q I see.

6 A If I could.

7 Q All right. Please, let's go to the book of
8 documents I gave you, which I'll ask to have
9 marked as an exhibit for identification later, to
10 tab 1, please. Let's see if I can do this fairly
11 quickly. These are the minutes of a meeting April
12 28th, 1999 at which the Vancouver Police Board
13 authorized a reward for the investigation of crime
14 in Vancouver, \$30,000 coming from Vancouver and
15 \$70,000 from the province through the attorney
16 general. And you were at this meeting,
17 Ms. Powell?

18 A Yes.

19 Q And, indeed, you had prepared a report as Sergeant
20 Field for purposes of this meeting, and for
21 whatever reason the police board decided
22 nevertheless to authorize this reward?

23 A Yes.

24 Q All right. And the authorization is captured over
25 on the second page, it says page 2 at the bottom:

1 That the Vancouver Police Board authorized
2 the posting of a \$30,000 reward related to
3 the missing women cases in the Downtown
4 Eastside and that the board request the
5 attorney general to post an additional
6 \$70,000 to augment the reward for a total of
7 \$100,000.

8 Now, you were still, of course, in the police
9 force and at this time you are back. You came
10 back March 8th and you're actively working as a
11 sergeant in the police force of the Vancouver
12 Police Department?

13 A That's correct.

14 Q Turn to tab 2, please. And the reward here is
15 large enough that one can read. The reward offers
16 the \$100,000 for information leading to the arrest
17 or conviction of persons responsible for the
18 unlawful confinement, kidnapping or murder of any
19 or all of the missing women, and there are 31 of
20 them on this reward poster if you want to count
21 them. Please don't. But you remember this poster
22 came out in July of 1999?

23 A Yes.

24 Q And is signed by your then chief constable
25 Mr. Terry Blythe?

1 A Yes.

2 Q By the attorney general Mr. Dosanjh?

3 A Yes.

4 Q All right. And you attended as part of a group of
5 officers one year later, turn to tab 3, on the
6 26th of April, 2000 to renew the reward for one
7 year?

8 A That's right.

9 Q I'm looking at paragraph 3(5):

10 Sergeant Geramy Field advised that the
11 Department was seeking a one year extension
12 to the missing women reward, thus extending
13 the reward to May 1, 2001.

14 And so you were part of that. And there's a
15 reference in here somewhere to receiving tips and
16 checking out the tips. Do you see that three
17 lines down? ... they did receive tips...
18 In the middle of that sentence:

19 ... and they hoped the renewal will result
20 in further tips.

21 Do you see that?

22 A Yes.

23 Q The tips were being received by Lori Shenher?

24 A Yes.

25 Q All right. Would you be good enough now to turn

1 to tab 12. Now, the reward talks about three
2 crimes. The first one is unlawful confinement.
3 For convenience, I know you know this, or did, I'm
4 not sure how much one remembers of their previous
5 occupation. You retired in 2005, do I have that
6 right?

7 A 2003.

8 Q 2003. I did have it wrong. Sorry. So I've set
9 out here a page from the 1997 Martin's annual
10 Criminal Code, which has the section 279(1) and
11 279(2). 279(2) is the offence for unlawful
12 confinement, Ms. Powell:

13 Everyone who, without lawful authority,
14 confines, imprisons or forcibly seizes
15 another person...

16 You're familiar with that?

17 A Yes.

18 Q Now, that's one of the offences in the reward;
19 right?

20 A Yes.

21 Q And the other one was kidnapping, and 279(1) is
22 the kidnapping offence. They're both combined in
23 the overall same section 279. Do you see that?

24 A Yes.

25 Q Subsection (1):

1 Every person commits an offence who kidnaps a
2 person with intent

3 (a) to cause the person to be confined or
4 imprisoned against the person's will.

5 Now, there are three kidnapping crimes there (a),
6 (b) and (c), and it's (a) that I think that we
7 could focus on. Would you agree?

8 A Yes.

9 Q Because (b) is somebody being transported out of
10 Canada, and that's not what you were focusing on
11 in Vancouver at the time, was it?

12 A No.

13 Q No. And the (c) is to hold the person for ransom,
14 and you weren't getting any requests for ransom
15 with respect to the missing women?

16 A No.

17 Q So it's 279(1)(a); right?

18 A Yes.

19 Q All right. And 279(1)(a) is the basic kidnapping,
20 correct me if I'm wrong, of unlawful confinement
21 plus transportation from A to B?

22 A Yes.

23 Q It's best captured if you go over the page to the
24 annotation, just turn one page over:

25 Kidnapping [subsec. (1)] - To constitute a

1 kidnapping there must be a movement or a
2 taking of the person from one place to
3 another and not simply the placing of the
4 person in the area of confinement.

5 So I just want to identify, Vancouver's crime that
6 was authorized by the police board was the basic
7 crime of putting somebody in unlawful confinement
8 and transporting them from one place to another;
9 right?

