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Vancouver, BC
October 24, 2011

(PROCEEDINGS RECONVENED AT 10:02 A.M.)

THE REGISTRAR: Order. This hearing is now resumed.

MR. VERTLIEB: Good morning, Mr. Commissioner. I wanted to give you an outline for the week. In discussion with Mr. Ward and Mr. Chantler who will be taking family members, representatives of the family unit, through their evidence, it will be in a friendly cross-examination environment because of course under the rules they would have that opportunity. They've kindly agreed to take their own clients through the evidence, which I think is the right way to do it, and then the other participants can put questions as they see fit. I understand that that evidence will take the hearing sessions Monday, Tuesday, Wednesday, Thursday, so it seems, based on what I'm being told, that you're going to hear this evidence through this week.

Next week we have the structural evidence that we've talked about and that means that the first police review evidence would be two weeks from now with Deputy Chief Constable LePard. But we are on track, I think we've made very good

1 progress. There are some procedural issues. I'm
2 going to see if we can get agreement from counsel
3 on the matter that was raised by Mr. Hern last
4 week about protecting information that would be
5 of a sensitive nature and it may be all of us can
6 all come to an agreement that will work. If not,
7 we will need to do that in session here. We
8 still have Mr. Gratl's motion for protection of
9 vulnerable witnesses and it's important to Mr.
10 Gratl that we do that sooner rather than later.
11 I don't want to interrupt family members from
12 giving evidence and if they're planning to do
13 that this week I really don't want to interrupt
14 those people who are under considerable strain.
15 If Mr. Gratl's motion needs to wait I think
16 that's best given the other concerns.

17 Before we start, I know Mr. Chantler is
18 going to do today's evidence, but I think Mr.
19 Brongers wanted to say something to the
20 commissioner about this morning's evidence.

21 MR. BRONGERS: Thank you, Mr. Vertlieb. Thank you, Mr.
22 Commissioner. The inquiry is now he moving into
23 what will be one of its most important phases,
24 hearing from families of some of the women who
25 disappeared from the Downtown Eastside. Before

1 they testify we would like to say a few words to
2 all of the families.

3 We are very sorry for your loss and deeply
4 regret the disappearance and untimely passing of
5 your loved ones. We're also very grateful for
6 your willingness to share your stories here at
7 the inquiry. It takes an enormous amount of
8 courage to be here. Being subjected to
9 cross-examination can be a difficult, stressful
10 experience, particularly in a forum such as this
11 with a room full of lawyers and under the glare
12 of the media spotlight. We do not want to add to
13 your pain and therefore will not be
14 cross-examining you. Please, do not interpret
15 our silence while you testify as indifference.
16 We want to hear about your experiences in your
17 own words; we want to reflect and consider
18 carefully what you have to say. This is a time
19 for you, the families of the victims who are most
20 directly touched by this tragedy, to speak and to
21 be heard. Thank you.

22 THE COMMISSIONER: Thank you. Before we begin with the
23 evidence from the families I want to speak to the
24 family members who are present and who will be
25 providing their evidence this week. I do want to

1 acknowledge how much we appreciate your
2 willingness to share your experiences with us in
3 this public hearing and recognize that it may be
4 difficult and it may be painful for you to come
5 forward and tell us your stories. Strong
6 emotions may well up unexpectedly. We understand
7 that. I want to let you know we will do whatever
8 we can to ensure that you have the required and
9 necessary support while you are assisting us in
10 this way. For example, you may wish to have a
11 support person standing or sitting beside you
12 while you are providing your testimony. You
13 will, of course, be entitled to take breaks. If
14 you need a break, you're upset about something
15 about testifying, tell me and we will accommodate
16 you, we'll give you the breaks. All you have to
17 do is ask.

18 We will ensure that there are appropriate
19 counsellors to help you, to assist you if you
20 require their assistance while giving evidence.
21 I'm raising these issues so you can think about
22 these things. I do want to thank you for coming
23 here and sharing with us your experiences and
24 difficult circumstances and the events that you
25 went through. We understand that and we're

1 grateful for your testimony and we're grateful
2 for you coming forward. We can only have change,
3 effective change, if you come forward and tell us
4 what happened to you and how we can change the
5 system, where the system needs to be changed. If
6 you don't come forward and we don't hear from
7 you, then things remain the way they are. So we
8 can only have effective change and we can only
9 change our system and the way we deal with these
10 very difficult issues about missing women, and
11 that's really what we're doing, if you come
12 forward and tell us what happened.

13 As counsel for the Federal Government has
14 already told you, they will not be
15 cross-examining you and they have set forth what
16 their position is, and I just want to reiterate,
17 I want to thank you for coming forward and we're
18 grateful and we will do whatever you need to help
19 you. Thank you again for coming.

20 MR. WARD: Cameron Ward, counsel for the families. Mr.
21 Commissioner. Some but not all of the family
22 members will be able to testify in the time
23 allotted this week and my colleague Mr. Chantler
24 will be leading the evidence of the first
25 witness. Just before we get to that, I'm

1 grateful for Mr. Vertlieb's outline of what is
2 happening next, but in order to assist in my
3 preparation I would really appreciate knowing the
4 names of the witnesses who are coming because I
5 don't yet have those.

6 THE COMMISSIONER: All right.

7 MR. WARD: Could I have the names of the witnesses coming next
8 week?

9 MR. VERTLIEB: We can provide that today. There's no problem.

10 MR. WARD: I'll turn the podium over to Mr. Chantler.

11 THE COMMISSIONER: Thank you. I should add, there's no time
12 limit on the evidence that the family members
13 will give. You said "the time allotted". We
14 don't want anybody to hurry, beyond the normal
15 rate of speed at which they speak, so they should
16 take their time. Go ahead.

17 MR. CHANTLER: Mr. Commissioner, Neil Chantler, counsel for
18 the families. I'd like to call the first witness
19 this week, Ms. Lynn Frey.

20 **LYNN FREY: Affirmed**

21 THE REGISTRAR: Would you state your name please.

22 THE WITNESS: Lynn Frey. L-Y-N-N F-R-E-Y.

23 THE REGISTRAR: Thank you. Counsel. You may be seated.

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

25 Q Ms. Frey, you're the stepmother of Marnie Frey;

1 is that correct?

2 A That's correct.

3 Q I'm going to pass up a photo. Will you confirm
4 this is a photo of Marnie?

5 A Yes, it is.

6 MR. CHANTLER: I'd ask this be marked as the next exhibit.

7 THE REGISTRAR: Exhibit Number 11.

8 **(EXHIBIT 11: Photocopy of a Photograph of Marnie**
9 **Lee Frey)**

10 MR. CHANTLER:

11 Q Ms. Frey, you're in a common-law relationship
12 with Marnie's father, Rick Frey; is that correct?

13 A That's correct.

14 MR. CHANTLER: Mr. Commissioner, I should mention, unless
15 there are any objections, I will be leading much
16 of the background information.

17 THE COMMISSIONER: I think you're going to have to speak up
18 because I'm having trouble hearing you and I
19 don't know about the audience.

20 MR. CHANTLER:

21 Q Mr. Frey, you've lived with Rick Frey in Campbell
22 River since 1988; is that right?

23 A That's correct.

24 Q Rick Frey is here in the gallery today?

25 A Yes, he is right over there.

1 Q The two of you have travelled over here to
2 Vancouver to participate in this inquiry?

3 A That's correct.

4 Q You're currently employed as a care aide at the
5 Comox Valley Seniors Village?

6 A That's correct.

7 Q How long have you been doing that?

8 A I've been doing it for quite a few years. The
9 facility where I work has only been open for
10 three years so I've been there for three years.

11 Q Is that full time or part time work?

12 A Full time.

13 Q Lynn, if you speak a little closer to the
14 microphone we'll be able to hear you.

15 A Okay.

16 Q Rick is a fifth generation commercial fisherman?

17 A That's correct.

18 Q You knew Marnie even before you and Rick were in
19 a relationship; is that right?

20 A That's right.

21 Q Can you tell us when you first met Marnie?

22 A Actually, the very first time I met Marnie was
23 with one of my other sons and we were down at the
24 beach and Marnie was walking along the beach and
25 we started talking and realized that they went to

1 the same school and kind of hung out together.

2 Then I met her dad through fishing and other

3 things in town.

4 Q From 1988 onwards you and Rick lived together in
5 a relationship and shared responsibility for
6 raising Marnie; is that right?

7 A That's right.

8 Q You always referred to Marnie as your daughter?

9 A Yes, she's my daughter.

10 Q And she in turn referred to you as her mother?

11 A Yes.

12 Q On December 17, 2007, Robert Pickton was
13 convicted of second degree murder in the deaths
14 of six women including Marnie; is that right?

15 A That's correct.

16 Q How old was she when she was murdered?

17 A 24.

18 Q Lynn, I'm going to ask you a bit about Marnie's
19 life, the circumstances of her disappearance and
20 the police investigation that followed. Do you
21 understand?

22 A Yes, I do.

23 Q Where and when was Marnie born?

24 A Marnie was born in Campbell River General
25 Hospital August 30th, 1973.

1 Q Who was primarily responsible for raising Marnie
2 as a child?

3 A Her father, Rick Frey.

4 Q And how old was she when you began to live with
5 her?

6 A She was 14 when I began to live with them as a
7 family unit but, like I said earlier, I knew
8 Marnie when she was younger and going to the
9 Christian school, elementary school. I've known
10 her for a long time.

11 Q What was Marnie like as a 14-year-old girl?

12 A A typical 14-year-old. She was energetic, full
13 of life, loved people, loved animals. She was
14 nothing different than any other 14-year-old.

15 Q What kinds of things did she like to do?

16 A She loved animals, she loved chickens, she loved
17 birds. Her favourite bird was the eagle. She
18 thought they were a free spirit as she was. She
19 liked arts and crafts; she climbed trees. She
20 did everything a child would do. She wasn't any
21 different.

22 Q Did she attend high school in Campbell River?

23 A Yes, she went to high school until grade 11 and
24 then couldn't deal with it anymore and left
25 school.

1 Q Do you know why she couldn't complete school?

2 A Now looking back, I believe it's when she started
3 dabbling in a little bit of drugs.

4 Q So Marnie got into trouble as a teenager?

5 A I wouldn't really say trouble, but she got into
6 dabbling and a few altercations with the RCMP,
7 but nothing really big.

8 Q Was she ever charged with any crimes?

9 A Not in Campbell River, no.

10 Q I understand Marnie began associating with a "bad
11 crowd" of youths when she was in her teens?

12 A That's right.

13 Q Can you tell us a bit about that?

14 A She had met a couple of rambunctious children
15 that were a group of kids that went to school
16 with her and there was a big outbreak in Campbell
17 River at the time with narcotics coming in.
18 There were Vietnamese people who had a lot of
19 drugs and they would try to buy the kids stuff in
20 the malls and try to coax them to come over to
21 their house on the weekends and party, and Marnie
22 eventually went there and started partying and
23 got into the drug scene.

24 Q You were aware at the time Marnie was using
25 drugs?

1 A Yes.

2 Q Do you know what drugs she might have been using?

3 A She smoked a lot of pot, did a lot of hash and
4 then she started using cocaine.

5 Q How often was she using drugs at that time?

6 A At least on the weekends, so I'd probably say
7 Friday night and Saturday.

8 Q Marnie moved out of your house in 1992 at age 18;
9 is that right?

10 A That's correct.

11 Q Where did she move to?

12 A Just about four blocks from our house. Her and
13 her boyfriend moved there and Marnie was
14 expecting her first child.

15 Q Why did she move out?

16 A She tried to be independent, tried to show she
17 could do it, and she was trying to get her act
18 together and wanted to move away from mom and dad
19 but she kept in contact with us every day.

20 Q How often did you see her?

21 A Every day, sometimes twice a day.

22 Q You remained very close?

23 A Very close.

24 Q You and Rick legally adopted Marnie's daughter
25 when she was six months old; is that right?

1 A That's correct.

2 Q Why was that?

3 A Marnie and her boyfriend had got into some heavy
4 drugs and were partying and the police got
5 involved and it wasn't a good idea to have
6 Brittney with Marnie. So Marnie agreed for us to
7 do an interim court order which we took her as
8 interim custody and then eventually Marnie ended
9 up coming to the Downtown Eastside and I got a
10 hold of her, went to court, saw our lawyers and
11 adopted her with Marnie's wish.

12 Q Did Marnie maintain a relationship with her
13 daughter?

14 A Very much so. Whenever she phoned home she
15 talked to Brittney and wanted to know how she was
16 doing, "Is she walking? Can she talk? Can she
17 talk to me?" She was a compassionate, caring
18 mother. She didn't just ignore her.

19 Q How often did Marnie see her daughter?

20 A Not as much as I'm sure she would like to.
21 Marnie was living down here and we were living in
22 Campbell River. At least once a month Marnie
23 would come home and spend the weekend with us.
24 The rules were as long as she was clean she could
25 come home.

1 Q What more can you tell us about Marnie's life
2 growing up in Campbell River?

3 A Marnie was a very caring and compassionate
4 person. She would give her shirt off her back to
5 give to anybody. I remember many occasions
6 Marnie would get a new pair of shoes or a new
7 shirt or a new jacket even and go to school and
8 when she would come home she would come home
9 without a jacket or shoes. "Where the hell are
10 your shoes?" "Well, Betty didn't have any shoes
11 and I felt bad for her so I gave her my shoes."
12 "Well, that's nice, now I've got to go buy you a
13 new pair." She did the same thing with her
14 clothes. She would get new clothes from her
15 grandma or from her dad and I, relatives,
16 birthdays, any reason to get new clothes, and she
17 ended up giving them to whoever that she felt
18 needed them. She always wanted the new things
19 but then she felt sorry for people who weren't as
20 fortunate as she is so she gave them away.

21 Q You mentioned that Marnie eventually moved to
22 Vancouver. Do you recall when that was?

23 A I believe it was '92.

24 Q And how old was she then?

25 A It was not '92.

1 Q '95?

2 A '95, sorry. She was 21, 22, just about 22.

3 Q Why did she leave Campbell River?

4 A Well, unfortunately another good friend of hers,
5 a young lady who has passed away now, Mandy
6 Blakemore, she got into the drug scene also, and
7 Mandy ran into quite a bit of money, both her
8 parents were deceased, so Mandy and Marnie
9 decided to go to Vancouver. If you've been to
10 Campbell River, the lights turn off at six
11 o'clock in Campbell River. We're old people, as
12 she would say. So of course Vancouver, there's
13 lots of action in Vancouver at night so she came
14 to Vancouver to check things out, came home a
15 couple weeks later and then she went back down
16 and never did come home.

17 Q Do you know where she lived in Vancouver?

18 A Marnie phoned us every day and she told us she
19 was living at the Balmoral Hotel on Hastings
20 Street.

21 Q Did Marnie have a fixed address there?

22 A Yes. Marnie had a fixed address.

23 Q Did you always know where she was living?

24 A Up until just before the end we always knew where
25 she was.

1 Q How often would you hear from Marnie after she
2 moved to Vancouver?

3 A Sometimes early in the morning, between 4:00 and
4 6:00 in the morning, sometimes at night, but at
5 least once a day.

6 Q Were you able to call Marnie yourself?

7 A No, she always had to call us. She didn't have a
8 cellphone and I guess she didn't have enough
9 money to phone home. She knew she could phone
10 home any time day or night and call collect, it
11 didn't matter where she was, and she continued to
12 do that.

13 Q She was regularly in contact with you?

14 A Very regularly.

15 Q Why would she call home so often?

16 A Just because she missed us, and I think Marnie
17 wanted to get out of the Downtown Eastside but
18 she was so highly addicted she couldn't find a
19 way out. She was stuck in a tunnel; she was
20 trapped.

21 Q What is the longest period of time you can recall
22 Marnie not phoning home?

23 A After her birthday on the 30th of August '97 is
24 the last time we heard from Marnie and that was
25 the longest.

1 Q And that's when she disappeared?

2 A That's when she disappeared.

3 Q Was Marnie very open with you about the
4 circumstances of her life in the Downtown
5 Eastside?

6 A Definitely, she was very open with me. She
7 didn't hide any secrets. She'd hide secrets from
8 her dad, but not from me. She told me exactly
9 what she did, how she did it, when she did it,
10 what she was doing, who she was hanging out with.

11 Q What kinds of things would she tell you that she
12 wouldn't tell her dad?

13 A What kinds of drugs she was doing, what she had
14 to do to get her drugs, but she would never tell
15 her dad that. It didn't take a rocket scientist
16 to figure out when you're on income assistance
17 you don't get that much money and she's got money
18 to buy drugs. Obviously it's not all coming from
19 her welfare cheque.

20 Q Is most of what you know about Marnie's life in
21 the Downtown Eastside from what she told you
22 directly?

23 A Yes, it was directly.

24 Q And when we talk about Marnie's life in the
25 Downtown Eastside we're talking about a period

1 from 1995 when she moved there to 1997 when she
2 disappeared; is that right?

3 A Yes, that's correct.

4 Q You knew Marnie was a drug user while she was
5 living in the Downtown Eastside?

6 A Yes, I did.

7 Q Did Marnie talk to you about her drug use?

8 A Actually, one time when I went there to pick
9 Marnie up to bring her home to take her to
10 treatment she wouldn't leave until she had shot
11 up, is what she called it, so of course I stood
12 there and tried not to watch she said it was okay
13 to look, it doesn't hurt me. She's always been
14 petrified of needles so I could never believe
15 that she would inject any drug into her but she
16 did. She let me know, and I obviously saw with
17 my own eyes what she was doing.

18 Q Was that heroin?

19 A Yes, it was heroin.

20 Q Do you know if she used any other drugs
21 regularly?

22 A Coke.

23 Q Was she addicted to these drugs?

24 A Yes, she was.

25 Q Did she use them daily?

1 A Daily. Two, three times a day.

2 Q She talked to you about that?

3 A Yes, she was very open.

4 Q Do you know when her drug use had begun?

5 A When she was a young -- 16 she started getting
6 heavy into the drugs in Campbell River and then
7 she stopped for a while and just did stuff that
8 wasn't as addictive as heroin, I guess it was the
9 coke then, then she got into a little of heroin,
10 dabbled in it a little bit in Campbell River and
11 then it got worse, escalated in Vancouver.

12 Q Did Marnie ever express to you a desire to get
13 off drugs, escape her addictions?

14 A Many times. One of the occasions I recall very
15 well, her grandmother, which is my mother-in-law,
16 and myself took Marnie to Victoria to get into
17 treatment and she was so scared. She had been to
18 our home in Campbell River for four days detoxing
19 and we took her to Victoria to a treatment centre
20 and she was what they call tweaking -- whatever
21 she was doing in the back of the car, she was
22 going crazy anyway. We got her to Victoria and
23 we got her to the treatment centre and she went
24 in the front door, we said our good-byes and
25 cried, grandma was a basket case and Marnie was

1 crying for grandma and for me. Then she went out
2 -- we drove around the back alley and we saw some
3 young girl standing hitchhiking and I said to my
4 mother-in-law, "My god, I hope that's not Marnie.
5 It kind of looks like her." As soon as we
6 approached where the girl was standing it was
7 Marnie and she couldn't do it. We picked her up
8 and brought her back home.

9 Q What do you think was preventing her from
10 successfully overcoming her addictions?

11 A Afraid, can't handle the pain. It's really an
12 awful sight to see somebody detoxing. It's not
13 where they can just go to sleep and wake up the
14 next day feeling great. They're in severe pain.
15 You have to be ready and obviously she wasn't
16 ready. She thought she was but her body wasn't
17 ready.

