

Vancouver, B.C.

April 2, 2012

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

THE REGISTRAR: Order. The hearing is now resumed.

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

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

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

1 Services Society in May 2011.

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

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

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

25 I am aware that this commission has received

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 objective of producing a report that will save
2 lives.

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

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

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

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

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

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

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

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

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

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

25 I know this process is not perfect, but it is

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

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

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

25 Together we can make a huge difference to the

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

11 Thank you for listening. Yes, Ms. Brooks.

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

14 THE COMMISSIONER: Yes. Thank you.

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

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

5 THE COMMISSIONER: All right. Thank you.

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

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

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

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

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

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

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

22 **FREDA ENS: Affirmed**

23 **MORRIS BATES: Affirmed**

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

25 MS. ENS: Freda Ens.

1 THE REGISTRAR: And your name, sir?

2 MR. BATES: Morris Bates.

3 THE REGISTRAR: Thank you. Counsel.

4 **EXAMINATION IN CHIEF BY MS. BROOKS:**

5 MS. BROOKS: So turning then to your backgrounds, Ms. Ens, I'll
6 start with you, and I do want to just preface this
7 by saying that I know that some of the things
8 we're going to be talking about today are
9 difficult and they're emotional, and so to the
10 extent to which I can do anything, I ask that you
11 tell me, and if you need breaks or Kleenex or
12 anything like that, then of course all of that
13 will be provided to you. So, Ms. Ens, you were
14 born in 1957?

15 MS. ENS: Yes.

16 MS. BROOKS: And what are you currently doing?

17 MS. ENS: I'm a case worker with Victim Services in the Crime
18 Prevention Division.

19 MS. BROOKS: Are you working with Project Evenhanded?

20 MS. ENS: I still continue.

21 (REPORTER INTERJECTS)

22 MS. BROOKS: I think the mike actually can move a bit closer to
23 you.

24 THE REGISTRAR: Sorry, I'll just put an extension.

25 MS. ENS: As far as Project Evenhanded, I am -- I do still

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

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

11 MS. ENS: Yes.

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

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

15 MS. BROOKS: And you were with the society until it closed in
16 2003?

17 MS. ENS: Yes. Until they fired me.

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

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

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

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

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

1 MS. ENS: Yes.

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

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

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

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

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

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

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

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

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

8 MS. BROOKS: Did you go to residential school?

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

25 And so the abuse that happened when I was

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

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

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

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

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

14 So for me growing up in that feeling like I
15 had no rights, feeling that I had -- I couldn't
16 defend myself, I couldn't speak for myself, and as
17 the abuse got more serious I did run away at age
18 14 and ran to live with my foster parents,
19 actually, who lived on the same reserve,
20 ironically, but at that time, because I was made
21 to feel like I was just a troublemaker and a liar
22 and all of that, I couldn't really disclose the
23 sexual abuse. I talked about the physical abuse,
24 but even that was downplayed, and I was made to
25 return home. And later on I did go to live with

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

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

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

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

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

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

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

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

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

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

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

4 And right at that time I saw somebody on TV,
5 and he was talking about how he took special
6 interest in historical sexual assault cases, which
7 ours was by that time, so I called him and spoke
8 with him after just seeing him on TV and how, you
9 know, how he came across there, and I told him our
10 story, and he said to me "Well, Freda, it's been
11 15 years. Why do you want to waste our time and
12 taxpayer's dollars?" And I remember saying, "But
13 there's no statute of limitations on child
14 molesting."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 MS. BROOKS: You can use the washroom.

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

20 MS. BROOKS: Do you need a break?

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

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

24 THE COMMISSIONER: Yes. All right.

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

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

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

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

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

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

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

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

1 of times when we hold on to all of that it affects
2 us, it impacts us, it makes us sick. And as I
3 went through the Choices program, I finished, and
4 I think it was in May or something, and I think it
5 was that September I was in the Downtown Eastside,
6 I can't remember what I was back down there for,
7 and I ran into one of my brothers. He had lived
8 for quite a while in the Downtown Eastside
9 homeless on the streets there, so when I ran into
10 him I asked if we could go for lunch, and he
11 looked at me really scared, kind of panicked, and
12 I asked what was wrong, and he told me he was
13 supposed to be meeting Dad. And Dad had been
14 sentenced in September of 1989, and this was like
15 2004, and I hadn't seen, hadn't heard, didn't know
16 where -- what had happened to him, so I was a bit
17 surprised when he said that Dad was in Vancouver.
18 So I asked him, "Can I come with you," and --
19 which for me was a real big thing because it was
20 kind of going back to deal with some of the demons
21 in my childhood.

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

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

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

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

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

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

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

1 look at that.

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

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

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

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

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

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

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

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

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

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

1 a source of protection for you?

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

22 MS. BROOKS: Did your --

23 MS. ENS: -- to --

24 MS. BROOKS: Sorry.

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

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

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

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

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

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

16 MS. BROOKS: Did he take your report?

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

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

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

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

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

5 MS. ENS: No, not -- no.

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

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

1 people were --

2 MS. BROOKS: Stereotypes?

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

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

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

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

18 MR. BATES: Old habits.

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

1 born?