10 A Yes.

11 Q All right. Would you turn, please, to tab 10 in
12 my binder. And before I ask this, of course
13 kidnapping, this reward which you were part of the
14 police group that went over to have it -- to
15 discuss it with the police board, we're talking
16 about Vancouver's crimes; right?

17 A Yes.

18 Q And let me just capture one thing. Although
19 unlawful confinement comes first in that grouping
20 of unlawful confinement, kidnapping and murder,
21 unlawful confinement of course is an ingredient of
22 kidnapping, it's the first step plus
23 transportation?

24 A Right.

25 Q And why murder? Well, if death is caused during

1 kidnapping or unlawful confinement then section
2 231(5) paragraph (e) denominates it, identifies it
3 as first degree murder --

4 A Right.

5 Q -- if death is caused without any requirement of
6 proving deliberation or planning; right?

7 A Yes.

8 Q All three of those were Vancouver's crimes as
9 authorized by the Vancouver Police Board?

10 A Yes.

11 Q And you understand that the police board is
12 responsive to its authority and jurisdiction under
13 the Police Act?

14 A Yes.

15 Q All right. So I'm at tab 10. I'm going to read
16 to you a few passages here, they're very short,
17 and then have a couple of questions for you. This
18 is a transcript of the evidence at this hearing of
19 some of the evidence of Constable Lori Shenher.
20 Will you go to page 126. Sorry, I think I can
21 skip that one. I'll go to page 135. Thank you.
22 And I want to start at line 9. As a background I
23 had just taken Constable Shenher in
24 cross-examination to the same section of the
25 Criminal Code, and then at line 9 I asked her

1 this:

2 Q But you know it to be section 279(2), do you?

3 That's unlawful confinement:

4 A I do because you pointed it out to me.

5 Q Yes. And do you know that it's simply
6 a crime to confine somebody, just to confine
7 them or somebody, or false imprisonment is a
8 crime?

9 A Yes.

10 Q It terrorizes people?

11 A I'm sure it does.

12 Question, this is at line 18:

13 Q And did you know then that kidnapping, the
14 basic kidnapping crime is simply confinement
15 plus transportation?

16 A I did not know that, I had never worked on a
17 kidnapping.

18 Q I see. So you haven't -- apart from whatever
19 training you had you haven't actually looked
20 to see what constitutes kidnapping?

21 A I don't recall if I have or not.

22 You followed while I read that?

23 A Yes.

24 Q Did you know that was her limited knowledge of
25 kidnapping when you were supervising her in 1998?

1 A No, no. I'm sure that Lori has an understanding
2 of what kidnapping is, and I'm sure on reading
3 this probably in reflection she has a very clear
4 understanding of what kidnapping is, but perhaps
5 misunderstood what you were talking about.

6 Q Well, let's see if she misunderstood. Let's go to
7 another passage at 136, line 10:

8 Q I see. All right. So my basic question to
9 you, and I'll move off this, as you were out
10 there on the street working as a constable in
11 1998 you did not know that the crime of
12 kidnapping was confinement and
13 transportation, the basic crime?

14 A As I said I have no experience with
15 kidnapping, so I don't know what I thought
16 about kidnapping at that time.

17 Q I just want to be very specific just as to
18 your knowledge, Constable Shenher. Turn the
19 page, please, to the annotation page.

20 And I take her to the Criminal Code:

21 Q Yes, where you are just turn the page, and
22 you'll see the annotations about two-thirds
23 of the way down the page. Do you see where
24 it says annotations?

25 And she does. Over to page 137, Ms. Powell, line

1 2:

2 Kidnapping. Subsection 1. To constitute
3 kidnapping there must be a movement or a
4 taking of the person from one place to
5 another and not simply the placing of a
6 person in the area of confinement.

7 Q And it's your evidence that's something you
8 did not know?

9 A Mr. Commissioner, as I've said kidnapping is
10 not something I've had any experience with in
11 my career.

12 Q Well, even experienced with, you didn't know
13 the law in your mind as you're there on the
14 street, is that not your evidence?

15 A Not in this kind of specificity, no.
16 And one more, Ms. Powell, and I'll stop. Another
17 passage on the next page, page 138, line 17:

18 Q All right. So just to move off this then.
19 You were out there doing an investigation
20 with respect to this tip information, and
21 it's your evidence that at that time you did
22 not have the knowledge of the crime of
23 kidnapping. Have I got it right?

24 A That's correct, yes.

25 Did you know again that that was her limited or

1 non-knowledge of the law of kidnapping?

2 A No.

3 MR. ROBERTS: Did you, Inspector Biddlecombe?

4 MR. BIDDLECOMBE: No, I did not.

5 MR. ROBERTS: Did you, Mr. Dureau?

6 MR. DUREAU: No. But I see the next line says that she had
7 knowledge that the crime existed, but didn't have
8 the specific knowledge that you were talking about
9 as far as definitions, I suspect.

