

**Vancouver, BC**

**October 25, 2011**

**(PROCEEDINGS RECONVENED AT 10:03 A.M.)**

THE REGISTRAR: Order. This hearing is now resumed.

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

**LORI-ANN ELLIS, resumed:**

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

Q Ms. Ellis, you told this commission yesterday that you met Cara at her father's wedding on June 27th, 1990. You got to know each other a bit at that wedding?

A Yes.

Q You told the commission that Cara returned to Vancouver after the wedding and, and returned to her life on the Downtown Eastside?

A Yes.

Q And that was a life of addiction, work in the sex trade. She said to you it was a hard life.

A Yes.

Q But over the next few years, Cara stayed in touch with her family in Alberta and she called home from time to time?

A Yes, she did.

Q And she wrote home?

1 A Yes.

2 Q And she'd usually write home when she was in jail?

3 A Yes, she would.

4 Q She was in jail a couple of times over that  
5 period, 1990 through to 1996, when she was  
6 released from a year and-a-half in jail after an  
7 attempted manslaughter conviction?

8 A Yes.

9 Q I'm going to pass up a package of some of the  
10 letters that Cara wrote to her father, while she  
11 was incarcerated, from time to time in that  
12 period. These letters were disclosed to the  
13 commission some months ago and the package is  
14 referenced as Doc ID FAM-001-000001.

15 A Thank you.

16 Q Ms. Ellis, you have seen these letters before; is  
17 that right?

18 A Yes, I have.

19 Q And you have had a chance to review these letters  
20 recently?

21 A Oh, yes.

22 Q Were you aware of these letters at the time they  
23 were written?

24 A I knew the letters were coming. I didn't know  
25 what the contents of the letters were. They

1                   weren't written to me. They were written to her  
2                   father.

3                   Q    But you have had a chance to read them since then?

4                   A    Yes.

5                   Q    And you would agree these letters are -- the date  
6                   of these letters is not always clear, but they  
7                   range from approximately 1990 to 1992?

8                   A    Yes.

9                   Q    Okay. Can you tell the commission just generally  
10                  what Cara would, would write about in these  
11                  letters to her family?

12                 A    Well, you know, she talked about how much she  
13                  loved her family and, and how much she missed them  
14                  and she talked about her life on the streets, her  
15                  addiction to drugs. In, in one of the letters,  
16                  she refers to her addiction and that she wants to  
17                  get into rehab, which actually did happen with the  
18                  help of her father. And she talks about her  
19                  brothers and her, and her life at home. Basically  
20                  trying to stay connected. Because phone calls  
21                  weren't always available at the prison, letters  
22                  were, was her way of keeping in contact.

23                 Q    Was your family ever able to write her back?

24                 A    Her father and her stepmom wrote to her regularly  
25                  at the prison.

1 Q Okay. What other kinds of things did she talk  
2 about in these letters?

3 A Uh, she just talks about her boyfriend, Stan. He  
4 was a member of the Hells Angels and she was  
5 really kind of a biker chick she called herself.  
6 She talks about spending time with him. There is,  
7 at one point, she talks about breaking up with him  
8 and, and how the only way she can really make it  
9 with the breakup is to actually go away. Uhm, she  
10 -- basically it, it's kind of a mix of a lot of  
11 different emotions but, to me, when I read them,  
12 it shows that she has really made an effort to try  
13 to keep connected with her family.

14 Q Does she make any mention of staying in touch?

15 A She does. She talks quite a bit in here about how  
16 much she would love to spend some time -- I'm  
17 looking at one here actually:

18 Good-bye for now. Love, your daughter. Hope  
19 there is enough for everyone. Hugs and  
20 kisses.

21 She talks about how important it is, that she  
22 is promising that she will stay in touch with the  
23 family.

24 Q Does she talk about her life in the sex trade?

25 A She touches upon it throughout some of the

1 letters. Basically that it's -- well, I knew,  
2 this is the thing I picked up later, but it's a  
3 hard life and she kind of touches upon that  
4 throughout what she's writing here.

5 Q Does she talk about the future, her plans for the  
6 future?

7 A She did. She actually talks in one of the letters  
8 actually about going to school, some classes  
9 which, I don't believe in the letter she talks  
10 about what classes they are, but I am assuming  
11 it's journalism, being that we had talked about  
12 her taking some courses in that.

13 Q You gave evidence yesterday that Cara got out of  
14 jail in approximately '96, we don't know precisely  
15 when, and the family lost touch with her at that  
16 point. Can you tell us what happened?

17 A Well, uhm, my stepmother-in-law, Crystal, had been  
18 told by a friend of hers, who worked in the prison  
19 system, that it isn't a good idea to be bringing  
20 gifts to people in prison that are drug addicted,  
21 because what they will do is they will trade what  
22 they have received as gifts in order to be able to  
23 get drugs, and if you give her money or  
24 cigarettes, it's the same thing.

25 So, a decision was made by her father and her

1 stepmother that they were going to stop the gravy  
2 train. She was not going to be getting any more  
3 money or gifts from them, because they were afraid  
4 it would feed her addiction. So, when they cut  
5 off the money from her, that was the last we heard  
6 from her, which, to me, the assumption was, she  
7 was pissed off. She wanted the money to come in  
8 and she didn't want anything to do with anybody  
9 because of that.

10 Q Was that conversation the last anybody heard from  
11 Cara?

12 A Unfortunately, yes, it was.

13 MR. CHANTLER: I would like to mark this package of letters as  
14 the next exhibit.

15 THE COMMISSIONER: Yes.

16 THE REGISTRAR: Exhibit number 16.

17 **(EXHIBIT NO. 16: Bundle of handwritten letters**  
18 **consisting of 24 pages - FAM-001-000001)**

19 MR. CHANTLER:

20 Q What happened over the next few weeks and months  
21 after that conversation in '96?

22 A We sat and we waited. When we talked to, my  
23 husband and I, Steven, when we talked to her dad  
24 on the phone or to Crystal, the stepmom, we would  
25 ask if they had heard from Cara. And it was more

1 often that we called asking if they had heard from  
2 her than Cara had been calling actually. We  
3 called every few days, every two or three days  
4 we'd call, "Have you heard from her? Have you  
5 heard from her?" And when we'd get then the  
6 answer "no," our phone calls slowed down, because  
7 we didn't want to hurt their feelings. But we all  
8 just -- we were in a holding pattern. We were  
9 waiting to hear from her.

10 Q What did you think had happened to her?

11 A I thought at first, for quite some time, that she  
12 was just very angry. She had a bit of anger  
13 issues anyway and could kind of fly into a rage  
14 really quickly. So, I thought she was just having  
15 somewhat of a temper tantrum. "Fine, if you won't  
16 give me money, then I won't call you," was my  
17 thought. So, we weren't overly concerned for a  
18 while. We just thought she would calm down and  
19 get in contact again, but that contact never  
20 happened.

21 Q What was the longest she had gone before without  
22 contacting the family?

23 A I would say probably two months.

24 Q And how long went by before you started to get  
25 worried?

1           A    I personally worried really, but didn't share it  
2                    with anyone.  But I know the family, on the whole,  
3                    probably after about six months, they started to  
4                    really get concerned that something was wrong.

5           Q    And what did you do?

6           A    Well, we were really poor, my husband and I.  We  
7                    didn't have a large income coming in, so my  
8                    capability to do anything was really limited.  We  
9                    had been saving for about three years, for my  
10                   children and myself, to be able to take a holiday  
11                   during the summer vacation.  My husband works  
12                   during the summer, so he can't come.  So, we would  
13                   save like crazy and our intention was that I would  
14                   come to visit my brother in BC with the  
15                   expectation of walking the streets and finding  
16                   Cara.

17          Q    And did you take that trip?

18          A    I did.

19          Q    Do you recall the dates?

20          A    It was from I believe the 13th of July to the 23rd  
21                   of July, 1998.

22          Q    Okay.  And what -- tell us again, what was the  
23                   purpose of this trip?

24          A    It was for my kids to have a break, a vacation of  
25                   course, but in my mind, I knew, when I left



1 Calgary, that that was just kind of a sideline for  
2 me, that I was taking this trip to fulfill a  
3 promise I made to my husband that I would find his  
4 sister.

5 Q And what did you do?

6 A I carried a pink piece of notepaper in my hand,  
7 all the way on the airplane, and I, uhm, on the  
8 second-last day of our vacation, I walked the  
9 streets of Hastings looking for Cara. And I had  
10 on the pink piece of paper the numbers of, the  
11 phone numbers of both brothers and mom and dad and  
12 I wanted to see her and hug her and see that she  
13 was okay and give her the, the numbers and say,  
14 "call home."

15 But I, I walked down the streets in Hastings  
16 and talked to anybody who they would likely, would  
17 listen to me for, from just after lunch until it  
18 was well into dusk. And a lot of people said they  
19 had seen her, but they hadn't seen her in a really  
20 long time. And one person had said that they had  
21 seen her over at the, they called it the Vernon  
22 rooming house. I know now that it goes under a  
23 slightly different name, but I didn't know where  
24 that was, because I was new to this environment.  
25 I, I basically walked away feeling really hollow

1                   and like I had really let my husband down in not  
2                   being able to find his sister.

3   THE COMMISSIONER:  Do you, do you want a few minutes?  Do you  
4                   want me to stand down?

5   THE WITNESS:  No, I'm good.  With all that I have been through,  
6                   this is easy.

7   MR. CHANTLER:

8                   Q   You met a lot of people that day walking around  
9                   the Downtown Eastside in your search for Cara; is  
10                   that right?

11                   A   Yes, I did.  Yes.

12                   Q   And did the people you meet know Cara?

13                   A   There was actually quite a few people who knew  
14                   Cara.  I would say probably between 12 and 15  
15                   people knew who she was.  They recognized the  
16                   picture.

17                   Q   And what did they say about Cara when they had  
18                   last seen her or what they knew about her?

19                   A   They, they had kind of -- as, as I am talking  
20                   through, there was a few people who were actually  
21                   very high, obviously, and they would say things  
22                   that made absolutely no sense.  Like, they were  
23                   talking about her being at the movies, and if you  
24                   look at the theater, you might see her; that type  
25                   of thing.  And I would just kind of put those to

1 the side, because I knew that they were not in  
2 their right frame of mind.

3 But a lot of people said that they had seen  
4 her and that she is probably just one of the other  
5 girls who's gone missing. And I couldn't really  
6 get a lot more detail from that, because the  
7 people that I talked to were -- in, in the  
8 environment that they were in, they didn't like to  
9 stand still for any length of time I found. So,  
10 they would give you little snippets of information  
11 and then just walk away on you.

12 Q Did you get a sense that the problem was bigger  
13 than just Cara?

14 A It took me about an hour, I am pretty slow, I  
15 guess, to realize, but when I got the first  
16 comment about the fact that she's just one of the  
17 other girls going missing, I started to realize  
18 that I had bitten off more than I could chew.

19 Q What did you do next?

20 A Well, I only talked to the people on the street,  
21 the sex trade workers, and I even talked to a few  
22 drug dealers. I was really uncomfortable asking  
23 the police, because my brother lived very near  
24 Hastings and he had already kind of, sort of  
25 threatened me, "Don't you dare go to Hastings

1 looking for Cara," because he said that, "if you  
2 get into trouble there, even the cops won't help  
3 you."

4 So, I was going to go to the police station,  
5 because when I got to, uhm, Carnegie Centre, when  
6 I looked over, I saw a police station there, and I  
7 thought, "Well, I am not going to waste my time  
8 looking there because my brother had already  
9 warned me that they don't do a really terrific job  
10 in that area and they really won't give a shit  
11 whether you're looking for her or not." So, I  
12 didn't go there. I did go into Carnegie Centre  
13 and talked to some people who were eating in the  
14 kitchen thing there, and that's pretty much it.

15 Q Do you have the names of anybody who you talked to  
16 that day?

17 A No, because unlike now, I didn't realize the  
18 importance of what I was doing being documented.  
19 I thought I would walk the streets, turn the  
20 corner and find my sister-in-law. So, I, I didn't  
21 think that that was really important. It wasn't  
22 until quite later that I realized that I had  
23 better start keeping track of these things,  
24 because nobody else seemed to be doing it.

25 Q Now, you are, you are quite certain about the date

1           that you were in Vancouver though; is that right?

2           A    Absolutely.  And I know that because, when we came  
3           back to Calgary, my kids, being their very first  
4           vacation, they forced me somewhat to sit and make  
5           up a scrapbook of our vacation and they had saved  
6           little SkyTrain tickets and bus receipts and our  
7           transfers, I guess they call them, and they had  
8           also put in there the boarding passes from our  
9           trip.  And I was able -- I knew it was the day  
10          before I was going home that I went to Hastings.  
11          So, I can say with certainty it was between 1  
12          o'clock and dusk, whatever time that is in July,  
13          the day before I left, which would have been the  
14          22nd of July.

15          Q    1998?

16          A    1998.

17          Q    What did you do the next day, Lori -- Ms. Ellis?

18          A    Uhm, after I got in trouble from my brother when I  
19          went over the night before, we discussed what  
20          should be the next step.  So, I got up really  
21          early in the morning.  We were going home at noon.  
22          So, I waited until 8 o'clock, which I thought  
23          would be the time that the police station would  
24          open, and I called and got kind of a receptionist  
25          person and said that I needed to talk to somebody

1 in their Missing Persons Unit, because I had to  
2 report someone missing.

3 And so they transferred me, it took a few  
4 minutes, but they transferred me to a gentleman,  
5 and I don't remember his name. I didn't see the  
6 need to write it down, but I did ask him, "Are you  
7 with the Missing Persons Unit?" Because I have  
8 experience with talking on the phone and I know  
9 you should always confirm that you have the right  
10 department. And he said he was the -- a, a  
11 constable or officer in the Missing Persons Unit.

12 So, I told him that I would like to report my  
13 sister-in-law, Cara, as missing. And then he  
14 proceeded to take a report from me, which took a  
15 long time, the better part of an hour. And I  
16 remember getting mad at him at one point during  
17 that conversation because he said to me, "What was  
18 Cara wearing the last time you saw her?" And I  
19 said, "Well, I saw her a year and-a-half ago. I  
20 am pretty sure she's changed her clothes by now."  
21 And then he was snarky at me. He said, "There is  
22 no need to be snappy at me like that." And I said  
23 that, "I am from Calgary reporting my  
24 sister-in-law missing and that she hasn't been  
25 heard from for a really long time. How am I

1                   supposed to know what she was last wearing?" And  
2                   then we kind of got back on track. I took a deep  
3                   breath and I told him everything that I could  
4                   think of at the time that might help them to  
5                   locate her.

6                   Q    Can you give us some specific examples of what you  
7                   told him about Cara?

8                   A    Well, I didn't really know what I should tell him  
9                   because I thought that they -- it was their job,  
10                  they should know what they're doing. But he asked  
11                  me things like her height and her weight, which I  
12                  could kind of guess at, but she's a pretty tiny  
13                  person; her eye colour, hair colour; any  
14                  information I knew about where she lived, and I  
15                  had only got the information from the people on  
16                  the street saying she lived at this Vernon place.  
17                  But I didn't really supply a lot, only because I  
18                  figured, whatever they needed to know, they would  
19                  ask me.

20                 Q    Did he ask you a lot of questions?

21                 A    Quite a bit. Like, he would ask me a question and  
22                  then take a few minutes to write it down, and then  
23                  he would ask another question. I thought they  
24                  were pretty basic questions, actually. I think  
25                  they could have got into more depth, but they

1           didn't. It was very general, just how they would  
2           recognize her and maybe where I had last known  
3           that she was.

4           Q   How did you know he was writing this information  
5           down?

6           A   Because he told me. He said, "Just a minute. Let  
7           me get this down." And then he would, he would  
8           say, "Just a minute." And then he would sometimes  
9           ask me to repeat something, because, as you guys  
10          probably know now, I talk quite fast, so I think  
11          he couldn't keep up with what I was saying, and so  
12          I would repeat what I had said so he could get it  
13          written down.

14          Q   What did he say he was going to do?

15          A   He said to leave it with him and they would look  
16          into it. And I should say, I gave all the contact  
17          phone numbers for her family as well. So, I felt,  
18          at that time -- boy, I was an idiot then -- that  
19          they were actually going to do something about it.

20          Q   And how did you leave off that conversation?

21          A   I told them, you know, "When you hear anything at  
22          all, please get in contact with me. I am the main  
23          person, so please call my house." And I wasn't,  
24          at that time, working, so I could be reached  
25          pretty much anytime. And "to please get in



1 contact with me," and that was the end of it.

2 Q What happened next?

3 A I flew back to Calgary, and I looked in my  
4 husband's face and told him that I wasn't able to  
5 find his sister, and I felt just terrible, because  
6 I don't like doing something halfway. Uhm, if I  
7 promise something to someone, I try to carry it  
8 through, even if it takes a really long time. So,  
9 I felt terrible and I told him I couldn't find his  
10 sister, and then we started waiting.

11 Q How had you felt about the reaction you got from  
12 the police officer in Vancouver?

13 A Well, it was my first real contact having to speak  
14 to the police. So, at that point in time, I, I  
15 felt that they were actually going to do  
16 something, that they, they would look, because to  
17 think anything else would just be unbelievable.  
18 So, I, I really felt that they would do something.  
19 I felt they would look for her. And every time  
20 the phone rang, I would literally run to the phone  
21 thinking that it would be Cara calling, or the  
22 police calling saying, "Cara will be getting in  
23 touch with you," but we never got that call.

24 Q What happened next? What did you do next?

25 A Well, my husband, Steve, and I, we waited. And on

1                   Saturday nights, there used to a TV show on in  
2                   Calgary, and I don't remember what it's called,  
3                   but it was a cop show that they would tape quite  
4                   often in Vancouver. And so our kids didn't hear  
5                   what we were doing, we would pull the kitchen  
6                   chairs up to the TV really close and turn the  
7                   sound down, and we weren't watching what the  
8                   police officers were doing on the show. We would  
9                   watch the background to see if we could even just  
10                  get a little glimpse of Cara to see, maybe she  
11                  didn't want to get in contact with us, but that at  
12                  least she was alive. And we did that until the  
13                  show stopped being on the air on Saturdays and we  
14                  never saw her.