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

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

4 MR. BATES: Well, I'm born right here in Vancouver, Vancouver
5 General Hospital, and I'm from Williams Lake on
6 the Shuswap. My dad's Haida, so Shuswap Haida.
7 Went to -- I didn't go -- we're going to cut to
8 the chase on some of this stuff because we're here
9 for the missing women. There's nothing really
10 about me that's -- you know, I went to school. I
11 graduated from Williams Lake Senior Secondary. I
12 went -- thing was the only thing a little
13 different about my upbringing is that in the
14 1960s, when they did a major scoop on all the kids
15 going into residential school, my dad -- actually,
16 it's my uncle, he had his -- his first son, his
17 real son was going to go into Grade 1, and his
18 second son was just born, and at that time I was
19 11 years old, and they were coming to get us, and
20 so my dad on that summer -- and we had -- they
21 would scoop us around August to stick us in
22 school, and my dad that summer left, and he went
23 down to -- he went across the line, there's a
24 place called Oroville, Tonasket, and there's a
25 little bitty community, 253 people there, and it

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 found out, oh, that's a guy with Alzheimer's, and
2 his granddaughter lived right up on 17th and --
3 17th and Main, right up there where they're
4 tearing all that place down, and I took him home.
5 It felt really good to be able to help.

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

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

12 MR. BATES: It was called, I guess, to bridge the gap, a matter
13 of trust. They wanted to have -- historically
14 native people just don't like to go to cops. You
15 know, there's not any good rhyme or reason that
16 you want to see one of these guys. I mean, it's
17 just -- I had a little boy in the Native Liaison
18 239 Main Street. This little boy is in there. He
19 comes in with his dad, and his dad is talking to
20 me, and his little boy was running, like, up the
21 hallway type of thing. All at once one of the
22 constables came through the door, and he runs in
23 there and goes, "Daddy, Daddy, Daddy, Daddy, cops,
24 cops." And so we calmed him down. It was -- in
25 fact, it was Detective Jay Johns, and Jay was --

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

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

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

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

23 THE COMMISSIONER: When was it established?

24 MR. BATES: The storefront?

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

1 MR. BATES: The Native Liaison.

2 MS. ENS: I believe there was a group of agencies and
3 aboriginal community members that lived in
4 Vancouver --

5 THE COMMISSIONER: Yes.

6 MS. ENS: -- had in 1998 -- or 1988 had started a committee to
7 look at the issues of the aboriginal people
8 falling through the cracks and what could happen,
9 and so in April, I believe it was, of 1991 is when
10 Vancouver Police & Native Liaison Society opened
11 its doors.

12 THE COMMISSIONER: I see. How many members are there?

13 MS. ENS: At that time there were -- I believe it started out
14 with one officer and then added another one.

15 MR. BATES: As I understand it, Richard Vedan was the driving
16 force behind the Native Liaison, if I remember
17 correctly.

18 MS. ENS: I believe --

19 MR. BATES: Yes. And it was a pilot project for the federal
20 government, provincial government, and the
21 municipal government. It was a three-year pilot
22 project, and after three years --

23 THE COMMISSIONER: So the objective was to have a better
24 relationship between --

25 MR. BATES: Yes.

1 THE COMMISSIONER: -- the aboriginal community and the police?

2 MR. BATES: Yes.

3 THE COMMISSIONER: Right.

4 MR. BATES: Because they were not -- a lot of -- a lot of
5 native women and guys -- a lot of native women, if
6 you -- if a police officer showed up and you had
7 kids and you reported a spousal assault, Social
8 Services would be there before you could say Jack
9 Jams twice, and your kids are gone. They're gone.
10 So they won't report them, because as soon as you
11 report them the cops show up. The cops show up,
12 they report it, then you can't get your kids back.
13 And if Social Services get a hold of your kids,
14 God bless your heart because you're not going to
15 see them again for -- even if you do all the
16 hoops, hoopla that they want you to do, you've got
17 to go to anger management, you've got -- you've
18 got to do this, you know, the kids -- by the time
19 you get them you won't recognize them anymore.

20 THE COMMISSIONER: So the fact that the ministry was seizing
21 young aboriginal children --

22 MR. BATES: Well, yeah.

23 THE COMMISSIONER: -- caused a conflict with the police as well
24 because the police were doing the seizing; is that
25 correct?

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

4 THE COMMISSIONER: I see.

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

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

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

19 MS. BROOKS: Who are you referring to?

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

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

1 get an instant report taken.

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

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

6 THE COMMISSIONER: Someone?

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

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

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

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

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

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

12 THE COMMISSIONER: Oh, I see.

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

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

21 MR. BATES: Yes.

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

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

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

9 THE COMMISSIONER: I see.

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

23 THE COMMISSIONER: Yes.

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

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

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

10 MS. ENS: Steve.

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

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

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

18 MS. BROOKS: Who was that?

19 MS. ENS: I think Al Howlett.

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

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

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

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

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

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

9 MR. BATES: Yeah.

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

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

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

21 THE COMMISSIONER: That's fine.

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

24 MR. BATES: Do they have microphones?

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

1 THE COMMISSIONER: Thank you for coming.

2 THE REGISTRAR: Just leave one on that side and one on this
3 side. Good afternoon, gentlemen.

4 **GEORGE LAWSON: Affirmed**

5 **JAY SCOTT JOHNS: Affirmed**

6 THE REGISTRAR: Could you state your name, please.

7 MR. JOHNS: My name is Jay Scott Johns, J-o-h-n-s.

8 THE REGISTRAR: Thank you.

9 MR. LAWSON: It's Constable George Lawson, L-a-w-s-o-n.

10 THE REGISTRAR: Thank you. Counsel.

11 MS. BROOKS: So Detective Lawson and Detective Johns, I would
12 like to have you join in this discussion, but just
13 quickly before we do I'll just lead you through
14 your background with the police department. So,
15 Detective Constable Johns, I understand that you
16 were sworn in in January 1989?