10 MR. ROBERTS: All right.

11 Q So obviously one thing you did not discuss with
12 her in 1998, Ms. Powell, is the crime of
13 kidnapping, am I right?

14 MS. POWELL:

15 A Specifically, no. I mean, yes, you're right.

16 Q Did you ever discuss with her the subject matter
17 of a search warrant?

18 A No.

19 Q Did you know what knowledge she had about
20 obtaining a search warrant?

21 A Specifically, no, but I would believe that being
22 in Strike Force and throughout her career she
23 would have been involved in some search warrants.

24 Q Just a moment, please. In the binder at tab 10,
25 the grouping of documents I just examined you on,

1 has a blue divider page.

2 A Yes.

3 Q If you could go one -- that's it right there.

4 A Yes.

5 Q You should have a transcript page 155.

6 A Yes.

7 Q Constable Shenher, she had some sort of general
8 conversation with you about a search warrant, and
9 I would understand if you don't remember it,
10 Ms. Powell, but -- so I asked her some questions
11 about that and so I'll pick it up at line 11. No,
12 line 6 is better:

13 Q My question to you is did you discuss with
14 Sergeant Field what offence would be set out
15 in an information which would provide for
16 nexus for searching for anything on Pickton's
17 property?

18 A No.

19 I take it you can confirm that too, Ms. Powell?

20 A Yes.

21 Q You didn't have any such discussion. All right.
22 Line 11:

23 Q Did you discuss what, if any -- did you have
24 any discussion at all as to what the offence
25 would be that would go into the search

1 warrant?

2 A No, Mr. Commissioner, we didn't even
3 entertain the idea of a warrant to that
4 extent because it was indicated to me by more
5 experienced members that I didn't have the
6 grounds.

7 Q But you have to talk about what you're
8 looking for and what the offence is, don't
9 you?

10 A I --

11 Q You didn't do that?

12 A We didn't do that, no.

13 Q And did you know that you could get a search
14 warrant even though it's based on hearsay?

15 A I did not know that.

16 Did you know that was her limited knowledge about
17 getting a search warrant?

18 A No, but in response to that this is the reference
19 that I spoke of earlier, and I became aware of it
20 later, but she did speak with some detectives in
21 homicide about the information she had received
22 from Hiscox and they discussed it.

23 Q I see. Could you put -- my good registrar,
24 Mr. Giles, could you put before the panel the
25 LePard report, Exhibit 1, please, and open it to

1 page 78. And I'm happy to have Mr. Biddlecombe,
2 former Inspector Biddlecombe look at this too. At
3 page 78, Mr. Commissioner, I'm at the second
4 column near the bottom, the subject heading being
5 VPD Offers Financial Assistance to Advance the
6 Pickton Investigation. It reads:

7 On November 4, 1998 Corporal Connor recorded
8 in his notes that Detective Constable Shenher
9 called him to advise that she had spoken to
10 Staff Sergeant Brock Giles, then the second
11 in command or number two IC of the Major
12 Crime Section, about providing resources of
13 the RCMP's investigation of Pickton. She
14 advised Corporal Connor that the VPD was more
15 than willing to provide monies to advance the
16 investigation in the areas of one, UCO...
17 That's undercover operation.

18 ... two, witness protection of source with
19 respect to their source...

20 I take it that would be reference to Hiscox. I
21 can't think of who else it would be.

22 Three, aircraft to undertake FLIR...
23 That's a flying investigation, I suppose.

24 ... and land photography, and four, Staff
25 Sergeant Giles suggested that possibly a

1 joint submission by our offices to the
2 Unsolved Homicide Unit would be in order.

3 Did you learn about this, Ms. Powell, when you
4 returned in March of 1999, of this sort of -- I
5 understand this phone call went from Lori Shenher
6 to Mr. Connor and he phoned back and there was an
7 exchange of calls, but did you know about this
8 position, if I can put it that way, that was --

9 A No.

10 Q -- advanced by Lori Shenher as directed by Staff
11 Sergeant Giles?

12 A No.

13 Q Did you learn of it at any time when you came
14 back?

15 A I don't believe so.

16 Q I see. I've read the interview of you by Deputy
17 Chief Evans.

18 A Yes.

19 Q And you remember Deputy Chief Evans interviewing
20 you, and part of the interview that sticks in my
21 mind is that from the time you came back a strong
22 part of your position was is that the
23 investigation into Pickton -- here you'll notice
24 with reference to the investigation of Pickton in
25 that paragraph I just read, that the investigation

1 of Pickton was for the RCMP in Coquitlam?

2 A Yes.

3 Q That was your position in 1999, wasn't it?

4 A Yes.

5 Q I see. Even though Pickton was being investigated
6 in relation to the Hiscox tip by Constable Shenher
7 in 1998?

8 A Well, I believe that it was a joint investigation
9 between Constable Shenher and Corporal Connor.

10 Q I see. Well, but the source was always Lori
11 Shenher's source. Did you not know that?

12 A Well, I read since that it was only her source,
13 but I was of the belief that both her and Connor
14 were working with the source.