15                Q    Did you follow up with the police after you got  
16                    back to Calgary?

17                A    When, when I first got back, I, because I was  
18                    frustrated, I contacted the RCMP detachment on  
19                    16th Avenue, North East, because it was closest to  
20                    where I lived, and I asked them if there is  
21                    anything else that they could suggest that I do to  
22                    try to help find Cara, because I felt, the more  
23                    people that were looking, the better. So -- they  
24                    were really nice. They, they gave me a lot of  
25                    advice. They told me that I could call hospitals

1 in Vancouver, and the jails, rehab, some different  
2 places where she may be and that would explain why  
3 she wasn't on the streets.

4 And then they also told me that there is a  
5 gentleman, and I don't remember his name, it was a  
6 Scottish name though, who worked with the Red  
7 Cross and that I could get in touch with him, and  
8 he had a computer system set up so that if anybody  
9 ever got arrested, families could be passed a  
10 message, through him, to that person.

11 So, after I talked to the RCMP, I called the  
12 gentleman with the Red Cross, and then I waited  
13 for the -- my husband's next payday so I could  
14 afford a calling card, and I started calling  
15 everybody I could think of at the hospitals and  
16 whatnot in Calgary -- from Calgary to Vancouver.

17 Q Was that man at the Red Cross ever able to help  
18 you?

19 A No, because we didn't know, at that point in time,  
20 Cara was already dead.

21 Q Did the Calgary RCMP suggest that they would get  
22 in touch with the Vancouver Police Department?

23 A I don't recall if they ever said that.

24 Q Do you know if they ever did?

25 A No, I don't.

1 Q Did the Vancouver Police Department get back to  
2 you in the coming weeks and months after your  
3 visit?

4 A Until I put in the second missing persons report  
5 in 2002, I never heard from the Vancouver Police  
6 Department at all.

7 Q You never heard from them once?

8 A Never.

9 Q Did you follow up with the Vancouver Police  
10 yourself?

11 A I called back about a month later roughly, because  
12 I was concerned that I hadn't heard anything and  
13 I, kind of wrongfully now I realize, but I thought  
14 that sex trade workers got arrested all the time,  
15 and I thought, "It's been a month. Surely to  
16 goodness, she's been arrested by now and given the  
17 message that we're looking for her."

18 So, I called back and asked again to talk to  
19 the Missing Persons Unit, and this time I got a  
20 girl on the phone who was, to say the least, a  
21 bitch. She was awful. That woman should never be  
22 talking to the public. She told me, in a really  
23 snarky tone -- I'll try my best to kind of imitate  
24 the way she said it -- "If Cara wants to be found,  
25 she will be found. Why don't you leave us alone

1 and let us do our job." And I just could not  
2 believe that anybody working with the public could  
3 ever talk to somebody that way. That was just  
4 horrible. It made me, who already felt bad about  
5 not being able to find Cara, even worse. And now  
6 I started to lose faith that the Vancouver Police  
7 Department was even going to do anything to look  
8 for her.

9 Q Do you recall any other comments she might have  
10 made about where --

11 A She told me that she's probably on vacation.  
12 Like, it took me and my husband three years to  
13 save for us to go to Vancouver. How the hell can  
14 someone earning, like, a hundred dollars a month  
15 on Welfare be able to go on vacation? That woman  
16 should never have been in that job.

17 Q This was approximately one month after your visit  
18 to Vancouver?

19 A Approximately, yeah.

20 Q So that --

21 A I don't remember the exact date.

22 Q That would have been in August 1998?

23 A Yes.

24 Q Okay. You don't know the name of the person you  
25 were speaking with when you called back?

1           A    No.  I mean, I knew she worked in the Missing  
2                    Persons Department, because I had asked if she  
3                    was, but I don't know her name.  She was -- her  
4                    words really had a bite to them though.  I do know  
5                    that.

6           Q    So, how did you feel after that conversation?

7           A    I felt like I wanted to get on the plane and come  
8                    back to Vancouver and take up the search myself  
9                    but, of course, financially, that wasn't possible.  
10                  So, I sat and I waited and I hoped that maybe, if  
11                  things didn't go, seemed to be going good in  
12                  Vancouver, that the Red Cross gentleman that I had  
13                  talked to would at least be able to do something  
14                  for us.

15          Q    So, in the years '98 to 2002, when Robert Pickton  
16                  was finally arrested, you didn't have any further  
17                  contact with Vancouver Police; is that right?

18          A    No.

19          Q    And why didn't you follow up with them again  
20                  yourself?

21          A    Because, at that point in time, my husband and I  
22                  had moved to a house, where the rent was a lot  
23                  more expensive, and the utilities, and we were  
24                  just barely scraping by.  So, for me to take money  
25                  out of our budget, even to buy a calling card to

1 call Vancouver, just wasn't possible. We  
2 literally were down to, like, our last penny.  
3 Sometimes I would have to return pop bottles  
4 before payday to be able to afford to buy food.  
5 So, a calling card was just something I couldn't  
6 afford.

7 Q What happened after Robert Pickton was arrested?

8 A Well, along with, like, the day of 9/11, this day  
9 is going to just burn into my memory. It was  
10 early morning and my kids had just gone off to  
11 school. So, it was about 8 o'clock and the news  
12 report came over, excuse me, the news report came  
13 over the news, and I was playing Solitaire on the  
14 computer and looking kind of at the TV and they  
15 started talking about a man in Vancouver had been  
16 arrested for murder, and that if you knew anybody  
17 who was a sex trade worker in Vancouver, or a drug  
18 addict, if they could please get in contact with a  
19 number. And, of course, I didn't think to write  
20 the number down right away, because I was kind of  
21 shocked, like, wow, that is a description of Cara.

22 So, I sat there all day, and I waited for the  
23 news report to come on again, which I didn't see  
24 actually, so I could get the number down. And  
25 when my husband came home from work, I, uhm, I

1 sent the kids off to their room and I talked to  
2 him and I said, "This man in Vancouver was just  
3 arrested for killing, and they said that if there  
4 was people who had someone who was in the sex  
5 trade in Vancouver or a drug addict, that they  
6 should get in contact with this number." And I  
7 have never heard my husband say "yes" fast enough  
8 when I asked him if I should put the name in.

9 So then what I did was I, uhm, I called  
10 collect to my father-in-law, who was living in  
11 Vernon, and asked for his permission to put Cara's  
12 name in with this investigation, and he said,  
13 "yes." And then I called my mother-in-law in  
14 Guelph and asked her the same question, and did  
15 the same thing with my brother-in-law, and all of  
16 them were really clear that, yes, I had their  
17 permission to do this. They felt it was a little  
18 futile, because nothing had happened when I made  
19 the first report, but we were all worried.

20 So, I called them the next morning, the  
21 number that they had given. It turned out to not  
22 work through Calgary. So I, again, called the  
23 RCMP office in Calgary and said, "How do I get the  
24 number for this task force that they talked about  
25 in the news?" So, it took about an hour, but they



1 called my home back and gave me the number. So I  
2 called Victim Services and said, or the phone  
3 message machine, and said that my sister-in-law  
4 fit the category that they were looking for and  
5 could they get back to me so we can get them to  
6 look for her.

7 Q And did they get back to you?

8 A About two weeks later, I believe they got back to  
9 me, and we had a very short conversation on the  
10 phone. They asked about Cara, where she was  
11 living, her lifestyle, the drug addiction, working  
12 in the sex trade. And then they said, "Well, that  
13 pretty much fits the profile of what we're looking  
14 for. We'll get back to you." And then they kind  
15 of started things moving to be able to get her  
16 name into the situation.

17 Q At some point, you were visited by two members of  
18 the Missing Women's Task Force; is that right?

19 A Yes. I don't remember the exact date. It's one  
20 of the dates that isn't sticking with me very  
21 good.

22 Q In March 2002?

23 A That sounds about right, yes. They came to our  
24 house and they, they asked us some questions about  
25 Cara's lifestyle and did she keep contact with the

1 family, did we know about her friends on Hastings,  
2 that type of thing.

3 So, we explained about her boyfriend, Stan,  
4 that he was a Hells Angel, and we had some  
5 pictures of him and her by the Harley in front of  
6 a house; and we had some pictures that she had  
7 taken, uhm, and sent in letters that we also gave  
8 to them; as well as a really good description of  
9 Cara and anything we could think of that might  
10 help them to locate her, or to see if she could be  
11 one of these women who was murdered at this man's  
12 farm.

13 Q Do you know the names of the officers who came to  
14 visit you?

15 A Unfortunately, I don't. Still, at that point in  
16 time, I wasn't really good -- I, I would just be  
17 guessing, I think, if I told you their names.

18 Q And when did you hear from them again?

19 A I believe it was October. They came back to the  
20 house at that point in time and said that they had  
21 checked, like, the jails and rehab and bank  
22 accounts, that type of thing, to see if there had  
23 been anything happen that would show that there  
24 had been activity by Cara, and, and nothing came  
25 up positive. Like, they said, "There has been no

1 record that she existed at all during that time."

2 So, they were going to put her face on the Missing  
3 Women's poster so that they could ask society to  
4 help look for her and maybe they knew where she  
5 was, and, and then we waited again.

6 Q You said October. Was that the same year, 2002,  
7 or was it the following year?

8 A It would have been October 2002, I believe.

9 Q Okay. And at this point, you still have no  
10 confirmation that Cara has any connection to  
11 Robert Pickton's farm at all?

12 A No.

13 Q When did you receive that confirmation?

14 A This is another day that's really easy to  
15 remember. It was January 26th, 2004, because it  
16 was my sister-in-law's birthday, and I had baked  
17 all day. My house was covered in baking --  
18 muffins, cookies, cakes, you name it -- because I  
19 was cooking food to put in the freezer. And my  
20 husband had just left to go across the street to  
21 the store and the doorbell rang, and I thought,  
22 "Now, why is my husband ringing the doorbell from  
23 home," and when I opened the door, it was, uhm, it  
24 was two people from Missing Women's Task Force and  
25 a Victim Services worker from Calgary. And as

1 soon as I opened the door, I knew that they had  
2 found Cara at the farm.

3 So, when I told them to come into the house,  
4 I actually said to them, "You are here to tell me  
5 that Cara was found at the farm," and they said,  
6 "yes." And I said that, "I told you what you are  
7 here for, but you have to tell my husband because  
8 I don't want to be remembered as the person who  
9 told my husband that his sister was dead." So, I,  
10 uhm, I sat there, and when Steve walked in a few  
11 minutes later, I said that they had something to  
12 tell him, and then they told Steve that her  
13 remains had been found at the farm.

14 Q Lori-Ann, after you filed this missing person's  
15 report in 1998, after your visit to Vancouver, you  
16 have given evidence that the police never got back  
17 to you, the Vancouver Police Department never got  
18 back to you or your family.

19 A No.

20 Q They had your contact information but they didn't  
21 call you; is that right?

22 A Never.

23 Q What would you have been able to tell them about  
24 Cara that might have assisted in an investigation  
25 for her?

1           A    Well, you know, I have the ability now to look  
2                   back, but I actually wrote a list, if I can just  
3                   kind of refer to what I wrote here.  Uhm, there  
4                   were so many things, had they even asked me.  Uhm,  
5                   we had Cara's return address on letters that she  
6                   had sent to her family that might have helped  
7                   track where she was.  We had her boyfriend's name  
8                   as Stan and that he was a Hells Angel, and then,  
9                   of course, we would have had the picture of Stan.  
10                  So, they even knew what he looked like.  We also  
11                  would have had her banking information, because  
12                  when her dad was sending her money, he was  
13                  depositing money into her account directly.  So,  
14                  we would have been able to say where her bank  
15                  account was and, and they would be able to check  
16                  if it had been active.

17                         Uhm, one other thing, and I didn't think  
18                         about this until a lot later.  If they had said  
19                         that there was an investigation going on about  
20                         missing women, I would have been able to tell them  
21                         that, on the night of her father's wedding, when I  
22                         first met her, I had asked Cara if there was ever  
23                         a place where she could go to, to get away from  
24                         this filthy life on the street that she lived,  
25                         and, and she had told me that she could get out of

1 town to this -- pardon me, I have a cold -- to  
2 this place where this guy would let her stay at  
3 his farm for free and give her drugs, as long as  
4 she would clean the house. The guy wasn't very  
5 clean. She actually said, "He lived like a pig,  
6 but at least you could get free drugs and you were  
7 off the street for a while." And I can't help but  
8 wonder if she was basically telling me in advance  
9 where she was going to end up dead. I think she  
10 might have been talking about Pickton. Of course,  
11 there is no way to prove that, but it sure fits  
12 the description of where she ended up.

13 I am just trying to think. We would have had  
14 the letters, of course, that she wrote to her mom  
15 and her, her stepmom and father. I might have  
16 said this already, but the call log, her brother,  
17 Bill, had the same cellphone number forever, and  
18 he would have been able to pull the phone numbers  
19 that she had called him collect on his cellphone  
20 from his phone.

21 And we also had some documents, my father-in-  
22 law and my stepmother, stepmother-in-law, she  
23 would have had records from Cara being on  
24 probation and her rehab, because they had been  
25 helping her with that. So, all of those records

1           were things that they had available. If they had  
2           only taken five seconds out of their busy schedule  
3           to ask me, I could have told them these things.

4                     The list, by the way, is 36 items long and  
5           none of these were ever asked by them to me, and  
6           these are things that I knew at that point in  
7           time, and had they led me through what to say, I  
8           could have given them every one of these items,  
9           which would have made their job a lot easier, and  
10          they never bothered to ask.

11          Q    You have produced that list recently?

12          A    Yes.

13          Q    And you produced that list in consultation with  
14          the other family members?

15          A    We actually had a meeting together where I had  
16          written up the list myself, and what I wanted to  
17          do was have a little group meeting to see if they  
18          could come up with other ideas, and all they did  
19          was basically reinforce what I already had on the  
20          list. Everything that I had come up with, they  
21          came up with as well, and I didn't tell them that  
22          I had already written a list myself. And by then,  
23          I had kind of rehashed the situation so many times  
24          that it was really easy for me to come up with a  
25          list. But had the Missing Persons police officer

1                   actually prompted me to more information, like,  
2                   maybe saying, "Do you know where she calls home  
3                   from," or things like that, it would have made the  
4                   list very easy for me to make in '98.

5                   Q    So, you were never given an opportunity to tell  
6                   the police any of those things?

7                   A    No.  No, they just, like, said, "question 1,  
8                   question 2, question 3."  That's all they did.

9                   Q    You held a memorial service for Cara in 2004.  Can  
10                  you tell us about that?

11                 A    We held a memorial service, even though we didn't  
12                  have any of her remains back.  What we had done  
13                  was we had chosen a date, and by coincidence, it  
14                  actually happened when three workers from the  
15                  Missing Women's Task Force came to the house --  
16                  Freda Enns, Marilyn Johnny and Murray Lund -- came  
17                  to the house on -- I can't remember the date now,  
18                  July -- June or July -- you will have to help me  
19                  with this.  I'm sorry, I gave you the date, but I  
20                  forgot.

21                 Q    I don't remember.

22                 A    But it was in mid-summer.  I could check my notes  
23                  here to, to clarify the date.  But the day before  
24                  the memorial, they had come to get some  
25                  information, including DNA, from my husband and



1 his brother for the investigation, and I was in  
2 the middle of making coffee for everyone and  
3 serving them cookies and whatnot, being a good  
4 hostess, and Murray Lund turned to me and he said,  
5 "By the way, Lori-Ann, I found that missing  
6 persons report that you put in in '98. It was in  
7 a filing drawer and it had never been actioned,"  
8 and I almost dropped the coffeepot.

9 All this time that we were sitting there  
10 waiting to hear, it had sat in the damned drawer  
11 in the police station and no one had ever even  
12 taken the time to do it. They were getting their  
13 pay cheque to do it but they're not doing it, and  
14 that really pissed me off.

15 Q Did he ever provide you with a copy of that  
16 missing person report?

17 A No, he didn't, unfortunately. I wish he had.

18 Q And we are speaking about the missing person  
19 report from 1998 --

20 A Yes.

21 Q -- that you believe was completed when you called  
22 the police station?

23 A I was told it was completed. Well, I had to keep  
24 waiting while the man was writing things down.  
25 So, I know that, on his end of the phone, he was

1 writing things down on the missing persons report.

2 Q And to your knowledge, has that missing persons  
3 report been disclosed in the course of this  
4 commission of inquiry?

5 A Along with a huge amount of documents that I have  
6 not received, that is one of them.

7 Q Ms. Ellis, looking back over these years, how do  
8 you feel about the response you got from the  
9 Vancouver Police Department to your report?

10 A I think it is just shameful. I think that the  
11 people at the police department get a pay cheque  
12 to do a job. And I know myself, as a citizen of  
13 Calgary, I expect the Calgary police force to do  
14 their job, and I think the people of Vancouver  
15 should expect the same. When someone calls to get  
16 help from the people who are there to keep the  
17 peace and to take care of you in situations that  
18 aren't normal, everyday situations, when they turn  
19 their back on you, I think that's shameful. And I  
20 think every person in Vancouver should be standing  
21 up and making them accountable for taking their  
22 pay cheque, cashing it in the bank every two weeks  
23 and not doing their job. And it pissed me off.  
24 And I think that everybody in our family can say  
25 that they felt the same way.

1 Q Ms. Ellis, you have come here from Calgary. You  
2 have been at every day of the hearings. I expect  
3 you will be staying a little while longer. What  
4 are you hoping to get out of this process?

5 A Well, uhm, I made a list, if, if I can refer to  
6 that.

7 Q Can you tell us what this list is about?

8 A Basically what this list is, is I, I want to try  
9 to see what changes can be made so this never has  
10 to happen to another family, at least do our very  
11 best to do that. You have to bear with me.

12 Q With the commissioner's permission, the witness  
13 has something to read.

14 THE COMMISSIONER: Yes.

15 THE WITNESS: I actually have to ask Neil for the copy I gave  
16 you back, because I need to see it. I'm sorry.  
17 Thank you.

18 I, uhm, I have given great thought to this  
19 and I am going to turn to you, Mr. Oppal, uhm, and  
20 I am going to actually just read it the way that I  
21 wrote it this morning.

22 Mr. Commissioner and the people of Vancouver.  
23 I would like to make the following  
24 recommendations:

25 Number one, make social workers more

1           accountable for the welfare of their clients.  
2           Cara and the other girls who have addiction  
3           problems rely on their Welfare cheque as part of  
4           their day-to-day survival. The Welfare system  
5           should be revamped in order to red flag cheques  
6           that are not being picked up by these addicts.  
7           The reason for the cheque not being signed for  
8           should be notated on the file and a list compiled  
9           weekly or monthly, sent to the Vancouver Police  
10          Department right away so that they can be made  
11          aware to look out for the welfare of this person.

