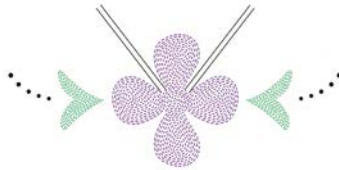


National Inquiry into  
Missing and Murdered  
Indigenous Women and Girls



Enquête nationale  
sur les femmes et les filles  
autochtones disparues et assassinées

**National Inquiry into Missing & Murdered Indigenous Women & Girls  
Truth-Gathering Process - Part II Institutional Hearings  
“Police Policies & Practices”  
Saskatchewan Hotel  
Regina, Saskatchewan**



***PUBLIC***

**Part II Volume VII**

**Tuesday June 26, 2018**

**Panel I: “Recruitment, Training & Policing in Indigenous  
Communities” (*continued*)**

**Brenda Lucki, Commissioner, Royal Canadian Mounted Police;**

**Daniel Bellegarde, Director, Canadian Association of Police Governance;**

**Jean-Pierre Larose, Chief of Kativik Regional Police Force**

**Heard by Chief Commissioner Marion Buller  
& Commissioners Michèle Audette, Brian Eyolfson & Qajaq Robinson**

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## II

### APPEARANCES

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|---|---|
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| Association of Native Child &<br>Family Service Agencies<br>Ontario (ANCFSAO)   | Josephine de Whytell (Legal<br>Counsel)                               |
| Awo Taan Healing Lodge Society  | Darrin Blain (Legal Counsel)  |
| British Columbia Civil<br>Liberties Association   | Michael Vonn (Representative),<br>Meghan McDermott (Legal<br>Counsel) |
| Canadian Association of Chiefs<br>of Police (CACP)  | Ashley Smith (Legal Counsel)  |
| Directeur des poursuites<br>criminelles et pénales<br>(Québec)  | Anny Bernier (Legal Counsel)  |
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| Government of New Brunswick                          | Maya Hamou (Legal Counsel)  |
| Government of Newfoundland and<br>Labrador           | Denise Spencer (Legal Counsel)  |
| Government of Ontario                                | Julian Roy (Legal Counsel),<br>Katelyn Forget (Legal Counsel)   |
| Government of Quebec                                 | Marie-Paule Boucher (Legal<br>Counsel)  |
| Government of Saskatchewan                           | Barbara Mysko (Legal Counsel),<br>Colleen Matthews (Legal<br>Counsel)   |
| Government of Yukon                                  | Chantal Genier<br>(Representative)  |
| Independent First Nations<br>(IFN)                   | Josephine de Whytell (Legal<br>Counsel); Deanna Jones Keeshig<br>(Representative)   |
| Institute for the Advancement<br>of Aboriginal Women | Lisa Weber (Legal Counsel)  |
| Inuit Tapiriit Kanatami (ITK)                        | Elizabeth Zarpa (Legal<br>Counsel), William David   |

IV

APPEARANCES

|  |   |
|--|---|
| Liard Aboriginal Women's Society   | Leila GEGGE HURST<br>(Representative), Ann Maje<br>Raider (Representative)      |
| Manitoba Keewatinowi<br>Okimakanak (MKO)   | Jessica Barlow (Legal Counsel)  |
| Mishkeegogamang First Nation   | Whitney Van Belleghem (Legal<br>Counsel), Paloma Corrin (Legal<br>Counsel)      |
| MMIWG Coalition Manitoba   | Catherine Dunn (Legal<br>Counsel), Hilda Anderson Pyrz<br>(Representative)      |
| Native Women's Association of<br>Canada  | Virginia Lomax (Legal Counsel)  |
| New Brunswick Aboriginal<br>Peoples Council  | Elizabeth Blaney<br>(Representative), Chief Wendy<br>Wetteland (Representative) |
| NunatuKavut Community Council  | Todd Russell (Representative),<br>Roy Stewart (Legal Counsel)                   |
| Ontario Federation of<br>Indigenous Friendship Centres   | Niki Hashie (Representative)  |
| Ontario Native Women's<br>Association (ONWA)   | Robert Edwards (Legal<br>Counsel), Christina Comacchio<br>(Legal Counsel)       |
| Pauktuutit Inuit Women of<br>Canada, Saturviit Inuit<br>Women's Association,<br>AnânanuKatiget Tumingit<br>Regional Inuit Women's<br>Association, Ottawa Inuit<br>Children's Centre and Manitoba<br>Inuit Association, as a<br>collective single party | Beth Symes (Legal Counsel)  |