15 Q She had a meeting with Corporal Connor, and I'm
16 not going to take time to go to documents, October
17 15, 1998 Lori Shenher introduced Hiscox to
18 Corporal Connor. Will you accept that from me?

19 A Yes.

20 Q And there was a very long interview, and Corporal
21 Connor knew a lot about Pickton because -- and
22 Lisa Yelds because of other policing history
23 including Lisa Yelds connection to Hells Angels
24 and so on?

25 A Yes.

1 Q And you probably read about that?

2 A I read about that.

3 Q All right. After that meeting the next time --
4 I'll start again. Let me back off. She went to
5 that meeting after a telephone call on October
6 13th with Hiscox where she told him the RCMP are
7 going to go to see Lisa Yelds with me or without
8 me. I don't think that's a good idea, and so I'm
9 going to have a meeting and set her up for you to
10 meet Corporal Connor. You've read about that;
11 right?

12 A Yes.

13 Q All right. And in that log of hers she says I
14 think it's a good idea for me to pass you over to
15 the RCMP. Have you read that too?

16 A Yes.

17 Q All right. She's admitted here under
18 cross-examination that that passing over didn't
19 happen?

20 A Yes.

21 Q Now, of course, you're a well enough trained
22 police officer you know you don't pass somebody
23 over to a police force. To protect your source,
24 of course, it has to be a few people, one or two
25 when you have to get their willingness to protect

1 that person for their privilege?

2 A Yes.

3 Q Okay. Leaving that to one side. That passing
4 over didn't happen and therefore throughout until
5 Hiscox disappeared he was Shenher's source; right?

6 A It appears that way, yes.

7 Q And I've seen the interview of Corporal Connor who
8 said I never got -- I never heard about that, he
9 was always Constable Shenher's source. And of
10 course with a source goes an investigation; right?

11 A Yes. I think in an ideal circumstance Shenher and
12 Connor would have both dealt with the source
13 together.

14 Q Oh, I can think of all kinds of ideal
15 circumstances, yes, but do you know that after
16 October 15th, Constable Shenher never contacted
17 Hiscox again, he had to phone her?

18 A My understanding of reading what Constable Shenher
19 wrote is she tried to track him down a number of
20 times.

21 Q Not till 1999.

22 A Yes, early '99, but he was in different -- he had
23 left his former residence and he was in rehab or a
24 psychiatric unit.

25 Q But, Ms. Powell, the tip information was fresh in

1 1998. Turn, please, in Exhibit 1 that you've got
2 in this binder to the next page, page 80. Top of
3 page 80, right-hand column, on December 11, 1998
4 Hiscox called detective constable. That's almost
5 two months after the meeting with Corporal Connor.

6 A Yes.

7 Q When Hiscox remains her source, and he says I'm
8 clean and sober and how can I help?

9 A Yes.

10 Q There's no evidence before this inquiry that she
11 did anything to try and contact him in those two
12 months? That's not good policing, is it?

13 A Well, it doesn't say that she didn't though, and I
14 can only say that if he was in rehab it would have
15 been very difficult for her to locate him.

16 Q You're speculating?

17 A Yes, I am.

18 Q We've had her to examine and she made no effort to
19 contact him for two months. Not good policing, is
20 it?

21 A No.

22 Q It causes information to get stale, doesn't it?

23 A Yes.

24 Q There's no reason, is there, for Inspector
25 Biddlecombe to not know the name of the suspect

1 that Lori Shenher was dealing with in the fall of
2 1998, was there?

3 A No reason. I don't think he was there though. I
4 wasn't there, but --

5 MR. ROBERTS:

6 Q Were you there, Inspector Biddlecombe, in the fall
7 of 1998?

8 MR. BIDDLECOMBE:

9 A Yes, I was there off and on in the fall of '98.

10 Q I thought you were. And some of those troublesome
11 meetings were in September of 1998?

12 A Yes.

13 Q Leaving they were troublesome to one side, you
14 were there?

15 A I was there off and on through --

16 Q Is there any reason why a suspect like this with
17 respect to missing women where there's critical
18 information, of course lots of work has to be done
19 to work it up, but any reason why that suspect
20 would not be known to you as head of major crime?

21 A I cannot think of any reason why it would not have
22 come to me.

23 Q You wouldn't have loose lips?

24 A No.

25 Q Any reason why you -- why she couldn't continue

1 the protection of her source and share with you a
2 little bit of information about her source?

3 A I would have expected her to protect her source,
4 but at the same time brief her NCOs on it, and
5 they may have made the decision to brief me on it.

6 Q In the absence of Sergeant Field it seems so
7 strange to most people in this room that she
8 didn't go to somebody like you to know what to do?

9 MR. CROSSIN: Well, let's not --

10 THE COMMISSIONER: You don't have to answer this.

11 MR. ROBERTS: I don't have to argue this, you're right. Those
12 are my questions. Thank you, Mr. Dureau,
13 Mr. Biddlecombe and Ms. Powell. Can I have the
14 binder marked as an exhibit for identification?