17 MR. JOHNS: That's correct.

18 MS. BROOKS: And you worked on patrol District 2, which is the
19 Downtown Eastside, from '89 to '94?

20 MR. JOHNS: That's correct.

21 MS. BROOKS: And then you worked at the Native Liaison Unit,
22 which is a unit within the police department, from
23 1994 to 1998?

24 MR. JOHNS: That's correct.

25 MS. BROOKS: And as an officer with that unit you were also

1 assigned to the Native Liaison Society?

2 MR. JOHNS: That's correct.

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

5 MR. JOHNS: I did.

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

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

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

15 MR. JOHNS: That's correct.

16 MR. BATES: I never knew that.

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

19 MR. LAWSON: That's right.

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

21 MR. LAWSON: That's correct.

22 MS. BROOKS: Was it in District 4?

23 MR. LAWSON: It was in District 4.

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

1 MR. LAWSON: That's correct.

2 MS. BROOKS: And then after you were seconded to Musqueam?

3 MR. LAWSON: That's correct as well.

4 MS. BROOKS: And from 2004 to present you've also worked on
5 patrol?

6 MR. LAWSON: That's correct.

7 MS. BROOKS: And what district?

8 MR. LAWSON: I worked back in District 4.

9 MS. BROOKS: So thanks for that. Now, you've just heard Mr.
10 Bates and Ms. Ens give evidence, and they were
11 talking about the steps, Mr. Bates was discussing
12 the steps that he takes to try to locate missing
13 persons, and the commissioner was asking what role
14 the officers that were assigned to the Native
15 Liaison Society played in terms of assisting and
16 whether they could turn to you for some help with
17 that. Can you explain to the commissioner what
18 your role was and whether that was something that
19 fell within your mandate? Detective Constable
20 Lawson, do you want to start?

21 MR. LAWSON: Okay. It didn't really fall within our mandate.
22 As a liaison unit we focused more of our attention
23 on liaising with the different agencies in
24 Vancouver, which at that time were quite a few,
25 probably about 64 different agencies, not all of

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

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

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

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

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

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

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

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

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

1 their members?

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

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

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

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

1 you know what, I think she's missing, and

2 that's --

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

5 MR. BATES: Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 MR. LAWSON: Tsimshian.

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

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

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

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

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

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

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

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

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

21 MR. LAWSON: I believe so.

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

1 making reports of missing women to the Missing
2 Persons Unit, and if I could just start with you,
3 Ms. Ens. If you could turn -- there should be a
4 document brief before you that's been marked as
5 Exhibit 118NR. If you could turn to the first tab
6 of that, the commissioner was asking you whether
7 you had made any complaints about the difficulties
8 that the liaison society was having in making
9 reports, and this is a letter that was written to
10 the chief constable at the time on January 22nd,
11 1997. And I'll read it out and -- well, perhaps
12 you could read it out since you wrote it and then
13 I'll ask you a few questions about it.

14 MS. ENS:

15 Dear sir:

16 We have recently received a complaint from a
17 mother that I feel is very serious. It is
18 regarding Sandy Cameron from the Missing
19 Persons Department. This is not the first
20 time we have had complaints about her.

21 In October 1995, when a grandmother tried to
22 report her 12 year old granddaughter missing,
23 she was told by Ms. Cameron that they were
24 not a baby-sitting service and not to bother
25 them again.

1 Do you want me to read the file number?

2 MS. BROOKS: No, it's okay.

3 MS. ENS:

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

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

13 Are they prejudged before there is an
14 investigation?

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

17 MS. BROOKS: So you were writing this letter in January of
18 1997, and the first paragraph references a
19 complaint that you received from a mother you said
20 is very serious, and you don't put any detail in
21 this letter about that complaint. Can you tell
22 the commissioner who was making the complaint and
23 what the nature of the complaint was?

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

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

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

6 MS. ENS: No, she --

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

8 MS. ENS: Yeah.

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

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

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

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

19 MS. BROOKS: Sure.

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

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

1 representing herself as a police officer?

2 MS. ENS: Yes, I'd heard that, and before this I had also
3 complained -- I didn't do a letter, but I had
4 complained about Sandy Cameron originally when
5 Mary Lidguerre and Dorothy Spence went missing in
6 1995, and I was refused the opportunity to do a
7 missing persons report on Mary because I was not
8 next of kin, and later on Morris -- I don't know
9 if you want to speak to that -- but we had a youth
10 worker from our office, Jack Spence, who was
11 Dorothy's brother, and Dorothy went missing two
12 weeks after Mary, and Jack had tried to report his
13 sister missing and ran up against the same kind of
14 roadblocks we had, and after I was told -- after I
15 was told I couldn't report Mary missing because I
16 wasn't family, I wasn't blood, it really shocked
17 me to find out that Jack also had problems trying
18 to report his own sister as missing.

19 MS. BROOKS: Okay.

20 MR. BATES: I'd like to just add a little bit here. Jack
21 Spence worked in our office. Okay. His sister
22 goes missing. His sister. And he works in our
23 office, and he can't go into the police department
24 and get her listed as missing.

25 MS. BROOKS: Why couldn't he?

1 MR. BATES: Because she wouldn't take the report.

2 MS. BROOKS: Why not?

3 MR. BATES: Because she just says no. I mean, you couldn't get
4 your report. If she didn't want to take it, you
5 couldn't get it listed.