18 Q When was that that she tried detoxing in Victoria
19 as you've just described?

20 A At that time it was '95, '94. She had gone to
21 treatment numerous different occasions. That was
22 the one time that I actually took her to the
23 treatment centre.

24 Q Can you suggest how many times she tried going
25 through treatment?

1 A I know for sure she called three times from
2 Vancouver. I don't know what places she was in,
3 but she called from treatment and said that's
4 where she was.

5 Q Did Marnie have any other health issues to your
6 knowledge?

7 A Not to my knowledge. She was healthy.

8 Q You were aware that Marnie was working in the sex
9 trade in the Downtown Eastside?

10 A Yes.

11 Q And how did you know that?

12 A She told me. I asked her how she was getting her
13 money and how can she afford to buy drugs, she
14 was on a limited amount of income, and she said,
15 "I'm selling myself".

16 Q Was she very open with you about that?

17 A Uh-huh.

18 Q What did she tell you about working in the sex
19 trade?

20 A She said sometimes it's really scary. One time
21 one guy wanted her to do something that she
22 didn't want to do -- she didn't elaborate but I
23 can only imagine -- and they had a little bit of
24 a disagreement. She never mentioned anything
25 about being beat up or anything but she had a

1 disagreement with him and she gave in and she got
2 \$20 for whatever it was she had to do. She
3 didn't tell me what she had to do. She told me
4 different circumstances that she had been
5 involved in, driving to Abbotsford from Vancouver
6 and getting returned to Vancouver and going right
7 back out on the street. I asked her, "How often
8 do you turn a trick or whatever you call it?" and
9 she said, "As often as I can and as long as I
10 can."

11 Q So she told you about dates with johns?

12 A Yes.

13 Q Is that the only time she told you about a
14 particular instance with a john or was it
15 regular?

16 A If I ever asked her how it was or what happened
17 or what did you do she would tell me, but she
18 didn't come right out and elaborate with me at
19 first.

20 Q Do you know why she started working in the sex
21 trade?

22 A Because she was addicted and had no other choice.
23 Her disease, the disease overpowered her. To be
24 a drug addict is not something you choose; it's
25 an addiction.

1 Q She talked to you about bad dates?

2 A Not very often. She had arguments and stuff but
3 she never said anything other than that.

4 Q Did she have a pimp to your knowledge?

5 A Not to my knowledge.

6 Q What was her general attitude or demeanour about
7 being in the sex trade when you would talk to
8 her?

9 A She was ashamed. She was upset that she had hurt
10 me. She very upset that she hurt her father.
11 Her dad and her had a very close bond, so it
12 really bothered her to explain anything to her
13 father but she would tell me. We'd sit there or
14 talk on the phone and cry together. I told her
15 she could come home any time she wanted to.

16 Q Did she talk about her friends who were in the
17 sex trade with her?

18 A Mandy who she came down to Vancouver with. Mandy
19 was very sick and she was still alive when Marnie
20 had been calling but she told me she was sick and
21 she had all her friends there and she had family.
22 I guess on the streets that's your family. Her
23 immediate family of course is us but they all
24 stuck together and looked out for each other and
25 made sure that everybody was safe.

1 Q Did she know any of the people she worked with in
2 the sex trade?

3 A I met a couple of the girls, when I was looking
4 for Marnie I met a couple of the girls that knew
5 Marnie.

6 Q Did she ever tell you the names of any johns?

7 A No.

8 Q You mentioned that she expressed or described a
9 situation of violence while working in the sex
10 trade?

11 A No.

12 Q She never talked to you about instances of
13 violence?

14 A Not towards her. To other people but not towards
15 her.

16 Q Did she talk about potential health risks of
17 being in the sex trade?

18 A She just said that she had to make sure that they
19 always carried a rubber with her (sic) so that if
20 she had to have sex with anybody she wouldn't get
21 any diseases.

22 Q Did she express a desire to you to escape the sex
23 trade?

24 A On quite a few occasions she wanted to leave and
25 I told her umpteen times that I could come and

1 get her. It was only a little ferry ride from
2 Campbell River to Vancouver. On of the one
3 occasions I did come down and get her and had her
4 all ready to go and we were leaving to come home
5 and I phoned her father and told her father that
6 I had his fallen angel in the car and we were on
7 our way, don't hold supper, because it was like
8 two o'clock in the afternoon. I had all Marnie's
9 things packed and we were on our way and just as
10 I turned left to go off Cassiar to go towards the
11 ferry the light changed and Marnie jumped out of
12 the car. She couldn't do it.

13 Q Was this in May '96?

14 A '96, yes.

15 Q She phoned you from the Downtown Eastside?

16 A And wanted to come home.

17 Q How would you describe the state that she was in
18 when she phoned you?

19 A She had changed a lot. She had lost a lot of
20 weight. She was very gaunty looking. Her colour
21 of skin was gray, her eyes were bugged out of her
22 head. She had greasy, slimy hair. I knew it was
23 Marnie but it didn't look like the Marnie I had
24 seen only a few months before.

25 Q Had she changed a lot?

1 A Yes, she had changed a lot, but she was still the
2 caring, loving person. Her personality hadn't
3 changed, just her outside looks had changed.

4 Q You eventually got her home?

5 A Yes. We got her home and we detoxed her at home
6 while we were waiting for a bed for Marnie to go
7 into treatment. She had to be clean and sober
8 for so many days so we were detoxing her at home.
9 I had never detoxed anybody before in my life, I
10 didn't have a clue what I was doing. I contacted
11 the hospital and asked how you do it. I tried to
12 take her to the hospital but they wouldn't have
13 nothing to do with her, they didn't have a bed at
14 the hospital, so I detoxed her at home. My
15 husband and I both -- and Brittney was still at
16 home -- we took turns watching her when she was
17 in her room sleeping. We had pots above the door
18 frame so that if she opened up the door and tried
19 to escape in the middle of the night when we were
20 trying to sleep the pots would fall and we'd be
21 aware she was trying to escape. We took turns,
22 shift work, who would sit by the door so she
23 wouldn't take off, and that was quite the ordeal,
24 but it only worked for four days and then Marnie
25 couldn't handle it anymore.

1 Q What happened?

2 A She left.

3 Q Is that the last time you tried to detox her?

4 A No, I tried a couple times after that. We tried
5 to get a hold of treatment centres. I never did
6 it myself again. We tried to get a hold of detox
7 centres down in Vancouver, Mission, wherever they
8 had female places to go. There was never any
9 beds available but that's the way it is. You
10 can't say, "Today I want to be clean" and expect
11 to get a bed. It was a huge process.

12 Q What was preventing Marnie from leaving the sex
13 trade? You mentioned she expressed a desire to
14 do that. Was it the drug addiction?

15 A It was the drug addiction. It wasn't the life
16 that she was living, that's for sure, it was
17 definitely the addiction of drugs. She was so
18 far gone she couldn't go a day without shooting
19 three or four times a day.

20 Q Did Marnie have any other sources of income?

21 A No, not to my knowledge.

22 Q Would you say financial circumstances were the
23 primary reason that she kept on in the sex trade?

24 A Yes.

25 Q Marnie had a street name; is that right?

1 A Yes, she did.

2 Q What was that?

3 A Kit or Kit Kat.

4 Q Why was that the name of choice?

5 A When Marnie phoned to tell us where she was at
6 the Balmoral, she said, "If you ever come to see
7 me or you need to get a hold of me and you come
8 to Vancouver look for me on Hastings but don't
9 ask for Marnie." "How am I going to know where
10 the hell you are then?" She said, "What's your
11 favourite chocolate bar, mom?" "Kit Kat," and
12 she said, "That's my street name." Everybody
13 knows that to this day I can't eat a Kit Kat
14 chocolate bar.

15 Q Did Marnie ever talk to you while living on the
16 Downtown Eastside about her relationship with the
17 police?

18 A No. Just that she had been in trouble a little
19 bit with the police but nothing out of the
20 ordinary with her and the police.

21 Q Do you know if she had regular contact with the
22 police?

23 A Yes. She had been incarcerated a few times. One
24 specific time she called -- her lawyer called me
25 and said she was incarcerated for I believe it

1 was stealing some man's money out of his wallet
2 or something. So I went to Vancouver for the
3 trial and she had definitely taken money and was
4 to go on probation, she didn't have a curfew but
5 she got out of jail the same day I got there.

6 Q Do you recall when that was?

7 A Not really. I have it in my notes but...

8 Q Were there other instances where she was put on
9 trial that you're aware of?

10 A I know she went to the women's prison but I don't
11 know what she did to get there. I don't remember
12 why she was -- she phoned when she got to prison,
13 and actually I was quite blessed that's where she
14 was because at least I knew she was safe there
15 and she wasn't having to do a trick to get money
16 to shoot heroin.

17 Q Did she call you even from jail?

18 A Oh, yeah, she called from jail numerous times.

19 Q Her contact with family was always regular?

20 A Always.

21 Q Did she express to you a fear of police?

22 A She never liked them even when she lived in
23 Campbell River because they were authority so she
24 didn't really...

25 Q Do you know why?

1 A I know that they would push her around, like in
2 Campbell River they did. Not actually physically
3 push her but, you know, trying to get her to talk
4 or making deals with her, so I'm sure they did
5 the same thing down here but she never really
6 elaborated.

7 Q Do you know if Marnie had a criminal record?

8 A Yes, she did.

9 Q Do you know the nature of the charges?

10 A Theft and *Motor Vehicle Act*, but I don't know
11 what exactly was the charge.

12 Q Were you aware that she was charged with
13 solicitation in '95?

14 A No, but that doesn't surprise me.

15 Q Did Marnie tell you about any boyfriends she had
16 while living in the Downtown Eastside?

17 A Yes. She met a fellow by the name of Dave, and I
18 think it was Drake Towing, he drove for a towing
19 company, and actually I met him the day Marnie
20 was getting out of jail, he was there. He was an
21 older man, hefty, nothing I would expect Marnie
22 to go out with, but she said she was happy. She
23 was trying to get her life in order and off the
24 street.

25 Q Did you ever have contact information for Dave or

1 other boyfriends?

2 A No.

3 Q Would Marnie return home just for a visit from
4 time to time,

5 A Yes. She'd come home for a visit from time to
6 time to see Brittney and try to recuperate and
7 see if we can get her into a treatment centre,
8 try to get off the drugs, see her dad. Her dad
9 fishes from June until the end of August,
10 beginning of September, so Marnie would always
11 try to get home during the year so she could
12 spend some quality time with her dad before he
13 left on the boat.

14 Q How many times would you say she did that between
15 '95 and '97?

16 A At least twice a month -- twice a year she'd come
17 home.

18 Q Can you tell us more about those visits? How
19 long would she stay, what would she do?

20 A Four or five days. It was kind of hard for her
21 to stay at home. One reason is she had to be
22 sober and clean to be at home because Brittney
23 was there so she couldn't use any narcotics and
24 drink. All her friends -- because she grew up in
25 the small community of Campbell River -- so she

1 wanted to go and see all her friends and she'd go
2 and hang out with them, and the nights she didn't
3 come home obviously I can only assume she drank
4 or did some drugs and knew she couldn't come
5 home.

6 Q Did Marnie ever travel anywhere else other than
7 back to Campbell River to see you to your
8 knowledge?

9 A Not to my knowledge.

10 Q Are you able to suggest why not?

11 A I don't know where she would go. I mean, we
12 lived in Campbell River, all her friends, family,
13 her brothers are in Campbell River, so I don't
14 think she'd go anywhere else.

15 Q Ms. Frey, I'm going to turn to the last couple of
16 months before Marnie's disappearance, this is the
17 summer of '97. Where was Marnie living that
18 summer?

19 A I understood her to be living in the Downtown
20 Eastside but now that I have records of the
21 social services she was living on Kingsway in
22 Burnaby.

23 Q Were you still in regular contact with Marnie
24 that summer?

25 A Yes, I was.

1 Q How often was she calling home?

2 A Same as always, at least once a day. Sometimes
3 she'd miss a day and call twice the next day.

4 Q Did you sense anything was wrong with Marnie at
5 that time?

6 A No. Just that she sounded really tired, really
7 exhausted. She was quite weepy. It made us all
8 cry. I begged for her to come home. She said
9 not yet.

10 Q Was she still working in the sex trade?

11 A Yes.

12 Q And still using drugs?

13 A Uh-huh.

14 Q Did you see Marnie that summer?

15 A I saw her in July of '97 when I made a trip to
16 Vancouver to see my parents because my parents
17 live in Mission so I came down often to see my
18 parents. My mother was dying and I spent time
19 with my mom during the day and at night I'd go
20 look for Marnie on the Downtown Eastside. I
21 spent some time with Marnie, we went out for
22 lunch. I tried to convince her to go see her
23 grandma and come home but she never did.

24 Q How did Marnie seem to be doing when you saw her?

25 A If I hadn't taken a really good look I wouldn't

1 have known it was Marnie. It didn't look like
2 her. Her hair was quite straggly looking, she
3 never had make-up on. Marnie from the time she
4 was little she always wore make-up and her hair
5 was very important. Her personal hygiene was
6 very important to Marnie. For her to look the
7 way she did it didn't really look like her.

8 Q That would be the very last time you'd see
9 Marnie?

10 A Yes.

11 Q When was the very last time you spoke to Marnie?

12 A On her 24th birth on the morning of August 30th,
13 1997, she phoned home and said, "Hi, mom, how are
14 you? What are you doing?" I believe I was
15 getting Brittney ready to get up and get changed
16 and she was going out to play and she said, "Do
17 you know what day it is today?" I said, "Yeah,
18 it's the big 2-4," and she started laughing and
19 asked if her dad was home yet and she started
20 talking to me about what she needed for her
21 birthday. I told her that I had already got a
22 box ready for her. I had some homemade bread,
23 she loved homemade food so she knew I always made
24 bread and buns. I had a bunch of homemade bread,
25 two loaves, and some buns and I bought her some

1 clothes and make-up and personal things and a
2 little note from Brittney that she drew on a
3 colouring book and Brittney scribbled her name on
4 it. The day before I sent it and it was supposed
5 to arrive at the Vancouver bus depot on the day
6 of her birthday. So I told her to please go to
7 the bus depot, it should be there now and call me
8 back and let me know what you think of what you
9 got and if everything fits fine. There was a
10 birthday card in it and \$50 and I told her that I
11 sent her money and that would be the last time I
12 gave her money because, "I feel like I'm enabling
13 you to get high. If you need clothes, tell me,
14 but I'm not sending money, it's the last time."

15 Q Was there anything unusual about that phone call?

16 A The only real unusual thing was it was really
17 hard to say good-bye to her.

18 THE COMMISSIONER: It was what?

19 A It was hard to say good-bye. She kept trying to
20 talk to me and tell me more things and Brittney
21 was crying outside, the dog was barking and I
22 couldn't hear what she was talking about so she
23 finally said, "Okay, I love you. Tell dad I love
24 him and I'll see you soon."

25 MR. CHANTLER:

1 Q Did she seem to be in distress?

2 A No.

3 Q Did she talk about going away anywhere?

4 A No. She said she would come home soon.

5 Q How did you leave off with her?

6 A "Good-bye. I love you. Be safe."

7 Q Expecting to hear from --

8 A Hoping to hear from her in the next few hours
9 that she received her box. I do know there was
10 quite a distance for her to travel from Kingsway
11 to the bus depot because I grew up on the
12 mainland, so I assumed, well, she doesn't have a
13 car so probably by supper time she will phone me
14 and tell me what she got, if everything fits and
15 she likes whatever she had and she ate the bread
16 and we'll have another little conversation, but
17 that conversation never came.

18 Q You never heard back from her?

19 A Never heard another word.

20 Q What did you do next?

21 A I waited a couple of days and I got kind of a
22 weird feeling came over me that something was
23 wrong because it's not like Marnie not to phone
24 home. I contacted by telephone the RCMP in
25 Campbell River and they told me because she's 24

1 years old -- and they knew who we are, they've
2 been police officers there for a long time -- of
3 course now they've all changed -- the officers
4 that were there knew Marnie and knew our family.
5 I don't know if I was speaking with a police
6 officer or a receptionist or dispatch or whatever
7 you call them at the front, but they said, "Give
8 us a couple more days and contact us back.
9 There's really nothing we can do. It's only been
10 a couple of days she has not contacted you and
11 she is living on the Downtown Eastside and she's
12 24, she's an adult," so I left it.

13 Q You don't know the name of the person you spoke
14 to?

15 A No clue. It was a female.

16 Q Did you provide a description of Marnie?

17 A Yes, I gave a description of her.

18 Q What else did you tell her about Marnie's life?

19 A That she was a woman living on the Downtown
20 Eastside, prostituting, and she was drug
21 addicted. I said, "I'm sure she's been stopped
22 by the police. Maybe you can contact the VPD and
23 they'll be able to tell you where she is or if
24 they've seen her. Maybe she's in jail." They
25 said, "Yeah, well maybe she's on a holiday."

1 Q Was a file opened?

2 A I assumed that there was a file opened but I've
3 never been in trouble with the law so I don't
4 know anything about the law. For all I know
5 there was never a file opened -- at least not at
6 that time.

7 Q Did she say anything to you about a missing
8 person report?

9 A No.

10 Q Did she say anything to you about contacting the
11 Vancouver Police?

12 A Not at that point, no. Later on they did but not
13 at that early stage.

14 Q Did she tell you anything else about what she was
15 going to do or not do?

16 A No. She said, "If you haven't heard from her in
17 a week or two weeks call us back."

18 Q Essentially she told you to wait?

19 A To wait, that she's 24 and she's not missing.
20 She's missing for us but not missing to society.

21 Q How would you describe the reaction you got to
22 your report by the Campbell River RCMP?

23 A Like I was just an old lady worrywart for no
24 reason.

25 Q Was this the reaction you were expecting?

1 A Absolutely not.

2 Q How did you feel after attempting to file that
3 report of Marnie's disappearance?

4 A Like they just didn't care. She was just in the
5 Downtown Eastside, out of their jurisdiction, out
6 of their community and it's Vancouver's problem.

7 Q Had Marnie ever disappeared like this before?

8 A No.

9 Q Had you ever reported her missing before?

10 A No.

11 Q You knew something was wrong?

12 A I knew something was wrong and so did her dad.

13 Q What happened next?

14 A The police officer -- we finally got to speak
15 with Sergeant Dwight Damien⁸ at the time and he
16 said, "Give it a couple more weeks and if you
17 don't hear anything back or you can't locate
18 Marnie on the Downtown Eastside or she doesn't
19 call home come see me." I gave it a couple more
20 weeks and I went and saw him.

21 Q You mentioned Sergeant Dwight Damien. Was he
22 with the Campbell River RCMP?

23 A Yes.

24 Q He told you as well to wait?

25 A To wait.

1 Q And to come see him in a couple weeks?

2 A To come see him in a couple weeks if I haven't
3 heard anything.

4 Q Did he say anything to you about a missing person
5 report?

6 A No.

7 Q Did he say to you that he would contact the
8 Vancouver Police?

9 A No. I just assumed that's what they did.

10 Q Did he tell you to contact the Vancouver Police?

11 A No. I told him I was going to if I didn't hear
12 anything pretty soon. He said, "If you haven't
13 heard from her in a couple weeks just call me
14 back."