15 THE REGISTRAR: Mr. Roberts, to keep it in perspective with the
16 rest of the other binders we'll mark as 150NR.

17 MR. ROBERTS: Thank you.

18 THE REGISTRAR: Thank you.

19 **(EXHIBIT 150NR: Binder entitled Documents for**
20 **Cross-examination of VPD Panel - Investigation**
21 **Division - D.W. Roberts)**

22 MR. VERTLIEB: Mr. Gratl is next, and I think he can start,
23 please. Thank you, Mr. Gratl.

24 MR. GRATL: Mr. Commissioner, Jason Gratl, counsel for Downtown
25 Eastside individuals and organizations affected by

1 the missing women inquiry.

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

3 Q Sergeant Field, how do you account for the gap in
4 time between the end of Project Amelia and the
5 beginning of Project Evenhanded?

6 MS. POWELL:

7 A That's a pretty broad question.

8 Q What's the answer?

9 A What time period?

10 THE COMMISSIONER: I think you need to be a little more
11 precise.

12 MR. GRATL:

13 Q When did Project Amelia end?

14 A Project Amelia overlapped Project Evenhanded, so
15 it ended probably sometime when Detectives
16 McKnight and Little ended up taking over for the
17 Vancouver portion of the investigation?

18 Q When would that be?

19 A That was in February 2001.

20 Q You're saying Project Amelia carried on until
21 February of 2001?

22 A Well, the actual work of it probably ended much
23 sooner than that.

24 Q Okay. Well, when did the work of it end?

25 A I would say the actual work ended when Constable

1 Shenher left.

2 Q And when was that?

3 A That was in November of 2000.

4 Q All right.

5 A The project still existed, but the actual work on
6 it investigating the pre-existing tips and things
7 it was not going anywhere. There was nobody else
8 left.

9 Q You're saying Detective Constable Shenher was
10 investigating until November of 2000?

11 A Yes.

12 Q And by that time Shenher was alone in the
13 investigation?

14 A Pretty much, yes.

15 Q Okay. And when did that -- who was the second
16 last person on the investigation?

17 A Lepine, Chernoff, Fell and Wolthers.

18 Q Okay. When did Lepine and Chernoff leave?

19 A They left in early 2000.

20 Q Okay. And Fell and Wolthers left?

21 A In the summer of 2000.

22 Q In May of 2000; isn't that right?

23 A That sounds right, yes.

24 Q Okay. So Shenher was alone from May of 2000 till
25 November of 2000?

1 A In that project room she would have been assisted
2 by on her follow-ups with the Missing Persons
3 Section which would have been Detective Dickhout
4 or Constable Dickhout and constable -- I can't
5 remember her name right now, female officer, who
6 were working out of that office.

7 Q Why were the number of personnel allowed to
8 dwindle so much after May of 2000?

9 A There was a movement that had started quite some
10 time before that, and the possibility continued to
11 exist throughout that time period that we were
12 going to move to a joint force of operation with
13 the RCMP.

14 Q All right. There was a possibility, but it hadn't
15 been accomplished at that time?

16 A No, it hadn't.

17 Q The joint forces task force memorandum of
18 understanding didn't get signed until May, April
19 of 2001?

20 A No, it wasn't formalized until then, but I know
21 that I made efforts throughout that whole time
22 period to advance that.

23 Q All right. So the personnel working on the
24 investigation dwindled after May of 2000 leaving a
25 skeleton crew at best. Why did you allow that to

1 happen?

2 A I know that I had asked for resources many times
3 in the past. Resources were not made available to
4 me.

5 Q Did you ask for resources after May of 2000 to
6 replace Fell, Wolthers, Chernoff and Lepine?

7 A Not specifically, no.

8 Q Why not?

9 A I probably knew that I wasn't going to get them.

10 Q Okay. And who would you have asked had you asked?

11 A I would have asked my inspector.

12 Q Who was the inspector at the time?

13 A Probably Inspector Dureau.

14 Q Okay. Did you -- you went to Dureau and asked him
15 for money?

16 A Sorry, I'm wrong.

17 MR. GRATL: No, I'm sorry, I'm asking Sergeant Field here
18 questions.

19 MR. DUREAU: Fair enough.

20 MR. GRATL: I'm asking the other witnesses not to volunteer or
21 correct or approach or prompt this witness.

22 MS. POWELL: Sorry, the time frame is 2000 now?

23 MR. GRATL:

24 Q After May of 2000?

25 A Oh, it was Inspector Spencer then.

1 Q Okay. So Inspector Spencer.

2 A Yes.

3 Q Did you approach Inspector Spencer orally for
4 resources for Project Amelia?

5 A No. I approached Inspector Spencer about the fact
6 that we were working towards a JFO, a joint forces
7 operation, and he was supportive of that and he
8 helped that move forward. We had engaged the
9 assistance of the Provincial Unsolved Homicide
10 Unit at that point, and it was very encouraging
11 that that was going to happen.