6 MS. BROOKS: What explanation did she give?

7 MR. BATES: She don't have to give nothing. She's just, "Get
8 out of here." I remember one time we had one
9 girl. Her name is Ada Prevost. Ada -- I used to
10 bother about these girls, "Come on, we got this
11 listing," because they were trying to get some of
12 these going. They wouldn't take her. Finally
13 they found -- I mean, she had every rhyme and
14 reason in the world not to do it. She was finally
15 found, this young girl, Ada Prevost, which she's
16 not on here. They found her in Phoenix.

17 MS. BROOKS: "She" is Ms. Cameron?

18 MR. BATES: She found her in Phoenix. She comes into my office
19 -- or come into our office. I'm sitting behind
20 and watching. She comes in with a piece of paper
21 that says Ada Prevost was found in Phoenix. She
22 grabs the document and throws it to the girl
23 that's working behind the desk and says, "Tell
24 Morris we found one of his whores."

25 THE COMMISSIONER: One of the what?

1 MR. BATES: That was her response.

2 THE COMMISSIONER: Found one of the what?

3 MR. BATES: She says, "Tell Morris we found one of his whores,"
4 because that -- see, everything was like, "They're
5 over here." And when I did find that Ada Prevost
6 was down in Phoenix and she had -- she was
7 pregnant, and she was caught smoking crack, and
8 they stuck her in a mental institute down there
9 until she had the babies, so she -- but we didn't
10 have -- we couldn't get her listed as missing. We
11 didn't have anything on her. But finally when it
12 did show up that Ada was alive, then she came into
13 our office and throws a paper on the girl's desk
14 and says, "Tell Morris we found one of his
15 whores." That's verbatim.

16 MS. ENS: And going back to Mary, when Jack tried to report
17 Dorothy as missing, and just like when I was
18 trying to report Mary as missing, I was told, "Oh,
19 she'll show up at the Sunrise behind a pint of
20 beer. They always do," and Jack was given the
21 same information. And for me it was really
22 frustrating. And when Mary had gone missing --
23 because Mary was somebody that came into our
24 office. If she didn't come in, she called. So we
25 heard from her on a regular basis. And when she

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

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

16 MS. ENS: Well, when I said --

17 MS. BROOKS: Dave who?

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

24 MS. BROOKS: Referring to Ms. Cameron?

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

1 MR. BATES: Dave said Mary was living --

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

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

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

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

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

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

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

25 MS. BROOKS: Did you think something was wrong?

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

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

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

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

12 MS. ENS: Yes.

13 MS. BROOKS: And I'll just take you back there. So continuing
14 on from the letter that she's written on January
15 22nd, 1997, which is in tab 1, she then says this
16 after she said that she was -- Sandy Cameron
17 referred to her -- or she thought Sandy Cameron
18 was a police officer:

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

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

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

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

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

1 that she's going to come and take the child, that
2 she's a coke head that just abandoned her baby, to
3 grandma that was like just -- she couldn't deal
4 with that, and she knew that her daughter couldn't
5 deal with that either because her daughter at that
6 time had been preparing and planning not only her
7 21st birthday but her son's first birthday and his
8 first real Christmas because, you know, to her
9 those were important things, so the fact that she
10 wasn't coming back home, wasn't showing up, was a
11 real concern for mom.

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

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

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

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

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

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

23 MR. LAWSON: Yes.

24 MS. BROOKS: And Constable Johns.

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

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

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

15 MR. LAWSON: I don't think so.

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

17 MS. BROOKS: Can't generalize about that?

18 MR. JOHNS: I wouldn't, no.

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

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

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

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

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

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

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

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

1 obstacle --

2 MR. BATES: Totally. Totally.

3 MS. BROOKS: -- of having reports taken?

4 MR. BATES: You can't get it past her desk, it doesn't exist.

5 And you got one constable, Dave Dickson, who's
6 taking information, but he ain't writing it down,
7 and he didn't tell nobody about it. So this is
8 your police department. In a million people there
9 two people basically caused all this chaos, and
10 you can't find one guy that's a pig farmer sitting
11 out in the middle of Coquitlam. You got all these
12 smart people can't -- they can't put this
13 together.

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

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

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

1 file?

2 MS. ENS: Well, with Tanya's, the same with the other
3 12-year-old that grandma was calling about,
4 grandma said she had tried for two weeks to get
5 her 12-year-old granddaughter listed as missing.
6 I mean, 12-year-old. That's 12 years old. And
7 she kept being told, "We're not a baby-sitting
8 service. Quit calling." So, I mean, if they're
9 being told on one hand, like, you're bothering us,
10 many times -- and this is what I know that Dixie
11 had done, was she had gone and had gone on foot
12 and tried her best to find any friends, anybody
13 that had information on her daughter.