15 Q How many weeks after Marnie's disappearance was
16 that conversation?

17 A Probably three weeks, three and a half.

18 Q What happened then?

19 A I waited until the middle of October, I called
20 the RCMP back in Campbell River and still nothing
21 and I called -- I thought, okay, I'll wait until
22 my birthday is in the first week of November and
23 I'll wait 'til then and I know for sure if Marnie
24 hasn't called me by my birthday, I guess I'll
25 have to go to Vancouver by myself and fill out a

1 missing persons. It's not normal for Marnie not
2 to call on my birthday. My birthday came and
3 went and the next day after my birthday I
4 contacted the RCMP in Campbell River and I said,
5 "I want to put out a missing persons because I
6 know now something is wrong because she never
7 called me for my birthday."

8 Q Can you tell us about the conversation in
9 October, that next call to the Campbell River
10 RCMP? What response did you get then?

11 A Basically that she was, you know, a missing
12 person, we can put it out as a missing person and
13 they'll send the information to the Vancouver
14 City Police.

15 Q Did you speak to the same person you spoke to --

16 A No. Every time I spoke to the RCMP I spoke to a
17 different person. It was never the same person.
18 Now I know it was probably just the dispatch,
19 wasn't even an officer of the law.

20 Q Do you recall if it was a man or a woman?

21 A A woman.

22 Q Did she offer her name at the time?

23 A No.

24 Q You mentioned that you didn't hear from Marnie on
25 your birthday. When is your birthday?

1 A November 5th.

2 Q That day came and went?

3 A Yes.

4 Q Still no call from Marnie?

5 A No.

6 Q That told you something?

7 A That told me definitely that something was wrong.

8 At first I thought maybe she was being held

9 against her will somewhere and couldn't get out,

10 couldn't phone me. It's only a birthday but

11 birthdays were a big thing in our family, like

12 birthdays and Thanksgiving, family days are

13 something really special in our family. So for

14 her not to phone me, I knew something was wrong.

15 Q What did you think had happened to Marnie?

16 A I thought she got killed or she OD'd.

17 Q Did you express that to the Campbell River RCMP?

18 A Yes. They said nobody had been murdered and

19 nobody had OD'd.

20 Q Did they tell you they had conducted any

21 investigation for her?

22 A No.

23 Q Did they tell you they had contacted jails or

24 hospitals?

25 A No. I did that; I did that part. I contacted

1 most of the hospitals in Vancouver, at least the
2 ones I could remember like Vancouver General, St.
3 Paul's, Royal Columbian in New Westminster, and I
4 asked if they had any Jane Does and the
5 description of Marnie and they said no, they
6 didn't have any Jane Does. I didn't phone any
7 coroners or anybody but I phoned the hospitals.
8 I also asked if they had anybody there that had
9 OD'd but still alive but was in a coma or
10 something wrong with them and that fit Marnie's
11 description, but nothing.

12 Q Did the Campbell River RCMP offer to do any of
13 that?

14 A Eventually they did but it took a lot of time for
15 them to realize Marnie was actually missing. It
16 didn't happen until January of '98 that the RCMP
17 in Campbell River finally put Marnie out as a
18 missing person to Vancouver after Christmas.

19 Q You told the Campbell River RCMP that she was
20 missing?

21 A Yes.

22 Q So what was preventing Campbell River RCMP from
23 taking these steps in your opinion?

24 A They just didn't give a damn.

25 Q Why didn't you call the Vancouver Police

1 Department sooner than you did?

2 A Because I had no response with the Campbell River
3 RCMP so why would the Vancouver City Police care?
4 The RCMP didn't care. She was just a low life
5 prostitute.

6 Q Did you expect the Campbell River RCMP to notify
7 the Vancouver Police?

8 A Yes. I thought that's what they did. I didn't
9 know their job.

10 Q Did they ever tell you they were doing that?

11 A Not until towards the end. Then they finally
12 told us that they were putting her out as a
13 missing person and they would get a hold of the
14 Vancouver City Police with all our information,
15 her height, her weight and a picture of Marnie.

16 Q You say towards the end. When that was?

17 A In September -- no, after Christmas, January,
18 sorry.

19 Q Do you recall the names of any other RCMP
20 officers from the Campbell River detachment with
21 whom you spoke?

22 A Yes. I spoke with Constable Paddock and
23 constable -- I can't remember the other officer
24 but I know it was Constable Paddock.

25 Q Was that Dave Paddock?

1 A Yes, Dave Paddock.

2 Q Was the other name you're trying to recall Dwight
3 Damien?

4 A Dwight Damien. Paddock was a little more
5 compassionate because his wife actually went to
6 school with Marnie, Christian school, so he knew
7 Marnie from the different side of the tracks than
8 she was on, so he was quite compassionate and
9 concerned.

10 Q Was it Mr. Damien that told you he would notify
11 the Vancouver Police Department?

12 A Yes.

13 Q Did you know if he did?

14 A I don't know. I can only hope he did.

15 Q He never told you?

16 A No.

17 Q In about November '97 after your birthday came
18 and went you made a trip to Vancouver to search
19 for Marnie; is that right?

20 A Yes, I did.

21 Q Can you tell us about that trip?

22 A I just had an awful feeling that something was
23 wrong and I wasn't getting anywhere with the
24 police so I took it upon myself. As I said, my
25 mother was dying so I would go down as often as I

1 could and spend time with my mom during the day
2 and look for Marnie on the streets of Vancouver
3 at the night.

4 Q Did you have any interaction with the police on
5 that trip?

6 A A couple of occasions I did. I had a picture of
7 Marnie blown up and I had it in my hand and my
8 foster sister was with me and we walked up and
9 down the streets and looked in back alleys,
10 garbage dumpsters, anywhere, asking anybody on
11 the street if they knew her by her first name,
12 which was Kit. They said they knew who she was.
13 Some said they just seen her. They were all
14 confused, of course. There was two Vancouver
15 City police officers on a horse, each had a
16 horse, right by the Balmoral Hotel, and I stopped
17 them and asked them, "Excuse me, sir, could you
18 tell me, have you seen my daughter?" And he
19 said, "Yeah, ma'am, I see a lot of young ladies
20 daughters around here," and left.

21 Q Shortly after that trip in November '97 you also
22 visited the Campbell River RCMP detachment in
23 person; do you recall that trip?

24 A Yes, I do.

25 Q Can you tell us about that visit to the

1 detachment?

2 A Just I went into the detachment really angry,
3 wanting answers, wanting to know how come nothing
4 has been done, where is everything going? Are
5 they looking for her? What do I have to do? Do
6 I need to get a lawyer?

7 Q What response did you get?

8 A They said they were going to look for Marnie and
9 find out what's happened, but without any bodies,
10 no clues, no dead women being found anywhere that
11 she obviously just didn't want to get into
12 contact with you. Maybe she's gone to treatment,
13 maybe she's in the hospital, maybe she's married
14 and has a different life and doesn't want to have
15 anything to do with her family, which is total
16 bullshit because that isn't Marnie. I knew they
17 just didn't care.

18 Q Did they ask you for more details about Marnie's
19 life?

20 A No. They knew how Marnie was, they knew her
21 lifestyle at home. I'm sure they knew that
22 something was wrong but they couldn't pinpoint it
23 and maybe didn't want to get me upset or worried
24 that maybe there really was something wrong.

25 Q At some point you provided the Campbell River

1 RCMP with your information; is that right?

2 A Yes, I did. I even went to -- Marnie had
3 dentures -- braces when she was 14, so I got a
4 hold of the orthodontist and asked if he still
5 had her -- what do you call it?

6 Q Dental records?

7 A Dental records, thank you. He said, yes, give me
8 a couple days and you can come down and get her
9 dental records. So I went down there and got her
10 dental records and gave them to the RCMP and the
11 RCMP promised me that they would send her dental
12 records with all her marks on her body and her
13 tattoos and stuff and send it to the VPD.

14 Q Did the Campbell River RCMP ever call you in
15 response to your reports that Marnie was missing?

16 A Not that I recall.

17 Q Are you aware of any steps taken at all in 1997
18 by the Campbell River RCMP to investigate
19 Marnie's disappearance in response to your
20 report?

21 A No.

22 Q Are you aware of any steps taken at all by the
23 Vancouver Police Department in 1997 in response
24 to Marnie's disappearance?

25 A No, nothing. I never even heard from the

1 Vancouver City Police. I called them but
2 Vancouver is a huge town, they have a lot of
3 officers, so I didn't even know where to begin
4 with, who to ask for, who to talk to. I talked
5 to somebody at the front desk, gave my
6 information, gave my phone number, but I never
7 got a return call.

8 Q When was it that you first phoned Vancouver
9 Police? Was it early '98?

10 A I think it was early '98. Yes, it was early '98.

11 Q Why did you take it upon yourself to call the
12 Vancouver Police, having already been dealing
13 with the Campbell River RCMP?

14 A Because nothing was getting done and I needed
15 answers. I still had a gut feeling something was
16 wrong. I wanted accountability. I wanted to
17 know where the hell is she? How does someone
18 disappear?

19 Q Can you pinpoint a month when that was or the
20 date?

21 A Not at the moment I can't unless you can help me.

22 Q Can you tell us about that phone call? When you
23 first phoned Vancouver Police who did you speak
24 with?

25 A I finally got connected to a police officer, a

1 detective by the name of Lori Shenher. But
2 before I talked to her I talked to numerous male
3 officers and female officers and finally I got to
4 Lori Shenher.

5 Q Do you mean you had to phone on numerous
6 occasions or you got put through --

7 A No. I had to phone on numerous occasions. A
8 couple times they said they'd hook me up to
9 somebody or connect me to somebody and I got
10 disconnected so I'd call back.

11 Q What did you tell Lori Shenher when you were
12 eventually put through to her?

13 A That I needed to find my daughter and I was
14 looking everywhere and could she help me. Could
15 she look and see if she had been brought to jail
16 or if she maybe had to go across the line or
17 something. Investigate to see where she is.

18 Q Had Constable Shenher already received a report
19 of Marnie's disappearance?

20 A Yes. She already received all the information
21 from the Campbell River detachment so she knew
22 that a parent would be calling eventually.

23 Q Is that what she said to you?

24 A Yes.

25 Q She had made no effort to contact you?

1 A No. Every time she said she tried to call we
2 weren't home, and at that time I didn't have an
3 answering machine so I never got any messages
4 from her.

5 Q Do you accept she had tried to reach you?

6 A Yeah. When I finally figured out the number on
7 my call display was actually a Vancouver city
8 number to the police I realized she had tried to
9 call.

10 Q Do you know when she first tried to reach you?

11 A Uhm, I can't remember.

12 Q How did Lori Shenher react to your call?

13 A Lori Shenher was a very compassionate, caring
14 woman. I had total respect for Lori. She was
15 really concerned; she was caring. She gave me
16 hugs when I went to see her in Vancouver when I
17 was looking for Marnie. She promised me she
18 would find -- she would continue to look for
19 Marnie, go on the Downtown Eastside and see if
20 she could find anybody that would know where
21 Marnie's whereabouts was. She was very caring.

22 Q Did you have regular dealings with her?

23 A Yes. From that time on we called and she called
24 us. It was phone tag sometimes. I fished at
25 that time also so in the summertime we wouldn't

1 be home all summer but we gave her our cell
2 numbers and let her know she could get a hold of
3 Canadian Fish, at the time we were selling our
4 fish to Canadian Fish Company. So if anything --
5 if they found any remains or fragments or Marnie
6 anywhere to please contact us. If they couldn't
7 get us out in the deep waters fishing they could
8 contact the company we fished for and they would
9 call us on the radio phone.

10 Q Are you able to say how often you were in touch
11 with Constable Shenher?

12 A At least twice a week.

13 Q What kind of things would she tell you when she'd
14 call you or you'd speak to her?

15 A She knew that I was aware that Marnie was a
16 prostitute and doing drugs so she didn't have to
17 hide it from me. I told her to be honest, if you
18 find her or find out something bad don't hide it
19 from me, tell me what happened, so she did. She
20 contacted me and she told me she was looking for
21 her. Every time I went to Vancouver I went to
22 see her. Sometimes I brought Brittney with me
23 and she'd talk to Brittney. Brittney was just a
24 toddler at the time.

25 Q Did you understand what the Vancouver Police were

1 doing to try and locate Marnie?

2 A I don't think they were doing anything. It sure
3 didn't seem like they were doing anything.

4 Q You had good and regular dealings with Constable
5 Shenher but there was little action?

6 A There was no action, none. They were stuck; they
7 didn't have anything.

8 Q You travelled to Vancouver in March on one of
9 your visits to search for Marnie. Do you recall
10 that visit?

11 A Yes, I do.

12 Q March '98. Can you tell us about that visit?

13 THE COMMISSIONER: Maybe we'll stop there for the morning
14 break.

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

16 **(PROCEEDINGS ADJOURNED AT 11:04 A.M.)**

17 **(PROCEEDINGS RESUME AT 11:24 A.M.)**

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

19 MR. CHANTLER: Commissioner.

20 THE COURT: Yes.

21 MR. CHANTLER:

22 Q Ms. Frey, I'd like to start off just by referring
23 to the photo that I handed up at the beginning,
24 it's been marked as an exhibit. You have that
25 photo?

1 A Yes, I do.

2 Q And will you hold it up so everyone can see it.

3 That's a picture of Marnie, is it?

4 A Yes, it is.

5 Q How old is she in that photo?

6 A 22.

7 Q Do you know who took that photo?

8 A We took it at a ceremony that she was at in
9 Campbell River.

10 Q What ceremony was that?

11 A It was actually her wedding day. She got married
12 to have some young fellow stay in the country and
13 he ended up getting deported anyway but came back
14 and he tried to get her back to being the norm
15 but it didn't work and she ended up getting
16 divorced when she was in jail.

17 Q Was this what Marnie looked like when you saw her
18 in the summer of 1997?

19 A This photo, absolutely not.

20 Q I was asking you earlier about your search, your
21 various searches for Marnie in Vancouver where
22 you would travel from Campbell River to the
23 Downtown Eastside and you would take to the
24 streets with a photo of Marnie and ask around; is
25 that right?

1 A That's correct.

2 Q One such visit was in March '98. How many visits
3 had you done by that point?

4 A I lost track. Whenever I could possibly get away
5 and leave Brittney with Rick I'd go to Vancouver
6 looking for Marnie. That was probably my 10th,
7 15th trip to Vancouver looking for her.

8 Q Does this visit stand out in any particular way?

9 A Actually, all the visits stood out a lot but that
10 visit was the most -- the most -- because I spoke
11 with police officers that they didn't have a
12 clue, they said they didn't know Marnie when I
13 showed pictures. I met some families on the
14 Downtown Eastside that were looking for their
15 loved ones at the same time.

16 Q You mentioned you met some police officers on the
17 street. Where was that?

18 A Right by the police station and right across by
19 the WISH program. There was police officers
20 there that I had met and I talked to them and I
21 showed pictures and they just didn't really care.
22 They were too busy.

23 Q Do you know the names of any --

24 A No. I did meet one officer, Dave Dickson, and he
25 told me that he hadn't seen Marnie. He did know

1 Marnie. He had met Marnie before on another
2 occasion. He told me that Marnie was really
3 hungry and she had a warrant for her arrest --
4 I'm not sure for what reason but she had a
5 warrant out for her -- and he picked her up and
6 took her and got her something to eat and took
7 her to jail and she got out the next day. It was
8 a small infraction, she had gotten herself into
9 trouble, but he hadn't seen her since.

10 Q I appreciate dates are hard to remember. It was
11 a long time ago?

12 A Yeah, 14 years ago.

13 Q Do you recall when that conversation with Dave
14 Dickson was?

15 A No, not off the top of my head.

16 Q You mentioned earlier your mother died at one
17 point, that was a reference point for you. When
18 was that that your mother died?

19 A In '99.

20 Q So all of this we've been discussing was before?

21 A Before '99.

22 Q Were there any other comments made by the police
23 officers you met on the street in March '98?

24 A One distinct officer that I remember speaking
25 with, I was looking in a garbage dumpster for

1 Marnie or her purse or ID or anything I could
2 find, I was desperate at that point in my life
3 looking for her, and he told me to get away from
4 the Downtown Eastside, it's not a good place for
5 me to be in, I'm not a police officer. It's his
6 job to look for them and to carry on.

7 Q How did you respond to that?

8 A Yeah, whatever. I didn't listen. I was on a
9 mission.

10 Q Did he suggest where Marnie might be?

11 A No. Could be on a cruise, could be in detox,
12 maybe just didn't want to have any contact with
13 the family. "I'm sure if she wants to contact
14 you she will contact you."

15 Q You specifically recall those comments?

16 A Yes, specifically. Because how could she be on a
17 cruise? For one, she was on welfare, a drug-
18 addicted woman waiting for her next fix could not
19 go on a cruise, and the way he said it was just
20 sarcasm. I took it as obviously you don't have
21 any children.

22 Q Did he take your concerns seriously?

23 A No, absolutely not.

24 Q How did you feel?

25 A Lost, empty, like I was garbage.

1 Q Did he suggest anywhere else you might go for
2 help?

3 A No.

4 Q You made a number of subsequent trips to
5 Vancouver to search for Marnie through '98; is
6 that correct?

7 A That's correct.

8 Q How would you carry out these searches? What
9 else would you do?

10 A I went everywhere. I went to the Salvation Army,
11 I went to the WISH program, went inside the WISH
12 program with my foster sister and they offered us
13 something to eat but I didn't want anything to
14 eat, I was just looking for Marnie. I showed the
15 pictures of her. Some of the girls recognized
16 her and said, "Oh, yeah, her name is Kit." I
17 never said her name was Marnie; they told me her
18 name. We talked to them and they were very
19 compassionate, very caring. A couple of them
20 cried and said, "I wish my mom would come looking
21 for me."

22 Q You met a number of other people on the Downtown
23 Eastside?

24 A Yes. I met a fellow by the name of Wayne Leng.
25 He was looking for his friend Sarah de Vries. He

1 suggested that we -- he made some posters of some
2 of the women that were missing and he helped me
3 get a poster going for Marnie. We nailed them on
4 posts and bus seats and I drove my car out to
5 Mission, my parents were living in Mission, so I
6 struck them on train tracks -- at the station by
7 the train tracks, telephone poles. Wherever I
8 could find a place to put them I put them.

9 Q You mentioned your parents lived in Mission?

10 A Yes, they did.

11 Q Did you grow up in Mission?

12 A No, I grew up in New Westminster.

13 Q You were familiar with Vancouver and the Lower
14 Mainland?

15 A Yes, I was.

16 Q When was that that you met Wayne Leng?

17 A '98.

18 Q On one of these searches?

19 A On one of my searches looking for Marnie, he was
20 down there looking for Sarah.

21 Q You got to know each other?

22 A Yes. We became very close, as all the families
23 that have a missing loved one, we all stay in
24 contact either by the telephone or by the
25 Internet.

1 Q Who else did you meet?

2 A I met Kerry Koski, I met Kathleen Hallmark, at
3 the time her last name was Hallmark. Quite a few
4 people. The lady that ran the program for the
5 WISH, I met her, Elaine. She was compassionate
6 and caring and said she was sorry that I couldn't
7 find my daughter. I met a nurse on the Downtown
8 Eastside, I believe her name was Bonnie, and she
9 had had encounters with Marnie and helped Marnie
10 a couple of times. Marnie had an abscess in her
11 arm and she helped clean up the abscess.

12 Q Some of these names you've mentioned are other
13 family members?

14 A Yes, other family members.

15 Q Why were they on the Downtown Eastside?

16 A Looking for their loved ones, looking for
17 answers, trying to find out what happened to
18 their women, their sisters, their mothers, their
19 aunts, their friends.