12                 Second recommendation. Banks should also be  
13          -- implement a red-flag system whereas a pattern  
14          of regular cheques being deposited and withdrawn.  
15          If this pattern changes, they should be able to  
16          notate when a fixed pattern changes and alert the  
17          authorities.

18                 Number three. Let social agencies that deal  
19          with these women on a day-to-day basis be more  
20          involved with being able to report changes that  
21          may indicate problems, such as disappearances; and  
22          have regular meetings with the police to have a  
23          better flow of information so that they can work  
24          toward a common good for these women.

25                 Have an election within the Downtown Eastside

1 population for spokesmen or spokeswomen to attend  
2 regular meetings with social workers, police  
3 representatives, as well as workers in the  
4 community, thus allowing a flow of information  
5 that now seems to not exist.

6 Mr. Commissioner, I do not envy the task that  
7 you have taken on as commissioner of this inquiry.  
8 I understand that the recommendations that you  
9 make at the end of the day could be an uphill  
10 battle to implement. This I know, this I know.  
11 All the work we have done and are doing today is  
12 looking at the problem that has been left in  
13 shadows for a long time. Let us use this inquiry  
14 for what it is. It is a way to shine light on the  
15 deplorable situation and make real changes. What  
16 has been done is obviously not working. You have  
17 the power to recommend changes that it be done and  
18 it must be done.

19 Ask people working in the trenches. They  
20 look at these problems right in the eye every day.  
21 Ask them for help and listen to them. The lives  
22 of these girls were taken right, one at a time,  
23 right under the noses of the Vancouver Police  
24 Department and the RCMP. If we do not fix this  
25 now, maybe the next woman slain could be your

1 daughter.

2 MR. CHANTLER:

3 Q Thank you, Ms. Ellis. Is there anything else that  
4 you would like to tell this commission?

5 A I do, and I do apologize that this is rather a  
6 lengthy statement. I don't know where we are on  
7 time.

8 Q Okay. Mr. Commissioner, she has something else to  
9 read --

10 THE COMMISSIONER: Yes.

11 MR. CHANTLER:

12 Q -- as a concluding statement.

13 A Okay. I would like actually everybody in this  
14 room to please play along with me for just a  
15 second, so you can kind of get just a slight  
16 inkling of what it is that our family has gone  
17 through. If everybody could just close their eyes  
18 for just one moment please. I want you to  
19 pretend, for just a moment, that it's your child's  
20 first day of kindergarten and you are walking down  
21 the street and they're holding your hand and  
22 skipping and really excited to be starting in  
23 school. And the days pass and the weeks pass and  
24 the months and the years. Now open your eyes.  
25 Your child just graduated from college. That's

1           how long the Ellis family has been waiting to see  
2           justice, to find my sister-in-law, or to have some  
3           kind of awareness as to what's going on, and  
4           that's where I am sitting right now. My son right  
5           now is in college, and still I sit and wait and  
6           still I don't have the answers.

7           I would like to now tell you that I have a  
8           couple of people to thank and one other thing  
9           here, and then I am going to read an entry from my  
10          diary. First, I would like to start by thanking  
11          Wayne Leng. He was the very first person who  
12          reached out to our family when we found Cara.  
13          Cara's remains had been left at the Pickton farm.  
14          He has kept the Vancouver website going and many  
15          of the families who had nowhere else to turn ended  
16          up on that website and Wayne, at his own expense,  
17          has kept that site going and reached out to so  
18          many families and been there for them, you have no  
19          idea, and to him we say a very, very big "thank  
20          you."

21          I would also like to thank Cameron Ward and  
22          Neil Chantler, who were the very first people in  
23          all of this to truly believe that the truth had to  
24          come out, and they took us on, even though it was  
25          a huge task and a huge undertaking to them. I say

1 a huge, "thank you."

2 And now this is the hard one to read. I  
3 would like to apologize to my children. I am very  
4 sorry that in order to try to find the truth about  
5 your Auntie Cara, that I stole time from you. I  
6 cannot give that time back to you, but from the  
7 bottom of my heart, I am very sorry I did that to  
8 you.

9 Now, I would like to read my entry from my  
10 diary. This is a diary entry from November 12th,  
11 2010.

12 Today I prepare to close another chapter in  
13 the trial. I am going to be meeting with  
14 Owen Court. He is the coroner. He's going  
15 to hand over the remains of Cara. That  
16 sounds so final, remains. Yesterday I took  
17 some time and made a bag out of cotton. The  
18 pattern was pink. It had a print of a mother  
19 and a baby on it. I had eaten, slept and  
20 dreamt of bringing Cara home, and now that  
21 the moment has arrived, it is surreal. I am  
22 going to be taking the small pink bag, empty,  
23 and full only of Vancouver's salty air, and  
24 bring home the only small remaining part of  
25 a person who used to be Cara Ellis, a life



1 cut short by a madman. He lived in muck and  
2 mire and picked off one life at a time  
3 stopping only when he was caught. The small  
4 piece of bone that I will be carrying home to  
5 her mother's arms is smaller than a baby  
6 fingernail. The memories are something that  
7 Pickton cannot steal from us, but he took the  
8 rest. We remember her as she laughed and  
9 cried and loved. He remembers her as she  
10 fought for her life, a battle that she lost.  
11 In the moments, what was going through her  
12 mind? Was she remembering her mom and dad or  
13 her brothers? Did she think she would win  
14 against this madman? When she knew her  
15 earthly time was over, did she lay in the  
16 loving arms of her heavenly father? As her  
17 life slipped away, did she think no one would  
18 ever find her? She died all alone, fighting  
19 for every breath, and all who loved her were  
20 far, far away. We went on. We went about  
21 our day. We had no way of knowing what had  
22 happened. Cara died at the hands of this  
23 killer. He had stripped her of her clothes  
24 and treated her as nothing but meat. He was  
25 nothing -- she was nothing to Pickton. She

1 was just another body. When he was finished  
2 for her -- with her, he would throw her away  
3 like yesterday's garbage. He went on living  
4 every day like the rest until, in the filth  
5 of the farm, until he felt the need to take  
6 another life. The poor girls did not even  
7 see it coming.

8 And so I sit here and I prepare to go  
9 and start the first step of Cara's journey  
10 home. I will place the urn in the cotton  
11 bag. I will tie it closed with loving hands.  
12 I will pause and I will remember. I will  
13 remember the life that was lost. I will  
14 remember all that could have been. I will  
15 mourn. I will pray for her soul and then I  
16 will cry yet again. I will remember all the  
17 tears that have been shed before and I will  
18 let them flow. I will hold her in my heart  
19 and I will start to say "good-bye."

20 Many years ago, I promised my husband  
21 that I would find his sister, and today I am  
22 going to bring her home. I will carry her  
23 with pride. I sit here now and I have a  
24 heavy heart. When you love someone you love  
25 with all your heart, you open your heart and

1 let your love have wings. You shower your  
2 love upon that person in the hope that it  
3 will come back to you.

4 That is what I did with Cara. I opened  
5 myself to her. I prayed that we could be  
6 friends. I hoped that she would trust me.  
7 From the short time that we were first  
8 together until now, the love I felt has been  
9 one-sided. She was unable to build our  
10 relationship because she was taken. She was  
11 taken much too young.

12 She loved so many things. She loved  
13 cheesecake. She loved calamari. She loved  
14 the colour yellow and she loved her family.  
15 She adored her brothers. They were older,  
16 but when they were together, she was the  
17 boss. She called the shots. She loved them  
18 with all her heart. To see her, was to know  
19 that. She may have kept secrets from her  
20 family about her life in Hastings, but one  
21 thing she could not hide was her love.

22 I can still not believe that she is  
23 gone. I think today, when I hold her in my  
24 hands, I will understand. I will feel her  
25 life force in my embrace and all will be

1 well.

2 There are so many families who will not  
3 know this feeling. Pickton was so careful to  
4 dispose of any evidence that this person even  
5 walked the earth. I remember at the trial,  
6 they kept saying he was slow, just a pig  
7 farmer. A slow person would not take the  
8 care that he did to hide his crimes. A  
9 person like that planned what he was going to  
10 do. He hunted these women, stalked them  
11 really. He worked his way into the lives of  
12 these women. He became a fixture to the  
13 Downtown Eastside. It was normal to see them  
14 in his home.

15 These girls had rules for themselves.  
16 They knew that every day could be their last.  
17 They knew that, even though they had to do  
18 deplorable things for their next fix, they  
19 had to be careful. They had regular guys  
20 that they would go with. They had a comfort  
21 zone. As long as things went well, they were  
22 able to stay in their comfort zone. There  
23 were, however, times when they got sick. Not  
24 just the flu or a cold, like you and me.  
25 They got drug sick. They would shiver and

1           puke and they would ache to their very soul.  
2           They needed a fix and now were willing to do  
3           anything to get it. They would step out of  
4           their comfort zone and take chances they  
5           would not normally take. They would make bad  
6           choices. They would go on dates that, to say  
7           the least, were risky. When they were not  
8           sick, they would never think to go out with  
9           bad dates. When the drug sickness hit, they  
10          would take their chances. A bad date list is  
11          out there. The girls knew it. The cops knew  
12          it. But the list means nothing. Just one  
13          more hit and then it will be okay. I have  
14          said many times that you take the drugs in  
15          order to be able to turn the next trick and  
16          do the next trick in order to be able to take  
17          the drugs.

18                 I remember the first time I saw  
19          Hastings. I was not prepared for what I saw.  
20          As the bus rounded the corner, I saw sadness.  
21          I was looking for Cara and was well-prepared  
22          to jump off of the bus if I saw her. I  
23          remember seeing sleeping bags on the side --  
24          on the ground by the buildings. There were  
25          people sleeping in them. The sidewalks were

1                   littered with small pieces of paper. There  
2                   were people leaning against the walls. They  
3                   were dirty and poor and looked very sad. I  
4                   did not want to overreact when I saw the  
5                   squalor. I had my children with me and did  
6                   not want them to see me disappointed with  
7                   Vancouver. How could a country like Canada,  
8                   a proud nation like ours, allow this to  
9                   happen?

10                   As the bus moved along the street, I  
11                   could not take my eyes off the sidewalks. As  
12                   they slipped by, I knew these people had all  
13                   started off with their families. They had  
14                   many twists and turns in their life that had  
15                   brought them here. You could see the drug  
16                   dealers working right under the noses of the  
17                   police.

18                   The loss of spirit is a great loss. The  
19                   people on the Downtown Eastside are sad.  
20                   They have given their lives over to a power  
21                   force so big, it envelopes every part of  
22                   their being. The drugs they crave are real.  
23                   It will take away their pain. It will numb  
24                   them even for a few minutes. The drugs they  
25                   take are just a small pause, a small moment

1                   when they do not have to feel their pain,  
2                   loss and hurt. It can be a dark, dismal  
3                   place.

4                   I always thought Vancouver was a great place  
5                   to visit, yet when you look close, it is a  
6                   city with many dark corners. You can live  
7                   the high life, you can live the train, but  
8                   you can also live in decay and squalor as  
9                   well. The people who live in higher-class  
10                  neighbourhoods seem to have it all: beauty,  
11                  money and a house on the hill. The houses  
12                  look welcoming. They look like home. They  
13                  call to you. And yet the flip side of the  
14                  coin is Hastings. A sidewalk, an alley, a  
15                  doorway.

16                  We all live in different kinds of  
17                  homes. We can take it for granted that it  
18                  will always be there for us. When the day is  
19                  over and we head from our workplace, we have  
20                  a destination. We can go home. We have a  
21                  warm bed. We have a door that we can lock to  
22                  close out the world. We can close things out  
23                  or close ourselves in, but we are home.

24                  For some of the people in Hastings, a  
25                  doorway is home. They have a blanket if

1                   they're lucky. They can curl up and sleep a  
2                   cold, lonely sleep. They never make the  
3                   mistake of sleeping soundly, because to do so  
4                   is dangerous. You can never sleep soundly  
5                   because, at any moment, something could  
6                   happen. You have to be ready for whatever  
7                   life hands you.

8                   You do not have a kitchen to cook a warm  
9                   meal or a washroom to clean yourself or do  
10                  your business. You have to make do. You  
11                  have places like WISH or one of the kitchens  
12                  in the area. You shower at the church.  
13                  Thank God for WISH and places like it. It's  
14                  home for many of these girls. They can  
15                  shower there, eat, put on their makeup or  
16                  perhaps find a change of clothes from the  
17                  donations. For many of the girls, this is  
18                  their only home. Here they are safe from  
19                  harm. They come to this place to relax and  
20                  let down their guard. They can just let life  
21                  happen.

22                  When they walk out the door, it's a  
23                  different story. You have to have eyes in  
24                  the back of your head. There is always  
25                  someone worse off than you. They want what



1           you have and will do anything to get it. The  
2           girls of Hastings are protective of what they  
3           have because they have so little.

4           I am home now and my heart is racing. I  
5           know that I have in a bag the remains of my  
6           husband's sister. I know that I will give  
7           this bag to the mother knowing this is all  
8           that is left of her daughter. It's so final  
9           to place this urn in the hands of her mother,  
10          a life that you bring into the world and this  
11          is all that is left. A tear comes into my  
12          eye as I place the pink bag in the hands of  
13          her mother. There is nothing left to say.

14          All over the country, this story has  
15          been repeated. Oh, the names are different,  
16          but the story is the same. The police could  
17          have done more, a lot more to stop this.  
18          We put our faith in them and they let us down  
19          over and over, and when the truth is told,  
20          the world will know that they dropped the  
21          ball. The world will know that they did not  
22          do their job. The world will know our pain  
23          and the world will know these girls' stories.  
24          The world will know the truth. The world  
25          will know we have been lied to, mistreated,

1 misled and manipulated. We know the true  
2 story and finally the world will listen to  
3 what we have to say, what we have needed to  
4 say for so long.

5 I have very little faith that the police  
6 and the RCMP will tell the truth. Why will  
7 they tell the truth? They have so much to  
8 hide. Shame on them for all they did and  
9 shame on them for all they could have done  
10 but, instead, turned the other way. Lives  
11 were lost that could have been saved. Lives  
12 were ended that should have carried on.

13 If there is to be answers in this  
14 inquiry, the truth needs to be told, a truth  
15 we know because we lived it, a truth that the  
16 women who were murdered deserve, a truth we  
17 carry in our hearts and a truth that died  
18 with our loved ones.

19 I keep thinking how the police made  
20 themselves sound so important when they  
21 arrested Pickton. In fact, they just  
22 stumbled onto this murderer. While they were  
23 shuffling and reshuffling paperwork, an  
24 informant looking for a deal led them by the  
25 nose to Pickton. Sure, they took their bows

1 and had their moment in the limelight, but  
2 the truth is that they did not find Pickton.  
3 They tripped over him because someone told  
4 them where to look. Sure, they did  
5 interviews and reconstructed themselves many  
6 times. They did not find Pickton. He was  
7 handed to them on a silver platter.

8 I feel the inquiry will do its best to  
9 seek the truth, but in the end, I am sure  
10 this time we have spent today, and all we  
11 have done to get the truth, will be lost.  
12 Things will not change. Hastings doorways  
13 will not sit empty. Drugs will still be  
14 dispensed by drug dealers like human Pez  
15 dispensers. The johns will drive the streets  
16 looking for a quick release and the sex trade  
17 workers will turn their next trick. The sun  
18 will rise and the sun will fall and police  
19 will turn their gaze away from what needs to  
20 be looked at the most.

21 Shame on all that looked the other way  
22 when we needed them the most. The police  
23 must know that they are our last hope for us  
24 and they looked the other way. Shame, shame,  
25 shame. If they carried even half of our

1 pain, they would have done their jobs.

2 To all that helped us, thank you. To  
3 all who looked the other way, well, I hope  
4 you never even have to know our pain. I hope  
5 you never have to depend on someone the way  
6 we depended on you. I hope maybe they will  
7 listen to you. No, I hope things will change  
8 and me wishing bad things on you makes me  
9 just as bad as you are, and that would be  
10 wrong, so wrong.

11 What should we learn from this? Listen  
12 to the families seriously. Don't write these  
13 girls off. Tell the truth. Learn from this.  
14 If we don't, nothing will ever change. Learn  
15 that you can be wrong and correct things.  
16 Learn to not make a second group of victims  
17 by further victimizing the families as well.  
18 Treat those seeking answers with respect. We  
19 put our trust in you and you let us down.  
20 Learn from this and maybe, just maybe, things  
21 can change and move forward. If we stay with  
22 the old boys' club the police have become and  
23 stay cloistered in your all-blue uniform  
24 world, sitting above everything else, things  
25 will never get better. Try dropping to your

1                   knee to lend a hand or to give some hope. If  
2                   you are not, you are no better than Robert  
3                   Pickton who took our girls' lives and all the  
4                   predators who still remain on the street  
5                   stalking these women who need your help more  
6                   than ever. Take a step towards change, admit  
7                   your errors and learn from them as well. We  
8                   cannot possibly think anything less of you  
9                   than we do right now.

10                  Q    Thank you for sharing that with us, Ms. Ellis.  
11                            Those are my questions.

12    THE COMMISSIONER: All right. Thank you. We will, we will  
13                            take the morning break.

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

15                            **(PROCEEDINGS ADJOURNED AT 11:05 A.M.)**

16                            **(PROCEEDINGS RESUMED AT 11:24 A.M.)**

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

18    THE COMMISSIONER: Mr. Gratl?

19    MR. GRATL: Thank you, Mr. Commissioner. Ms. Ellis, I have no  
20                            questions.

21    THE WITNESS: Thank you.

22    THE COMMISSIONER: Thank you.

23    MS. GERVAIS: I also have no questions.

24    THE COMMISSIONER: Mr. Hern?

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

1 Q Thank you. Sean Hern for the VPD and Police  
2 Board.

3 Ms. Ellis, thank you for coming today, and I  
4 would like to express that I'm sorry for your loss  
5 and sorry, on behalf of the Department, for the  
6 way that you felt as a result of your dealings  
7 with the VPD members.

8 THE COMMISSIONER: I think, Mr. Hern, you are going to have to  
9 speak up so, so everybody can hear you.

10 MR. HERN: I will try. Thank you, Commissioner.

11 Q I do have a few questions for you, Ms. Ellis. In  
12 your first, and in your initial call with the VPD  
13 officer from the Missing Persons Unit, you had  
14 testified that that lasted about an hour?