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

16 MS. ENS: Yes.

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

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

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

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

5 MR. JOHNS: Go ahead, George.

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

9 MR. BATES: Can I --

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

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

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

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

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

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

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

5 MR. BATES: That's Sandy Cameron.

6 MR. JOHNS: Yes.

7 MR. BATES: That's her.

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

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

16 MR. BATES: Elsie in '94.

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

18 MR. BATES: Elsie went missing in 1994 because I started her in
19 '93 in the summer, and I --

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

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

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

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

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

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

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

24 MR. BATES: Yes.

25 MS. BROOKS: -- you learned they disappeared?

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

12 MS. ENS: Noel.

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

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

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

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

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

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

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

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

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

11 MS. ENS: Yes.

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

14 MS. ENS: No.

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

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

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

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

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

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

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

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

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

12 MS. ENS: No.

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

1 MS. BROOKS: You're not kept informed about how --

2 MR. BATES: Nothing.

3 MS. BROOKS: -- it's being handled. And if we turn to tab 3,
4 there is a memo here that's written by Sergeant
5 Cooper to Inspector Biddlecombe, and it's dated
6 January 9th, 1998, and he states in this memo that
7 him and Detective Constable Tempest, who you dealt
8 with regularly --

9 MR. BATES: Ed Tempest, yes.

10 MS. BROOKS: -- met with Freda Ens and Morris Bates of the
11 Police Native Liaison.

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

- 18 1. That the reportee is only a friend of
19 the missing person as opposed to a
20 relative.
- 21 2. That the person must be missing for
22 24 hours before a report can be
23 taken.
- 24 3. That just because the reportee has
25 not seen the person doesn't mean they

1 are missing.

2 And he states:

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

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

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

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

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

24 MS. ENS: No, I don't. And later on that year, in October of
25 1998, I was asked to present at a conference for

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

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

3 MS. BROOKS: Who would that have been?

4 MS. ENS: That --

5 MS. BROOKS: Who should you have gone to?

6 MS. ENS: First my officers, constables. The inspector.

7 Whoever the inspector was on our board, and that
8 -- basically that was how I would deal with it.

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

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

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

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

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

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

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

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

10 MS. BROOKS: Yes.

11 MR. BATES: If you would like.

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

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

16 MS. BROOKS: Sure.

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

20 Do you want me to keep reading?

21 MR. BATES: Keep going.

22 MS. BROOKS:

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

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

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

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

10 MS. BROOKS: Right.

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

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

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

3 MR. JOHNS: No, nobody came.

4 MR. BATES: It's not their thing.

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

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

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

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

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

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

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

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

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

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

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

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

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

7 MS. ENS: No, definitely not.

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

23 MS. BROOKS: And --

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

1 MR. BATES: I don't know. They fired me in 2003. I haven't
2 heard shit.

3 MS. BROOKS: When did the native --

4 THE COMMISSIONER: I got a frank answer there. Certainly don't
5 mess around with words, do you, sir.

6 MR. BATES: I'm too old for that.

7 MS. BROOKS: When did the Native Liaison Society shut down?

8 MR. BATES: June 2003.

9 MS. BROOKS: Does it exist today?

10 MR. BATES: No. They took -- they came and took me and threw
11 me in the street, fired Freda and took all of our
12 reports. And we must have had 5,000 reports, and
13 you got -- I mean, we had shelves of evidence that
14 we don't know where they're at, and we got a
15 couple little documents here. So they just
16 stopped it right then. I think that we were kind
17 of an embarrassment. We could have been an
18 embarrassment to them, to the Vancouver Police
19 Department, because we were actually doing the job
20 of finding these people, and they didn't give a
21 care about them. And I think if you go to the
22 files, that's where you're going to find -- that's
23 where it all stopped. And so you've got this big
24 mess out there, so if you get rid of the Native
25 Liaison, that stops all that. All those boxes are

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

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

9 MR. BATES: No. No.

10 MR. JOHNS: No.

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

14 MR. BATES: No.

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

16 MS. ENS: No.

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

1 department gave us the credibility.

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

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

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

13 MS. ENS: The lowest was 700 --

14 MR. BATES: Something like that. But, I mean, we might have
15 20, and that would be on Welfare Wednesday, so --
16 but after -- by Friday on Welfare Wednesday week
17 we'd have, like, 70 people -- calls. It was a lot
18 of people going through that office. So that
19 question I say is -- it was overworked. If we
20 would have had -- we could have used more staff,
21 more everything.

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

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

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

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

1 MR. BATES: Yeah.

2 MS. BROOKS: -- for the Missing Persons investigators.

3 MR. BATES: And she's the only person in charge of Missing
4 Persons, and I never saw her once. I mean, when I
5 did, she'd already quit.

6 MS. BROOKS: So you saw -- you did -- she did come to visit
7 your office?

8 MR. BATES: She came -- I think she came twice, but she had
9 already transferred out of Missing Persons. She
10 was just working part time with Ed Tempest on the
11 coroner's liaison.

12 MS. BROOKS: When did you first learn that there was an
13 investigation specifically into missing women?

14 MS. ENS: I think for -- after -- after Tanya's disappearance,
15 for us it was around when the whole Kim Rossmo,
16 you know, that whole thing, and Sarah de Vries
17 went missing, and then it was Sarah de Vries's
18 sister Maggie and Sandra Gagnon, and Janet Henry
19 had been one of the girls that used to come to our
20 office. They put -- they were fighting trying to
21 put pressure on for the missing persons poster. I
22 mean, for us, you have to understand the work that
23 we were doing and all of the things we were doing.
24 Even when Janet went missing we didn't hear about
25 it right away, and Janet was somebody that -- that

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

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

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

11 MR. BATES: No.

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

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

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

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

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

1 office? How did you come to receive the poster?