20 Q You started to understand that the problem was
21 more general?

22 A Yes. It was becoming very huge.

23 Q When you were asking around after Marnie, did
24 people you meet know Marnie?

25 A Some of the girls from the downtown knew Marnie

1 and they said that she was at the Balmoral, then
2 they'd tell me she was at the Regent, I believe
3 it was called, so I would go up there and look
4 for her. Wherever they said that they saw her
5 last I'd go trucking down to see if I could see
6 her but she was never there.

7 Q Were you asking after Marnie or Kit?

8 A Marnie or Kit, either one.

9 Q You had a photo in hand?

10 A I had a photo in my hand. I had a photo of her
11 when she was 14 and I had a photo of her, the
12 last photo I had of her was a mugshot.

13 Q When had people last seen her?

14 A One of the girls said they had seen her a couple
15 of weeks ago and another woman told me they
16 hadn't seen her in a couple of months and that
17 she was dead. I said, "What do you mean, she's
18 dead?" They said, "Well, she's probably gone in
19 that chipper and you're never going to see her
20 again." I said, "What chipper? What's a
21 chipper?" They said, "It's a chipper where they
22 chop them up and you're never going to find
23 them."

24 Q That comment, something about a chipper, do you
25 recall when you heard that?

1 A It was in the middle of the night, around one
2 o'clock in the morning.

3 Q This was on one of your visits?

4 A On one of my visits to the Downtown Eastside.

5 Q Was this in September '98?

6 A September, late September, I think.

7 Q Who was it that made that comment?

8 A Some of the girls on the Downtown Eastside, one
9 of the prostitutes. They told me that -- the
10 only way I could get them to talk and trust me,
11 because they thought at first I might have been a
12 social worker or a police officer, when they
13 realized that I was a caring mother looking for
14 my daughter -- you know -- "If you give me 50
15 cents or a dollar or some money I'll tell you
16 what I think," so I gave them money or
17 cigarettes, whatever I could give them so they
18 would talk. They were scared to talk. They
19 weren't blabbing out of the ordinary, they had to
20 gain my trust first and then I gained their
21 trust. I had no fear of them. I wasn't afraid
22 of them. They were human being people. They
23 were just addicted women. So they started
24 telling me about this chipper and eventually I
25 drive home after looking and searching and didn't

1 get anything and I go back the next day, look for
2 the same girl and find her and talk to her again,
3 try to dwell a little bit more on this chipper so
4 I could figure out what a chipper is. I mean, I
5 know what a chipper is, but why would Marnie be
6 in the chipper?

7 Q Tell us again what was the context. It's a wood
8 chipper you're referring to?

9 A I said to her, "You mean like a wood chipper?"
10 She said, "Yes, a wood chipper."

11 Q What was the context in which she mentioned this
12 wood chipper?

13 A That she was out on some farm -- by a fast
14 flowing river about 45 minutes from the Downtown
15 Eastside of Vancouver. Well, because I grew up
16 in New Westminister, the only fast river I knew
17 was the Fraser River and I knew that about 45
18 minutes from downtown Vancouver would either be
19 Coquitlam, New Westminister, Surrey, somewhere in
20 that area.

21 Q Just to summarize, you're asking around for
22 Marnie and meeting women on the street and
23 someone tells you that she's probably where?

24 A "Gone in the chipper and you're never going to
25 see her again, she's dead."

1 Q And she mentioned a fast flowing --

2 A A fast flowing river. I said, "well, where is
3 this chipper?" She said to me, "It's bound by
4 the fast flowing river and it's muddy and it's
5 about 45 minutes from here." I started putting
6 two and two together. The only fast flowing
7 river I know is the muddy Fraser and about 45
8 minutes from downtown Hastings is either New
9 Westminster, Coquitlam, that area.

10 Q You heard bits of information from other people
11 that supported this theory as well; is that
12 right?

13 A Yes. A lot of the women that were looking for
14 their daughters or their aunts, they had heard
15 the same story but they didn't really clue -- we
16 all sat together and had coffee and we would go
17 to a restaurant and talk about it and try to get
18 information, put our heads together and figure
19 out where this place would be that had the wood
20 chipper and why would our girls be there. Then I
21 met another lady by the name of Diane, and I
22 don't know her last name, and Bernie Williams and
23 they were also -- I believe they were street
24 workers, not prostitutes, but like trying to get
25 women off addiction and try to get them help.

1 The Native girl was Diane -- was Bernie. I
2 figured, okay, we'll start talking to them and
3 maybe they know -- maybe they've met Marnie
4 before, anything. I was grasping at any ideas
5 where she could be. They had gotten a hold of
6 somebody, I don't know who it was, that had left
7 a tape, they had taped a conversation, and it had
8 -- the lady's voice on tape said, "You're never
9 going to find these women. Willie's got them and
10 he has a pig farm."

11 Q Who had that tape?

12 A Diane and Bernie Williams, and they said that
13 they had to give it in to the RCMP in Burnaby.

14 Q The tape was a recording?

15 A A recording of somebody talking about Willie, a
16 guy named Willie.

17 Q They were also searching for missing loved ones?

18 A Yes, they were.

19 Q They had been conducting interviews?

20 A Interviews with other people on the street. I
21 didn't have a tape recorder or nothing when I
22 talked to them. I just talked. I wasn't playing
23 detective. I guess they were ahead of me and
24 they were playing CSI. All the information they
25 got they'd put it on a tape and then they'd go

1 home and write it all down put the stories
2 together so we could find out where these women
3 had gone.

4 Q You don't know who was the voice on the tape?

5 A No, I have no clue.

6 Q Can you tell us again what the voice on the tape
7 said?

8 A The voice on the tape said, "You're never going
9 to find these women. They went with Willie and
10 he's got the chipper."

11 Q Did you hear any reference to a chipper or a farm
12 or Willie anywhere else?

13 A No, just a chipper from the girl that I was
14 talking to, but nobody ever mentioned a guy by
15 the name of Willie except on that tape.

16 Q What did you do then?

17 A Actually, I was in my car with my foster sister
18 and the two girls and we heard that tape and my
19 sister turned to me and said, "Oh, my god, Lynn,
20 I know where that farm is. I know a guy by the
21 name of Willie and I know where his farm is, he
22 has pigs. I can take you there blindfolded."

23 Q This is your foster sister?

24 A Yes, Joyce.

25 Q Joyce Lachance?

1 A Lachance, correct.

2 Q Where does Joyce live?

3 A In Port Coquitlam.

4 Q Is that where she lived at the time?

5 A Yes, she did.

6 Q Where was she born and raised?

7 A She was born in Ontario, I believe, Oshawa,
8 Ontario, and then they moved to BC and her mom
9 was having a bit of problems with her husband so
10 her and her family all came to live with our
11 family. We kept in contact.

12 Q How long had she lived in Port Coquitlam?

13 A Joyce grew up in Port Coquitlam.

14 Q She said to you, "I know who they're referring
15 to"?

16 A Yes. She said, "I know a guy by the name of
17 Willie. He has pigs and he has a chipper on his
18 farm. I can take you there blindfolded."

19 Q How did she know Willie and his farm?

20 A Joyce only lives about a mile and a half from Mr.
21 Pickton's farm. One of the ladies that was
22 associated with Mr. Pickton, a lady by the name
23 of Gina Houston, now deceased, she had -- Joyce
24 volunteers at the food bank and Gina had gone
25 there on numerous occasions to get food and milk

1 and stuff and help and they kind of became
2 friends -- associates more than friends -- and
3 Joyce always babysat for everybody so she started
4 babysitting for Gina, and Gina would call her at
5 all hours of the night, sometimes one o'clock in
6 the morning, sometimes 3:00, "Keep the kids for a
7 couple more hours. I'm busy, I have to go to
8 work," and Joyce would say, "Yeah, okay,
9 whatever" and hang up the phone, but it kept
10 happening over and over and over. Then Gina got
11 pregnant again with her fifth child and I
12 happened to be at Joyce's house that day and
13 still hadn't clued in about the farm. Then we
14 went to the farm and picked up Gina and took her
15 to the hospital and Gina made sure that we didn't
16 get out of the car, we sat in the car, turned off
17 the car and the lights and she came out and got
18 into our car and we took her to the hospital.

19 Q Just to be clear, it's your foster sister Joyce
20 Lachance who lived in Port Coquitlam, she was
21 helping you through these searches for Marnie in
22 the Downtown Eastside?

23 A Yes, she was.

24 Q When you would come over from Campbell River to
25 Vancouver she would help you?

1 A Yes.

2 Q You heard these rumours on the street about a
3 wood chipper, about the women being taken 45
4 minutes out of town to a place near a muddy
5 river, you put two and two together, Joyce was
6 aware of the Pickton farm, she learned of the
7 comment on the tape that there was a Willie
8 possibly involved?

9 A Yes.

10 Q What did you do then?

11 A Then I said to Joyce, I said, "Okay, if you know
12 how to get to the farm, let's go there."

13 THE COMMISSIONER: When was this?

14 A Uhm, '98.

15 MR. CHANTLER:

16 Q September '98?

17 A September '98.

18 Q This was your visit to Vancouver in September
19 '98?

20 A Yes.

21 Q What did you do?

22 A Joyce had to direct me on how to get there, it
23 was black out, it was three o'clock in the
24 morning, so we drove past her house and went down
25 to Dominion Avenue and Joyce said, "Don't keep

1 your lights on, lock your doors, lock all your
2 windows because this guy is really creepy." I
3 thought, "Whatever, Joyce." My doors were locked
4 anyway and my windows and I pulled into the
5 driveway which had a big fence. I couldn't pull
6 all the way through and there was huge ditches on
7 each side of the road so I pulled in to the
8 driveway and there was a big sign on the fence
9 saying, "Beware of Pitbull With AIDS." Joyce
10 said, "Don't get out of the car, Lynn." I had
11 already opened up the car door -- and she's not
12 as daredevil as I am -- so I got out of the car
13 without her and she sat inside. I looked around
14 and of course I couldn't really see anything,
15 it's pitch black, so I thought, well, I'm going
16 to climb this fence and see if I could get over
17 the fence. I climbed the fence. Needless to
18 say, I didn't make it over. As I was just about
19 on top of the fence the two dogs came running
20 over to the fence, they were Rottweilers, so I
21 quickly got off the fence, got into my car and
22 backed out and we went back to Joyce's.

23 Q You didn't see anything?

24 A I didn't see anything. I saw lots of tractors,
25 vehicles, big huge mounds of dirt, grass but I

1 didn't see any bodies or anybody there.

2 Q You found the farm?

3 A I found the farm.

4 Q That turns out was Willie Pickton's farm?

5 A Yeah, it turns out to be Willie Pickton's farm.

6 Q You did that through your own efforts, your own
7 investigations wandering the Downtown Eastside?

8 A Yes.

9 Q You were given enough information to conclude
10 that might have been where Marnie ended up?

11 A Actually, that night when I went there, when I
12 was backing out of the driveway I had a very
13 weird feeling, my heart was pounding, and I
14 thought at first it was just because I was having
15 anxiety attacks. I guess it wasn't an anxiety
16 attack. It was a reality check; she was there.

17 Q Did you tell police?

18 A Yes, the next morning. I dropped Joyce off
19 approximately 4:15 in the morning and I went to
20 Mission, looked after my mom the whole day, by
21 the time I got there my mom was already awake,
22 gave her her medication, looked after her. Then
23 that night -- that afternoon around 12:30, one
24 o'clock I went back out to Joyce's and we phoned
25 Lori Shenher and gave Lori Shenher all the

1 information.

2 Q You told her about the comments you heard on the
3 street?

4 A On the street, and I told her I climbed the
5 fence. She gave me heck for climbing the fence
6 and told me not to play policewoman because I'm
7 not. She kind of chuckled back and forth and she
8 told me that she'd investigate it.

9 Q You told her about the audiotape?

10 A The tape and she wanted me to get the tape. I
11 called Diane. We had already exchanged phone
12 numbers and contact numbers with Diane and Bernie
13 and they said, no, they're not to give it to the
14 Vancouver City Police because they don't trust
15 them, they're going to give it to the RCMP, the
16 Burnaby detachment. I'm not sure what street but
17 it was the Burnaby detachment.

18 Q You told Lori Shenher about Willie Pickton?

19 A Yes.

20 Q This is September of '98?

21 A Yes.

22 Q Had Constable Shenher heard the name before?

23 A Yes. She had heard the name before. She knew
24 about a guy by the name of Willie.

25 Q What did she tell you?

1 A She told me that he's part of interest to her and
2 that she was going to check it out and see what
3 she could find out about him.

4 Q Did you discuss this with Constable Shenher
5 again?

6 A On numerous occasions. Every time I went to
7 Vancouver I went to the farm. It wasn't just the
8 one visit I had on the farm. I would stay a
9 couple of weeks at my parents' and every night
10 we'd be on the street looking for her and every
11 night after we found out about the farm I went to
12 the farm with Joyce.

13 Q We've been talking about your efforts in '97 and
14 '98 to search for Marnie. You said you had
15 fairly regular interaction with Constable Shenher
16 during that time. What did you know about the
17 police investigation into Marnie's disappearance?

18 A At the time it was nothing. I gave all my
19 information to Lori that I found out on the
20 street and as far as I knew what the police do, I
21 assumed that they were looking for this farm or
22 to go on farm and find out what's going on out
23 there. I didn't have a clue what they do after
24 that.

25 Q Were you aware of the scale of the problem at

1 that point?

2 A I knew in my heart something definitely was -- I
3 crossed the t's and dot the i's and obviously the
4 police aren't dotting their i's and crossing
5 their t's, how come all these women aren't being
6 found? If I, a civilian, an old person like me
7 who lives in Campbell River can figure out
8 there's a farm, how come the police aren't
9 checking out the farm?

10 MR. CHANTLER: Mr. Commissioner I'd like to pass up two
11 documents.

12 THE COMMISSIONER: What are they?

13 MR. CHANTLER: They're letters. They've been circulated
14 amongst counsel by e-mail. I'll pass three
15 copies up.

16 THE COMMISSIONER: Why don't you identify them for the record.

17 MR. CHANTLER: These are letters, two letters written by then
18 Mayor Jim Lornie of Campbell River, dated April
19 20, 1999, one letter -- the first letter is to
20 the Honorable Ujjal Dosanjh, addressed to
21 then-Attorney General Ujjal Dosanjh, and the
22 other letter is addressed to then mayor Philip
23 Owen.

24 Q Ms. Frey, have you seen these letters before?

25 A Yes, I have.

1 Q Were you aware of these letters when they were
2 written?

3 A Yes, I am.

4 Q Why did the mayor of Campbell River, the then-
5 Mayor Jim Lornie write these letters?

6 A Well, Jim Lornie is a personal friend of the
7 family. He grew up with Rick, they played
8 soccer, rugby, did all kinds of boy things
9 turning into men things, they both fished, they
10 had both been in the fishing industry for many,
11 many years and he knew how frustrated Rick was
12 getting that there was no answers. Every phone
13 call you made or every window you looked out got
14 slammed in your face. He had enough and he
15 thought maybe because he was the mayor at that
16 time and he knew Marnie, that maybe he could get
17 something going and people would start looking
18 for them.

19 Q Did you ask him to write these letters?

20 A No, he did it on his own.

21 Q In this letter Mayor Lornie urges the Attorney
22 General and Mayor Owen to "explore every possible
23 action to solve this disturbing case". Did you
24 believe at that time that some urging was
25 necessary?

1 A Yes, I did.

2 Q Why was that?

3 A Because nothing was getting done. All these
4 women going -- disappearing and how can everybody
5 just disappear?

6 Q What did you know about Vancouver Mayor Philip
7 Owen's concerns about the missing women at that
8 time?

9 A He didn't care. There was no concern with the
10 mayor of Vancouver. If Marnie would have been a
11 woman -- and I have said this from day 1 -- from
12 UBC or SFU or Langara school or a lawyer or
13 somebody in the community that's higher than a
14 low life prostitute, Philip Owen would have
15 definitely looked for her. But because she was
16 an addicted prostitute he just didn't give a
17 damn. That's the truth of this whole matter;
18 they just didn't give a damn.

19 Q Do you recall anything Mayor Owen might have said
20 publicly that led --

21 A Many things I heard him say. I don't have the
22 tape here but at the time I was being taped with
23 -- what's that show -- some show on T.V.

24 Q Was that *Dateline*?

25 A *Dateline*, thank you. He said that he wasn't

1 going to be out looking for the missing women or
2 put out a \$100,000 reward towards the missing
3 women when he's got garage robberies and elderly
4 people getting beat up. So right there I had no
5 respect. If it was his daughter you can bet your
6 bottom dollar they'd be looking for her.

7 Q Did you feel in '97, '98 and '99 that not enough
8 was being done to search for Marnie?

9 A Definitely. Not just Marnie either, for all the
10 women. No matter what colour, creed we walk, we
11 are all the same.

12 Q What more do you wish the police had done in
13 those years?

14 A I wish they would have taken us seriously. I
15 wish they would have done accountability and
16 justice. This is still going to continue to
17 happen. There's going to be prostitutes and drug
18 addicted women forever, but when somebody goes
19 missing let's get on it and look for them. Why
20 wait? Because they're lower sided than you or I?
21 It doesn't make any difference. Their blood goes
22 through their veins the same as everybody else
23 and they're human beings. They just have an
24 addicted problem, a disease, and people have to
25 acknowledge the disease.

1 Q Are you aware if then-Attorney General Ujjal
2 Dosanjh or then-Vancouver Mayor Philip Owen
3 responded to Jim Lornie's letters?

4 A I have no idea. I don't know if he got in
5 contact with them or not.

6 Q Mayor Lornie never reported any response to you?

7 A No.

8 MR. CHANTLER: If we could mark those letters as the next
9 exhibit.

10 THE COMMISSIONER: Yes.

11 THE REGISTRAR: The letter to Minister Dosanjh will be marked
12 as Exhibit 12, the letter to Mayor Owen marked as
13 Exhibit 13.

14 (EXHIBIT 12: Document entitled: Copy of letter
15 dated April 20, 1999 from City of Campbell River,
16 Mayor James M. Lornie to The Honorable Ujjal
17 Dosanjh)

18 (EXHIBIT 13: Document entitled: Copy of letter
19 dated April 20, 1999 from City of Campbell River,
20 Mayor James M. Lornie to City of Vancouver Mayor
21 Philip Owen)

22 MR. CHANTLER:

23 Q Ms. Frey, moving forward in time from '99, 2000,
24 2001, did you have regular contact with the
25 police?

1 A Yes, I did. I had regular contact with Missing
2 Women Task Force, Don Adams and his crew.

3 Q They would call you?

4 A They would call me and they came to see me a
5 couple times. They came to the house when they
6 found Marnie's remains on the farm -- her DNA,
7 sorry, on the farm.

8 Q In those earlier years generally what information
9 would they be able to provide you?

10 A Just that they're looking, that they haven't
11 found anything and when they do would you like a
12 phone call or would you like us to come
13 personally to visit. I said I personally would
14 like you to come to visit, not a phone call. I
15 would hate to have a bad heart or high blood
16 pressure and you phone me and tell me you found
17 Marnie's remains on the farm. That's pretty
18 unethical. So they said by all means, we have to
19 ask that question would you rather a house visit
20 or a phone call, and I said a house visit, so
21 that's what happened.

22 Q Do you recall a meeting called by the Missing
23 Women Task Force for families in 2002?

24 A Yes, I do.

25 Q Was this before or after Robert Willie Pickton

1 was arrested?

2 A Before.

3 Q Can you tell us about the meeting?

4 A There's two meetings that stick out in my mind.

5 The first meeting was they were just talking and

6 babbling and didn't really make a whole lot of

7 sense. They had a whole bunch of tables down in

8 the hallway of pants and coats and jackets and

9 earrings and jewellery and we were asked to go

10 look at them and see if we recognized anything

11 that might have belonged to our loved ones.