V

APPEARANCES

|  |  |
|--|--|
| Quebec Native Women / Femmes<br>autochtones du Québec                                  | Rainbow Miller (Legal Counsel)   |
| Regina Treaty Status Indian<br>Services  | Erica Beaudin (Representative)   |
| Saskatchewan Association of<br>Chiefs of Police  | Katrina Swan (Legal Counsel)   |
| Thunder Bay Police Services  | Edward Marrocco (Legal<br>Counsel), Tiffany O'Hearn<br>Davis (Legal Counsel)   |
| Treaty Alliance Northern<br>Ontario - Nishnawbe Aski<br>Nation/Grand Council Treaty #3 | Krystyn Ordyniec (Legal<br>Counsel), Catherine Cheechoo<br>(Representative), Elysia<br>Petrona Reitberger (Legal<br>Counsel) |
| Vancouver Rape Relief and<br>Women's Shelter   | Hilla Kerner (Representative),<br>Laurel McBride<br>(Representative)   |
| Vancouver Sex Workers' Rights<br>Collective  | Carly Teillet (Legal Counsel)  |
| Winnipeg Police Service  | Sheri Bell (Representative),<br>Kimberly D. Carswell (Legal<br>Counsel)  |

VI

TABLE OF CONTENTS

**Truth-Gathering Process Part II Volume VII**

**Panel I: "Recruitment, Training & Policing in Indigenous Communities"  
(continued)**

Chair: Christa Big Canoe (Commission Counsel)

Second Chair: Shelby Thomas (Commission Counsel)

**Brenda Lucki, Commissioner, Royal Canadian Mounted Police**

Counsel: Anne Turley (Government of Canada)

**Daniel Bellegarde, Director, Canadian Association of Police Governance**

Counsel: Michelle Brass (First Nations Police Governance Council)

**Jean-Pierre Larose, Chief of Kativik Regional Police Force (Quebec)**

Counsel: Bernard Jacob (Commission Counsel)

**Witness: Richard Coleman, Director of Public Safety, Relations with  
Aboriginal Peoples Office (Quebec)**

Counsel: Bernard Jacob (Commission Counsel)

Heard by Chief Commissioner Marion Buller & Commissioners Brian  
Eyolfson, Michèle Audette & Qajaq Robinson

Grandmothers, Elders, Knowledge-keepers & National Family Advisory  
Circle (NFAC) members: Vern Bellegarde, Bernard Jack, Joanne Jack,  
Reta Blind, Terrance Bob, Barbara Dumont-Hill (Government of Canada),  
Pamela Fillier, Fred Fillier, Louise Haulli, Norma Jacobs (Knowledge-  
keeper / NFAC), Myrna Laplante (NFAC), Cheryl Littlelent, Kathy  
Louis, Larry Oakes, Kimberly Okeeweehow, Darlene Osborne (NFAC), John  
Osborne, Doug PeeAce, Gladys Radek (NFAC), Leslie Spillett, Audrey  
Siegl, Laureen "Blu" Waters, Bernie Poitras Williams, Charlotte  
Wolfrey (NFAC), Cynthia Cardinal, Bonnie Fowler