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

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

25 MS. BROOKS: About 15 more minutes.

1 THE COMMISSIONER: Are they back tomorrow?

2 MS. BROOKS: Yes.

3 THE COMMISSIONER: Okay. Are we going to have enough time?

4 You're taking up --

5 MS. BROOKS: No, we have the panel for tomorrow.

6 THE COMMISSIONER: All right. Okay.

7 MS. BROOKS: We'll take as much time as we need. There's lots
8 of time.

9 THE COMMISSIONER: Okay.

10 THE REGISTRAR: The hearing is now recessed for 10 minutes.

11 (PROCEEDINGS ADJOURNED AT 2:55 P.M.)

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

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

14 MS. BROOKS: Detective Constable Lawson, when did you first
15 learn that there was a missing women
16 investigation?

17 MR. LAWSON: I actually went to see -- pictures in the
18 newspaper was probably my first instance.

19 MS. BROOKS: No one from the department came and communicated
20 anything about the investigation to you?

21 MR. LAWSON: They did not.

22 MS. BROOKS: No one came and asked you when you were
23 communicating with the aboriginal organizations to
24 warn them or let them know that there was an
25 investigation into the disappearance of missing

1 women, including many aboriginal women?

2 MR. LAWSON: No.

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

5 MR. LAWSON: I was not.

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

8 MR. JOHNS: That's correct.

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

11 MR. JOHNS: I did not.

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

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

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

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

1 question to say that. I mean --

2 THE COMMISSIONER: If you're not able to answer it, then that's
3 fine, we understand that.

4 MR. BATES: Yeah. Okay. Let me just leave that alone.

5 MS. BROOKS: Ms. Ens, do you have any remarks about that?

6 MS. ENS: I remember when Dorothy Purcell, she said three
7 strikes, you're out. If you're aboriginal is one
8 of them, if you're addicted, or if you live in the
9 Downtown Eastside. Any of those, you're out. One
10 of the things that for me was really important,
11 and Morris touched on that earlier, that this
12 isn't a race issue, and when I had my support
13 group for families of missing and murdered women,
14 I had many of the family members that attended, I
15 worked with families whose daughters were
16 murdered, and those daughters -- they weren't able
17 to see those daughters when they were being
18 buried, and so the issues that they spoke of when
19 they talked about their loved one, and I talked to
20 Dorothy, for example, about her missing daughter,
21 those issues were so much the same in that the
22 feelings of people were getting tired of listening
23 to them or hearing them and that, and so I had an
24 informal kind of a support group, and that support
25 group was -- it wasn't for all aboriginal. We had

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

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

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

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

1 MR. LAWSON: I don't have any.

2 MR. JOHNS: I don't have a comment on this per se, but I think
3 that you're talking 1995. I think as a member of
4 the Vancouver Police Department that mistakes were
5 made, starting with Kim Rossmo, and, you know,
6 information not being passed on. I think that
7 since then the department has grown, has changed a
8 lot of the ways that they do things. And I'm not
9 saying that because I'm a member or anything. I
10 think that, one, it's a shock to think that in
11 this beautiful city that we have somebody that
12 preys, one person that preys on a lot of people
13 and a serial killer, and that's just something
14 that even as a police officer you think, you know,
15 that's just in books and movies and things. It's
16 very hard to take. I think it made us grow a lot
17 as a police department with this happening. I
18 think the city's changed a lot.

19 MS. BROOKS: And we'll get into that. I understand, Mr.
20 Commissioner, I understand that Ms. Narbonne is
21 going to be addressing recommendations with the
22 panel, so those are my questions, and I'm going to
23 hand it over to her now.

24 THE COMMISSIONER: All right. Thank you.

25 MS. NARBONNE: Thank you, Mr. Commissioner. My name is Suzette

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

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

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

11 THE REGISTRAR: That will be Exhibit 119NR.

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

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

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

16 MS. NARBONNE: Where --

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

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

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

1 particularly so he can see it.

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

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

9 MS. NARBONNE: Yes, please.

10 THE REGISTRAR: It will be marked as number 120.

11 **(EXHIBIT 120 - Map)**

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

22 MS. ENS: Yes.

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

1 called the Queen Charlotte Islands, now Haida
2 Gwaii, right?
3 MS. ENS: Yeah.
4 MS. NARBONNE: And are you a member of the Masset Band there?
5 MS. ENS: Yes. Old Masset.
6 MS. NARBONNE: Sorry?
7 MS. ENS: The Old Masset Band.
8 MS. NARBONNE: Old Masset. That's the top part of the islands;
9 is that right?
10 MS. ENS: Yes.
11 MS. NARBONNE: Mr. Bates, is your band shown on there?
12 MR. BATES: Let's see. Williams Lake, I guess. 719 or 716. I
13 can't see that far.
14 MS. NARBONNE: I would say 719.
15 MR. BATES: Right around there someplace. Okay. I'm from the
16 William Lake Indian Band. I think I --
17 MS. NARBONNE: And Mr. Lawson, Detective Lawson.
18 MR. LAWSON: That's Williams Lake.
19 MS. NARBONNE: And while you have that pointer in your hand,
20 you're from Port Simpson; is that right?
21 MR. LAWSON: That's correct.
22 MS. NARBONNE: And that's near where I hail from, Prince
23 Rupert, correct?
24 MR. LAWSON: Right there.
25 MS. NARBONNE: When did you leave Port Simpson?

1 MR. LAWSON: 1967.

2 MS. NARBONNE: '67. Where did you go to?

3 MR. LAWSON: I actually moved to Vancouver to continue with my
4 education for high school.

5 MS. NARBONNE: And is your family still in Port Simpson?

6 MR. LAWSON: The majority of my family moved out of --
7 everybody's moved out of Port Simpson. They're
8 now living or residing in Prince Rupert, which is
9 just one step or jump away from it right there.
10 The next dot.