12 Q Okay. Well, I'm asking specifically about
13 replacing Fell, Wolthers, Chernoff and Lepine
14 after May of 2000.

15 A Yes.

16 Q You said you didn't ask for replacement resources
17 because you didn't think you'd get them?

18 A That's right.

19 Q Why did you not think that you would get them?

20 A Because I had asked in the past when things were
21 very active, excuse me, in terms of the
22 investigation and there was none forthcoming. The
23 other factor that was playing into this was the
24 missing women issue seemed to abate through '99
25 and 2000 which I now know is incorrect. There

1 wasn't any active cases coming forward that would
2 compel that probably.

3 Q So you say you were under a misapprehension that
4 the active killings had ceased?

5 A Yes.

6 Q After May of 2000?

7 A Yes.

8 Q That's why you didn't ask for resources?

9 A Well, I can't say that's why I didn't ask for
10 resources, but that would have been the underlying
11 aspect of it, that this is going to be a joint
12 forces operation based on what had happened.

13 Q You thought the killer had gone dormant so that
14 there was no need to replace those resources, that
15 was part of your rationale for not asking for more
16 resources?

17 A Well, the resources hadn't been forthcoming in the
18 past and I couldn't see them forthcoming now when
19 there wasn't any new cases.

20 Q What did you do after May of 2000 to ascertain
21 whether the killer was dormant or active?

22 A The Missing Persons Section, which included Lori
23 Shenher who was actively still working on those
24 cases, they were to bring those cases to our
25 attention, 'cause they knew that we were alive to

1 the fact that we needed to know if this is going
2 to happen if this begun happening again.

3 Q You left standing orders, you're saying, with
4 Detective Constable Shenher to bring any new
5 active missings to your attention?

6 A I don't know what you mean by standing orders, but
7 that was the direction, yes.

8 Q Okay. Standing orders means if it happens bring
9 it to your attention?

10 A Yes.

11 Q Okay. So you're saying that you left it Detective
12 Constable Shenher?

13 A And the Missing Persons Section who received those
14 reports.

15 Q And the Missing Persons Section who received those
16 reports which would have consisted of who aside of
17 Lori Shenher?

18 A Detective Dickhout and -- sorry, I can't remember
19 the -- Cheryl Leggett.

20 Q All right. And you assumed because you didn't
21 hear anything about new missings that no new
22 resources needed to go into Project Amelia; is
23 that correct?

24 A I wouldn't say that was an assumption.

25 Q It's an inference from their silence?

1 A Yes.

2 Q Okay. You're saying that's an inference from
3 their silence, you thought there were no new
4 actives because you didn't hear anything from any
5 of them?

6 A Yes. And Lori was aware of one, and I'm sorry I
7 can't recall the name right now, and was working
8 on that, so she was still working on one that --

9 Q When was that?

10 A That was during the summer of 2000.

11 Q And who was that missing person?

12 A I can't remember off the top of my head.

13 Q Do you remember when that person went missing?

14 A I believe it was possibly February of '99. I
15 honestly can't remember.

16 Q Okay. So you thought possibly the serial killer
17 could have been active?

18 A Yes. But it still had to be worked on to find out
19 whether this was a new case or not.

20 Q Okay. So you're saying you're not sure. It's
21 possible that there's still an active serial
22 killer, but you're not sure as of May of 2000?

23 A The feeling was that at that point it wasn't
24 active.

25 Q Okay. I'm not asking about your feelings, I'm

1 asking about what you knew. I'm asking about your
2 reasons for not replacing the lost resources on
3 Project Amelia.

4 A The reason was because we were working towards a
5 JFO, and secondly, we had no new missings that I
6 was aware of, thirdly, I had asked for resources
7 many times in the past and they weren't
8 forthcoming.

9 Q All right. And I'm suggesting to you that you
10 didn't do anything to actively ask any of these
11 three individuals, Cheryl Leggett or Dan Dickhout
12 or Lori Shenher, whether there were any new
13 missing women?

14 A No, that's incorrect. They were all aware that
15 that's what we were all working towards.

16 Q Okay. So you appreciate that sometime in August
17 of 2001 it was realized that there were a lot more
18 new missing women; is that correct?

19 A I wasn't there in 2001, August.

20 Q You weren't there for that. Okay. Where did you
21 go?

22 A I transferred out of homicide in April, I believe
23 it was, and went to the Mounted Squad.

24 Q All right. So you're saying you didn't hear of
25 any new active missing women until after you were

1 part of the Mounted Squad?

2 A No, that's not true. I was made aware of
3 potentially three others, and I can't recall off
4 the top of my head, I'd have to look at my log
5 notes, that were coming, they had to be
6 investigated, we had to find out where they were.
7 There was one also that was brought to our
8 attention that was possibly from Chilliwack RCMP,
9 and another one from another outside jurisdiction,
10 but they had to be investigated to find out if
11 they fit our profile.