15 A Yes.

16 Q And I just want to understand this. In that call,  
17 your evidence was that you weren't asked and you  
18 didn't tell about the Hells Angel boyfriend named  
19 Stan or the evidence about Cara Ellis sometimes  
20 going to a trailer outside of Vancouver?

21 A No, I didn't tell them at that time.

22 Q Okay. And, and those, those didn't, those issues  
23 or that information didn't come up in your  
24 discussion with the police in Calgary?

25 A No.

1 Q All right. And you said that you recently saw a  
2 copy of the 1998 missing persons report for Cara  
3 Ellis.

4 A No, I did not say that. I have never seen that  
5 copy at all.

6 Q Oh, okay. You were -- I thought, I had noted you  
7 referring to seeing something related to that,  
8 that Murray Lund had located.

9 A No, he talked about the fact that the report had  
10 been found in a drawer at the police station and  
11 had never been actioned. The "never been  
12 actioned" part was his exact words.

13 Q I see. And Murray Lund was an RCMP officer with  
14 Evenhanded; is that right?

15 A I believe so.

16 Q All right. And when did you have the opportunity  
17 to meet him?

18 A It was the day before Cara's memorial.

19 Q I see. And do you know what, what was the date of  
20 the memorial?

21 A It was the summer. I believe it was June of 2004.

22 Q Okay. And you had been in contact with  
23 Evenhanded, Project Evenhanded members from after  
24 February 2002?

25 A Just when they came to my house.

1 Q And that was, that was November 26th, 2002?

2 A No, that would have been October.

3 Q Okay. You had an interview, I saw, in the RCMP  
4 notes with a Constable Audrey Williams from  
5 Evenhanded?

6 A If you say so. I don't actually remember the  
7 names of the people I spoke to but -- I don't  
8 recall that meeting, but that's not to say it did  
9 not happen.

10 Q Okay. I will just read to you from the RCMP note  
11 to see if it refreshes your memory at all.

12 A Sure.

13 Q It says:

14 On 2000 -- or November 26th, 2002, Constable  
15 Audrey Williams took a combined audiotaped  
16 statement from the sister-in-law of Cara  
17 Ellis, Lori-Ann Ellis, and the brothers of  
18 Cara Ellis, Steven Ellis and William Ellis,  
19 Jr.

20 A Okay. That probably would have been when they  
21 came to get the, uhm, DNA testing. So, I, I'm  
22 off, I apologize, I'm off for my October date to  
23 November, but not a huge amount of time. Just a  
24 few weeks difference in time.

25 Q Sure. Okay. So, so, you're correct. The, the



1 note goes on to say that:

2 They provided information regarding Cara's  
3 childhood. Their knowledge of the last  
4 several years of Cara's life was limited.  
5 Constable Williams also obtained familial  
6 DNA, blood samples from Steven Ellis and  
7 William Ellis, Jr. on this date.

8 A Hm-hmm. That would be correct.

9 Q And had they come to your, uhm, had they come to  
10 your home to, to do this?

11 A Yes, they had.

12 Q All right. And, and in that interview, do you, do  
13 you recall that interview at all?

14 A Yes.

15 Q All right. And did, did they ask you about -- or  
16 did you have an opportunity to tell them about the  
17 comment that Cara Ellis made, that she would go  
18 stay in a trailer in -- stay at a farm in a  
19 trailer with a guy who lived like a pig?

20 A She never said "trailer," sir. She actually said  
21 she would stay at a farm with a guy who lived like  
22 a pig and she could get free drugs as long as she  
23 cleaned his place. That's what I was told.

24 Q I see. And was that discussed in that interview  
25 in November of 2002?



1 THE COMMISSIONER: Yes.

2 MR. CHANTLER: -- while she testifies.

3 THE COMMISSIONER: Yes, by all means.

4 THE REGISTRAR: I will just have to get another chair. Just a  
5 second, Mr. Commissioner.

6 Good morning.

7 THE WITNESS: Good morning.

8 THE REGISTRAR: Sorry for the delay.

9 **DONALEE ROBERTA SEBASTIAN, affirmed:**

10 THE REGISTRAR: I need you to respond orally.

11 THE WITNESS: I do.

12 THE REGISTRAR: Thank you. And would you state your name  
13 please?

14 THE WITNESS: Donalee Roberta Sebastian.

15 THE REGISTRAR: Would you spell your surname please?

16 THE WITNESS: S-e-b-a-s-t-i-a-n.

17 THE REGISTRAR: Thank you.

18 THE COMMISSIONER: Sebastian, is that right?

19 THE WITNESS: Yes.

20 THE COMMISSIONER: All right, thank you. If you need a break  
21 at any time, you let me know, all right?

22 THE WITNESS: Okay.

23 THE COMMISSIONER: All right.

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

25 Q Thank you, Ms. Sebastian. You are the daughter of

1                   Elsie Sebastian; is that right?

2                   A    Yes, I am, the second daughter.

3                   Q    And your mother was last seen in 1992?

4                   A    Yes, she was.

5                   Q    She was living in the Downtown Eastside at that

6                   time?

7                   A    Yes, she was.

8                   Q    Is she one of the missing women on that poster

9                   behind you?

10                  A    Yes, she is.

11                  Q    Do you know now, sitting here today, what happened

12                  to your mother?

13                  A    No, I don't.

14                  Q    No trace of your mother has ever been found?

15                  A    No.

16                  Q    I am going to pass up a photo. Is this a

17                  photograph of your mother, Elsie?

18                  A    Yes, it is.

19                  Q    Do you want to hold that up so everyone can see?

20                  And do you know when that photo was taken?

21                  A    It was, it was taken in the 1970s.

22                  Q    Roughly how old would she have been then?

23                  A    Twenty.

24                  Q    Ms. Sebastian, I am going to -- I will mark that

25                  photo as an exhibit first.

1 THE COMMISSIONER: Yes, thank you.

2 THE REGISTRAR: That will be Exhibit Number 17.

3 **(EXHIBIT NO. 17: Photocopy of 8-1/2-by-11, black-**  
4 **and-white photograph of Elsie Louise Sebastian)**

5 MR. CHANTLER:

6 Q I am going to ask you some questions about  
7 yourself. You can leave that photo visible, if  
8 you like, but I am going to ask you some questions  
9 about you and your background first before we turn  
10 to your mother. Perhaps you can tell us a bit  
11 about where you're from and your background.

12 A I was born in Prince George and grew up in  
13 Hazelton and in Victoria.

14 Q When were you born?

15 A 1976, January 9th.

16 Q And you are a member of both the Gitxsan and  
17 Pacheedaht First Nation?

18 A Yes.

19 Q Your mother was Pacheedaht?

20 A Yes, she was.

21 Q And your father was Gitxsan?

22 A Yes.

23 Q And the band that you identify with is Hagwilget  
24 Village?

25 A Yes, Hagwilget Village.

1 Q And that's in Hazelton, BC?

2 A Yes.

3 Q That's in northwest BC?

4 A Yes.

5 Q Even further north than Prince George?

6 A Yes, it is. It's about a five, a five-hour drive  
7 from Prince George.

8 Q And where do you currently live?

9 A In Victoria.

10 Q What are you doing there?

11 A I'm in the nursing program at the college, first  
12 year.

13 Q And when do you expect to graduate?

14 A In four years, four and-a-half.

15 Q You moved around a lot as a young girl; is that  
16 right? Can you give us some idea of the places  
17 you lived?

18 A Uhm, in terms of our, our family growing up, we,  
19 we lived in many different places. Uhm, I was  
20 born in Prince George. We briefly lived in  
21 Smithers, and my father worked with Manpower  
22 there. Uhm, my sister was with us and, uhm, we  
23 also lived again in Prince George and in Victoria.  
24 And then at about Grade 1, we lived in Sooke; and,  
25 uhm, Grade 2, we lived in Nanaimo; Grade 3, we

1 lived in Victoria again; Grade 4 and 5, we lived  
2 in Prince George and in Edmonton; and Grade 7,  
3 back to Prince George.

4 And, and during these times, it was quite the  
5 struggle in my parents' marriage. They both  
6 drank. And we had a younger brother, Robert Jr.;  
7 and my, my older sister, Ann-Marie, is three years  
8 older than me, and she was together with us. A  
9 few times she tried to come stay with us, but  
10 because of the drinking, she, she didn't stay too  
11 long.

12 Q How many siblings do you have?

13 A Uhm, with my mother, I have an older brother. My  
14 mother had him at 16, but he was taken from her  
15 and adopted by my great-aunt. And then she had my  
16 sister when she was 21, and that was with her  
17 first common-law, and she spent three years with  
18 him, and then they separated, and met my father.  
19 When she was 24, she had me; and when she was 29,  
20 she had my brother, Robert.

21 Q You were quite young when your mother disappeared?

22 A Yes, I was 16 years old.

23 Q Where were you living then?

24 A I was living in Hazelton. I had just moved back  
25 in with my father after living two and-a-half

1 years with my uncle and his wife. Uhm, at about  
2 the age of 12, I was taken from my mother because  
3 we had been through foster care and, and I didn't  
4 want to go back to foster care. I was getting  
5 tired of it and I was wanting to go back to my, my  
6 grandmother and my sister in Victoria. And, uhm,  
7 I told my mother, I said, "I, I don't want to go  
8 back to foster care," and they were on their way.  
9 And a, a decision was made by my aunties to come  
10 and get me and they came from Hazelton to Prince  
11 George and they took me. And at that time, I  
12 wanted my brother to come, but my mom convinced  
13 him to stay. And Robert was only seven years old  
14 and I didn't want him to stay. I wanted him to  
15 come with me, because I knew he would be safe with  
16 me, because she struggled with her drinking. And  
17 so my aunt came and got us and we were taken to  
18 Hazelton for the first time to be with our  
19 father's family, the Gitxsan family.

20 Q And why was it that you were taken from your  
21 mother?

22 A Because the Social Services was ready to apprehend  
23 us because my mom was struggling with drinking and  
24 so was my father.

25 Q And when was that? How old were you?



1 A Twelve years old.

2 Q I appreciate we're talking about a time that was  
3 nearly 20 years ago when your mother disappeared.  
4 Can you tell us how clear your recollection is at  
5 that time in your life?

6 A Uhm, as time went on, when I was 12 years old,  
7 uhm, my mother would always call us. She would  
8 always be in touch with us and, and she would  
9 always connect with us, regardless of her drinking  
10 or not. And when she would contact us, you know,  
11 whether she was sober or, or under the influence,  
12 we took her calls. And it was always a phone call  
13 collect, and sometimes it was late in the night  
14 and my, my auntie would always take her phone  
15 call.

16 She would always reach out to Ann-Marie also,  
17 who was living in Victoria with her grandmother  
18 and her dad, and, and Ann-Marie would talk to her.

19 At about -- just before I turned 16, I moved  
20 back in with my father and my father said to me,  
21 "Donalee, your, your mom is not doing well and I  
22 want you to go see her. And she's not getting any  
23 better. Be prepared for a tough time, because  
24 when you go see her" -- uhm, you know, by the time  
25 I was 16, she was into drinking and drugging. And

1 so he said, "I want you to see her, no matter  
2 what, because she's still your mother."

3 And, uhm, so I went with my, my brother. I  
4 was 16 and Robert was 11. And we got ahold of my  
5 sister, Ann-Marie, and we asked to meet with her  
6 over to visit with my mom. And under those  
7 conditions, my Uncle John Paul let us stay at his  
8 place at UBC, and he said that mom could come  
9 there anytime to visit us, and maybe we can even  
10 go spend a day with her.

11 And while we were, uhm, visiting, she, she  
12 did come to, to my uncle's house and, uhm, she  
13 made us dinner. And when I saw her, she wasn't  
14 the same woman that I knew when I was 12. It was  
15 obvious that she -- you know, it wasn't just the  
16 drinking anymore. It was the drugging. She was a  
17 lot more frail. She was lighter. She, uhm, you  
18 know, she was a small woman. She was only 5, 2  
19 and she was only about 110 pounds. She was much  
20 smaller than me and my sister. And she was a very  
21 beautiful native woman. She, uhm, she was 40  
22 years old then, but she didn't look 40. She  
23 looked about 30, maybe even, you know, 24.

24 Uhm, and, and so when we visited with her,  
25 she, she was withdrawn. She started in -- from

1           when I, like, as an adult now, excuse me, I think  
2           she needed another fix. And so it got quite --  
3           she got quite restless and she wanted to go.

4           Q    Can you tell us when that was, that visit that you  
5           are describing?

6           A    It was in July of '94. And so --

7           Q    '94 or '92?

8           A    Or, sorry, '92. July of 1992, because I was 16.  
9           Yes, I was 16.

10                   And so she got ahold of somebody and, and she  
11           said, "Can you come pick me up and, and I need, I  
12           need a fix." And so we didn't want her to go. We  
13           wanted her to stay. And my sister, Ann-Marie,  
14           said as much as she could to, to convince her to  
15           stay. And my brother started crying, who was only  
16           11 years old, and saying, "Don't go, mommy. Don't  
17           go." And I, I stood there and I just tried to  
18           hold my brother's hand and, and she left with that  
19           person. And that person did not look, you know,  
20           like, like a normal working person. He looked  
21           rough. And, uhm, she left with him in that car,  
22           and for me, that was the last time that I saw my  
23           mother alive.

24           Q    Did you hear from her again?

25           A    No, we didn't. The only person that, uhm, may

1           have heard from her shortly after was my Auntie  
2           Tracey, because my mom still continued to call my,  
3           my aunt and uncle's house where I had lived and,  
4           and had a close friendship with my, with my auntie  
5           and would talk to Tracey. And Tracey contacted me  
6           not long after that and she said, "Donalee, your  
7           mom is not calling me anymore. There's something  
8           wrong."

9                     And I, uhm, I got really uncomfortable. So,  
10           I -- and I got scared, you know, because this,  
11           this was not normal. You know, she would, she  
12           would even call, you know, when she was, was under  
13           the influence, and we would take that call.

14                    And, uhm, and so I, I got ahold of my sister  
15           and I, I -- my sister, uhm, got ahold of our  
16           Auntie Ann, and they, they started looking into  
17           trying to find Elsie. And this was in '92. Uhm,  
18           I was told that she went right downtown to the  
19           Downtown Eastside, looking in, in different  
20           places, looking for Elsie on East Hastings, and  
21           there, there was no find of Elsie.

22                    I also know that efforts were made by my  
23           Uncle Russell. There were efforts made with my,  
24           uhm, my sister, Ann-Marie, myself, and our  
25           grandmother, the late Mary Jones, coming over to

1 -- from Victoria to Vancouver to look for Elsie.

2 I also know that my grandmother from Hazelton  
3 inquired about finding Elsie. She went to see a  
4 worker who was the native liaison worker for the  
5 Vancouver Police Department, and his name was  
6 Morris Bates. And when, uhm, when those efforts,  
7 uhm, were made, uhm, nothing was found of Elsie.

8 Uhm, I know for myself, I contacted Morris  
9 Bates and he explained to me -- because I didn't  
10 talk directly to a police officer. They, they  
11 shrugged me off to Morris Bates, the native  
12 liaison worker, and he told me that, "Well, you  
13 might as well, uhm, prepare yourself, Donalee,  
14 because nobody wants to look for a 40-year-old  
15 native woman. They're not interested in looking  
16 for her." And he also mentioned that, uhm,  
17 looking for a, a drug-using woman on the Downtown  
18 Eastside is like looking for a needle in the  
19 haystack.

20 And, uhm, and, and that was quite the shocker  
21 for me to hear, you know, being the daughter of,  
22 of, of the woman who brought me into this world  
23 and, and my, my brother and my, my sister, and to  
24 know that that was their, their reply to, to my  
25 plea.

1                   And, uhm, and I also called the, uhm, police  
2                   department and the lady I spoke to, uhm, I can't  
3                   recall her name, but she basically said the same  
4                   thing, too. She said that it was their own  
5                   culture down there and that they cover up for each  
6                   other, and that if Elsie doesn't want to be found,  
7                   she won't be found and that she's probably on  
8                   holiday and, uhm, that, uhm -- and I'm, like,  
9                   holiday? My mother lived on SA. You know, she --  
10                  Q   What do you mean by that?  
11                  A   She lived on Social Assistance. How, how do you  
12                  go on holiday with Social Assistance?  
13                  Q   Can you tell us -- can we focus in on that  
14                  conversation you had? What year was that? What  
15                  year might that have been?  
16                  A   It, it would have been around, uhm, 1994.  
17                  Q   And you phoned the Vancouver Police Department?  
18                  A   Yes.  
19                  Q   Where were you living at the time?  
20                  A   I was living in Hazelton. And one of the reasons  
21                  why I wanted to get ahold of her was because she,  
22                  you know, she always took part in our birthdays.  
23                  She always took part, even if it was a phone call  
24                  or, or just a, a card, you know. But, you know,  
25                  it had gone on too long. It was going on two

1           years since we had seen her and I was graduating.  
2           My, my grandmother and my uncles were coming up  
3           from, from Victoria with my, my sister and, uhm,  
4           and I wanted to know where she was.

5           Q    And what happened when you made that phone call?

6           A    Uhm, that's when, when the lady said to me that,  
7           you know, looking for, for a native woman in the  
8           Downtown Eastside, is, is, is pretty well near,  
9           near impossible. I can't remember her exact words  
10          but that was basically the message, and she goes,  
11          "Especially a native woman who is a drug user."  
12          And I said, "Well, can you look for her?" And she  
13          goes, "Well, no, I can't, but you can. You can  
14          call" -- and I said, "Well, where can I call,  
15          because I am living in Hazelton and I need to know  
16          where to start?" And she brought up a, a few  
17          different areas. She brought up the Native  
18          Women's Centre, a women's centre on the Downtown  
19          Eastside, and Carnegie Hall, and, and to check and  
20          leave messages there, and if I'm lucky, she will  
21          go in and she'll, she'll look at the board and,  
22          and, and see my message, and that was it.

23          Q    You don't know the name of the woman that you  
24          spoke to?

25          A    No, I don't.

1 Q But she was with the Vancouver Police Department?

2 A Yes.

3 Q Do you know if she was a police officer or a  
4 civilian?

5 A I don't -- I'm not sure. It was just -- it was  
6 the lady they, they connected me to, like,  
7 dispatch.

8 Q Was that the only dealing you had with her?

9 A Uhm, I think so. I'm just -- it was so long ago,  
10 I'm, I'm, I'm wishing I could remember, you know,  
11 her name at least. But no, I -- that, that was  
12 the last time.