11 MS. NARBONNE: So Port Simpson is still there, but you're
12 family's all moved to the city; is that right?

13 MR. LAWSON: That's correct. Sorry.

14 MS. NARBONNE: Now, I appreciate the comments about this not
15 being a race issue. It's an issue about people,
16 right, and it's an issue about missing people.
17 The Downtown Eastside, though, has -- is
18 grossly -- has a grossly over-representative
19 population of aboriginal people, right? They make
20 up 5 per cent of Canada's population, and yet they
21 make up something like 30 to 70 per cent of the
22 population of the Downtown Eastside. Ms. Ens, was
23 that your experience from your work there?

24 MS. ENS: The numbers have changed a bit. I thought we made up
25 3 per cent of the total population of Canada. Now

1 you're saying we're 5 per cent?

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

5 MR. JOHNS: Oh, yeah.

6 MS. ENS: Yeah.

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

10 MS. ENS: They were all different --

11 MS. NARBONNE: I'll start with Freda.

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

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

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

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

5 MS. NARBONNE: Yes.

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

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

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

19 MS. NARBONNE: Right.

20 MS. ENS: They were all treated poorly.

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

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

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

10 MS. NARBONNE: Yes.

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

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

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

16 MS. NARBONNE: Right.

17 MR. BATES: And --

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

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

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

3 MS. NARBONNE: Yes.

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

10 MS. NARBONNE: Right.

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

14 MS. NARBONNE: Right.

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

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

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

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

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

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

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

13 MS. NARBONNE: Okay.

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

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

20 MR. LAWSON: I do agree with that.

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

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

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

8 MS. NARBONNE: So they end up there?

9 MR. LAWSON: Staying here.

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

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

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

18 MR. JOHNS: That's correct.

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

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

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

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

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

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

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

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

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

16 MS. NARBONNE: Okay.

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

22 MS. NARBONNE: Oh, okay.

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

1 but it never really came beyond the inspectors.

2 MS. NARBONNE: Really.

3 MR. LAWSON: It would stay at that level.

4 MS. NARBONNE: Are the society and the unit part of the same

5 thing? Like, maybe I'm not -- I'm just still

6 trying to sort that out in my head.

7 MR. JOHNS: Yeah, I think that's the misconception, that we are

8 together. We worked together but worked two

9 different entities. So we're in the same

10 office -- same room, but we have our own office.

11 So it's different than the society.

12 MS. NARBONNE: All right. What about communication between the

13 society and the unit? Was there some kind of

14 regular communication at your level? Forget the

15 board. Let's talk about --

16 MR. BATES: We saw each other every day.

17 MS. NARBONNE: Right.

18 MR. BATES: You know. I mean, we're in the same office. I'm

19 right there, Jay's over there, George is over

20 here, Freda's there, Marilyn's here, and we got a

21 girl on the desk. We're all sitting right

22 together. If something's going on, it was, you

23 know, a very -- it was one of the best working

24 relationship type of offices that I've ever been a

25 part of, but I haven't been a part of very many,

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

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

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

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

8 MS. NARBONNE: Yes, to yet another officer.

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

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

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

1 MS. NARBONNE: -- it had to do with the role that they played,
2 and you didn't want these women being re-
3 victimized or these people being re-victimized?

4 MS. ENS: Right.

5 MS. NARBONNE: Okay. That makes sense. I understand that.
6 Let's talk about the missing women, and I'm going
7 to ask about some specific ones because, I think
8 at least for me, that's an easier way to
9 understand it. Mary went missing in 1995; is that
10 right?

11 MS. ENS: Yes.

12 MS. NARBONNE: And which officers were with the unit at that
13 time?

14 MR. BATES: Jay and George.

15 MR. JOHNS: Yeah.

16 MS. NARBONNE: Both of you were there?

17 MR. LAWSON: Yes.

18 MS. NARBONNE: This became an issue because Mary was someone
19 who all of you liked, right, and I know, Ms. Ens,
20 you had been preparing her for family court just
21 before you went on holidays; is that right?

22 MS. ENS: Yes.

23 MS. NARBONNE: Can you tell us about that?

24 MS. ENS: Well, Mary was, like Jay talked about -- okay, with
25 Mary and with a couple other of our girls that had

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

1 you know, support her through that.

2 MS. NARBONNE: Okay. When I looked at the reports, it appears
3 that she actually never made it to family court.

4 MS. ENS: No. No, that was when she -- when we first realized
5 she went missing, because I was off on holidays,
6 and I called the office. And Mary was a person
7 that came in or called. If she didn't come in,
8 she called. And when the office hadn't heard from
9 her, that was -- that wasn't Mary, so I started to
10 get concerned.

11 MS. NARBONNE: And her missing family court must have been a
12 big concern to you.

13 MS. ENS: Pardon?

14 MS. NARBONNE: Her missing family court.

15 MS. ENS: Yes, because that was very, very important to Mary.

16 MS. NARBONNE: So who do you first speak to about Mary being
17 missing?

18 MS. ENS: Well, I was calling the office and asking the staff,
19 "Has Mary been in," you know, "Have you seen her?
20 Have you talked to her." "No." "No." And as
21 time went on it became, you know, like, there's
22 something wrong here, and I'm asking the guys,
23 calling the office. And then I did at some
24 point --

25 MS. NARBONNE: When you said "the guys", you pointed to the two

1 detectives?