12 Q Okay. And the profile was sex workers from the
13 Downtown Eastside who had drug dependencies?

14 A Yes.

15 Q All right. And who hadn't picked up their welfare
16 cheques?

17 A Yes, that was part of it.

18 Q How long did you reasonably expect Lori Shenher to
19 take to figure out whether a person fit that
20 profile?

21 A Well, I don't know exactly without seeing the
22 individual files on those women, which I
23 understand are not available, to find out what
24 steps were being taken.

25 Q Well --

1 A And on each file there would be a log of what
2 investigative step, who was checked, who was
3 interviewed, and when and what information was
4 provided.

5 Q Well, I'm asking you, Sergeant Field, how long do
6 you think it's reasonable to give Lori Shenher to
7 figure out whether a potential missing person fits
8 that profile?

9 A They're all different.

10 Q Oh, so you can't say. It could be like five
11 months?

12 A It could.

13 Q All right. Isn't it true that to figure out
14 whether a sex worker who is addicted to drugs has
15 not picked up the welfare cheque could take all of
16 a few hours?

17 A That would be one of the criteria, yes.

18 Q All right. That's a key one, isn't it?

19 A Yes.

20 Q That's the one that everyone returns to, if a
21 woman doesn't pick up her welfare cheque there's a
22 problem?

23 A Yes.

24 Q Okay. That takes all of a few hours, don't you
25 agree?

1 A Yes.

2 Q And most of these sex workers, survival sex
3 workers have lengthy criminal histories that make
4 their status as a sex worker relatively clear?

5 A Yes.

6 Q And vice, of course, keeps books and photos of sex
7 workers?

8 A Yes.

9 Q No secrets here. It doesn't take long to figure
10 out if a person meets the profile?

11 A Yes.

12 Q So how is it possible that Detective Constable
13 Shenher could have taken so long figuring out
14 whether somebody matches the profile of a missing
15 woman?

16 MR. DICKSON: Mr. Commissioner --

17 THE COMMISSIONER: No, don't answer that.

18 MR. DICKSON: Mr. Commissioner, I just point out here I believe
19 Mr. Gratl is asking about cases in early 2001, he
20 keeps asking about Detective Constable Shenher,
21 she left in November of 2000.

22 THE COMMISSIONER: You're also asking her why Shenher did
23 something or didn't do something.

24 MR. GRATL:

25 Q All right. What I'm suggesting, Sergeant Field,

1 is that this assessment of whether missing women
2 met the profile drifted for long periods of time,
3 isn't that so?

4 A Yes. It does seem that, yes.

5 Q Do you agree with that, this assessment?

6 A It would appear that, but without the files I
7 can't say exactly what investigative steps were
8 taken.

9 Q All right.

10 A I'm sorry, I wish --

11 Q All right. What I'm saying is Amelia lost track
12 of whether there was an active serial killer,
13 isn't that so?

14 A Well, we were alive to the fact that we were
15 wanting that information, and if it wasn't
16 forthcoming we couldn't assume that he was active.

17 Q Amelia lost track of whether there was an active
18 serial killer on your watch; isn't that right?

19 A No, I wouldn't say that. It wasn't we lost track,
20 we were not informed of these missing. Some of
21 them were reported quite late. They were reported
22 later on in '99 or in 2000.

23 Q You're denying --

24 A They were not current reports, no.

25 Q All right.

1 A And in fact in '99 some of them were -- I believe
2 it was '99, I think ten were reported missing and
3 within a very short period of time were located.

4 MR. GRATL: Mr. Giles, I wonder if exhibit marked for
5 identification J was marked as an exhibit
6 recently. It's a --

7 THE REGISTRAR: Yes, it was.

8 MR. WARD: It's a bound covered volume like this.

9 THE REGISTRAR: I know the one.

10 MR. GRATL: It's not listed yet on the Internet.

11 THE REGISTRAR: I'll just find it here for you.

12 THE COMMISSIONER: What is it?

13 MR. GRATL: It's a package of documents that I filed in respect
14 of what I call the bias brief. There was some
15 objections.

16 MR. DICKSON: Yes, it was Exhibit J.

17 THE REGISTRAR: 146. Is that the one?

18 MR. GRATL: The first document there should be a memo dated
19 January 9th, 1998?

20 MS. POWELL: Yes.

21 MR. GRATL:

22 Q Inspector Biddlecombe, this is a document, a
23 memorandum from Sergeant Cooper to yourself dated
24 January 9th, 1998?

1 MR. BIDDLECOMBE:

2 A Yes it is.

3 Q You would have received this shortly after your
4 commencement as an inspector of -- it lists you as
5 an inspector in charge of the Violent Crime
6 Section?

7 A Yes, that's correct.

8 Q That would be the Major Crime Section, is it?

9 A Yes.

10 Q Or is that a subset of the Major Crime Section?

11 A It was originally called the Violent Crime Section
12 and then through a recommendation some months
13 after this the name was changed back to the Major
14 Crime Section.