13 Q Was that your first effort to contact the police  
14 in response to your mother's disappearance?

15 A Uhm, well, the first efforts were made in October  
16 '92 and that's when I called my sister and my  
17 sister, Ann-Marie, and Ann were looking for Elsie  
18 and they went right into the, the detachment. I  
19 think it's called water, waterfront or something  
20 like that. Storefront, sorry. They went into  
21 Storefront, and, and they, they asked about Elsie.

22 And they, they told me after that, uhm, that  
23 all of the posters that they, they witnessed on,  
24 on the wall there were all young women. There was  
25 no aboriginal 40-year-old woman there. You know,



1           it just wasn't a priority. And that's the picture  
2           that I got, that because my mom was a 40-year-old  
3           native woman, there was no priority for her, and  
4           because she was a drug user.

5           Q    What were the earlier efforts made by family  
6           members to report Elsie's disappearance?

7           A    Like, during '92 and '94?

8           Q    Did your Uncle Russell get involved?

9           A    Yes, he did. In '94, Russell made a poster of my  
10          mother in Port Alberni and he, uhm, filed a  
11          missing persons report and he got ahold of -- he  
12          asked them to get ahold of I think the Vancouver  
13          Police Department, and it was sent from Port  
14          Alberni to, to Vancouver. And, uhm, and there was  
15          an error made. They, they thought they saw Elsie  
16          but it was a mistake. It wasn't -- it was a lady  
17          that had the same name and, and was about the same  
18          height, but it, it wasn't Elsie.

19          Q    Can you tell us about a bit more about that?

20          A    Uhm, I think what happened was the, the street  
21          person that was working down there, Morris Bates,  
22          mistakened (sic) another person for Elsie, and,  
23          and it wasn't her. Uhm, they said that she was a  
24          rice wine drinker that frequented Oppenheimer Park  
25          and was up and down East Hastings and, uhm, but

1 Elsie wasn't a rice wine drinker. She was, by  
2 then, she was a, a drug user, and, and I am pretty  
3 sure she was an injection drug user by then.

4 Q And what did your uncle do after hearing that  
5 Elsie might still be alive and, and spending time  
6 in Oppenheimer Park?

7 A Uhm, he, I think he wanted to come over and, uhm,  
8 but because he got word that she was there and  
9 okay, he didn't come over.

10 Q I am going to pass up a package of documents from  
11 the police disclosure.

12 A I have a question for you. There was a letter  
13 that I wrote in, uhm, I think it was about '94,  
14 and it's a letter that I had requested from the  
15 Missing Women's Task Force, and they don't have a  
16 record of that letter. Now, there is an  
17 electronic copy that my stepmother has of that  
18 letter, dated, and I can't recall the exact date  
19 but it's not on that file, and I am wondering why.

20 And, uhm, and in the letter I, I, I filed for  
21 her missing and I also filed, uhm, the letter and  
22 I, I made a request. I, in it, I described that  
23 she was 5 foot, 2, that she was 110; that she was  
24 the mother of, of Ann-Marie, me and Robert; and  
25 that we were looking for her and that the last

1                   time we saw her; and, uhm, and we wanted to know  
2                   where she was, and requested that she be found,  
3                   and she wasn't. And I haven't seen that letter  
4                   and I would like to ask for it to be found.

5   MR. HERN: Can I speak to the witness for a moment?

6   MR. CHANTLER: Sure.

7   MR. HERN: It looks like that was directed towards myself.

8   THE COMMISSIONER: Yes.

9   MR. HERN: I haven't heard that request from the others, but we  
10               will certainly look into it. So, after your  
11               testimony, we'll get down the details of that and,  
12               and we'll see if we can find it. Okay?

13   THE WITNESS: Thank you.

14   MR. HERN: If you have the electronic copy, that would be  
15               helpful.

16   THE WITNESS: I'll have to ask my stepmom, but I'll call.

17   MR. HERN: Perhaps she could e-mail it to us --

18   THE WITNESS: Okay.

19   MR. HERN: -- or something and we will find it.

20   MR. CHANTLER:

21               Q   Ms. Sebastian, you, you have just asked, or you've  
22               just described in some detail a letter that you  
23               wrote in 1994. To whom did you write that letter?

24               A   It was to the Vancouver Police Department.

25               Q   And why did you write it?

1           A    Because it had been too long since we had, uhm,  
2                    seen our mother.  And, and it wasn't just the  
3                    efforts of myself.  It was efforts from my sister,  
4                    Ann-Marie, my Auntie Ann, my Uncle Russell, my, my  
5                    Grandma Mary and my, my Grandma Dora.  You know,  
6                    there was about six or seven different family  
7                    members that contacted the Vancouver Police to ask  
8                    how we could look for Elsie and they did try to  
9                    file a missing persons report.

10          Q    Did you ever receive a response to that letter?

11          A    Uhm, they did follow up with I think a phone call,  
12                    but other than that, uhm, I didn't hear from them  
13                    again for, for quite a while.  Uhm, I think it's  
14                    when, uhm, the Pickton trial and when they found  
15                    him that they, uhm, started looking at things like  
16                    this and, and getting ahold of us.  And I, uhm --  
17                    it, it was a long period of time before we  
18                    actually started getting involved.

19                    I think what came next was at about 2001, we  
20                    were asked to give blood samples, because they  
21                    couldn't recreate my mother's DNA.  They, they  
22                    couldn't find it.  And so they took my DNA, my  
23                    brother's and my father's and my sister's to  
24                    separate, uhm, uh, and recreate Elsie's DNA so  
25                    they could start testing it against what they had

1 found on the farm.

2 Q Were those members of the Missing Women Task  
3 Force?

4 A Yes, they were.

5 Q And they came to visit you in --

6 A In Hazelton, at my father's house.

7 Q To collect blood samples in 2001?

8 A Yes.

9 Q When was the next visit from the RCMP in regards  
10 to your mother's disappearance after they came to  
11 take your blood sample?

12 A We didn't get any visit for quite a while but we  
13 would get, like, a phone call or a letter in the  
14 mail. Beforehand, they did a news release. They  
15 would contact myself or my sister, and they would  
16 let us know the happenings of, of the Pickton  
17 trial with other women who had been found and, and  
18 what was happening.

19 But they had to come back to us, and this is  
20 what I don't understand. Because over a matter of  
21 years, I think it was a good few years, uhm,  
22 something went wrong and there was a switchover in  
23 the staff of the RCMP and I was told that, uhm,  
24 during that time, there was a mix-up in our blood  
25 samples. And I, I said to the policeman, I said,

1 "Excuse me?" I said, "Over these years, you  
2 haven't recreated my mother's DNA and you haven't  
3 been testing it against the, the evidence that you  
4 are finding?" And they said, "It's gone missing,  
5 Donalee, and we need to take your blood again, and  
6 we need to take it from your brother and your  
7 father." And so they came back to us a second  
8 time and, and took the samples again. And I said,  
9 "So, in all this time, you, you haven't been  
10 testing, you haven't been able to look for her?"  
11 And they said, "No, we're going to have to do it  
12 again."

13 Q How long after the first visit to take your blood  
14 samples was that?

15 A It was a good four or five years.

16 Q Okay. Ms. Sebastian, you have described how  
17 members of your family tried to engage the  
18 Vancouver Police in the early '90s, perhaps the  
19 earliest being '93, in response to your mother's  
20 disappearance. You eventually travelled to  
21 Vancouver to commence your own search for your  
22 mother; is that right?

23 A Yes, we did. Uhm, I think it was at about -- uhm,  
24 the first time was when the, uhm -- I came down --  
25 my sister had come over a couple of times on her

1 own to the Downtown Eastside to look for Elsie,  
2 and we got word that her name, Elsie's name, was  
3 still being used for Social Assistance, and we  
4 found out the address. And so, right away, my  
5 sister called me and said, "Let's go to this  
6 address and, and find out what's happening. Maybe  
7 mom's there."

8 So, I left with my, my boyfriend at the time  
9 and, and Ann-Marie and her boyfriend at the time,  
10 and we went over to a place called "The Empress"  
11 and, and it -- I had never been to the Downtown  
12 Eastside, that part anyways, and I had never been  
13 into a building like that, and it was really run  
14 down. It was, uhm, single-room housing and, uhm,  
15 it was really dirty and, and run down and, uhm,  
16 it, it, it was like a hotel but it was, like,  
17 where, where Social Assistance people live.

18 And we went, went into that, that hotel and  
19 my, my sister knocked on the door and, uhm, and Al  
20 Wilmot answered the door, and he, uhm, he was one  
21 of the men that my mom saw when she was down there  
22 and, uhm, they did drinking and drugging together.  
23 And it -- I know that it was a rough relationship.  
24 There, there was violence towards her. And, uhm,  
25 so, she knocked on the door and she said -- and he

1                   wouldn't answer. She said, uhm -- because I was  
2                   standing right there. She said, "Open the door,  
3                   Al. We know you're in there and we want to know  
4                   where mom is." And he opened the door and he,  
5                   uhm, he said, "Well, I haven't seen your mother.  
6                   She hasn't been here for many years and I don't  
7                   know why you're here." And I said, "well" --  
8                   Ann-Marie and I said, "Well, we know that her name  
9                   is being used for, for Social Assistance. Why is  
10                  her name being used?" And, uhm, and he goes,  
11                  "Well, I don't know. I don't know anything about  
12                  that."

13                   And, and, and so when we walked down there,  
14                   my, my Uncle John Paul said to me, he goes, "I  
15                   will let you go down there for the day," and it  
16                   had to be during the day, and he goes, "I want you  
17                   out of there by 4 o'clock." And he goes, "If you  
18                   don't get out of there by 4 o'clock, I am coming  
19                   to look for you. I am coming to look for all four  
20                   of you." And he goes, "And when you go down  
21                   there, you dress down, because you're going to  
22                   look like a sore thumb and they're going to know  
23                   that you're not from there. It is dangerous."

24                   And, uhm, and so, because my boyfriend had a  
25                   cellphone, he said that he would call him every



1 hour. And, and so my boyfriend at the time called  
2 and, and let him know what we were doing and that  
3 we were okay. But we had to be out of there by 4  
4 o'clock and we were.

5 But when -- in that, that whole day, I, I had  
6 never seen the Downtown Eastside and I walked  
7 through there and it was like walking through,  
8 like, a, a jungle. It's a whole different culture  
9 and it's a whole high-risk way of living. And,  
10 uhm, and it was scary and it was heartbreaking,  
11 and it was heartbreaking for me because that's  
12 where my mom ended up.

13 Q This particular visit where you came to Vancouver  
14 and you searched for your mother and you came  
15 across this man, her ex-boyfriend, who had been  
16 collecting her Social Assistance, can you put it  
17 in context for us? When was that?

18 A Uhm, it, it would have been around, uhm, '99.  
19 Yeah, it was when I was living in Victoria and I  
20 was going to the, the college there or, uhm,  
21 office administration. So, it was '99.

22 Q Did you have any direct contact with the police on  
23 that visit?

24 A No, we didn't. We told them later though that we  
25 did go down there.

1 Q When was that?

2 A Uhm, it would have been around the, the 2001 time  
3 when, uhm, when, when they contacted us, uhm, for  
4 the first blood samples. Yeah.

5 Q Did you tell them about the man you'd met who had  
6 been using your mother's name to collect Social  
7 Assistance?

8 A Yes, we did.

9 Q Was there any response from the police? Did they  
10 follow up; do you know?

11 A No, there wasn't.

12 Q Did you know this Mr. Wilmot?

13 A I knew of him but I didn't know him personally. I  
14 was quite, because I was a bit younger, I was  
15 quite sheltered by my aunts, my brother and I,  
16 because they knew the high-risk living that my  
17 mother was living in the Downtown Eastside. Uhm,  
18 and so my, my sister met him and, and, uhm, and  
19 she knew of some of the other fellows that my, my  
20 mom saw too, but I didn't know them as closely as,  
21 as my sister did.

22 Q You described your mother's life in the Downtown  
23 Eastside as high risk. Do you know if she was  
24 involved in the sex trade?

25 A Uhm, yes, we do know that she was.

1 Q And how do you know that?

2 A Uhm, we saw a clipping in, in the newspaper of  
3 her, her being arrested for prostitution and that  
4 she was missing.

5 Q Is that something you ever talked to her about?

6 A No.

7 Q And your mother was also a user of drugs and  
8 alcohol?

9 A Yes.

10 Q Do you happen to know what drugs she regularly  
11 used?

12 A Uhm, I know that she, uhm, she had a -- she was  
13 born with a, a back problem. She had an unnatural  
14 curvature in her back and so she had to go to the  
15 doctor a lot. And so we knew of prescription drug  
16 use that she had, and, and the alcoholism.

17 And then when she ended up on the Downtown  
18 Eastside, it, it got worse into, uhm, drug use.  
19 The day that we spent with her, she, she was --  
20 wasn't herself, like, the mom that we knew before,  
21 because she was so skinny and, and frail. And,  
22 you know, you have natural muscles as, as a person  
23 who has three meals a day and, and she wasn't that  
24 person anymore. And she, uhm, said to us, because  
25 we were at Science World, she said to us, "Can you

1           imagine being on acid in here?" And, and I looked  
2           at her and I knew she wasn't herself anymore. I  
3           knew that the, the addiction had taken over her  
4           life, that this disease had consumed her and that  
5           she wasn't the person that she was before.

6           Q   Do you know if your mom ever tried to deal with  
7           her alcohol and drug addictions?

8           A   Several times. Uhm, and then, and this is where I  
9           would like to, to emphasize the efforts that she  
10          made, because I think, as an aboriginal woman who  
11          dealt with her alcoholism and who was a single  
12          mother of three, uhm, going through the system,  
13          there is a lot of bias and discrimination. I can  
14          recall as a child going through a transition home  
15          when she separated from, from my, my father, and,  
16          you know, getting away from the fighting and, and  
17          the drinking, and, and she was treated differently  
18          in the transition home, because she didn't come --  
19          because she was, uhm, native, she was made to wait  
20          longer and the non-aboriginal women were seen to a  
21          lot quicker, and she was treated differently. She  
22          was looked down on.

23                   And the same treatment went for, uhm, the  
24                   social workers. They were very rude to my mother.  
25                   They -- uhm, there was a time where my, my brother

1 had got seriously hurt and she tried to report it.  
2 She was -- he was hurt by a, a man in our  
3 apartment and, uhm, and the social worker wouldn't  
4 take her report. And, and so there were several  
5 times she tried to reach out and ask for help.  
6 And I think because, you know, she was a native  
7 woman, she was treated differently.

8 And she also dealt with the demons of, of the  
9 Indian residential school. Uhm, she went through  
10 the residential school, all of her brothers and  
11 sisters went through the residential school and,  
12 uhm, my grandparents went through the residential  
13 school. And, and so she would try to be the best  
14 mother that she could be, but she couldn't,  
15 because she didn't have the tools that mainstream  
16 society, when you keep your family unit together  
17 and you raise your child, you know, from, from a  
18 baby to a toddler, to a child, to, to a, to a  
19 young adult, she didn't have that. She didn't  
20 have those skills. And, and so she tried to do  
21 her best to raise us and, uhm, but she was treated  
22 differently because she was an aboriginal woman.

23 And, uhm, she did make it into treatment.  
24 She did try to stay sober. And, uhm, because it  
25 was so limited in, in this, in the '70s and '80s,

1           you, you didn't, you didn't have like what you see  
2           today, like with, you know, uhm, New Beginnings or  
3           Starting Smart, or, you know, those types of  
4           children's programs, mother-and-child programs  
5           that we have today, you didn't see it then. And  
6           you didn't see single-parent societies, you know,  
7           like they do today.

8                     And so she, she, because she so limited, she,  
9           she started giving up and she would relapse. But  
10          there were quite a few times that she tried to  
11          quit. She went to the Nechako Treatment Centre.  
12          She went to a treatment centre in Nanaimo. I  
13          think it's called Tsow-Tun Le Lum. Uhm, she went  
14          through detox, you know, and then she would go  
15          into the treatment program. She would complete  
16          it. And then she even attempted to go back to  
17          school and finish her Grade 12. But it was so  
18          limited in those days with social programs and,  
19          uhm, and she fell through the cracks. She was one  
20          of the women that was missed. And when we called  
21          out and asked for help, it wasn't answered until  
22          it was too late.

23          Q    What was your mother's relationship with the  
24          police, law enforcement like?

25          A    Well, later we found out that she was arrested for

1 prostitution. But I, I know of, you know, the few  
2 relationships that she did have, it was with men  
3 that were violent, and so she would call the  
4 police and ask for help. And, you know, like,  
5 this isn't, wasn't just a minimal, you know,  
6 violent occurrence. It was, it was downright  
7 mean. There, there were beatings to the point  
8 where her face would be black and blue and you  
9 couldn't even recognize her. And that was part of  
10 being stuck in that lifestyle of the Downtown  
11 Eastside and not enough, uhm, not enough support  
12 to, to encourage her to get out of there. It was  
13 a, it was a pretty dirty cycle.

14 MR. CHANTLER: I am going to hand up those documents I referred  
15 to earlier.

16 Mr. Commissioner, this is a small package of  
17 documents pulled from the police disclosure to  
18 this commission of inquiry. They're in order of  
19 their doc IDs. You will see that their doc ID --  
20 they're not necessarily one after the other. It's  
21 just a series of documents that have been pulled  
22 out from different places in the disclosure.

23 Q Ms. Sebastian, the first page of this package is a  
24 document entitled "Missing Persons Report" from  
25 the Vancouver Police Department. The last four

1 digits of the doc ID are 4631. Have you seen this  
2 document before?

3 A No.

4 Q Have you seen it recently in your preparation for  
5 this inquiry?

6 A Yeah, not until now.

7 Q Right.

8 A Yeah.

9 Q Now, this document has a date on it at the top.  
10 It looks like "2001, May 16th". Would you agree  
11 to that?

12 A Yes.

13 Q And it's, the name below that is your mother's  
14 name, Elsie Marie Sebastian?

15 A Yes.

16 Q Do you know who filed this missing person report?  
17 It says further down the page.

18 A Ann Livingston.

19 Q Okay. And what's your relation to Ann Livingston?

20 A She's my auntie.

21 Q And Ann is here with us in the room today?

22 A Yes, she is.

23 Q Okay. What do you know about Ann's efforts in  
24 2001 to get the police involved in a search for  
25 your mother's -- for your mother?