12 Well, I have no idea what she was wearing or what

13 she would have been wearing so none of it looked

14 familiar to me. The meeting was really a waste

15 of time. They were very hearsay, not getting to

16 the point. Just telling us not to talk to the

17 media. They looked directly at Mr. Frey, because

18 he likes the media, he talks to them, he believes

19 the words need to come out and the only people

20 that can say anything are the media. We have

21 nothing against the media, they've been very

22 helpful to us and very compassionate.

23 The next meeting we went to that sticks out

24 in my mind is an officer was taking DNA from Rick

25 because Rick had been away fishing so they needed

1 to match his DNA. An officer by the name of
2 Little I believe is his last name said to Rick
3 when Rick was talking to him, "Well, you know,
4 you see a lot of daughters that this kind of
5 stuff happens. I've been the beat officer on the
6 Downtown Eastside for many, many years and when
7 they're 14 and 15 I get worried and I try to get
8 them off the street but by the time they're 24
9 they're done." Well, little did he know that
10 Marnie had turned 24 in August so that was a real
11 blow. Thank god I didn't hear it, but it was a
12 very hard time for Rick to digest having the
13 police officer saying that to Mr. Frey.

14 Q The name of the officer was --

15 A Mr. Little, I think, Constable Little.

16 Q Phil Little?

17 A Phil Little.

18 Q When was that second meeting you were just
19 described called by the Missing Women Task Force?

20 A 2002.

21 Q How would you describe the police's attitude
22 towards the families at those meetings?

23 A They weren't any police you'd see on the street.
24 They were detectives or investigators. They did
25 their job, that's all they were there for. They

1 weren't compassionate. They didn't show that
2 they really cared. They showed they were just
3 doing their job and to shut us up is how I felt.

4 Q Is there anything else you'd like to tell us
5 about your involvement with the Missing Womens
6 Task Force?

7 A They were kind of compassionate at the end when
8 they found that Marnie's remains were on the
9 farm. They weren't compassionate at the trial;
10 they weren't compassionate the whole time before
11 that. I didn't have a heck of a lot to do with
12 them and because I lived so far away they didn't
13 really keep in contact with us. I got more
14 information out of the media than I ever got from
15 the Missing Womens Task Force. If I needed to
16 know anything I would call Suzanne Fournier.

17 Q Can you tell us who you would regularly deal with
18 at the Missing Womens Task Force?

19 A Don Adams.

20 Q Is he the only one you dealt with?

21 A Yes, he's the one I dealt with.

22 Q When were you notified that Marnie's remains had
23 been found on Pickton's farm?

24 A 2003 or '04.

25 Q How were you notified?

1 A The police came -- the RCMP Missing Womens Task
2 Force got a hold of victims services and they
3 contacted the RCMP in Campbell River and asked if
4 they should have an escort to our house because
5 Rick was going to hear that his daughter's life
6 was over, and we were right all along, her
7 remains were on the farm. The officer that they
8 spoke with, I'm not sure who it was, but they
9 said no, it's okay, I can escort you there but I
10 don't think you need to have me come in there and
11 be with Rick, he'll be okay. The officer
12 escorted the police parade to our house. It was
13 like six vehicles that they had rented and came
14 and told us that they found Marnie on the farm.

15 Q Are you able to tell us what they found?

16 A Yes. They found her right jaw bone and four
17 teeth.

18 Q I understand you've been unable to properly
19 dispose of Marnie's remains to date. Can you
20 tell us why?

21 A That's -- yeah -- we went to pick up Marnie,
22 fragments of her remains, through Owen Court,
23 which is the coroner now in Burnaby at Metrotown.
24 We picked her up last year and he said personally
25 -- I had a bit of a problem with him because I

1 wanted to have Marnie come back to Campbell River
2 and have her cremated in Campbell River and do
3 the service there. But he said he didn't -- we
4 didn't have that opportunity. He said it was his
5 choice to have her cremated so he personally took
6 her from each hospital that she'd been in for all
7 these years and took her to an Aldergrove
8 crematorium and had her cremated and he
9 personally pushed the button.

10 Q Did he have your authority to do that?

11 A No, he did not. He had my authority to say that
12 yes, okay, you can have her cremated there but
13 not to do it in Aldergrove or the way he did it.

14 Q Do you have those remains now?

15 A No, I don't have them right now.

16 Q You've received those cremated remains?

17 A Yes, I went and picked them up and brought them
18 home, and as I opened up the box that the urn was
19 in there was a few flakes inside the box, and I
20 thought oh, my god, I know there's not a lot here
21 so I better take it to the funeral home and get
22 them to tighten it up for me and at the same time
23 look for the coin. Everybody who gets cremated
24 has a coin inside the urn. So I took her to a
25 funeral home in Campbell River and he said,

1 "Where is your cremation certificate?" I said,
2 "I don't have a cremation certificate." He said,
3 "By law you have to have a cremation certificate.
4 Do you have a death certificate?" I showed the
5 death certificate, which isn't a legal death
6 certificate, and he opened up the urn for me and
7 I looked inside, which now I wish I never did,
8 and there are chunks that have not been cremated.

9 Q You've been unable to properly dispose of these
10 remains --

11 A Right.

12 Q -- because of the manner in which cremation was
13 carried out?

14 A That's correct.

15 Q And that was improper?

16 A Yes. They've been processed, not cremated.

17 MR. CHANTLER: Lynn, we're nearing the lunch break here.

18 Commissioner, I expect to be 10 or 15 more
19 minutes and we can break for lunch.

20 THE COMMISSIONER: I think we'll break -- if you need a break
21 at all tell me. We'll adjourn.

22 THE REGISTRAR: We're now adjourned until two o'clock.

23 **(PROCEEDINGS ADJOURNED AT 12:02 P.M.)**

24 **(PROCEEDINGS RESUMED AT 2:00 P.M.)**

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

1 MR. CHANTLER: Mr. Commissioner, Neil Chantler for the
2 families.

3 Q Ms. Frey, this morning you told this commission
4 that your daughter Marnie Frey disappeared
5 virtually without a trace in or about September
6 of 1997. You and your husband called the
7 Campbell River RCMP to report her disappearance,
8 you told them that your daughter lived a high
9 risk lifestyle in the Vancouver Downtown Eastside
10 and that she had simply vanished?

11 A That's right.

12 Q Rather than leap into action, Campbell River RCMP
13 told you to wait; is that right?

14 A That's right.

15 Q And despite your persistent efforts over the
16 following weeks and months, it appears that they
17 didn't do so much as contact the Vancouver Police
18 Department to report the disappearance; is that
19 right?

20 A That's correct.

21 Q You now know that you are not alone, that
22 numerous women went missing in 1997 and 1998 and
23 there were other families searching for their
24 loved ones. This inquiry has been called to
25 inquire into and make findings of fact respecting

1 the Missing Women Investigation that took place
2 during that time that you were searching for
3 Marnie. As a parent who undoubtedly had a close,
4 loving relationship with your daughter, how do
5 you feel about the conduct of those Missing Women
6 Investigations?

7 A I feel like I was thrown away; like I was never
8 taken seriously.

9 Q Why do you feel like that?

10 A Because nothing was done. There was never held
11 any accountability; there was never any
12 compassion. It's like they were just -- maybe I
13 was making up the story that Marnie had
14 disappeared.

15 Q Did it seem like they didn't believe you?

16 A That they didn't really believe what I said or
17 that, you know, something definitely was going
18 on, something was wrong. So I felt like they
19 just didn't care.

20 Q When you say that you're speaking of the police
21 forces generally?

22 A Yes, the police.

23 Q This is the Campbell River RCMP?

24 A And the Vancouver City Police. I had more
25 understanding and caring from the people on the

1 Downtown Eastside when I was searching for Marnie
2 than I did from the police.

3 Q Is there anything else you'd like to share with
4 this commission about the conduct of the Missing
5 Women Investigations from your perspective?

6 A I really would like to see a lot of changes, and
7 unless you've been there and walked a mile in our
8 shoes to understand the addictive person, it's a
9 disease. These women didn't like the lifestyle
10 they lived; they didn't like what they had to do.
11 We have to make changes. We have to make society
12 realize that these people are human beings no
13 matter what walk of life they walk, and that's
14 why I'm here. We need to make changes. Somebody
15 needs to be held accountable for what happened to
16 all the missing women.

17 Q You and your husband Rick have been here at this
18 inquiry virtually every day. You've come all the
19 way from Campbell River. What are you hoping to
20 get out of this process?

21 A Answers, answers that never got answered when I
22 asked the questions a long time ago when Marnie
23 first went missing. All those answers have to be
24 answered. I need accountability and I need
25 justice.

1 Q Do you hope that the commission will achieve
2 those things?

3 A I'm hoping, I'm hoping that the commission will
4 seek that.

5 Q Do you have faith in this process, what you've
6 seen so far?

7 A So far I have faith.

8 Q Is there anything else you'd like to tell the
9 commission?

10 A Yes. I have a poem that I'd like to read in
11 memory of Marnie.

12 THE COMMISSIONER: Go ahead.

13 A Thank you.

14 Marnie's journey has just begun.

15 Let's not think of Marnie as gone away --

16 Sorry.

17 THE COMMISSIONER: Do you want a minute? I'll stand down to
18 give you an adjournment.

19 A No, I'll be okay.

20 Marnie's journey has just begun. Life holds
21 so many facets and this earth is only one.

22 Just think of Marnie as resting from the

23 sorrow of her tears in a place of warmth and

24 comfort where there are no days and years.

25 Think how Marnie must be wishing that we

1 could know today, how nothing but our
2 sadness can really pass away. Think of
3 Marnie as living in the hearts of those
4 she's touched, for nothing loved is ever
5 lost and Marnie was loved so much.

6 MR. CHANTLER: Thank you, Ms. Frey. Thank you, Mr.

7 Commissioner, those are my questions.

8 THE COMMISSIONER: Thank you. Questions? Cross-examination?

9 Mr. Gratl.

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

11 Q Ms. Frey, we've met. I am Jason Gratl. I am
12 independent counsel for Affected Individuals and
13 Groups on the Downtown Eastside. I just have a
14 few questions for you dealing mostly with the
15 police investigation. But before I begin, let me
16 thank you for sharing your experiences and your
17 grief. I know it's of assistance to this
18 commission to hear personal stories and to really
19 understand the lives of the women who have gone
20 missing.

21 A Thank you.

22 Q I showed you just after the lunch break, I showed
23 you a document entitled Missing Persons Report?

24 A Yes.

25 THE REGISTRAR: Do you have a copy for the witness?

1 MR. GRATL: She has one.

2 Q You'll see, Ms. Frey it's a Vancouver Police
3 Department Missing Persons Report?

4 A Yes.

5 Q It's signed at the bottom by S. Cameron?

6 A That's correct.

7 Q Did you ever have dealings with a Ms. Cameron,
8 Sandra Cameron?

9 A I possibly did. I can't remember who I've
10 actually -- I know I did talk to somebody else.
11 It probably was Sandra. Now that you've said her
12 name, it probably was her.

13 Q From time to time you had dealings with the
14 Missing Persons Unit at the Vancouver Police
15 Department?

16 A Yes.

17 Q Some of the time during those dealings you dealt
18 with Detective Constable Lori Shenher?

19 A That's correct.

20 Q At other times you dealt with another women?

21 A Yes, I did. I can't remember her name. It says
22 right there so it must be her.

23 Q At the top of the document, the date indicated
24 for the document, it's not clear whether it's the
25 date missing or the date that the document was

1 filled out, but the date appears to be 98 09 4?

2 A Yes, that's correct.

3 Q It's not clear from the document whether that's
4 September the 4th or the 9th of April?

5 A It's September 4th.

6 Q I take it that's more than a year after you first
7 reported your daughter missing?

8 A That's correct.

9 MR. GRATL: I'm going to ask that this document be marked as
10 the next exhibit.

11 THE COMMISSIONER: Yes.

12 THE REGISTRAR: Exhibit number 14.

13 **(EXHIBIT 14: Missing Persons Report, Vancouver**
14 **City Police, Case #98-209922 (RCMP-017-003293)**

15 MR. GRATL:

16 Q Ms. Frey, I'm looking as well at an RCMP document
17 that appears to indicate that your daughter was
18 originally reported missing on December 31, 1997.
19 I trust you're saying that that's wrong?

20 A That is wrong.

21 Q And just backing up from December 31, 1997, what
22 is the first date that you reported your daughter
23 missing to an officer of the RCMP?

24 A It was in Campbell River, two days after I hadn't
25 heard from Marnie which was just toward the end

1 of August. August 30th was her birthday so the
2 next day or the day after that I called the RCMP.

3 Q It might be helpful to the commission to
4 distinguish between the civilian employees you
5 might have spoken to and actual members of the
6 RCMP, that is, either uniformed or plainclothes
7 police officers. Do you know the first date that
8 you actually reported to an RCMP member rather
9 than a civilian?

10 A No, I don't, not the exact date.

11 Q You initially just telephoned in --

12 A That's correct.

13 Q -- to the local RCMP detachment?

14 A Yes.

15 Q And you spoke to someone on the phone?

16 A Somebody on the phone.

17 Q But you weren't transferred to anybody else by
18 that person?

19 A No.

20 Q So that would have been somebody who --

21 A Like the dispatcher or somebody who answers the
22 phone.

23 Q Or reception?

24 A Or a receptionist, yes.

25 Q You reported specifically to dispatch or the

1 receptionist?

2 A Yes.

3 Q Do you remember how long it took after your first
4 phone call before you were transferred to
5 somebody else by the dispatcher or receptionist
6 who you first spoke to?

7 A Probably a couple of days.

8 Q So it would have been then in the month of
9 September?

10 A Early -- September 1st or the 2nd of September
11 that I actually spoke to a police officer.

12 Q And there were only two officers that you
13 remember dealing with at the Campbell River
14 detachment of the RCMP?

15 A That's correct.

16 Q Do you remember which officer you dealt with
17 first?

18 A I believe it was Constable Dave Paddock.

19 Q When did you first visit the Pickton farm?

20 A When I snuck there?

21 Q When you first went there and climbed the fence.

22 A '98.

23 Q Do you remember which month?

24 A No, but it wasn't very cold out.

25 Q So it was autumn?

1 A Probably autumn.

2 Q Did you speak to Detective Constable Lori Shenher
3 about your concerns about the Pickton farm, about
4 the tape, about what you had heard from one of
5 the women on the Downtown Eastside? Did you
6 speak to her before or after you first visited
7 the farm?

8 A I spoke to her before and after. The day after I
9 climbed the fence I spoke with her and told her I
10 found the farm. Before that I phoned her and
11 told her all the information I was getting from
12 the women on the Downtown Eastside.

13 Q One of the things that -- a distinction that you
14 might be familiar with is a distinction between
15 an attempt by the police department or Missing
16 Persons Unit to locate an individuals who has
17 gone missing on the assumption that they're still
18 alive or, alternatively, an investigation of a
19 homicide or an investigation of a suspect on the
20 assumption that an individual has met with foul
21 play. Are you familiar with that distinction?

22 A Uh-huh.

23 Q Did you in your dealings with Detective Constable
24 Shenher ever get a sense from her? Were you ever
25 told by Detective Constable Shenher whether the

1 Vancouver Police Department was treating your
2 daughter's disappearance on the assumption that
3 she had met with foul play or, alternatively,
4 that she was still alive?

5 A Alternatively that she was still alive. She
6 never gave me any idea or thoughts that she
7 possibly had met foul play.

8 Q In addition to bringing her attention to what you
9 had learned about Willie and the wood chipper and
10 the Pickton farm, you also brought to her
11 attention other potential suspects?

12 A Yes.

13 Q Did she ever give you an indication that she had
14 followed up or intended to follow up on any of
15 those?

16 A Yes, she did. She told me she had followed up on
17 some of the other people that I had mentioned to
18 her about.

19 Q Did she say she had eliminated them as suspects?

20 A She eliminated one of them.

21 Q Did she ever tell you that she had done the same
22 thing with William Robert Pickton?

23 A No. She never mentioned Willie Pickton to me.

24 Q As far as you know there was no murder
25 investigation that you were ever told about?

1 A No.

2 Q It was always an attempt to locate?

3 A It was an attempt to locate.

4 Q I'm just seeing a note here that in early January
5 of 1998, so about four months or so after your
6 daughter disappeared, you received a telephone
7 call from agencies in Vancouver that deal with
8 street people. Do you remember that?

9 A Vaguely.

10 Q An organization called DEYAS, D-E-Y-A-S, and
11 another organization that is set out here as
12 VIDUS, V-I-D-U-S. Maybe I can show you the
13 document, it might refresh your recollection.

14 A Sure.

15 Q This is a document concordance numbered
16 RCMP-017-003342. The entry is January 8, 1998.
17 Does that refresh your recollection?

18 A Yes, it does.

19 Q So you received a telephone -- you received a
20 telephone call in Campbell River from two
21 separate social agencies?

22 A That's correct.

23 Q Could it have been the V-I-D-U-S or VIDUS, an
24 injection drug user study?

25 A I believe one was that or something to do with a

1 medical problem, yeah.

2 Q It's possible that your daughter was taking part
3 in an injection drug user study?

4 A Anything is possible.

5 Q The other was a social agency, Downtown Eastside
6 Youth Activities Society?

7 A Yes.

8 Q Both of them were asking after your daughter
9 Marnie?

10 A Right.

11 Q They indicated that they had missed your daughter
12 and had left you as contact information?

13 A That's correct.

14 Q That is, her Campbell River home was down?

15 A Yes.

16 Q And they were wondering where you were and they
17 expressed some concern about her medical
18 condition?

19 A Yes.

20 Q You relayed that to the sergeant at the Campbell
21 River RCMP detachment, did you?

22 A I would imagine I did. I can't remember. That
23 happened so many years ago, I can't remember what
24 I did.

25 Q Your daughter's birthday was August the 30th?

1 A That's correct.

2 Q Did the Vancouver Police Department ever tell you
3 they had had dealings with your daughter the day
4 before her birthday?

5 A No, not that I remember.

6 Q On August 27, 1997?

7 A No.

8 MR. GRATL: Those are my questions. Thanks again for coming.

9 THE COURT: Ms. Gervais?

10 MS. GERVAIS: I have no questions.

11 THE COMMISSIONER: Does anyone else have questions?

12 MR. CROSSIN: I do.

13 THE COMMISSIONER: Mr. Crossin.

14 **CROSS-EXAMINATION BY MR. CROSSIN:**

15 Q Good afternoon, ma'am.

16 A Good afternoon.

17 THE REGISTRAR: Name, please.

18 MR. CROSSIN: Crossin.

19 THE REGISTRAR: Who do you represent, please?

20 MR. CROSSIN: Vancouver Police Union and I rise now in my
21 capacity as representing Detective Constable Lori
22 Shenher.

23 Q I want to ask you a couple of questions
24 concerning your intersection with Lori Shenher if
25 I might, ma'am.

1 A Sure.

2 Q You talked a little bit about your general
3 relationship with her. I've described to Mr.
4 Commissioner earlier that Lori Shenher showed and
5 demonstrated a great deal of compassion and hard
6 work on behalf of the victims in this case and
7 their families. Would you agree with that?

8 A Definitely.

9 Q And in particular, her compassion and hard work
10 in relation to her dealings with you and your
11 search for your daughter?

12 A Yes.

13 Q I certainly appreciate that you had occasion to
14 have many communications with Lori Shenher over
15 the years, but in terms of 1998 you've had many
16 discussions with her?