2 MS. ENS: Jay and George.

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

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

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

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

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

1 MS. ENS: Well --

2 MR. JOHNS: Good question.

3 MS. ENS: Yeah, good question.

4 MS. NARBONNE: What did you think his role there was?

5 MR. BATES: He was on a 25-year coffee break.

6 MS. NARBONNE: Put the microphone in front of you when you
7 speak, please.

8 MR. BATES: I was there 10 years, and I couldn't really ever
9 figure it out. He worked by himself, and he'd
10 been down there -- it was pretty political to be
11 in that area for the -- there was DEYAS and there
12 was all these different organizations, and he --
13 like, most of the guys, they worked a couple years
14 and you go to Traffic or you do this, but they
15 don't keep you. Well, Dave never had a partner,
16 so we could never -- we could never -- I mean, he
17 should have been writing stuff down like other
18 police constables do, but he never had a partner
19 to be accountable to, and I never knew what he
20 ever did.

21 MS. NARBONNE: Okay.

22 MR. BATES: And he was just down there. And all I know, as he
23 can tell you, all he did was hang around WISH all
24 the time at five o'clock in the morning, and then
25 you try to ask something about, "Oh, yeah, Dave,

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

7 MS. NARBONNE: The police notebook?

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

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

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

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

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

3 MR. BATES: He was just a corporal.

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

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

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

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

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

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

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

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

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

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

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

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

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

24 MR. JOHNS: Yeah.

25 MR. LAWSON: He was a safety --

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

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

8 MS. NARBONNE: What would you do?

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

10 MS. NARBONNE: Okay.

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

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

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

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

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

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

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

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

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

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

1 we'll investigate that."

2 MR. BATES: It's her constables.

3 MS. NARBONNE: Okay.

4 MR. BATES: We'll tell -- like she's in charge of Missing

5 Persons, but it's like her agenda is, "When I

6 decide we're going to do something about it,"

7 because she'd say, "Well, who are we going to put

8 on it?" I mean, there should have been a missing

9 persons report and put up to somebody in charge of

10 Missing Persons and then you find out is this

11 person actually missing. I mean, to come in --

12 that lady that came in and finally asked me, "My

13 boyfriend, I've been trying to get him listed as

14 missing for two weeks now," I make one phone call

15 to Ed Tempest, "Oh, he's dead." So that whole

16 chain, how do you get -- you can't get it past

17 Sandy Cameron.

18 MS. NARBONNE: Now, after the letter is written, Ms. Ens, and

19 then there's a sort of a follow-up, did things

20 change? Did things improve? Did they start

21 taking --

22 MS. ENS: No.

23 MS. NARBONNE: No?

24 MS. ENS: No. And that's why, like -- but then I believe at

25 that time -- you have to understand we're only a

1 small office, and there's five of us, right.

2 MS. NARBONNE: I know.

3 MS. ENS: We have murder trials. We have, you know, different
4 things that we're supporting victims through and
5 different things. We've all got different case
6 loads and that. There isn't a lot about missing
7 persons and that right at that time, so -- and I
8 think at that time they even felt that the
9 missings had stopped or something. So we're just
10 doing our work, and it isn't until, like, the
11 newspaper articles start coming and then the --

12 MR. BATES: It wasn't our job to go and look for these people.

13 MS. NARBONNE: I know that.

14 MR. BATES: Okay.

15 MS. NARBONNE: I'm really specifically focusing on -- my
16 question is did things improve with Ms. Cameron
17 after you complained?

18 MR. BATES: No.

19 MS. NARBONNE: Okay.

20 MR. BATES: I think it got worse.

21 MS. NARBONNE: Really?

22 MR. BATES: Yeah.

23 MS. NARBONNE: How?

24 MR. BATES: Well, just like I explained to you, we're trying to
25 make -- to have these women listed as missing, and

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

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

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

5 MS. NARBONNE: I understand.

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

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

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

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

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

4 MR. LAWSON: I didn't.

5 MR. JOHNS: No.

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

10 MR. LAWSON: Yes.

11 MR. JOHNS: That's correct.

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

14 MR. JOHNS: That's correct.

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

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

1 MS. NARBONNE: Right.

2 MR. LAWSON: -- and try to build those bridges and have some
3 positive contact, but as far as someone coming
4 along and saying that, you know, that somebody's
5 being racist toward them, no.

6 MS. NARBONNE: But the police department wrote a memo saying,
7 whether or not it's true, we acknowledge that
8 people are complaining about this, right? The
9 police department know what you're doing. You're
10 part of VPD, right?

11 MR. JOHNS: That's correct.

12 MR. LAWSON: A very small part, but we are a part of it.

13 MS. NARBONNE: A very small part. But they never bothered --
14 the police department never bothered to come and
15 talk to you and say, "Can you help sort this out"?

16 MR. LAWSON: No.

17 MR. BATES: That's Cooper's job.

18 MS. NARBONNE: Do you think that could have been helpful, or
19 not?

20 MR. JOHNS: Of course it would have been helpful, yes.

21 MR. LAWSON: I think for them to tell us about something that
22 we're already doing, right, so I don't know
23 whether they thought that was important enough to
24 approach us with, being that our mandate was to be
25 out their building bridges in that community,

1 improving relationships.

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

4 MR. LAWSON: No.

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

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

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

10

11

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

16

17 Leanna Smith
18 Official Reporter
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