1           A    Uhm, it, it just didn't start in 2001.  It was  
2                    well before that.  It started in '94.  She went  
3                    downtown to look for her on East Hastings, and she  
4                    also went to, I think that's when she went to the  
5                    place called "Storefront" and she asked about  
6                    Elsie.  And, uhm, she talked to a fellow named  
7                    "Morris Bates" and, uhm, he knew my father, and  
8                    he, uhm, knew Elsie when, when my, my parents  
9                    first got together.  Morris and my dad grew up  
10                   together.  And I don't think, uhm, Morris knew how  
11                   close I was to Ann, but I found out after that he  
12                   referred to Elsie as being a 40-year-old woman  
13                   that no one will have interest in looking for.

14       THE COMMISSIONER:  Who said that?

15       THE WITNESS:  Morris Bates, that the police won't look into it  
16                   because of her age.

17       MR. CHANTLER:

18           Q    And who was Morris Bates?

19           A    He was a native liaison worker.

20           Q    Was he an employee of the Vancouver Police  
21                   Department; do you know?

22           A    I think he was.

23           Q    Near halfway down this page, you can see in  
24                   writing, it says:

25                   Complainant attempted to make report in 1992

1 but was refused.

2 A Yes.

3 Q Is that your understanding of what happened, Ann,  
4 Ms. Livingston's earlier efforts to report your  
5 mother missing and --

6 A Yes.

7 Q -- in vain?

8 A Yeah, because that's when she told me that she  
9 looked at the wall of the missing persons bulletin  
10 and they were nothing but younger women up there  
11 that were not aboriginal.

12 MR. CHANTLER: This might be a good time for the lunch break.

13 THE COMMISSIONER: All right, we will adjourn.

14 THE REGISTRAR: This hearing is now adjourned until 2 p.m.

15 **(PROCEEDINGS ADJOURNED AT 12:21 P.M.)**

16 **(PROCEEDINGS RESUMED AT 2:02 P.M.)**

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

18 MR. CHANTLER: Commissioner, Neil Chantler, counsel for the  
19 families.

20 THE COMMISSIONER: Yes.

21 MR. CHANTLER:

22 Q Ms. Sebastian, before the break, I had just taken  
23 you to a package of documents, and we looked at  
24 the first page of that package, which was a  
25 missing persons report from the Vancouver Police

1 Department's records dated May 16th, 2001.

2 A Yes.

3 Q And you were aware at the time that this missing  
4 persons report was filed by your aunt, Ann  
5 Livingston, and your evidence is that this was, by  
6 no means, the, the first effort the families went  
7 to, the family went to, to report your mother's  
8 disappearance to the police. It even says on this  
9 document that there was an attempt as early as  
10 1992; is that right?

11 A Yes.

12 Q So, if we turn the page to the next document, and  
13 for the record, this is RCMP-017-004672, this  
14 document, at the top of the page, says "Vancouver  
15 Police and Native Liaison". Do you know what that  
16 refers to? Do you know what that organization is?

17 A Uh, I knew the native liaison, yes.

18 Q You had some dealings with them in the course of  
19 the '90s and your search for your mother. And  
20 this document has some handwritten notes on it. I  
21 don't suppose you know whose handwriting this is?

22 A Uhm, at that time, I spoke with, uhm, Morris  
23 Bates.

24 Q Okay. And "at that time" is what? Is it -- are  
25 you referring to the dates on the left-hand side

1 of the page?

2 A I think so, yes.

3 Q And that's August 30th and August 31st, 1999?

4 A Yes.

5 Q And, and what do you recall about your dealings  
6 with Mr. Bates on that date?

7 A Uhm, this is the time where I talked to him about  
8 trying to look for my mom and I was referred to  
9 him and, uhm, when I spoke with him, I told him  
10 about how worried we were about looking for our  
11 mother, and that, uhm, uhm, that's when he asked  
12 me to gather as much information as I could. And  
13 I gave him, uhm, his -- or my mom's birth date,  
14 her height, her weight.

15 And he also asked me to recall when I last  
16 saw her, and he asked about anything significant  
17 and I, that's when I told him about her hand.  
18 When she was a little girl, she had an accident,  
19 and, uhm, with an axe cutting wood, her and her  
20 little, her, her brother, and, uhm, and part of  
21 her finger was cut off. And so that's one of the  
22 obvious, uhm, scars or body marks on her.

23 And then that's when I asked him about  
24 looking for her, because he explained to me,  
25 that's, that's the time when he explained to me,

1 "It's like looking for a needle in the haystack,"  
2 and that Elsie, because she was a much older  
3 native woman, her priority, it wouldn't happen.  
4 Looking for her would be hard to, to find and  
5 there wouldn't be much help. And, uhm, to me, it  
6 seemed like he, he had an overwhelming caseload  
7 and so, like, because there were so many, he  
8 explained, that, like, there was so many younger,  
9 uhm, non-aboriginal, you know, they, they would  
10 get priority over her, being a 40-year-old native  
11 woman who is drug addicted.

12 Q So, the information that's reflected on this form  
13 is some of the information that you told Mr. Bates  
14 in your dealings with him on August the 30th and  
15 31st, '99?

16 A Yes.

17 Q But it's not all of the information you told him?

18 A No.

19 Q What did he say to you after those conversations?

20 A Uhm, he said, uhm, he encouraged me to get ahold  
21 of those local organizations, like, Carnegie Hall  
22 (sic) and the Women's Native Centre and the  
23 Women's Centre and, and that was about it.

24 Q Did he say he was going to get the Vancouver  
25 Police involved?

1           A    Uhm, he said he would look, but I, I don't recall  
2                    him saying the VPD would be involved.  
3           Q    He didn't offer to do that for you?  
4           A    I don't think so.  
5           Q    If we turn the page to the next document, this  
6                    appears to be a flyer, a missing family member.  
7                    And for the record, it's document RCMP-017-004673.  
8                    Have you seen this before?  
9           A    Yes, I have.  
10          Q    Do you know what this, this flyer is and who  
11                    created it and when?  
12          A    This is the flyer my Uncle Russell made in looking  
13                    for my mom, uhm, in '94. Russell filed or let the  
14                    Port Alberni Police know that Elsie was missing  
15                    and, uhm, I think he had it sent to Vancouver  
16                    because that's where she was last seen. And, uhm,  
17                    with this flyer, this is where they start making  
18                    posters of my mom and putting them up with  
19                    Russell, my Auntie Ann and my sister, Ann.  
20          Q    Your Uncle Russell created this flyer and he sent  
21                    it to the RCMP?  
22          A    Yes.  
23          Q    Do you know which detachments he sent it to?  
24          A    It was the Port Alberni.  
25          Q    Okay. There is some handwriting at the bottom of

1 the page below the flyer. Do you happen to know  
2 whose handwriting that is?

3 A This is Morris's handwriting. Yes, it is.

4 Q And how do you know that?

5 A Uhm, because he's the one who, uhm, dealt with,  
6 uhm, my Uncle Russell and, uhm, said that he was  
7 aware that, uhm, Elsie had been seen. And this is  
8 when they were saying that, "Oh, Elsie has become  
9 a rice wine drinker now and she hangs out in  
10 Oppenheimer Park." And, and Elsie wasn't a rice  
11 wine drinker.

12 Q Who was saying that Elsie hung out in Oppenheimer  
13 Park?

14 A Morris.

15 Q If we can turn the page to the next document,  
16 RCMP-017-004667. The top of the page says "VPNLS  
17 Client Intake Sheet." I understand that to be the  
18 Vancouver Police Native Liaison Service client  
19 intake sheet. Have you seen this document before  
20 today?

21 A Uhm, other than this hearing, no, I haven't seen  
22 it before.

23 Q You've seen it in your preparation for the  
24 inquiry?

25 A Yes.

1 Q Do you know who Russ Jones is?

2 A That's my Uncle Russell. That's my mom's oldest  
3 brother who tried to look for Elsie.

4 Q Okay. Now, the first entry on that page, the  
5 first paragraph, can you just read that to us?

6 A The first paragraph?

7 Q Yes.

8 A Regarding Elsie Louise Sebastian (Jones)  
9 missing persons, we received a fax from Port  
10 Alberni RCMP this date regarding about  
11 missing person poster of Elsie. Contacted  
12 Russ Jones missing person's brother in -- to  
13 let known location and well-being of his  
14 sister. He will contact RCMP Cst. Clayards,  
15 Port Alberni detachment in regards to their  
16 involvement. Will keep in contact with  
17 regard to incoming to Vancouver for office  
18 visit and reuniting.

19 Q Okay. So, this conforms with your understanding  
20 of your Uncle Russell, Uncle Russell's involvement  
21 with the Vancouver Police Native Liaison Society  
22 in '94?

23 A Yes.

24 Q And below that, the next entry dated May 27th,  
25 '94, I will just read that.



1 Russ Jones phoned and stated they are closing  
2 the file on Elsie.

3 Then it goes on. Do you know why they might  
4 have been closing the file on Elsie?

5 A Because they thought this woman who hung out in  
6 Oppenheimer Park was Elsie.

7 THE COMMISSIONER: Was what?

8 THE WITNESS: They thought that the lady that was hanging out  
9 in Oppenheimer Park was Elsie. They thought that  
10 woman was Elsie because, uhm, her name was the  
11 same and she was about the same size, but it  
12 wasn't, it wasn't her.

13 THE COMMISSIONER: Oh, I see. They thought that because she --  
14 they thought she was at Oppenheimer Park and she  
15 was found?

16 THE WITNESS: Yeah, and they thought --

17 THE COMMISSIONER: Oh, I see. Okay.

18 MR. CHANTLER:

19 Q And just to be clear, who do you mean --

20 A There is two Elsies.

21 Q -- who do you mean by "they"? Who is "they" that  
22 thought that?

23 A Uhm, when they tried looking for her, the, the  
24 police then and Morris.

25 Q Okay. So, it was a mistake?

1           A    Yes.  And, uhm, like, that's where I'm kind of  
2                    disappointed because we should have, like, we  
3                    should have, we should have had somebody confirm  
4                    that, you know, like, physically and, you know, ID  
5                    wise because, like, I think that's an error and  
6                    she wasn't found.

7           Q    They confused her with somebody else --

8           A    Yes, they did.

9           Q    -- who, who looked like her?

10          A    Yes.

11          Q    Had a similar name?

12          A    Yes.

13          Q    But they didn't follow up --

14          A    No.

15          Q    -- to check that it was your mother?

16          A    No.

17    THE REGISTRAR:  Mr. Chantler, if I may, I notice as we have  
18                    been going through the documents here, that the  
19                    first document refers to an "Elsie Marie" and the  
20                    second three -- or the third, fourth and fifth  
21                    record show "Elsie Louise".  And I also note that  
22                    there is a smaller "Louise" printed, and are we  
23                    talking about the same person or are we talking  
24                    about two separate persons?

25    THE WITNESS:  The same.

1 MR. CHANTLER: Thank you, Mr. Registrar. Very good question.

2 A Elsie Louise is her birth --

3 Q And you can explain, on the first page of this  
4 package of the missing persons report --

5 A Yeah.

6 Q -- why it says "Elsie Marie Sebastian"?

7 A That was a mistake in who wrote it, because that's  
8 not -- that wasn't her middle name. It was "Elsie  
9 Louise".

10 Q But there is no question that this missing person  
11 report on page 1 of this package is, is a, a  
12 report done by your aunt, Ann Livingston, in  
13 regards to your mother's disappearance? The name  
14 is just simply wrong; is that correct?

15 A Yes.

16 Q Okay.

17 THE REGISTRAR: Did you wish to mark that document?

18 MR. CHANTLER: I have one more question about the, about one  
19 more page in that package, and then if I can enter  
20 it then. I will explain then how I intend to do  
21 that.

22 Q If you turn ahead two pages from where we were, I  
23 am on RCMP-017-004669. This is a page of  
24 handwritten notes.

25 A Okay.

1 Q The first line says "missing person" in brackets.  
2 A Yes.  
3 Q Are you with me?  
4 A Yes.  
5 Q Now, this, these handwritten notes are dated, at  
6 the top right of that page, February 11th, 1994.  
7 They refer to "Elsie Jones". There is a reference  
8 to "Ann Livingston". That's your aunt, correct?  
9 A Yes.  
10 Q And these notes refer to "Ann coming into the  
11 Storefront." Do you know what that's, what the  
12 reference to the "Storefront" is? Is that the --  
13 A The native liaison.  
14 Q The native liaison?  
15 A Yes.  
16 Q Okay. This document confirms what you told us  
17 earlier, that your aunt, Ann Livingston, went to  
18 the native liaison in 1994 and tried to get  
19 them --  
20 A Yes.  
21 Q -- involved in your mother's disappearance?  
22 A Yes.  
23 Q Is that right?  
24 A And I am also wondering about, there should have  
25 been a note of my other grandmother coming in.

1 Her name was Dora, and why isn't that in these  
2 notes here too? So, there is another family  
3 member who looked for her.

4 Q Okay. At the bottom of that page, there is  
5 another entry, "June 21st, 1994," and it says:

6 Talked to Miss Livingston. Informed her that  
7 Elsie Jones, aka Sebastian, was alive and  
8 frequents Oppenheimer Park at approximately 6  
9 a.m. and the Sunrise Hotel in afternoons.

10 You know now that that was incorrect; is that  
11 correct?

12 A Yeah, it was incorrect.

13 Q This is referring to the mistake that you talked  
14 about earlier?

15 A Yes.

16 MR. CHANTLER: Okay. Mr. Commissioner, I would like to enter  
17 the documents that we've referred to, together as  
18 a package, --

19 THE COMMISSIONER: All right.

20 MR. CHANTLER: -- as the next exhibit. I had earlier passed  
21 around a package of documents, and for the record,  
22 I will just be clear. The document entitled  
23 "Executive Summary - Elsie Sebastian,  
24 RCMP-040-006381" I, I do not intend this to be a  
25 part of the exhibit. I am going to not, not speak

1 to it today. So, we will leave that aside.

2 THE REGISTRAR: The missing persons report will be marked as  
3 Exhibit Number 18 with five pages of attached  
4 documents.

5 MR. CHANTLER: Provided there are no objections, of course.

6 THE REGISTRAR: Now, for clarification on the record, that  
7 should be marked as "Elsie Louise Sebastian"; is  
8 that correct?

9 MR. CHANTLER: Correct.

10 THE WITNESS: Yes.

11 THE REGISTRAR: Thank you.

12 **(EXHIBIT NO. 18: Document entitled "Vancouver**  
13 **City Police, Missing Persons Report for Elsie**  
14 **Louise SEBASTIAN, Case # 01-103735,**  
15 **RCMP-017-0046310")**

16 MR. CHANTLER:

17 Q Ms. Sebastian, you have described to us in great  
18 detail the efforts that your family went to to  
19 report your mother's disappearance and to get the  
20 police and Native Liaison Society involved in an  
21 investigation for her disappearance in -- through  
22 the '90s. How do you feel now, today, sitting in  
23 that witness box, about the response you got?

24 A I feel frustrated and I feel let down. I feel  
25 like there is no closure. I feel like we went on

1 with the rest of our childhood and teenage and,  
2 and adult lives without her. And I, I feel like  
3 my, my brother and my sister and I have suffered  
4 far too long.

5 I feel like something went wrong. Uhm,  
6 apparently, there was turnover and there was, uhm,  
7 a point where we had to redo our DNA and I, I  
8 don't like that. I think there was lost time  
9 there, sensitive time, where she could have been  
10 found.

11 I also don't like the fact that we were told  
12 not to talk to the media. We were told not to  
13 talk to other family members. They said it would  
14 jeopardize the investigation. You have to  
15 understand that, as an aboriginal person from the  
16 West Coast and the Northwest Coast, there is an  
17 order and a cycle of life that we follow. We were  
18 told not to give a memorial for her because it  
19 would jeopardize the investigation.  
20 Traditionally, our people will mourn for four  
21 days. They will have a prayer service or a  
22 memorial. They will have the funeral and then  
23 they will have the feast. Elsie never got any of  
24 that, and Elsie deserves that. It's in her  
25 inherent right to have that and she hasn't been

1 granted that.

2 And there, there was an occurrence once when  
3 we were at Surrey Detachment and we -- a family  
4 member told me what their loved one went through,  
5 and I didn't say what my mom went through, but to  
6 hear how those women were murdered on that farm,  
7 it tore me apart and I know it tore my sister's  
8 heart apart.

9 We reviewed evidence to try to look for  
10 something, but there was so much on there. There  
11 was so -- and it wasn't just women's stuff. It  
12 was children's and babies' stuff. And they said,  
13 "Donalee, you might as well be prepared that you  
14 may never see your mother again and we may not  
15 find her in this evidence."

16 Q When was that?

17 A When we were in Surrey. And we spent hours in  
18 that detachment looking at slide after slide after  
19 slide, and it broke my heart that I couldn't find  
20 anything that was close to mom.

21 Q That was a meeting at the RCMP detachment in  
22 Surrey?

23 A Yes.

24 Q And you were invited down to that?

25 A Yes.



1 Q You flew down from Hazelton?

2 A Yes.

3 Q To review the belongings of women and you were  
4 asked to identify if any of them might be your  
5 mother's?

6 A Yes.

7 Q In 2001?

8 A Yes.

9 Q Okay. Who told you not to speak to the media?

10 A The RCMP.

11 Q And when was that?

12 A It was at the time we were there. They warned us  
13 before we came down. They said that there were  
14 other family members there who were speaking to  
15 the media and they encouraged us not to talk to  
16 the media. They encouraged us not to talk to  
17 other family members.

18 Q And who told you not to have a memorial for your  
19 mother?

20 A The RCMP.

21 Q When was that?

22 A Uhm, it was, uhm, first when we had, uhm, the  
23 Missing Women's Task Force come take our blood in  
24 Hazelton, and then it was again in Surrey.

25 Q Why did they say -- did they explain why?

1           A    They said it would jeopardize the investigation.

2           Q    Do you have anything else you would like to tell  
3                this commission about the police response to your  
4                family's efforts --

5           A    Yes.

6           Q    -- and with your mother's disappearance?

7           A    Yes. Mr. Oppal, you take this upon yourself to  
8                find out what happened. Find out what happened to  
9                my mother, Elsie Jones Sebastian. Find my mother  
10              for me. Find Ann-Marie's mother. Find Robert  
11              Jr.'s mother and our other brother.

12                    She will never know her grandchildren. She  
13                    will never hold her grandsons in her arms. She  
14                    will never laugh with her granddaughters. She  
15                    never saw her daughters and son graduate from  
16                    college and go to university. She never got to  
17                    hold her grandchildren in her arms.