Clerk: Bryana Bouchir

Registrar: Bryan Zandberg

VII

TABLE OF CONTENTS

|   | PAGE     |
|---|----------|
| Opening Ceremony  | 1        |
| <b>Panel 1, Resumed</b>   | <b>2</b> |
| Cross-Examination of Panel 1 by Ms. Erica Beaudin                                 | 3        |
| Cross-Examination of Panel 1 by Ms. Virginia Lomax                                | 11       |
| Cross-Examination of Panel 1 by Ms. Hilla Kerner                                  | 20       |
| Cross-Examination of Panel 1 by Ms. Elizabeth Zarpa                               | 31       |
| Cross-Examination of Panel 1 by Mr. Darrin Blain                                  | 44       |
| Cross-Examination of Panel 1 by Ms. Krystyn Ordnyniec                             | 53       |
| Cross-Examination of Panel 1 by Ms. Josephine de Whyttel                          | 59       |
| Cross-Examination of Panel 1 by Ms. Whitney Van Belleghem                         | 65       |
| Cross-Examination of Panel 1 by Ms. Beth Symes                                    | 73       |
| Cross-Examination of Panel 1 by Ms. Anne Maje Raider<br>and Ms. Leila Gegge Hurst | 88       |
| Cross-Examination of Panel 1 by Ms. Jessica Barlow                                | 95       |
| Cross-Examination of Panel 1 by Mr. Roy Stewart                                   | 104      |
| Cross-Examination of Panel 1 by Ms. Elizabeth Blaney                              | 112      |
| Cross-Examination of Panel 1 by Ms. Michelle Brass                                | 120      |
| Cross-Examination of Panel 1 by Ms. FAY BLANEY                                    | 124      |
| Cross-Examination of Panel 1 by Ms. Lisa Weber                                    | 132      |
| Cross-Examination of Panel 1 by Ms. Marie-Paule Boucher                           | 138      |
| Cross-Examination of Panel 1 by Ms. Wendy Van Tongeren                            | 157      |
| Re-Examination of Panel 1 by Ms. Michelle Brass                                   | 165      |
| Re-Examination of Panel 1 by Mr. Bernard Jacob                                    | 169      |
| Re-Examination of Panel 1 by Ms. Anne Turley                                      | 181      |
| Questions by Commissioner Brian Eyolfson  | 185      |

VIII

TABLE OF CONTENTS

|   |     |
|---|-----|
| Questions by Commissioner Qajaq Robinson      | 189 |
| Questions by Chief Commissioner Marion Buller | 192 |
| Questions by Commissioner Michèle Audette     | 198 |
| Questions by Commissioner Qajaq Robinson      | 213 |
| Questions by Chief Commissioner Marion Buller | 219 |
| Questions by Commissioner Qajak Robinson      | 252 |
| Questions by Commissioner Brian Eyolfson      | 271 |



IX

LIST OF EXHIBITS

| NO.   | DESCRIPTION  | PAGE |
|---|--|------|
| <b>Panel 1: Recruitment, Training &amp; Policing in Indigenous Communities (continued)</b><br>Exhibit code: P02P02P0201 |  |      |
| 42  | Document titled "Crime Statistics" (four pages)<br>Witness: Panel I<br>Submitted by Beth Symes, Counsel for Pauktuutit Inuit Women of Canada, Saturviit Inuit Women's Association, AnânuKatiget Tumingit Regional Inuit Women's Association, Ottawa Inuit Children's Centre and Manitoba Inuit Association, as a collective single party   | 93   |
| 43  | Agreement between Government of Quebec and Pekuakamiulnuatsh Takuhikan « Entente relative au versement d'une aide financière à Pekuakamiulnuatsh Takuhikan dans le cadre de sa participation au <i>Programme de financement Prévention Jeunesse 2016-2019</i> » (eight pages)<br>Witness: Richard Coleman, Director of Public Safety, Relations with Aboriginal Peoples Office<br>Submitted by Marie-Paule Boucher, Counsel for Government of Quebec                                     | 169  |
| 44  | Agreement between Le conseil de la nation Huronne-Wendat and the Ministère de la sécurité publique (Québec) titled « Entente relative au versement d'une aide financière dans le cadre du Programme de soutien aux municipalités en prévention de la criminalité 2016-2019 », signed November 22, 2017 (12 pages)<br>Witness: Richard Coleman, Director of Public Safety, Relations with Aboriginal Peoples Office<br>Submitted by Marie-Paule Boucher, Counsel for Government of Quebec | 170  |