17 A Yes, I did.

18 Q And those would be by phone and in person, I
19 suppose?

20 A Yes. I phoned her and when I'd come to Vancouver
21 I'd go in and see her, see if she was at her
22 office.

23 Q And my impression, ma'am, is that -- and I can
24 never stand in your shoes -- but certainly you
25 were a mother desperately seeking your daughter?

1 A Correct.

2 Q And you provided a great deal of information to
3 Lori Shenher over the course of many months and
4 even years concerning your efforts and
5 information you were getting and things of that
6 sort?

7 A That's right.

8 Q Is that fair?

9 A That's fair.

10 Q And I think at some point in 1998 you thought
11 perhaps that your daughter Marnie had gone to
12 Edmonton. Do you recall that?

13 A No, I don't recall that.

14 Q Okay. There was some follow-up and communication
15 in terms of efforts to locate your daughter
16 Marnie with her natural mother?

17 A That's correct.

18 Q And I think at one point you raised with Lori
19 Shenher your concern, if I could put it that way,
20 over Dave, the purported boyfriend. Do you
21 recall that?

22 A No, I don't recall Dave, but I recall another
23 gentleman that I was concerned about and I spoke
24 with Lori Shenher on numerous occasions, but it
25 wasn't Dave.

1 Q Can you give me a first name? You don't have to
2 give me a last name.

3 A Doug.

4 Q You remember I think you reported at some point
5 that your daughter might have been seen at a
6 strip club in Port Alberni in 1998; do you
7 remember that lead?

8 A I remember that lead but it was false.

9 Q It didn't go anywhere?

10 A No, it didn't go anywhere.

11 Q I think at some point in the summer of 1998 you
12 reported that you had gone to visit a psychic and
13 the psychic had given you some information about
14 the whereabouts of your daughter?

15 A Yes, I do.

16 Q You reported that to Lori Shenher as well?

17 A Yes, I did.

18 Q As I understand it, as of May '99 -- at least
19 that's something I read, I don't know if it
20 accords to your recollection -- you were of the
21 view in May of '99 that your daughter was alive.
22 Do you recall that?

23 A That I thought she was still alive?

24 Q Yes, in May of '99.

25 A Yup.

1 Q You've talked about the investigation and from
2 your perspective -- I think you used the word
3 "stuck" -- that notwithstanding the compassion
4 and hard work by someone like Lori Shenher, it
5 seemed "stuck". Do you adopt that word?

6 A Yeah.

7 Q And I don't know whether or not you have ever had
8 the opportunity to see all this from the other
9 side of the equation, that is, the documentation
10 and the amount of work that -- and I'll stick
11 with Lori Shenher for the time being -- put into
12 the investigation. Has anybody ever given you an
13 opportunity to see that material?

14 A No, and why would they? I'm a civilian, I'm not
15 a police officer.

16 Q That's fair, but the investigation is over and
17 that material is going to become part of the
18 public record and I just was wondering whether --
19 you have no interest in seeing any of that?

20 A I've seen some of the records now but not when
21 all this was going on.

22 Q Have you seen Lori Shenher's notes in terms of
23 the efforts she went through?

24 A Yes, I've seen some of them, not all of them.
25 Some are missing.

1 Q There's one more area I'd like to talk to you
2 about. That's the visit to the farm, the Pickton
3 farm.

4 A Uh-huh.

5 Q My note -- and I want to ask you some questions
6 and I'll go over a bit of old ground here because
7 I want to make sure my notes are accurate and I
8 don't mean to trouble you by going over material
9 that you've already talked about, but I just want
10 to make sure I have it correctly. My
11 recollection is that when your lawyer was asking
12 you questions you said that the visit to the farm
13 -- the discussions and the visit to the farm
14 occurred near the end of September 1998. Do you
15 remember that?

16 A I know it was '98 but -- yeah, September.

17 Q I sense from that answer that you're not really
18 --

19 A I'm not 100 percent sure. Do you know what you
20 did 15 years ago? I can't remember.

21 Q No, ma'am, I'm not trying to fence with you. I'm
22 just trying to understand what your evidence is.

23 A Uh-huh.

24 Q I don't remember what I did last week.

25 A Me neither. That makes two of us.

1 Q That's all I'm trying to get at here. Are you
2 convinced it was sometime in the fall of 1998?

3 A In the fall of '98.

4 Q What makes you think it was 1998?

5 A Because I look back at my notes that I have at
6 home and I believe it was '98.

7 Q Did you make notes -- what sometimes we call
8 contemporaneous notes. That is, did you make a
9 note of this at the time it occurred?

10 A No.

11 Q When did you make notes?

12 A Later on when I started doing more searching for
13 Marnie with my sister.

14 Q So you made a note of your visit to the farm?

15 A Yes.

16 Q When did you make that note?

17 A Probably when I got home a week later or whenever
18 I got back home from looking for Marnie and
19 looking after my mom.

20 Q When you say "probably," is that because that was
21 your habit or you're just guessing or --

22 A No, it was habit.

23 Q Did you date your notes?

24 A Pardon me?

25 Q Did you put a date with your notes?

1 A Not all of them.

2 Q Do you think you dated this note on the trip to
3 the farm?

4 A Probably not.

5 Q Would it be in your notes with other events that
6 you did date so that we could perhaps determine a
7 timeframe?

8 A Very likely.

9 Q Have you shown anybody those notes?

10 A No.

11 Q Would you mind showing us those notes?

12 A Sure, but they're not here.

13 Q I appreciate that.

14 A Yup.

15 Q So if it's undated, how does your note assist you
16 in terms of knowing it was the fall of '98?

17 A Because that's when my mother was getting worse.

18 Q So that sticks out in your mind?

19 A That sticks in my mind.

20 Q I understand leading to the trip to the farm you
21 had -- you had met some of the other relatives of
22 missing women in your search?

23 A Yes, that's correct.

24 Q And you had begun to meet with them from time to
25 time?

1 A Yes.

2 Q And perhaps exchange information and find support
3 generally; is that fair?

4 A That's correct.

5 Q And would that be earlier than the trip to the
6 farm? For instance, during the spring and
7 summer --

8 A That was earlier than the farm.

9 Q Perhaps in the spring/summer timeframe of '98?

10 A Yes.

11 Q Was one of those persons Maggie de Vries?

12 A Yes, it was.

13 Q Did you have -- I think you became fairly close
14 to Maggie de Vries, did you?

15 A Yes, I did.

16 Q You would exchange information with her?

17 A Yes, numbers, e-mail addresses.

18 Q And if something of importance arose, something
19 you might think would be of interest generally to
20 the investigation, I suppose you might share that
21 with her?

22 A I suppose.

23 Q And she with you?

24 A Yes.

25 Q Also as I understand from your evidence just

1 prior to the trip to the farm you had met Wayne
2 Leng?

3 A Yes, that's correct.

4 Q Where did you meet him?

5 A He was actually putting up a poster of Sarah his
6 friend on a telephone pole right around the
7 corner from the WISH program and I was walking up
8 and down there and met him and we started
9 talking.

10 Q You started to chat and realized you had some
11 common ground?

12 A That's correct.

13 Q So if I understand the sequence, the first bit of
14 information that led you to go to the farm was
15 someone told you about a chipper?

16 A That's correct.

17 Q And that was a sex trade worker on the Downtown
18 Eastside?

19 A Correct.

20 Q Was there one person that told you that or more
21 than one?

22 A More than one.

23 Q How many would you say?

24 A I never counted them all but I am assuming
25 probably six at least of them.

1 Q That happened all on one day or over the course
2 of --

3 A Over the course of time.

4 Q For how long had you been hearing from sex trade
5 workers about a chipper before you went to the
6 farm?

7 A A few days.

8 Q So for a few days leading up to the visit you had
9 spoken to -- I know you're guessing -- but say
10 six sex trade workers, and was there a common
11 theme about what they told you?

12 A Just that I was never going to find my daughter.
13 She was in a -- she had gone to a farm and they
14 had a wood chipper and they'd chop her up and
15 you're never going to find her.

16 Q When they told you this did you engage them in a
17 discussion, "What do you mean by that?"

18 A Of course.

19 Q And what did they tell you?

20 A They told me that some -- that they were told
21 that people would go from down there and go to a
22 farm and a man would chop them up and put them in
23 a chipper and you're never going to find them.

24 Q That's what they said, and did you say --

25 A I said, "What's a chipper? Like a wood chipper?"

1 What do you mean? Where is this place?"

2 Q Did they tell you?

3 A They told me it was about 45 minutes from
4 Vancouver and you're never going to find them.

5 Q Never going to find them? Did you ask them
6 what --

7 A I knew that they were still really high so I kind
8 of took what they said and pocketed it into my
9 brain and then I'd go and ask the next person and
10 they'd say the same thing and try to put two and
11 two together and it still makes four. So I
12 realized even though they were high it makes
13 enough sense and I was never going to find
14 Marnie.

15 Q All right. The common theme of the sex trade
16 workers was that you were never going to find
17 your daughter, that there was a farm about 45
18 minutes from Vancouver and this person had a
19 chipper?

20 A That's correct.

21 Q Did they give you a name?

22 A No.

23 Q Did you ask for a name?

24 A No.

25 Q May I ask you why you didn't ask for a name?

1 A I didn't think about it. I was too shocked to
2 find out that she could be in a chipper.

3 Q I guess when you heard it the first time that was
4 very shocking?

5 A Yes.

6 Q How about the sixth time, is that still shocking
7 to you?

8 A Of course it was.

9 Q Of any of those six people did you say, "Do you
10 have a name for me?"

11 A I don't think I asked for a name.

12 Q Because you were in shock?

13 A I was in shock and I didn't hang around with
14 them. I just stood there and listened to what
15 they had to say. It was a quick conversation and
16 they'd be going to get their next fix. They
17 weren't standing there straight and sober. They
18 were high.

19 Q Fair enough. Is it your foster sister Joyce?

20 A That's correct.

21 Q Was she with you during these discussions?

22 A Yes, she was.

23 Q On all occasions?

24 A All occasions.

25 Q Did Joyce ask for a name?

1 A No. I was the mouthpiece; I did all the talking.
2 She just stood there.

3 Q She was there for the first time?

4 A Yes.

5 Q After the first time did you and Joyce say to one
6 another, "Gee, maybe we should ask them if they
7 have a name"?

8 A No.

9 Q In addition to the sex trade workers you, I
10 think, spoke to Diane and Bernie Williams?

11 A Bernie Williams. I don't know what Diane's last
12 name is.

13 Q I see. They're not related?

14 A No. They're together but Bernie's last name is
15 Williams. I don't know what Diane's is.

16 Q These were two other people that you happened to
17 have a discussion with during your search of the
18 Downtown Eastside?

19 A I met them when I was looking for Marnie and they
20 were helping looking for girls that Bernie had --
21 she was like a street social worker or something
22 and she was looking for girls also, so I ran into
23 them and we started talking and told them my
24 story and I was looking for Marnie and showed
25 them pictures. We all stopped, had coffee

1 together and talked.

2 Q Was this around -- in those few days before you
3 went to the farm for the first time?

4 A Yes.

5 Q So around the same time you were also having
6 these discussions with the sex trade workers?

7 A Correct.

8 Q As I understand it, did you have one discussion
9 with Bernie and Diane or more than one?

10 A More than one.

11 Q Did you have more than one before you went to the
12 farm?

13 A Yes.

14 Q How many did you have? Do you remember?

15 A I have no clue, but we met every night and had
16 coffee in the Downtown Eastside. We exchanged
17 phone numbers and told them what time we would be
18 down there and if they were going to be down
19 there we'd see them down there.

20 Q These were in these few nights prior to you going
21 out to the farm?

22 A That's correct.

23 Q At one point Bernie and/or Diane told you about a
24 discussion, a taped discussion; do I have that
25 correctly?

1 A They didn't tell me about a tape. They let me
2 hear a tape. They didn't say, "By the way, I
3 have a tape, Lynn, for you to listen to." We
4 were sitting in the car and they said, "You need
5 to hear this," and we listened to it.

6 Q This is important. Let me try and understand it.
7 Was this the first meeting with them?

8 A No. I met with them a couple times before that.

9 Q Before the listening to the tape, I'll call it,
10 what did -- the four of you: you, Joyce, Diane
11 and Bernie?

12 A That's correct.

13 Q Were in a restaurant?

14 A Yes.

15 Q Talking about just the efforts to find your
16 daughter and people generally?

17 A Uh-huh. That's correct.

18 Q Did you mention to Bernie and Diane the
19 extraordinary discussion you'd had about the
20 chipper and the farm and 45 minutes away?

21 A I'm sure I -- that came up in our discussion over
22 coffee and what the girls had told us, I'm sure
23 it did.

24 Q Do you have a recollection though?

25 A Yeah.

1 Q So you're sure it did?

2 A Uh-huh.

3 Q And did you -- what did they have to say about
4 that?

5 A They were kind of shocked but they didn't
6 disbelieve me. They believed in what I was
7 saying and they had asked questions of the girls
8 down there, too, and they got the same answers I
9 did, so we just kind of put two and two together.

10 Q So Bernie and Diane told you that they also had
11 heard the chipper story?

12 A Yeah, and they were going to take their
13 information to the RCMP because they didn't trust
14 the Vancouver City Police. They were going to
15 take it to the RCMP in Burnaby. I'm not sure of
16 the address in Burnaby but a detachment in
17 Burnaby.

18 Q This is before the playing of the tape?

19 A Yeah.

20 Q Did they have a name?

21 A No.

22 Q Did you ask them if they had a name?

23 A No. They didn't say they had a name and I didn't
24 ask any questions. I just listened to what they
25 were saying.

1 Q So after the discussion where they said they were
2 going to take it to the RCMP, did you meet them
3 again?

4 A Yeah, the next night.

5 Q And what happened the next night?

6 A The next night they turned on the tape and we
7 listened to the tape.

8 Q You were in a vehicle?

9 A In my car. They were in the back seat and I was
10 in the driver's seat and my sister was in the
11 front.

12 Q How is it that all of you were piled into your
13 car there?

14 A What do you mean, how was it?

15 Q How was that arranged?

16 A Because I had my car parked down by the WISH and
17 their car was parked there. We got out of their
18 car, Diane's car, and got into my car and sat
19 there and talked.

20 Q The four of you were in Diane's car?

21 A No, in my car.

22 Q But first --

23 A Before that, yeah, we were in her car talking.

24 Q Why did you all move to your car?

25 A Because I wanted a cigarette, actually. They

1 didn't smoke in their car and I smoked in mine so
2 we moved into my car and smoked and listened to
3 the tape.

4 Q What kind of tape was it?

5 A Like a small little tape deck with a tape in it.

6 Q Was it Bernie --

7 A Yeah, it was Bernie.

8 Q Did he --

9 A She, Bernie is a she.

10 Q Did she tell you that she was going to play the
11 tape or did she just bring it out?

12 A No. She said, "Do you want to hear it?" I said,
13 "By all means." Actually, if I'm correct, she
14 said, "You've got to hear this tape, Lynn." I
15 said, "Sure," so we listened to it.

16 Q Had the tape been mentioned to you the night
17 before?

18 A No.

19 Q Do I understand it was a tape of an interview or
20 a discussion that they had had with someone?

21 A That's correct.

22 Q On the street?

23 A Yeah.

24 Q And what was on the tape? I'm sorry, I just want
25 to make sure my note is correct.

1 A What do you mean, what was on the tape?

2 Q The words that were uttered on the tape.

3 A Just that it's a guy by the name of Willie and
4 somebody is talking about Willie. I don't
5 believe there was Willie's voice on there but
6 just somebody talking about a guy by the name of
7 Willie that had a pig farm, they said pig farm,
8 and that's when my sister said, "Oh, my god,
9 Lynn, I can take you there blindfolded. That's
10 by my house."

11 Q This is just in the car?

12 A Yeah, in the car. They jumped out of the back
13 seat, got in their car and they followed us to
14 the pig farm.

15 Q They followed you to the pig farm?

16 A Uh-huh.

17 Q So all four of you went to the pig farm?

18 A Yeah, but they didn't come on to Dominion Avenue.
19 They stopped I believe at Loughheed Highway. They
20 lived in Delta so they were heading out to Delta,
21 and I just pulled off to the side of the road
22 when I turned off the Loughheed and we told them
23 that the farm is down that way and they said
24 we're going to go home and they left. Joyce and
25 I went to the farm.

1 Q If I can just get this straight, the four of you
2 in separate vehicles headed out to the pig farm?

3 A Uh-huh.

4 Q After the playing of the tape?

5 A That's correct.

6 Q After Joyce indicated, "I know where that pig
7 farm is"?

8 A That's right.

9 Q And you stopped before you got to the pig farm?

10 A That's correct.

11 Q In a gas station or something?

12 A No, just on the side of the road.

13 Q On the side of the road. They pulled in and the
14 four of you had a discussion?

15 A Uh-huh.

16 Q And Bernie and Diane decided they weren't going
17 to go to the pig farm?

18 A No. Diane had to get up early in the morning to
19 go to work so they were going to go home and we
20 had their numbers so we were going to go
21 investigate it and call them back the next day,
22 which we did.

23 Q You arrived I think it was in the early morning
24 hours?

25 A That's correct.

1 Q Did you say 3:00 a.m.?

2 A 3:00 a.m. It was still dark so I'm not exactly
3 positive exactly what time it was, but I know it
4 was in the middle of the night, it was still dark
5 out. I think we left Vancouver at about 1:30,
6 quarter to 2:00.

7 Q What was your plan? The Rottweiler showed up?

8 A Yeah. It was after I climbed the fence.

9 Q What was your plan had the Rottweilers not shown
10 up?

11 A I was going to climb the fence and see if I could
12 see anything.

13 Q Go up to the house?

14 A I don't think I would have been brave enough to
15 go up to the house. I was searching out in the
16 yard. It was a huge yard so I had lots of places
17 to go. I don't know what I was going to do
18 actually.

19 Q Because it was dark?

20 A It was dark and there was only one -- there was
21 no street lights but there was one light on the
22 property so I could see at least see how to climb
23 the fence.

24 Q In any event, that got aborted due to the dogs?

25 A That's correct.

1 Q And off you skedaddled the other way?

2 A Yeah. Dropped Joyce off and went down to
3 Mission.

4 Q Then the next morning, I think in the early
5 afternoon is your evidence, you phoned Lori
6 Shenher?

7 A That's correct.

8 Q And my note is that it was pretty general, you
9 reported this to her, but do you remember what
10 you told her?

11 A Uhm, not word by word but I do remember saying
12 that some of the girls on the Downtown Eastside
13 had told me about this chipper and about this
14 farm and because Joyce knew where the farm was
15 because of her babysitting for Gina Houston, then
16 she put two and two together. So I told Lori
17 Shenher all that stuff and I had gone to the
18 farm. She asked me what I saw there so I told
19 her, mounds of dirt, vehicles, tractors and some
20 wild dogs and a sign on the fence.

21 Q And did you tell -- I think you've told us that
22 you told her about the playing of the tape?

23 A Yes, and she asked if I had the tape and I said
24 no, that Diane and Bernie were going to give it
25 to the RCMP in Burnaby. Whether they did or not,

1 I have no idea.

2 Q Did Lori ask for the names of Bernie and Diane so
3 that she --

4 A Oh, yeah.

5 Q Did you give her those names?

6 A Uh-huh, and their phone numbers.

7 Q In fairness, I should tell you that Lori Shenher
8 has absolutely no note of this conversation so
9 I'm obliged to ask you, do you think you could
10 have been mistaken about reporting it to her?