18                    Sure, she was a mother, a single mother who  
19                    struggled with alcohol and then addiction, but it  
20                    doesn't make her any less of a human being. She  
21                    still reached out to call for us, and the calls  
22                    stopped. Let's find her.

23                    And she went through a horrible time as a  
24                    child already with the Indian residential school,  
25                    and she had limited services, trying to rebuild

1 her life and trying to be a mother, but because  
2 she wasn't given the foundation of a family unit,  
3 she fell through the cracks with her alcohol and  
4 drinking and drugging. And she fell in the  
5 Downtown Eastside. But she's still a Pacheedaht,  
6 Tashot, Taquot woman. She comes from the Wolf and  
7 Killer Whale Clans. She was a smart woman, she  
8 was a loving woman, and she did the best she could  
9 with what little skills that she was given.

10 I want an update on my mother's  
11 investigation. I would really appreciate an  
12 update on my mother's investigation. That's my  
13 one asking question for you, the VPD and the RCMP.  
14 Please, let's find her. Let's bring her home.

15 Q Thank you, Ms. Sebastian. Those are my questions.

16 THE COMMISSIONER: Thank you. Any, any questions, Ms. Gervais?

17 MS. GERVAIS: Robyn Gervais, independent counsel for the  
18 aboriginal interests.

19 I am wondering if Ms. Sebastian needs a break  
20 at this point?

21 THE COMMISSIONER: Pardon me?

22 MS. GERVAIS: I am wondering if Ms. Sebastian needs a break at  
23 this point.

24 THE COMMISSIONER: Do you need a break? We will stand down if  
25 you want one.

1 THE WITNESS: I should be okay.

2 THE COMMISSIONER: All right. You should be okay?

3 THE WITNESS: Yes, I'll be fine.

4 THE COMMISSIONER: You sure?

5 THE WITNESS: Yes.

6 THE COMMISSIONER: All right.

7 MS. GERVAIS: Prior to beginning my very friendly and gentle  
8 cross-examination, I would just like to introduce  
9 Robin Bennett, who will be working with Mr.  
10 Baynham and Mr. Roberts and myself.

11 THE COMMISSIONER: All right, thank you.

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

13 Q Ms. Sebastian, I am just going to ask you some  
14 questions that will expand a little bit on what  
15 Mr. Chantler talked to you about with respect to  
16 the residential school system and child welfare  
17 system and things that you and your family endured  
18 as children dating back to your grandparents.  
19 Your grandparents had attended residential school,  
20 correct?

21 A Yes, they did.

22 Q And do you know anything about their experiences  
23 there?

24 A Uhm, during the time that my mother was missing, I  
25 became fairly close to my grandmother, Mary Jones,

1 the late Mary Jones, and she told me that both her  
2 and her husband went to the Indian residential  
3 school. She told me that she was aware of the  
4 violence that my grandfather went through and, and  
5 she shared what she went through also. And, uhm,  
6 she also told me that she remembers wanting to  
7 teach the Tashot and Taquot language to her  
8 children when she first started having her family.  
9 And she was forced to, uhm, send them to the  
10 residential school by law. And, uhm, she told me  
11 that her husband said to her, "Don't teach them  
12 the language or they will be made fun of because  
13 of their Indian accent."

14 And she also told me that, uhm, she was aware  
15 of, uhm, the sexual abuse that occurred and, and  
16 the ability that she, she tried her best to raise  
17 her family, but she didn't have the family unit  
18 skills that any family should have. She did the  
19 best she could but she had 10 children and every  
20 one of them were made to go to the residential  
21 school also.

22 I also, uhm, have recalls of my mom telling  
23 me what she went through in the residential  
24 school, in the Port Alberni Residential School.  
25 Elsie was five when she was forced to go there.

1                   And she told me that she remembers as a little  
2                   girl going there and being forced to go there and  
3                   being scared. And when she got there, they -- as  
4                   it got dark, she waited for it to get dark and she  
5                   waited for everyone to go to sleep and that same  
6                   night that she was there, she ran away. She ran  
7                   back home. And when she went back home, she told  
8                   her mom that she didn't want to go and she wanted  
9                   to stay with Gram, my Grandma Mary.

10                   And she said that the next day a priest and a  
11                   nun showed up on their doorstep and kindly told  
12                   Mary that Elsie had to return to the school, and  
13                   they were being really nice to Elsie, saying,  
14                   "Elsie, it's time to go now. Everything is going  
15                   to be fine. You're going to be okay. We're going  
16                   to take care of you." And so Mary made Elsie  
17                   leave and go with them. And when they got Elsie  
18                   back to the Alberni Residential School, they, once  
19                   they got her into a room alone, they beat her.  
20                   They beat her for running away.

21                   And she also told me about what she went  
22                   through. She was beaten. She was beaten with a  
23                   metre stick and it -- she was beaten on her, her  
24                   back and on her legs as a five-year-old girl and  
25                   onward until she was 16. She couldn't speak her

1 language. Uhm, the food that she ate was always  
2 cold and it, it wasn't your, your, your basic food  
3 groups. It wasn't anything like that. It was,  
4 uhm, very little and it wasn't healthy.

5 She also showed me what it was like to be  
6 beaten. She said that, uh, as a little girl --  
7 and I want each of you to think of your little  
8 girl at home now, whether she's your daughter or  
9 your granddaughter or your niece or, or whatnot,  
10 your family member. As a little girl, they would  
11 take a ruler and they would hit the palms of her  
12 hands and then they would make her turn her hands  
13 over and hit her knuckles. And, and these types  
14 of -- and it wasn't no little spanking. It was a  
15 beating. These are things that happened to her,  
16 and they were things that happened to me and my  
17 sister and my brother when she was angry. We  
18 didn't understand why. We didn't know where it  
19 came from, but it happened.

20 And not until I was, uhm, in my early 20s,  
21 that I sat with my grandmother and she explained  
22 to me what happened, I understood why mom was the  
23 way she was. That biological reaction that  
24 happens when you are nurturing your child as a  
25 child, you know, four and five, didn't occur for

1           Elsie. And so, psychologically, she didn't have  
2           that love and that natural way of, of feeling  
3           connected with a family. It wasn't there.

4                     And, uhm, and I felt it with my mom. There  
5           were times where I, I wondered because she -- I  
6           shared a bit that she had a problem with  
7           prescription. I think she tried. I think she  
8           tried to turn her life down, turn around with  
9           antidepressants and, and, uhm, but she would just  
10          zone out. She would just numb out. And as a  
11          little girl, I would wonder, what did I do, or  
12          what's wrong with my mummy? Mummy is trying to  
13          get help and why isn't she getting the help that  
14          she needs?

15                    You know, she was displaced from her culture  
16          and her family members that did have the  
17          opportunity to know their culture. She was  
18          separate from them. So she tried to live in  
19          mainstream society, but because of her brown skin  
20          and not having a very good education and not --  
21          being a single mother of three, she was already  
22          marginalized.

23          Q        So, I just want to pick up on a couple of things  
24          you said. You said that your mom went into  
25          residential school when she was five, right? And



1 she was there until she was how old?

2 A Sixteen.

3 Q And so was she there the entire time?

4 A Yes.

5 Q Okay. And also, you said that your mom had shown  
6 you the physical violence that she endured at  
7 residential school and then she inflicted that  
8 same violence on you and your siblings; is that  
9 right?

10 A Yes.

11 Q And so you -- it would be fair to say that you  
12 think that's a, that was a learned behaviour?

13 A Yes.

14 Q You said that she was disconnected from her  
15 culture.

16 A Yes.

17 Q Did she ever get to know her culture while she was  
18 in residential school?

19 A No.

20 Q When did she, she become familiar with her  
21 culture, if she did at all?

22 A Uhm, I know that she did make attempts to learn  
23 about it, but, uhm, she didn't know her language.  
24 Uhm, she would, uhm, talk to some family members  
25 but she didn't grow up with it consistently. It

1           wasn't there.

2           Q   And how do you think her not knowing her language  
3           and her culture and growing up with her family and  
4           inner community affected her life?

5           A   I think Elsie had a lot of obstacles and, uhm, you  
6           know, we, we talk about the social determinants of  
7           health, and for Elsie, they were poor. There was  
8           -- it was very limited.

9           Q   Could you expand on that a little bit? When you  
10          say "the social determinants," can you give me  
11          some examples?

12          A   She, well, she was aboriginal, for one. She went  
13          through the residential school so she didn't have  
14          the natural upbringing of a family. The emotional  
15          and spiritual and, and mental nurturing that you  
16          receive as a child, uhm, wasn't there and it  
17          wasn't provided to Elsie. It was taken from her.  
18          And, uhm, she survived. She did the best she  
19          could to survive in the residential school. And I  
20          think she learned to be quiet, because she knew  
21          she was oppressed.

22          Q   And besides what you have already described with  
23          respect to the physical violence that you endured  
24          and your siblings endured, how do you think your  
25          mother's attendance at residential school affected

1           your life?

2           A    I think it greatly affected our lives.

3           Q    How so?

4           A    Uhm, in that we struggled to understand what went  
5                wrong. We struggled to understand why she  
6                struggled to raise us. Why couldn't she give us  
7                the emotional and mental and spiritual guidance  
8                that a mother should have in, in raising her  
9                children?

10                        Uh, economically, because she was not a  
11                        graduate and didn't have a job, we grew up with  
12                        her in -- with Social Services and, and Welfare,  
13                        and that was limited. It wasn't until my family,  
14                        my father's family took me and my brother did we  
15                        start learning about our culture and that, that  
16                        all these aspects of life, of holistic health, in  
17                        heart, mind, body and spirit, you can't have one  
18                        without the other.

19                        And, and for Elsie, she, she is -- she went  
20                        through an inherent crime. The residential school  
21                        was genocide for our people, and Elsie was part of  
22                        that and she was lost to it. And I think it's  
23                        very key and why we have so many aboriginal people  
24                        ending up on the Downtown Eastside, living high-  
25                        risk lives, ending up in IDU.

1 Q Can you explain what "IDU" means?  
2 A Injection drug use.  
3 Q Thank you.  
4 A And it's, it's something psychologically that  
5 changes, and then they become vulnerable to  
6 alcoholism and addiction, and something needs to  
7 be done about it. We need to work with it, and  
8 it's not going to go away. It's multi-  
9 generational.  
10 Q Uhm, your mother left residential school when she  
11 was 16 and then she gave birth to her first child  
12 shortly after that; is that right?  
13 A Yes.  
14 Q And then you testified earlier this morning that  
15 she gave that child up for adoption to a family  
16 member?  
17 A Yes.  
18 Q Okay. And was it shortly after that that your mom  
19 moved to Prince George?  
20 A Yes.  
21 Q Okay. And she met her --  
22 A Oh, no.  
23 Q Oh, sorry?  
24 A She, she met my sister's father. Yes.  
25 Q In --

1           A    Ann-Marie.

2           Q    In Prince George?

3           A    No, in Victoria.

4           Q    Oh, okay.  And Ann-Marie's father's name is?

5           A    John.

6           Q    John Livingston.  And is he an aboriginal man?

7           A    No, he is not.

8           Q    Okay.  And was there any significance to your mom

9                dating a non-aboriginal man?

10          A    I think, at that time, for an aboriginal women --

11                woman to marry a non-native man, you, you were

12                considered affluent, making it, in modern society.

13                But, uhm, it didn't last.

14          Q    What, what year was that, that she married John?

15          A    It was '73 she was with him, for three years.

16          Q    Okay.  And when your older sister Ann-Marie was

17                three, she met your father, the father of you and

18                your younger brother, correct?

19          A    Yes.  In about '75, she met my father.

20          Q    Okay.  And you grew up primarily with yourself,

21                your younger brother, --

22          A    With Elsie.

23          Q    -- and Elsie and your father?

24          A    Yes.

25          Q    Okay.  And Ann-Marie spent time with you on and

1 off?

2 A Yes, she came to stay with us a few times. When  
3 Elsie had -- she would go through cycles of being  
4 stable and then unstable. When she was stable,  
5 Ann-Marie was with us.

6 Q Okay.

7 A Because I shared -- she did go to treatment and  
8 she did try to rebuild her life.

9 Q And what was your, your parents' relationship  
10 like?

11 A I think it was very strong in the beginning. You  
12 know, they had me, so, you know, it was very  
13 strong. I think they had a connection with one  
14 another because my father went through a similar  
15 situation with the Prince George College was  
16 considered a residential school, and he was also  
17 displaced from his family when he was only two  
18 weeks old and he went through -- uh, at the age of  
19 five, he was taken away from his family because he  
20 had tuberculosis and he had to be sent to  
21 Vancouver, and he was isolated, alone, in a room  
22 for a year. He had no contact with his adopted  
23 mother or his mom or any of his family. At the  
24 age of five, he went through a whole year of being  
25 alone at the Vancouver hospital. And then he was

1 sent back and, uhm, he, he went through the same  
2 similar situation.

3 At Grade 12, he was pulled into an office and  
4 told by the principal there, "Robert, you might as  
5 well prepare yourself for a blue-collar job  
6 because the colour of your skin, you won't get a  
7 white-colour job." And that gave my father  
8 incentive to go to college and that's actually how  
9 he met my mom. He went to, uhm, the college in  
10 Victoria and met my mother in about '75, 1975.

11 Q Okay. Did your parents use alcohol?

12 A Yes, they did.

13 Q Okay. And you testified earlier this morning  
14 that, at a certain point in your childhood, the  
15 child welfare authorities became involved,  
16 correct?

17 A Yes.

18 Q And why was that?

19 A Their marriage fell apart and, uhm, at 10, they --  
20 I was 10 years old, they separated. My brother  
21 was five and my, my dad left and we stayed with  
22 mom. We wanted, we were always wanting to be with  
23 mom, no matter what.

24 And, uhm, she met a native fellow, uhm, who  
25 was very unstable and it was obvious that he was,

1 uhm, into drug use and, uhm, he was violent. He  
2 was very violent to Elsie, and to this day, I  
3 don't like that man. Uhm, and I think that's when  
4 her drug use started, was with that fellow,  
5 because I remember seeing it.

6 Q So, your mom went from a fairly stable  
7 relationship to separating and then dating a very  
8 violent man and using drugs; is that right?

9 A Yes.

10 Q And that's when child welfare became involved in  
11 your life?

12 A Yes. We had to -- there was a very horrible  
13 incident where he, he started beating Elsie and he  
14 started picking up his carving tools and throwing  
15 them at her. And I don't know if you have seen a  
16 jeweller's carving tools, but they are solid and  
17 heavy, and he was throwing them at my mother. And  
18 it was in the dead of winter in Edmonton and it  
19 was 30 below, and I had to run out of the house in  
20 my pajamas and my slippers and I had to run to the  
21 corner store and contact the police. And I took  
22 my brother with me and we, we asked them to hide  
23 us in the, the store so that fellow wouldn't come  
24 looking for us. And, uhm, and the police came and  
25 that's when, uh, we, we started going through



1 foster homes.

2 Q And you testified that you were 10 at the time?

3 A Yes.

4 Q Okay. And at that time, what did you know about  
5 child welfare in general or social workers? What  
6 kinds of things were you aware of?

7 A You know, in my mom's efforts, when she first  
8 tried to get stable and get away from the, the  
9 violence and the drinking, we went through a  
10 transition home before that, and, uhm, she was  
11 treated differently. Uhm, there would be  
12 non-aboriginal women going through the transition  
13 home and they would be seen quicker than my mother  
14 would.

15 Q Were you with your mother at these transition  
16 homes?

17 A Yes.

18 Q Okay.

19 A And also with the social worker, uhm, you know,  
20 because of her history of drinking, she wasn't  
21 treated as well. And they knew that she was with  
22 a violent man, so they, they did treat her  
23 different.

24 Q Did you ever have any fear of social workers or  
25 the child welfare system?

1           A    I knew they were there to help, but I was afraid  
2                   of them. You know, I wanted my family to stay  
3                   together, and I started looking out for my brother  
4                   at a very young age, me and my sister. I was five  
5                   and Ann was eight and we always had to look out  
6                   for our brother. And, uhm, and I wanted to stay  
7                   with mom. I didn't want to go to foster care.  
8                   But I wanted help and I wanted help for my mom.

9           Q    How long were you in foster care for?

10          A    At that time, it was three months. And then we  
11                   had to, uhm, we went through it again at about  
12                   Grades 5 or 6, it would have been Grade 6 we went  
13                   through it a second time. And on the third time,  
14                   they said, "If we come back for you a third time,  
15                   Donalee, you are not going back to your mother.  
16                   You can say good-bye to your mother. You had  
17                   better be prepared for it."

18          Q    And this is when you were in Grade 5 or 6?

19          A    Grade 6.

20          Q    Grade 6.

21          A    And at Grade 7, that's when my father's family  
22                   came for me, my aunties came for me and my  
23                   brother.

24          Q    And did you, at any time with your involvement  
25                   with child welfare authorities, did you feel

1 supported by social workers or by the child  
2 welfare system?

3 A I felt scared. I felt alone. I wanted my mom. I  
4 wanted her to get the help that she needed.

5 Q Okay. And you just mentioned that when you were  
6 in Grade 6, after the second time you went into  
7 care, you were -- your uncle from Hazelton came  
8 and got you?

9 A Yes.

10 Q And your family arranged for you to go and live  
11 with them, right?

12 A Yes, they did.

13 Q Okay. And was it just you or did your little  
14 brother go as well?

15 A Uhm, well, initially, I wanted to go back to my  
16 grandmother in Victoria to be with my sister, but  
17 they asked me to come to Hazelton and give it a  
18 chance. They said, "Donalee, you don't know your  
19 dad's family, so give us a chance." So, I went  
20 with them, and within a couple of weeks, my  
21 brother was there. I didn't, I didn't want to  
22 leave mom but I knew that we would have been gone  
23 for good in the system if I didn't go with my  
24 auntie.

25 Q Now, you testified that your mom, at certain

1 times, had tried to quit drinking and quit drugs,  
2 uhm, and you have provided some examples of that.  
3 Can you give any more examples of the attempts  
4 that she made to try and quit drinking?

5 A Well, I know that she went to Tsow-Tun Le Lum. I  
6 was quite young then. I know that she went to  
7 Nechako Treatment Centre. I also know that she  
8 was a friend of Bill and, and I know, like,  
9 because I went with her, I even went with her to a  
10 couple of meetings. Me and my brother would sit  
11 there while she went.

12 Q Well, were there any supports put in place for  
13 your mother, that you can remember, any consistent  
14 supports that she had that would help her to cope  
15 with alcohol and drugs or violence that she was  
16 experiencing?