15 Q All right. So what this memo says, among other
16 things, is that there are problems with taking
17 reports at the Public Information Counter and in
18 the Communications Section, and then it lists
19 three reasons for not taking a report. One, that
20 the reporting is only a friend of the missing
21 person as opposed to a relative, two, that the
22 person must be missing for 24 hours before a
23 report can be taken, and three, just because a
24 reportee has not seen the person doesn't mean they
25 are missing. My question to you is what did you

1 do to rectify this problem, if anything?

2 A From my recollection I agreed with Bob Cooper
3 entirely and either I sent a memo out or I asked
4 Bob Cooper to send a memo out to the comm centre
5 to make a change into the PIC counter so these
6 issues could be resolved.

7 Q Over on page 2 you see that what Sergeant Cooper
8 is suggesting to correct the situation he's
9 requesting that planning and research be asked to
10 examine present Vancouver Police Department policy
11 governing missing persons?

12 A Yes.

13 Q Now, what I'm suggesting to you is that you didn't
14 in fact refer missing persons policy to the
15 Planning and Research Department until much later;
16 isn't that correct?

17 A I don't know.

18 Q You can't recall?

19 A How much later are we talking about? My
20 recollection of this document from '98 is that I
21 concurred with Bob, I thought everything he said
22 in here was valid, and that either I sent memos
23 out or I asked Bob to send memos out, but I don't
24 recall who did it or when it was done.

25 Q Did you refer the missing persons policy to the

1 Planning and Research Department?

2 A Yes, someone did. Either I did or Sergeant Cooper
3 did.

4 Q In and around January of 1998?

5 A That I don't know. I would assume so, because I
6 assume I got the report.

7 Q Okay.

8 A Right around that date, and it would only take a
9 few minutes to read it and to talk to Sergeant
10 Cooper about it and to agree with him in that it
11 should go forward.

12 Q All right. And who was in charge of the Planning
13 and Research Section at that time?

14 A I have no idea.

15 Q Okay. Would it have been Inspector LePard?

16 A Inspector LePard, no. LePard was a -- in '98
17 LePard was a sergeant working for me in the
18 Domestic Violence and Criminal Harassment Unit.

19 Q All right. Is there a way for you to find out
20 when you referred this to problem to the Planning
21 and Research Department?

22 A A way for me to find out?

23 Q Yes.

24 A No.

25 MR. GRATL: All right. I just note, Mr. Commissioner, that

1 I've asked the Vancouver Police Department to
2 produce the documents from the Planning and
3 Research Department that looks at the analysis of
4 this missing persons policy. I just did that this
5 afternoon and --

6 MR. CROSSIN: Where is it?

7 THE COMMISSIONER: And you mean they haven't produced it yet?

8 MR. GRATL: You know it's shocking, it's shocking, but one
9 would think that since Inspector LePard was
10 responsible for that, he being such a key
11 individual here, that he would have produced
12 documents that he himself authored or his section
13 had authored in the middle of all of this while
14 it's going on, and instead he took the stand and
15 said he just wasn't involved in the missing
16 persons investigation at all. So that's just why
17 I bring it up, because it just seems like
18 documents that should have been produced already.

19 THE COMMISSIONER: Mr. Hern.

20 MR. HERN: That's really not an appropriate comment, in my
21 submission.

22 THE COMMISSIONER: No, I know.

23 MR. HERN: And Inspector LePard was in planning and research at
24 some point, but not in the period of time
25 Mr. Gratl is asking about. I haven't seen his

1 recent e-mail, but we'll have a look for a
2 document if it seems relevant.

3 THE COMMISSIONER: All right.

4 MR. HERN: It might already have been produced.

5 MR. GRATL: That's much appreciated. Thank you, Mr. Hern. All
6 right. At this point, Mr. Commissioner, I have
7 exhausted what I can do today. I didn't expect to
8 be cross-examining today, I thought I would be
9 cross-examining tomorrow. That's as much as I
10 think I can profitably accomplish this afternoon,
11 and so with your leave I'm asking that we adjourn
12 and return in the morning.

13 THE COMMISSIONER: All right.

14 MR. VERTLIEB: I just want to thank Mr. Gratl for stepping into
15 the breach, because he was prepared to start when
16 others weren't. I'm grateful for that, and I know
17 you to be too, Mr. Commissioner.

18 THE COMMISSIONER: All right. We'll adjourn until tomorrow
19 morning.

20 THE REGISTRAR: Order. The hearing is now adjourned for the
21 day and resume at 9:30 tomorrow morning.

22

23

24

25

1 **(PROCEEDINGS ADJOURNED AT 4:55 P.M.)**

2

3 I hereby certify the foregoing to be a

4 true and accurate transcript of the

5 proceedings transcribed herein to the

6 best of my skill and ability.

7

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9 Peri McHale

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