11 A No, I don't think I was mistaken at all. I think
12 there's a big cover up here. I know what I said.
13 I know I called. Why wouldn't I call? Think
14 about it. Why wouldn't I phone the police and
15 tell them what I saw? I don't go around going in
16 people's yards and climbing fences for no reason
17 at all.

18 Q And who do you think is covering what up?

19 A I don't know. You tell me; you're the lawyer.
20 I'm just a civilian mother who lost her daughter
21 to the Downtown Eastside.

22 Q I appreciate that and I know this is difficult
23 but --

24 A Well --

25 Q I think I do. Mr. Commissioner -- no, I'm not

1 going to say it.

2 So do you think someone is covering up that
3 conversation?

4 A Yes, I do. A lot of the reports I've seen so far
5 from my lawyers have things dabbed all across
6 them that you can't see.

7 Q Redacted, blacked out?

8 A Yes, blacked out. It doesn't surprise me. It's
9 been a long time, maybe they lost them. I'm not
10 saying Lori Shenher specifically did it, but I
11 know what I did and I know what I didn't do. I
12 phoned them and told them what I saw and what I
13 was told. Why would I take a trip from Campbell
14 River to Vancouver as often as I did to look for
15 Marnie if I wasn't going to continue through my
16 conversation and my investigation?

17 Q There's no doubt you gave Lori Shenher a lot of
18 information over the years, there's no question
19 about that.

20 A Did you see anything in Lori Shenher's reports
21 about the tapes I gave her or is that missing,
22 too?

23 Q I'm just trying to focus on this one event, if I
24 might, and my question was fairly simple. Could
25 you have been mistaken about relating that

1 discussion to Lori Shenher?

2 A Absolutely not. The only thing I may be mistaken
3 about is the date and the time and the year, but
4 I definitely told her exactly what I saw and what
5 I heard.

6 Q Why do you think one would want to cover up that
7 conversation?

8 A I don't know. That's why I'm here. I'm waiting
9 to see the answers.

10 Q Because you know that Mr. Pickton at the time was
11 a person of interest, there's no secret about
12 that?

13 A Now I know that. I sure as heck didn't know that
14 then.

15 Q But can you offer us a theory as to why they
16 would be covering that conversation up?

17 A No, I can't. I'm a care aide, not a lawyer.
18 Sorry.

19 Q As I understand your evidence after this date,
20 whenever it was, you returned to the Downtown
21 Eastside of Vancouver on many occasions?

22 A Yes, I did.

23 Q Looking for Marnie?

24 A That's correct.

25 Q And having discussions with Lori Shenher,

1 correct?

2 A That's correct.

3 Q Meetings?

4 A Yes. I took Marnie's daughter there, too.

5 Q Giving Lori lots of information?

6 A Well, I thought I was but obviously I didn't.

7 Q As I understand your evidence, every time you
8 came back to Vancouver you went out to the farm?

9 A That's correct.

10 Q And was that always with Joyce?

11 A Sometimes -- most of the times with Joyce, but a
12 lot of times by myself. A couple of times I went
13 with Mr. Frey. Sometimes I went with my cousin.
14 I was dragged to the farm; I had to go there.

15 Q How many occasions did you go out to the farm do
16 you think?

17 A I couldn't tell you. I have no idea. It was a
18 lot.

19 Q Like a dozen?

20 A At least.

21 Q At least?

22 A Uh-huh.

23 Q When you went there what would you do?

24 A Look around, check things out.

25 Q From outside?

1 A Yup, from the street, from Dominion.

2 Q You'd walk around?

3 A I couldn't get on the property. I'd look around,
4 see if I could see anything, see if I could see
5 any clothes in the ditch. The ditches were huge,
6 they probably went up to my hips. It's not like
7 that now but at the time Dominion Avenue was a
8 narrow road and had huge big ditches. I'd look
9 in the ditch. I found a stick and I'd scoop
10 around in the ditch to see if I could find shoes
11 or clothes. I don't know what I was looking for
12 really -- anything that could give me a clue
13 Marnie had been there.

14 Q So this would occur through 1999?

15 A That's correct.

16 Q And 2000?

17 A Yup.

18 Q And 2001?

19 A I didn't go checking at that time because -- 2002
20 -- yeah, 2001, you're right.

21 Q So over the course of the next two or three
22 years?

23 A Correct.

24 Q On each occasion that you went to the farm would
25 you report that to the Vancouver Police

1 Department?

2 A No.

3 Q On any of the occasions?

4 A I might have made conversations saying I had gone
5 back out to the farm and Lori probably told me --
6 I know she told me be careful, not go
7 investigating, let the police do their job.

8 Q So you may not have reported --

9 A I may not have reported I went there.

10 Q Did you tell Maggie de Vries that you had gone to
11 the farm?

12 A Probably. I can't be 100 percent sure. I can't
13 remember what I talked to Maggie de Vries about,
14 but I know Wayne Leng knew I went on the farm.

15 Q This would have been a pretty important step for
16 you to go to this farm and find out the
17 information about the chipper and Willie, et
18 cetera?

19 A Uh-huh.

20 Q That would have been the kind of information you
21 would have probably given to Maggie de Vries?

22 A I probably told her something about it but I
23 can't remember the conversation, exactly what I
24 said to her about the farm.

25 MR. CROSSIN: Thank you, ma'am, those are my questions.

1 THE WITNESS: Thank you.

2 THE COMMISSIONER: Mr. Hern.

3 **CROSS-EXAMINATION MR. HERN:**

4 Q Sean Hern, counsel for the Vancouver Police
5 Department and the Vancouver Police Board.
6 Ms. Frey, I just have a few questions for you.
7 Before I begin, I want to express to you I'm very
8 sorry for your loss and I'm sorry that you felt
9 the way you felt about your interactions with the
10 Vancouver Police Department that you testified
11 today. There are a few clarifications that I
12 would like to ask you about. You have given a
13 lot of evidence today so there are a few things
14 arising.

15 First, I wanted to ask you about your
16 communications with Mr. Wayne Leng, just
17 following up with what Mr. Crossin was asking you
18 about. Wayne Leng you met in 1998?

19 A That's correct.

20 Q That was on one of the occasions when you came
21 down to Vancouver to look for your daughter?

22 A Correct.

23 Q Do you know approximately when that would have
24 been, spring, summer, fall?

25 A I would say it was the spring.

1 Q After you met Mr. Leng did you stay in touch with
2 him thereafter?

3 A Yes, and I still keep in contact with him.

4 Q So you regularly communicate with him?

5 A Yeah. I talk to him on the phone or e-mail at
6 least every day.

7 Q Do you contribute sometimes to the
8 missingpersons.net website?

9 A I used to but I don't go on there anymore.

10 Q Mr. Crossin had asked you about whether you had
11 an opportunity to review the file as it relates
12 to your daughter and the work that was done to
13 locate her and to investigate matters relating to
14 her and you had indicated that you had seen
15 perhaps some of those materials but not
16 necessarily all of them?

17 A That's correct.

18 Q This binder, for example, is the VPD's binder of
19 the missing women -- of Marnie Frey's missing
20 person's file. You haven't reviewed that many
21 documents in relation to her, have you?

22 A I've reviewed quite a few but there's lots there,
23 but I didn't read everything. My husband did.

24 Q So you know they're there and they're available
25 to you?

1 A Yes.

2 Q In those -- in the file there are case logs which
3 record the steps that were taken by the RCMP and
4 the VPD in relation to your daughter's
5 investigation. Have you seen those?

6 A They're called what? I'm not a police officer so
7 you've lost me there.

8 Q They're called case logs and they set out a date
9 and the note as to which officer has done what in
10 relation to the file.

11 A Oh, yeah.

12 Q You've looked through those?

13 A Yeah.

14 Q So is it your understanding that until -- that
15 after you reported your daughter missing in 1997,
16 at least at the very, very end of 1997, the RCMP
17 in Campbell River took the missing person's
18 report from you; correct?

19 A That's correct.

20 Q And after that they had conduct of the missing
21 person's file until the beginning of September of
22 1998 when it was taken over by the VPD?

23 A That's correct.

24 Q And were you aware that the RCMP in Campbell
25 River had asked the VPD to take certain steps in

1 relation to your daughter's investigation?

2 A No.

3 Q So let me just put a couple of instances to you
4 to ask if it perhaps refreshes your memory or
5 perhaps you understood these steps to be done by
6 someone other than the VPD. For example, in
7 March of 1998 did you know that the VPD had
8 interviewed at the RCMP's request a
9 Ms. Blakemore?

10 A No.

11 Q And so that wasn't then -- so that may have
12 happened but it was never communicated back to
13 you by the Campbell River RCMP?

14 A No. Which Blakemore? There's two of them.

15 Q Mandy.

16 A No.

17 Q That was, as I understand it, you testified it
18 was a close friend of your daughters's?

19 A Yes, it was.

20 Q She would be a natural person to find and ask --

21 A Yes. I communicated with Mandy quite a bit. She
22 phoned our house looking for Marnie or her
23 sister, but I didn't hear that part.

24 Q Did you know that the Campbell River RCMP had
25 sent the Vancouver Police Department fingerprints

1 to keep on file in June of 1998?

2 A No.

3 Q Are you aware that the request that was made in
4 August of 1998 came from the VPD to the Campbell
5 River RCMP to transfer the file down so that Lori
6 Shenher who was looking into other similar cases
7 could also investigate this one? Do you remember
8 that?

9 A I don't remember that at all.

10 Q Those aren't events the RCMP communicated back to
11 you when they have the file?

12 A No.

13 Q Towards the end of July as Mr. Crossin noted you
14 had visited with a psychic as sometimes
15 investigators do and the note in the RCMP's notes
16 is that the psychic told you that your daughter
17 was deceased and it was in a body of water
18 approximately one hour travel east of Vancouver
19 and the body was clad only in a shirt. Is that
20 an accurate notation?

21 A Yes.

22 MR. HERN: Mr. Commissioner, I note the time, if this is an
23 appropriate time to take the break.

24 THE COMMISSIONER: You're going to be a bit longer?

25 MR. HERN: I'll be a bit longer.

1 THE COMMISSIONER: All right.

2 THE REGISTRAR: The hearing is recessed for 15 minutes.

3 (PROCEEDINGS ADJOURNED AT 3:00 P.M.)

4 (PROCEEDINGS RESUMED AT 3:15 P.M.)

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

6 MR. HERN: Sean Hern for the VPD continuing with cross-
7 examination.

8 Q Ms. Frey, when we left off I was just moving into
9 the period of September '98 where the VPD had
10 taken over the file, the missing persons file,
11 and specifically that was Lori Shenher who worked
12 on it from the beginning to your knowledge?

13 A That's correct.

14 Q And you knew that -- you learned fairly quickly,
15 I'm sure, that Lori Shenher was working on a
16 number of similar files and that's why she had
17 been -- she had taken your file under her
18 supervision?

19 A I don't recall her telling me she was doing other
20 missing women cases at the beginning, but towards
21 the end of our conversations I'm sure she must
22 have told me she was doing other people, other
23 women.

24 Q At some point you had a discussion with her on
25 whether your daughter should be included on the

1 missing womens poster?

2 A That's correct.

3 Q So there must have been times fairly early on
4 that you understood that she also was
5 investigating other leads for other women?

6 A Yes.

7 Q I just want to see if your memory is refreshed a
8 bit by reference to a few specific incidents
9 early on in Lori Shenher's handling of the file.
10 For example, there's a note from August 26th that
11 you had called Ms. Shenher, Detective Constable
12 Shenher, and advised her that Mandy Blakemore had
13 died; do you recall that?

14 A Yes, I do.

15 Q And later that day you and Detective Constable
16 Shenher had a discussion about searching for VGH
17 records and whether your daughter might have been
18 in a program called Lighthouse; do you remember
19 that?

20 A Not really but I'm sure I did.

21 Q In the beginning of September, there's a note
22 from September 2 discussing a person of interest
23 who might have some information, I'll just use
24 his first name, it was Ian. Do you remember
25 that?

1 A No.

2 Q And a little later that month on the 10th of
3 September there's a note that you had phoned
4 Ms. Shenher to say that there was a documentary
5 that had been played on CBC -- and this is all in
6 1998, September 10, 1998 -- that there was a
7 documentary on Mandy Blakemore on CBC and that
8 you would try to get the tape; do you remember
9 that?

10 A Yes, I do.

11 Q And the note indicates that you and Detective
12 Constable Shenher had a long talk that day. Do
13 you remember that?

14 A I'm sure if you refresh my memory of the
15 conversation I would remember, but at this
16 present time I don't remember the conversation.

17 Q It's not pertinent to this so I won't go through
18 the rest of the paragraph, it's fairly lengthy.
19 September 17th there was a discussion -- at least
20 it's noted that there was a discussion -- sorry,
21 this related to that individual named Ian so I
22 won't suggest that to you.

23 On September 30th there's a note of a
24 discussion between you and Lori about an
25 individual named Angel Blakemore and that she had

1 some information that someone named Dave, we
2 don't need to know his last name, but Dave had
3 said that he had seen your daughter. Do you
4 remember that?

5 A Yes, I do.

6 Q So that was a lead that Lori Shenher would have
7 followed up?

8 A I'm sure she did.

9 Q And then the last one I want to reference is from
10 October 23, 1998, there's a note that you were in
11 Vancouver showing your daughter's photo to street
12 people and that they had said that they had seen
13 her on Hastings Street. Does that ring a bell?

14 A Yes.

15 Q And as Mr. Crossin talked to you about, there
16 were various occasions over the years where there
17 were possible sights that had to be followed up
18 and so on?

19 A Yes.

20 Q So going back to what you had testified with Mr.
21 Chantler and with Mr. Crossin about, a sense that
22 the police weren't doing anything but then you
23 clarified and said that your sense was that they
24 were stuck, is it fair to suggest what you mean
25 by that is not that they weren't doing anything

1 but that they weren't reporting back to you that
2 they were having much success in finding your
3 daughter?

4 A When you're in a position that I was in, and the
5 same with the rest of the loved ones that have
6 gone missing, when you don't hear back you think
7 what are they doing? Are they not doing nothing?
8 Do they not care? I'm sure looking in hindsight
9 now, I'm sure they were looking but they didn't
10 report to me everything that they were doing. It
11 was an investigation obviously. If I knew now
12 what I should have known then, then I would have
13 understood it better.

14 Q So in fact, in some circumstances you understand
15 it might be important for the police not to tell
16 anyone about a particular lead so that it isn't
17 compromised?

18 A Right.

19 Q Have you read the LePard report?

20 A Some of it.

21 Q And you're probably aware then that back in that
22 period in July of 1998 Lori Shenher had received
23 the first tip from Wayne Leng's answering machine
24 playing the information from a Mr. Hiscox, a tip
25 on Willie Pickton, right?

1 A Yes.

2 Q And now you understand that Lori Shenher was
3 actually vigourously following up on that,
4 working with Mr. Hiscox in terms of his evidence?

5 A That's correct.

6 Q And it was hearsay so she needed to corroborate
7 that evidence. You understand now that was all
8 going on but you were never made aware of that by
9 Lori Shenher?

10 A No.

11 Q I can tell you that this is why -- this inquiry
12 is about trying to figure out what happened and
13 what didn't happen, that's one of its mandates,
14 so your evidence about the Pickton farm and what
15 you learned from these sex trade workers in that
16 period is of great interest, because of course
17 those were very active periods in terms of the
18 investigation that was going into the Hiscox
19 evidence, and I need to ask you this, which is,
20 you gave an interview on the CTV show *The Pig*
21 *Farm*, correct?

22 A *The Pig Farm*?

23 Q I think it was called *The Pig Farm*, I believe it
24 was a CTV presentation about the Pickton
25 investigation; is that right?

1 A I don't think it was called *On The Pig Farm*. You
2 mean through *Dateline*?

3 Q You gave an interview on *Dateline*?

4 A Yes.

5 Q That was the one where you were silhouetted; is
6 that correct?

7 A No, that's not correct. I did *Dateline* the same
8 day actually that Mr. Pickton got arrested,
9 February 2002.

10 Q I see. That's the interview that I was asking
11 about, and I may be recalling it incorrectly, but
12 my understanding is that Detective Constable
13 Shenher's evidence will be that you and she had a
14 conversation after the airing of that show in
15 February of 2002. Do you recall that?

16 A No, no, I don't. If you can tell me what I said
17 maybe it will ring a bell, but at this present
18 time I don't remember.

19 Q It's my understanding that the evidence will be
20 that she specifically asked you about this
21 evidence that you've given today and gave on that
22 *Dateline* show about going to the Pickton farm
23 because she was confused that she had no
24 recollection or no note at all and it was an
25 important time in the investigation and she felt

1 she would have remembered it.

2 A I don't remember her talking to me after the
3 *Dateline* tape about Pickton and me going on the
4 farm. I don't recall that at all actually.

5 Q Now, the last thing I want to ask you about is
6 some of the interactions you've described with
7 Vancouver police officers including, for example,
8 the officers that you met on horse-back in the
9 Downtown Eastside and the other officer,
10 Constable Dave Dickson. Some of those
11 interactions are lacking in detail, you didn't
12 take names or badge numbers or get descriptions,
13 right?

14 A No. Why would I?

15 Q I understand.

16 A I would now.

17 Q You understand that from my position that makes
18 it difficult to verify or check or figure out who
19 you may have spoken to and so on. Is it possible
20 your notes have more detail in them about those
21 interactions?

22 A No.

23 Q Why is it categorically no?

24 A Because I never mark down names or badge numbers
25 of the officers I spoke with at the time because

1 I didn't think it was necessary. I was brought
2 up to respect and honour the police. If you have
3 a problem you go to the police. Well, I went to
4 the police and where did it get me?

5 Q But you likely do have a note about the Pickton
6 farm visit that you took in the fall of 1998?

7 A Well, I have a note -- I talked to Suzanne
8 Fournier the same day I talked to Lori Shenher
9 and told her I had found the farm and I went to
10 the farm.

11 Q I see. So Ms. Fournier may have a note from that
12 contemporaneously of --

13 A Yeah, and she has it in the newspaper.

14 Q Back in the fall of 1998?

15 A That's correct.

16 Q You can recall that there's a newspaper article?

17 A Yeah. I have it at my hotel room.

18 Q If you could produce that to your counsel for
19 further production to the commission because it
20 is important.

21 A Sure.

22 Q Do you have any other documents related to this
23 matter that are not communications with counsel
24 but are relevant to your investigation?

25 A I have some at the hotel. The rest of them are

1 in boxes at home.

2 Q If you could speak with your counsel about that,
3 because it's important we have them all here if
4 they're relevant. You had mentioned that you
5 were concerned with Mr. -- with Mr. Crossin you
6 mentioned you were concerned that there were
7 blacked-out portions in the police documents that
8 have been produced to this commission and that
9 those when he was asking you about your theory of
10 possible cover-up you cited those as a question
11 mark in your mind, and I just want to tell you
12 that those blacked-out portions don't contain --
13 in the VPD documents don't contain any reference
14 to your farm visit and we will certainly
15 endeavour to find a way to ensure that Mr.
16 Commissioner can see that for himself and satisfy
17 himself because it is important that this inquiry
18 satisfy you that all the facts have come out.

19 A Well, I am under oath so I wouldn't be telling
20 stories of school. I know what I did; I know I
21 went on the farm.

22 Q Of course. I just want to make sure that your
23 confidence in the commission is not undermined
24 because of the blacked-out sections in the
25 documents. We'll find a way to make sure the

1 commissioner is able to see everything.