17 A Not very many. Not at that -- not as a child.

18 Q You testified that in the transition home, you  
19 felt that your mother was treated differently  
20 because she's aboriginal. Do you have any other  
21 examples of, of her being treated differently  
22 because she was aboriginal?

23 A Uhm, there was a time where my brother was  
24 seriously hurt and I did everything I can to try  
25 to protect him, but he got seriously hurt. He was

1           only three and I was eight. And when she tried to  
2           report it to the social worker, the social worker  
3           wouldn't report it. She was always judged because  
4           of her drinking problem, and that social worker  
5           wouldn't help her file for what went wrong, and my  
6           brother didn't get the help that he needed after  
7           it happened. Nothing happened.

8           Q    So there was no follow-up at all?

9           A    Nothing.

10          Q    And now, looking back, what do you think the child  
11          welfare system or any other systems involved in  
12          your life at the time could have done to help?

13          A    You know, in, in this day and age, as a mother,  
14          there are single-parent societies we can go to.  
15          There are friendship centres we can go to. There  
16          are women's native centres we can go to. There  
17          are women's centres we can go to. There are, you  
18          know, spiritual places, like, the, you know,  
19          church, but because there is so much resentment  
20          with the church, aboriginal people won't tap into  
21          that service.

22                        But those types of services needed to be  
23          there then. Those weren't there in the '80s, in  
24          the '70s. And if they were just beginning, they  
25          weren't reaching the right people at the right

1 time and those are the people that fell through  
2 the cracks. Those were the people that didn't  
3 even have the skills of being able to mentally or  
4 emotionally take care of themselves because they  
5 weren't given those skills. They were -- they  
6 went through the residential school.

7 And it breaks my heart that she didn't have  
8 the opportunity for counselling that you can get  
9 today. And she won't have the ability to file her  
10 name as a survivor because she is still missing.  
11 And Elsie was one who would say and put her name  
12 forward for that.

13 Q When you say "file her name for a survivor," are  
14 you talking about survivor of residential school?

15 A Yes.

16 Q And can you expand on, on why she can't file her  
17 name?

18 A Because she's still a missing woman.

19 Q And have you tried to file her name?

20 A Uhm, yes, we are looking into that.

21 Q And what sort of barriers have you come up  
22 against?

23 A They want a death certificate. They want a birth  
24 certificate and, uhm, marriage certificate.

25 Q You testified this morning that you grew up in

1 various locations throughout the province, but you  
2 also testified that you had, you lived in Prince  
3 George numerous times; is that right?

4 A Yes.

5 Q Did you experience any racism growing up in Prince  
6 George?

7 A Yes, we did.

8 Q Okay. Can you provide some examples of that?

9 A Uhm, the types of places that we lived in, when  
10 she tried looking for a place, she would call them  
11 and, and they would be -- they would say, "Sure,  
12 come look at the place." And when she would show  
13 up, they would take one look at her and they would  
14 say, "No, it's taken. No, we -- it's not  
15 available for you," because she was a native  
16 woman. We often ended up in the neighbourhoods  
17 that weren't very nice. They weren't well -- the  
18 -- I remember the apartment that we lived in had a  
19 cement floor and it was a basement suite. And,  
20 you know, they did the best they could to rebuild  
21 their lives, build their lives for us, but there,  
22 there is racism.

23 Q And how did that affect you growing up?

24 A Growing up in, in the elementary school where  
25 you're the minority and it's obvious, you, you

1 keep to yourself and you don't say much. And you  
2 don't, because, well, for one, you don't want to  
3 get beaten up. Because, you know, my sister and I  
4 and, and my brother, it's obvious, when you look  
5 at us, that we're native. And my sister was  
6 beaten up as a child because of the colour of her  
7 skin, living there. And so there was racism.

8 Q Uhm, you have testified about the different  
9 systems that have affected aboriginal people and  
10 you've now just talked about racism and the child  
11 welfare system, and I was wondering, why did you  
12 want to come here to testify today, given that we  
13 are here in another system, the justice system?

14 A Well, for one, it's an opportunity to start taking  
15 a real look at the social and health care programs  
16 that we have and what can we do about it for our  
17 people who are struggling with IDU, who are  
18 struggling on the Downtown Eastside, struggling as  
19 aboriginal women, struggling as low income,  
20 struggling with a health issue. Because when you  
21 fall into IDU, injection drug use, it is a  
22 disease. It's an illness. It takes over the  
23 person. And when you help a person like that, you  
24 don't just -- you know, we need better programs  
25 for detox. You know, if you have an opportunity



1 to put a person in detox and they're willing to  
2 go, it's a small window of opportunity. So, we  
3 need more beds open for that.

4 And you need consistency in after-care  
5 programs for people living with addiction. You  
6 need follow-up and you need that support to  
7 continue so they don't fall back and to relapse.  
8 They need a strong network, and when you look at  
9 social programs and you look at health care  
10 programs like that, then you are building a  
11 network of support for that individual to rebuild  
12 their life. And it's not going to go away. And  
13 you can't say that the residential school was  
14 then, this is now. No, it's here, it's now and  
15 it's going to continue because it is multi-  
16 generational. And as individuals, it's our  
17 responsibility for that self-care, but we need to  
18 do it with a good support network.

19 Q Thank you for your very honest and sincere  
20 testimony. Those are my questions.

21 THE COMMISSIONER: Thank you.

22 MR. GRATL: Mr. Commissioner, perhaps now is a good place for a  
23 short break.

24 THE COMMISSIONER: All right.

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

1                                   **(PROCEEDINGS ADJOURNED AT 3:02 P.M.)**

2                                   **(PROCEEDINGS RESUMED AT 3:20 P.M.)**

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

4       MR. GRATL:    Yes, Mr. Commissioner.

5                    Q    I just have a few brief questions for you.  I just  
6                                    want to get a --

7       THE REGISTRAR:   Name and --

8       MR. GRATL:    My name is Jason Gratl and I am independent counsel  
9                                    for affected individuals and organizations within  
10                                   the Downtown Eastside, so primarily sex workers  
11                                   and drug users, but I'm also, of course, acting on  
12                                   behalf of and trying to serve the interests of  
13                                   people who are alcoholics and chronic alcoholics  
14                                   and suffer from mental illnesses, including  
15                                   depression.

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

17                    Q    I want, I want to try to get a sense of the, of  
18                                    the members of your family who went to speak with  
19                                    Morris Bates at the Vancouver Police Native  
20                                    Liaison Society office.  I guess that's what it  
21                                    was called.  Did you know it was, that was the  
22                                    formal name, was Vancouver Police Native Liaison  
23                                    Society?

24                    A    I think so.

25                    Q    Okay.  And was it only Morris Bates that members

1 of your family spoke to, or that you recall  
2 members of your family dealing with?

3 A Uhm, I don't know, but mainly it was him. I know  
4 that my Grandma Dora spoke with him. I know that  
5 my father spoke with him. I spoke with him. Uhm,  
6 my aunt, my Aunt Cathy spoke with him, and I think  
7 even my sister spoke with him.

8 Q And I suppose your Uncle Russell as well?

9 A Yes.

10 Q And then also your Uncle John Paul?

11 A Yes.

12 Q And all of those members of your family, at one  
13 point or another, spoke with Morris Bates  
14 directly?

15 A Yes.

16 Q Either in person or over the telephone?

17 A Yes.

18 Q And I take it within a two-year period, from 1992  
19 to 1994?

20 A Yes.

21 Q And all of you, the way you got to Morris Bates,  
22 was by calling the Vancouver Police Department  
23 general number?

24 A Yes. The first time I called in, that's how I, I  
25 was connected with him.

1 Q Okay. So, you called the general Vancouver Police  
2 Department number and then you spoke to someone?

3 A I think so, yes.

4 Q What I am sort of -- I want to find out more about  
5 how you came to be dispatched over to Morris  
6 Bates. Did the person you speak to ask you  
7 whether you were First Nations or aboriginal or  
8 native?

9 A Uh, I can't remember.

10 Q Okay.

11 A Yeah.

12 Q Well, if you, if you do remember it while you are  
13 still on the stand, --

14 A Well, my father knew him, too. So, uhm, because  
15 Morris and my father knew each other and he knew  
16 that Morris worked in the Downtown Eastside,  
17 that's how I think our family came to know him,  
18 because my dad knew him when they were younger.

19 Q All right. Then so, so it wasn't -- so, you would  
20 have called a general number and then asked for  
21 Morris Bates? It wasn't you calling the general  
22 number?

23 A They just knew to get ahold of Morris, because  
24 they knew Morris worked downtown. Like, my father  
25 knew. That's how I think --

1 Q All right. So, it wasn't, that wasn't a, sort of  
2 a racialized choice to send you to the Native  
3 Liaison Society, rather than --

4 A Well, the second time I tried to call through, I  
5 did call into the general office and then I was  
6 reconnected with him again, regardless.

7 Q Okay.

8 A And I, I said, "Well, I have talked to him, so  
9 what I need is the missing persons report," and  
10 that's about the time I wrote the letter. Because  
11 my stepmother said to me, "This is too long for  
12 your mom to be missing, Donalee. Write the  
13 letter." And it was addressed -- I can't remember  
14 the exact date, but it, uhm, it was during that  
15 time that I wrote the letter and, uhm, I asked,  
16 "Where is that letter?" And I even asked with the  
17 Missing Women's Task Force, when they came to my  
18 house in Hazelton, I said, "Where's the letter?"  
19 And they said, "We'll locate it for you," but they  
20 never got back to me.

21 Q So that, so that the second, the second time you  
22 called, you asked to, to speak with the Missing  
23 Persons Department rather than the native liaison  
24 officer?

25 A Yes, yes.

1 Q And what did they say when you asked specifically  
2 to speak with the Missing Persons Unit?

3 A They said that Morris was the contact person for  
4 missing aboriginal women, so I -- or, like,  
5 missing native people. So, I dealt with him. He  
6 was the native liaison person, so they wanted me  
7 to deal with him.

8 Q And they didn't want you to deal with the Missing  
9 Persons Unit?

10 A They said, "Start with him."

11 Q All right.

12 A Yes.

13 Q So, many of your family members dealt with Morris  
14 Bates and maybe another person or, or more than  
15 one other person at the native, the Vancouver  
16 Police Native Liaison Society office, exclusively?

17 A Yes.

18 Q Okay. And then, at some point, someone in the  
19 police service somewhere called a member of your  
20 family to let you know that they thought they had  
21 located your mom?

22 A Yes.

23 Q Do you remember exactly who it was who called?

24 A No, I don't, but they, they contacted my Uncle  
25 Russell.

1 Q Okay. So, someone called, contacted your Uncle  
2 Russell --  
3 A Yes.  
4 Q -- and said --  
5 A That they had seen her.  
6 Q That someone had seen her?  
7 A Yeah.  
8 Q Or that they had seen her?  
9 A Yeah.  
10 Q Do you know which one that either -- had it been  
11 an officer who had seen her or another individual  
12 who had seen her, a civilian?  
13 A It was another individual.  
14 Q All right.  
15 A It wasn't the actual police person. It was an  
16 individual who had seen her.  
17 Q And on the basis, on the strength of that  
18 representation, your Uncle Russell and your Uncle  
19 John Paul travelled from Port Alberni all the way  
20 to Vancouver?  
21 A Yes. I think they did, yes.  
22 Q And they, they went to Oppenheimer Park to look  
23 for your mom?  
24 A I think so, yes.  
25 Q And they didn't find your mom, of course?

1 A No.

2 Q At that point, they returned to the Vancouver  
3 Police Native Liaison Society office and told  
4 Morris Bates that they couldn't find her? They  
5 didn't find your mom in Oppenheimer Park?

6 A No, they didn't.

7 Q Or at Sunset Hotel?

8 A No, they didn't.

9 Q And, and specifically, they -- but they did return  
10 to the office and tell that to Morris Bates, that  
11 they didn't find her?

12 A Yeah.

13 Q And to your knowledge, was anything done after  
14 that by the Vancouver Police Department?

15 A I don't think so.

16 Q Or by the Vancouver Police Native Liaison Society?

17 A No.

18 Q And at that point, I take it that your,  
19 effectively, your family gave up on the Vancouver  
20 Police Department?

21 A Yeah, they did. We, that's when we started doing  
22 our own searches again. Uhm, that's when I shared  
23 with you that my sister lived with my Aunt Ann,  
24 and I came even to look with my boyfriend at the  
25 time and Ann-Marie and her boyfriend at the time,



1 we, we all went down there to look for mom, and we  
2 really tried, you know. You, you just get so  
3 hopeful. You think, like, "Maybe we'll find her.  
4 Maybe we'll find her in this bar," or "Maybe  
5 somebody saw her," or "Maybe if we ask this  
6 person, they will know where she is." And even if  
7 she's in some dark, dungy, old hotel room in a  
8 single room, I'll go in there and I'll get her.  
9 But we never found her.

10 Q I just want to thank you for sharing with us and I  
11 hope that what you have told us will assist us in  
12 making sure that this never happens again.

13 THE COMMISSIONER: Any further -- oh, yes, Mr. Hern?

14 MR. GRATL: Mr. Commissioner, just before I stop.

15 Q Is there something else that you wish to share?

16 A No, I'm fine.

17 MR. HERN: Ms. Livingston may have some questions.

18 MS. LIVINGSTON: Ann Livingston, Vancouver Area Network of Drug  
19 Users.

20 THE COMMISSIONER: Yes.

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

22 Q Just to, uhm, you know, there is a lot of stuff  
23 that you have explained about your background and  
24 your mother's background and a lot of the pain  
25 that you went through in life. Would you say

1 that, uhm, the core of your outrage and at the  
2 commission at being at this, is for the reluctance  
3 of the Vancouver Police Department to take a  
4 missing persons report on your mother?

5 A Yeah, I think it's quite disturbing that so many  
6 of my mom's family came forward, because there was  
7 myself, my sister, uhm, my, my Grandma Mary and my  
8 Grandma Dora, my Uncle John Paul, my Uncle Russell  
9 and other family members, you know, who, who went  
10 to the police and asked for those reports to go  
11 through. And, you know, it should have happened  
12 in October of '92 when we wanted it to. And I  
13 don't see anything until '94. And I don't see the  
14 Missing Women's Task Force until Pickton is picked  
15 up in 2001.

16 And why, all of a sudden, are you interested  
17 in my mother now when, when all of that was  
18 occurring and everything was in the media? Why  
19 weren't you looking for her in '94, in '93 and '92  
20 when there was so many family members asking for  
21 help?

22 Q So, you think that you would be less angry and  
23 less outraged if you would have been able to get a  
24 report in, in a timely manner and had the  
25 impression or evidence that someone had taken

1 notes and --

2 A Yes.

3 Q -- investigated your mother's disappearance?

4 A And also I think that if it was in a different  
5 neighbourhood, it probably would have been looked  
6 at a lot faster, but because it was the Downtown  
7 Eastside, it wasn't.

8 Q Thank you.

9 THE COMMISSIONER: Yes.

10 MR. HERN: Mr. Commissioner, Sean Hern, counsel for the  
11 Vancouver Police Department and the Vancouver  
12 Police Board.

13 And Ms. Sebastian, I just want to say on  
14 behalf of the Department and the Board, that thank  
15 you for coming and sharing your experiences with  
16 us, and to say that, on behalf of my clients, I'm  
17 sorry that -- sorry for your loss and sorry that  
18 more wasn't done when you and your family reached  
19 out for help to the, the Department and the  
20 Liaison Society.

21 You've come here for answers and I hope, as  
22 the course of this inquiry unfolds, that you will  
23 get some of those answers. There is information  
24 that different witnesses will speak to about what  
25 went on in terms of their role and, and the

1 relationship between the Liaison Society and the  
2 Department, those kind of things. But I hope  
3 that, over the course of the inquiry, that some of  
4 those answers are provided to you. Thank you for  
5 coming.

6 THE COMMISSIONER: Any, any further questions? All right, Ms.  
7 Sebastian, yes, you want to say something else?

8 THE WITNESS: Another thing I'm wondering about is, you know,  
9 once Pickton was found and, and charged for the  
10 few that went through the court, and he was  
11 convicted, why is my mother's missing persons case  
12 -- it seems like it's gone stagnant. I want to  
13 know what happened to my mom. Just because he was  
14 found, it seemed like they just stopped looking  
15 for her. I, I'm, I need to know. My sister needs  
16 to know. My brother needs to know. We need  
17 closure. We would like to have her found. We  
18 want to know what happened. Just because he was  
19 found, doesn't mean that her case has to stop.  
20 Her case needs to be solved.

21 THE COMMISSIONER: I don't know if -- I don't know who can give  
22 those answers. We expect that we will hear from,  
23 from a lot of police officers and maybe they're in  
24 a position to -- they will be in a position to  
25 tell us what happened to the investigation. And

1 as I understand it, your question here and your  
2 concern here is, why did the investigation come to  
3 a stop and why did they stop looking for your  
4 mother. So, I think the only people that can  
5 answer that will be the, will be the police, and  
6 perhaps they will be able to give -- shed some  
7 light onto that. That's why we're here. And this  
8 is an investigation into missing women and, in  
9 particular, missing women in the Downtown Eastside  
10 of Vancouver. That's the purpose of this, one of  
11 the purposes of this commission of inquiry. Okay.

12 I want to sincerely thank you for coming here  
13 and sharing your heart-wrenching story with us.  
14 It, it helps us to know what you have gone  
15 through. It helps us to know what your family has  
16 gone through. And I think I can speak on behalf  
17 of everyone here, we admire you and the other  
18 women who have come here, for your courage in  
19 coming forward and telling us what happened and  
20 the terrible tragedy that took place in your life.

21 As I said yesterday at the outset, that if  
22 things need to be changed, if change is going to  
23 come, it will only come from people like yourself  
24 who will come here and tell us about what happened  
25 to you and how can we improve the system. How can



1 MR. CHANTLER: Absolutely.

2 THE COMMISSIONER: All right, thank you.

3 THE REGISTRAR: The hearing is now adjourned until 10 o'clock  
4 in the morning.

5 **(PROCEEDINGS ADJOURNED AT 3:39 P.M.)**

6 I hereby certify the foregoing  
7 to be a true and accurate  
8 transcription of the proceedings  
9 herein to the best of my skill  
10 and ability.

11  
12  
13  
14 Gabriele Heise, RPR  
15 Official Reporter, BCSRA No. 399  
16 Realtime Certified Reporter  
17 United Reporting Service Ltd.

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