2 A Please do.

3 MR. HERN: Thank you.

4 THE COMMISSIONER: Any other questions? Ms. Livingston.

5 MS. LIVINGSTON: My name is Ann Livingston. I'm a co-founder
6 of the Vancouver Area Network of Drug Users.

7 THE COMMISSIONER: You want to ask questions?

8 MS. LIVINGSTON: Yes. It's just that I'm not counsel so
9 expect lots of mistakes.

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

11 Q I wanted to ask about drug treatment and Marnie.
12 Would you say that you were involved with helping
13 Marnie with her addiction over a long period in
14 her life?

15 A Yes.

16 Q Over 10 years?

17 A Yes.

18 Q Is it fair to say that you thought that she was
19 safer if she didn't have to buy illegal drugs on
20 the street?

21 A Yes.

22 Q And that was heroin and cocaine?

23 A That's correct.

24 Q So the heroin and cocaine that she was addicted
25 to was the only reason that she sold her body?

1 A Yes.

2 Q Were you ever made aware that some opiate-
3 addicted people are prescribed methadone
4 maintenance therapy?

5 A Yes, I am.

6 Q Was Marnie ever offered this?

7 A Not to my knowledge.

8 Q Do you know how many times you would estimate she
9 had made an effort to go to detox and treatment
10 or any effort that she tried to make?

11 A How many times?

12 Q Yes.

13 A I'm sure she did a lot of times.

14 Q A dozen or 20?

15 A At least a dozen times.

16 Q Are you aware that heroin is prescribed in some
17 countries for people who do not do well on
18 methadone so that women like Marnie do not sell
19 their bodies for street drugs and can be even
20 weaned slowly off the drugs so that the
21 withdrawal you described earlier is less?

22 A No.

23 Q Are you aware of that?

24 A No.

25 Q I didn't want to ask anymore it seems really

1 important that the commission hear about the role
2 of drug addiction and the miserable lack of
3 choice for women like Marnie. Would you describe
4 Marnie's situation is that she had very poor
5 choices in terms of receiving effective drug
6 treatment?

7 A By all means. There was no beds available. When
8 an addict -- from the understanding I have, when
9 an addict wants help they want it right now.
10 They can't wait; they're desperate.

11 Q And I wanted to ask you, Marnie's daughter, is it
12 Brittney?

13 A Yes.

14 Q Does she get orphan's benefits?

15 A No, she doesn't.

16 Q Do you know why she would not?

17 A Because Marnie didn't have a job; she didn't work
18 for a company. When she left home and ended up
19 on the Downtown Eastside she wasn't working in a
20 facility or restaurant or anything, so therefore
21 Brittney who is Marnie's birth daughter isn't
22 entitled to any funding by any government agency.

23 MS. LIVINGSTON: I don't know a lot about that and thanks for
24 letting me know.

25 THE WITNESS: You're very welcome.

1 THE COMMISSIONER: Any further examination of Ms. Frey? Thank
2 you very much for coming. We really appreciate
3 you coming here.

4 THE WITNESS: Thank you very much for listening. Thank you.

5 **(WITNESS EXCUSED)**

6 THE COMMISSIONER: Do you want to start your next witness now?

7 MR. WARD: Certainly we can do that. Before we do, I just
8 rise, Mr. Commissioner, to record a concern.
9 Having listened to the cross-examinations
10 conducted by my friends, Mr. Crossin and Mr. Hern
11 on behalf of the Vancouver Police Union and
12 Vancouver Police Department respectively, it's my
13 perception that their interests seem
14 indistinguishable, and I note that Mr. Hern in
15 particular as well as covering some of the same
16 ground prefaced some questions by remarks like,
17 "I expect that Detective Shenher will give the
18 following evidence." It's not at all clear to me
19 that he's not representing that person or that
20 Mr. Crossin is, and given the lengths of those
21 two cross-examinations, the concern which I'm
22 registering such at this moment is that
23 essentially there's a doubling up in
24 cross-examination on our clients and if occurs I
25 may well lodge a formal objection if it occurs

1 A Yes.

2 Q You're currently employed?

3 A I'm on a leave of absence right now during the
4 inquiry.

5 Q Where are you normally employed?

6 A I have three different jobs all through Royal
7 Lepage Benchmark in Calgary as well as a job in
8 Royal Lepage in Kelowna.

9 Q You've travelled here to Vancouver to participate
10 in this inquiry?

11 A Yes.

12 Q Robert Pickton was charged with the murder of
13 Cara Ellis until that charge was stayed on August
14 4, 2010; is that correct?

15 A Yes.

16 Q Cara was 26 years old when she was murdered?

17 A Yes.

18 Q Suspected had been murdered. I'm going to ask
19 you a bit about Cara's life and depending on how
20 far we get today I may be asking you about the
21 circumstances of her disappearance and the police
22 investigation that followed.

23 A Okay.

24 Q If you could just explain from the outset how
25 since you met Cara later in her life how it is

1 you know about her early life.

2 A Well, I tend to be somewhat of a -- almost like a
3 reporter. I tend to interview people when I talk
4 about them. I've always been very curious about
5 Cara's earlier life so whenever I get a moment
6 together with her dad or her mom or her brothers
7 I ask questions about them, and then after I'm
8 done talking I write down notes because they're
9 very slow to want to give up the information. So
10 over the years I built somewhat of a puzzle
11 trying to put together all the pieces they told
12 me and come up with a really clear picture.

13 Q Since you did get to know Cara you became very
14 interested in her life; is that fair to say?

15 A Absolutely.

16 Q You've been very involved in Cara's life since
17 her disappearance?

18 A I have been pretty much the only person in the
19 family to be pushing forward for the truth
20 throughout all of this. Everyone else in the
21 family basically knew I would get to the core of
22 the situation and gave me free rein to do so.

23 Q You attended some of Robert Pickton's trial?

24 A I attended the very end of the trial where they
25 were doing their -- I believe they call it

1 summations at the end of the trial, as well as
2 waiting while they -- while the jury was out.

3 Q Thank you, Ms. Ellis. Could you tell us a bit
4 about Cara when she was young? First of all,
5 where was she born and when?

6 A She was actually born in Calgary at the Foothills
7 Hospital on April 13, 1971.

8 Q Her parents were William Herbert Ellis and Judith
9 Diane Turnbull?

10 A Yes.

11 Q You refer to them as Bill Sr. and Judy?

12 A Yes.

13 Q Can you tell me a bit about her brothers and
14 sisters?

15 A She has three brothers in total, two full
16 brothers and one half brother which is the son of
17 her father and his new wife Crystal. She has
18 multiple step-brothers and sisters through her
19 mother Judy remarrying. They've since divorced
20 but they all consider themselves siblings.

21 Q It's a large family?

22 A It's very large.

23 Q One of her brothers, Steven, is your husband?

24 A Yes. Judy had Bill, then Steven and then Cara.
25 I'm married to Steven, the middle brother.

1 Q What was Cara like as a little girl?

2 A From what I can gather based on talking to her
3 brothers she was a real tomboy and she ruled the
4 roost at that house. If she wanted to play a
5 game and her brothers didn't, soon they came
6 around to playing it with her. She was the boss
7 out of all the three kids. She would play things
8 like horsey and she would always ride on her
9 brothers' backs. Even when they'd get tired
10 she'd go to the other brother because that's what
11 she wanted to do, things like that.

12 Q Her parents separated in 1977 when she was five?

13 A Yes.

14 Q Who took custody of her from that point?

15 A At that point custody went to her mother Judy.
16 She took all three kids to Ontario to live with
17 her parents because she felt that way she would
18 have a support system there for her.

19 Q After a few years living with her mother she went
20 to live with her father; is that right?

21 A Yeah. There was some issues with her not being
22 able to afford to support the children. When she
23 went to Ontario Social Services, or there's
24 another group with that type of title, they
25 weren't able to financially help her so she

1 surrendered the children to the Ontario Social
2 Services and they were in the custody of Bill
3 Sr.'s brother and his wife until he could afford
4 to bring them to Calgary -- Lethbridge, pardon
5 me.

6 Q He did that eventually?

7 A Yes, he did.

8 Q Do you recall when that was?

9 A I don't remember the date offhand.

10 Q She lived with her father for a few years in
11 Lethbridge, Alberta?

12 A Yes.

13 Q Do you know what her life was like there?

14 A Well, she had a new stepmom because Bill Sr. had
15 married and there was real friction between the
16 two of them. At one point in time as close as I
17 can understand, the new wife told Bill Sr. choose
18 between me or your daughter and he chose the
19 wife. Cara was signed over to Social Services --
20 by now they'd moved to Calgary -- to the
21 Salvation Army Children's Cottage I believe it
22 was called.

23 Q This was a group home in Calgary?

24 A Yes.

25 Q How long did she last there?

1 A Not very long. She didn't like it because she
2 didn't like having rules. She liked telling
3 other people what to do; she didn't like to be
4 told what to do. When she was in the children's
5 cottage she kept trying to come home but ran into
6 the opposition that the new wife was still there
7 and she wouldn't take any garbage from anybody so
8 Cara hit the streets living in Calgary.

9 Q What age did this happen?

10 A She was about 13 or 14 as close as I can tell.
11 She was living in back alleys. She didn't have a
12 home at all downtown and just started to mingle
13 with the other street kids in Calgary.

14 Q Do you know how she might have supported herself?

15 A I had been told later that she had started in the
16 sex trade in Calgary. She had befriended another
17 girl who was a drug addict as well as a sex trade
18 worker and she got Cara hooked on heroin and in
19 the sex trade at roughly the age of 13, 14.

20 Q Can you tell us how it is that you know about
21 Cara's life at that point in time?

22 A A lot of the talk is from her brothers. She was
23 really, really close to her older brother Bill
24 Jr. He has told me a lot of stories about things
25 she talked about when she came home. Also by

1 talking to her father and, of course, to my
2 husband as well.

3 Q Ms. Ellis, I'm going to pass you a photo. Is
4 this a photo of Cara?

5 A Yes, it is.

6 Q Have you seen this photo before?

7 A I was there the day it was taken. It was taken
8 at her father's wedding.

9 Q When was that?

10 A I believe 19 --

11 Q 1990?

12 A 1990, yes.

13 Q June 27th?

14 A Pardon?

15 Q June 27th, 1990?

16 A That sounds correct, yes.

17 Q And you were at that wedding as well?

18 A Yes.

19 Q And, in fact, that's when you first met Cara; is
20 that right?

21 A It was actually a few days before the wedding,
22 but it was around the time of the wedding I met
23 her.

24 Q This was her father Bill Sr.'s wedding?

25 A It was his third wedding, yes.

1 Q Cara would have been 19 at that time?

2 A That sounds correct.

3 Q Cara had travelled from Vancouver to Calgary for
4 that wedding; is that correct?

5 A Yes.

6 Q When did she move to Vancouver?

7 A My gosh, it was very shortly after she hit the
8 streets in Calgary, I believe. She -- the girl
9 she hooked up with in Calgary that had taught her
10 the sex trade that got her on drugs, she died
11 from a drug overdose in Cara's arms and Cara was
12 so upset by it she was really lost, like a lost
13 puppy, didn't know what to do. She had been told
14 in Calgary by the other street people that it
15 would be better to move to Vancouver because it
16 was really easy to get drugs in Vancouver. She
17 ended up -- the next time she contacted the
18 family she advised them she had moved here.

19 Q You got to know Cara at this wedding?

20 A Yes, I did.

21 Q Can you tell us a bit about that?

22 A The few days leading up to the wedding we had
23 kind of -- I call them "smoking conversations"
24 because we were both smokers and we would go
25 outside and kind of visit when we were smoking

1 because we weren't allowed to smoke in the house.
2 On the day of her dad's wedding she just opened
3 up me -- I'm not quite sure why -- and she talked
4 about her life on the streets on Hastings. She
5 talked about being addicted to drugs also, she
6 talked about the atmosphere she lived in here.

7 Q So you and Cara spent a fair bit of time together
8 over that weekend?

9 A Yes, we did.

10 Q That was not just on the day of the wedding but
11 on the day before and the day before that?

12 A Yes. We had really good interactions. She
13 tended to spend quite a bit of the day hours with
14 my kids. My daughter and her really clicked.
15 They did each other's hair and played Mario on
16 the Nintendo machine and that type of thing. It
17 was in the evenings we tended to spend our time
18 together talking.

19 Q She told you about her life on the Downtown
20 Eastside?

21 A Unfortunately she did, yeah.

22 Q Were you there when this photo was taken?

23 A I was. This was taken in the hallway of the
24 apartment, the basement suite that my husband and
25 I lived in in Calgary.

1 MR. CHANTLER: If we could mark this photo as the next exhibit
2 please.

3 THE COMMISSIONER: Yes.

4 THE REGISTRAR: Exhibit 15.

5 **(EXHIBIT 15: Photocopy of Photograph of Cara**
6 **Louise Ellis)**

7 MR. CHANTLER:

8 Q After Bill Sr.'s wedding did Cara return to
9 Vancouver?

10 A She did. She stayed in Calgary for a few more
11 days but she had a doctor's appointment she told
12 me in Vancouver. She had a test for AIDS and she
13 had to make sure that she got back to Calgary.
14 Doctors' appointment were really important to her
15 for some reason and she just would not miss them,
16 so she had to come back to Vancouver in order to
17 get the results of that test. She had just been
18 told she had Hep C and the AIDS test took longer
19 to come through.

20 Q Did she express a lot of concern to you about her
21 health that weekend?

22 A She was really upset that she thought she might
23 have AIDS. The Hepatitis C thing didn't seem to
24 be a big concern to her. She had mentioned that
25 she had it but it was like a no-big-deal illness.

1 The AIDS really was concerning her.

2 Q She talked to you that weekend about her drug
3 use?

4 A That's right.

5 Q Did you observe her using drugs?

6 A Kind of sort of. I saw her smoke dope the
7 evening of her dad's wedding. She said before we
8 went for a walk -- we actually went for a walk
9 alone that night because we -- it wasn't our type
10 of wedding. It was for older people who square
11 danced and we didn't like that. We went for a
12 walk and talked a lot about it. I do know that
13 she was injecting herself with heroin because I
14 got mad at her because she had taken the syringe
15 and put it in the garbage can in my bathroom and
16 I had two young children and I had told her if
17 she was going to do that she had to take it right
18 out to the dumpster and dispose of it out back.
19 We had a little tiff over that. She didn't
20 understand I wanted to protect my children and I
21 wanted her to understand that my house had rules,
22 so we didn't talk for about half an hour but
23 after that she came back and said she understood.

24 Q She expressed to you that her drug use was a
25 significant part of her life?

1 A Yes. She went into the bathroom and locked the
2 door an awful lot during the day.

3 Q She was open with you about what she was doing?

4 A Not the first day I met her but after that she
5 realized I was a pretty open person and I was
6 comfortable to talk to and then she did. She was
7 very open about it. It wasn't a big deal.
8 Everybody in the family knew. A lot of people
9 kind of looked the other way and pretended they
10 didn't see but they knew why she was in the
11 bathroom.

12 Q Did she talk to you about work in the sex trade?

13 A She did. She talked about the type of johns she
14 dealt with quite a bit and the services she would
15 provide and the pay scale that she used, which
16 was a real sliding scale I found out after we
17 talked. She talked about who she could trust and
18 who she couldn't trust and she talked about
19 safety zones. There's kind of a code, I guess,
20 on the streets she said where you try to get
21 regular customers because they were people that
22 you knew you could trust. You might not like
23 what you have to do but it was regular customers,
24 and she had a lot of regular customers she said.

25 Q You got to know Cara pretty well that weekend?

1 A I think I did, yeah.

2 Q She told you a lot about her life?

3 A I think she trusted that I would keep that in
4 confidence and not really be sharing it with
5 other people and she felt comfortable.

6 Q Did she express any desire to escape that life?

7 A Oh, she did, yeah. At one point in time I had
8 walked down to where we had seen fireworks one
9 night with her because she had lost something and
10 she brought this bundle of books with her and we
11 sat on the grass and she was really excited to
12 show me these journals that she'd been working
13 on. They had little pictures that she had drawn
14 kind of all over the pages but really well
15 written. The stuff that I read in the journal
16 that she felt comfortable sharing with me, she
17 was really good. She talked about wanting to get
18 off the drugs and become a journalist. I think
19 had the drugs not had such a big grip on her, I
20 think she would have done really well at it.

21 Q After that weekend Cara returned to Vancouver,
22 did your relationship continue?

23 A It continued two more times she came to Calgary.
24 One time, I cannot remember right off the bat if
25 it was Easter or Thanksgiving, I remember we had

1 turkey dinner together and, again, we weren't
2 allowed to smoke in the house. Her parents, her
3 dad and stepmother moved to a new house, so we
4 had to go out and sit in the driveway of the new
5 house they lived at to be able to smoke and she
6 had talked about how she had had some real health
7 issues because of the drugs during the time since
8 I'd seen her last at the wedding. We talked a
9 lot about the fact that she had a new baby
10 brother or sister that was going to be born soon.

11 Q When was this?

12 A I don't remember the exact date. It was after
13 the wedding. I would say probably October of
14 1990, I believe. It was just a few months after
15 I had met her the first time.

16 Q Did Cara phone members of the family living in
17 Alberta while she was living in Vancouver?

18 A Yes, she did. She didn't call my husband Steve a
19 lot because we were people who tended to not be
20 home. I had two children from a previous
21 marriage and Steven and I believe that children
22 should be kept busy, so we weren't home an awful
23 lot. She would call her brother Bill Jr. and
24 touch base with him. So Cara could talk to him,
25 to this day he has never changed his phone

1 number. No matter which phone company he changed
2 to, he made sure that he could keep the same
3 phone number. She would call him collect. She
4 would call her dad quite often. It was very rare
5 that a month went by and we hadn't heard from
6 her.

7 Q She phoned him once a month?

8 A I would say once a month. Once in a while she
9 would skip a month but then she always had a
10 really good reason why she hadn't called.

11 Q She was closest with her father and --

12 A With her father and her older brother Bill.

13 Q Cara got into some trouble in 1995; is that
14 right?

15 A Yes, she did.

16 Q With the police?

17 A According to what I had been told by my
18 stepmother-in-law, she had tried to purchase some
19 drugs from a drug dealer in Hastings and the drug
20 dealer took the money but didn't hand across the
21 drugs so Cara pulled a metal comb out of her
22 purse with a long tail that had been sharpened
23 and stabbed the drug dealer and tried to kill him
24 for not supplying the drugs. She was charged,
25 convicted and incarcerated for attempted murder.

1 Q She did some time in jail?

2 A As I recall, she was given a three-year term to
3 serve and only served about half of that.

4 Q She would have been released in 1996?

5 A I would say that sounds about right, yes.

6 Q That year and a half that she was in jail, did
7 the family have any contact with her then?

8 A Cara would write letters very regularly. I
9 actually have copies of a lot of the letters that
10 she wrote to her dad and also some to her
11 brother. She was becoming closer and closer to
12 the family which gave us a lot of hope that she
13 may be able to get away from the Hastings area.
14 She talked to her dad all the time. Bill Sr. and
15 his wife Crystal, they would go to visit her in
16 prison and bring her goodie bags with cigarettes
17 and make-up and different things like that while
18 she was in prison.

19 THE COMMISSIONER: Ms. Ellis, I'm going to stop you there and
20 ask you to come back at ten o'clock in the
21 morning.

22 THE WITNESS: Absolutely.

23 THE REGISTRAR: This hearing is now adjourned until 10:00 a.m.
24 in the morning.

25 **(PROCEEDINGS ADJOURNED AT 3:58 P.M.)**

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

Margaret M. Wills
UNITED REPORTING SERVICE LTD.

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