X

LIST OF EXHIBITS

| NO. | DESCRIPTION  | PAGE |
|-----|--|------|
| 45  | Agreement between Ministère de la sécurité publique and Centre d'amitié autochtone la Tuque titled « Entente relative au versement d'une aide financière dans le cadre du Programme de prévention et d'intervention en matière d'exploitation sexuelle des jeunes 2016-2021 » (eight pages)<br>Witness: Richard Coleman, Director of Public Safety, Relations with Aboriginal Peoples Office<br>Submitted by Marie-Paule Boucher, Counsel for Government of Quebec | 171  |
| 46  | Agreement between the Government of Quebec and Le conseil de la nation Anishnabe de Lac-Simon titled « Entente relative au versement d'une aide financière dans le cadre du Programme de financement Prévention Jeunesse 2016-2019 », signed February 9, 2017 (n pages)<br>Witness: Richard Coleman, Director of Public Safety, Relations with Aboriginal Peoples Office<br>Submitted by Marie-Paule Boucher, Counsel for Government of Quebec                     | 172  |
| 47  | Agreement between Le conseil des Atikamekw d'Opitchiwan and Ministère de la sécurité publique titled « Entente relative au versement d'une aide financière dans le cadre du <i>Programme de soutien aux municipalités en prévention de la criminalité 2016-2019</i> » (12 pages)<br>Witness: Richard Coleman, Director of Public Safety, Relations with Aboriginal Peoples Office<br>Submitted by Marie-Paule Boucher, Counsel for Government of Quebec            | 173  |

XI

LIST OF EXHIBITS

| NO. | DESCRIPTION  | PAGE |
|-----|--|------|
| 48  | « Comité sur la formation des futurs policiers et policières autochtones ainsi que des policiers et policières oeuvrant dans les communautés autochtones, incluant la formation en enquête », Ministère de la sécurité publique (Québec), updated 2018-04-12 (one page)<br>Witness: Richard Coleman, Director of Public Safety, Relations with Aboriginal Peoples Office<br>Submitted by Bernard Jacob, Commission Counsel | 193  |

1 Regina, Saskatchewan  
2 --- The hearing starts on Tuesday, June 26<sup>th</sup>, 2018 at  
3 8:06 a.m.

4 **MR. VERN BELLEGARDE:** The qulliq has been  
5 lit, I want to thank elder Louise for that. Thank you very  
6 much, Louise. Okay. I'll let elder Louise talk about her  
7 qulliq. You're done? She refuses to say anything, but  
8 thank you very much.

9 This morning, I was preparing to come and --  
10 getting ready and getting dressed, and I felt so out of  
11 style I guess. I couldn't find a pair of jeans with holes  
12 in. The more holes you have in your jeans, the more you're  
13 in style. But, I just want to acknowledge our pipe  
14 carriers this morning, we had a pipe ceremony this morning.  
15 As well, I just want to thank our Creator for giving us  
16 another day, another beautiful day. A day to praise him,  
17 to worship him, to glorify him, and I just thank our  
18 Creator for giving us this day again.

19 We had our pipe ceremony as usual this  
20 morning at 7:00. We had a number of people that were up  
21 early. And, the pipes were lifted again in honour of the  
22 women and to help deal with some of the issues that we may  
23 be facing as Indigenous people that have suffered not too  
24 many nice things over the years from authorities. But, the  
25 elders that spoke to the issue this morning were very open

1 and wanting to help our ladies and -- lifting them up and  
2 praying for them. And, I just now that our Creator will be  
3 with us throughout the rest of the week.

4 There are still some... ..health rooms that  
5 are available if people need to unwind or feel overwhelmed  
6 by what's happening. We're still waiting on -- do we have  
7 everybody here, all of our witnesses? Not yet. Okay.  
8 Well hang tough here, then for we were hoping to have --  
9 start the questioning at about 8:30, so we've got a -- some  
10 time yet until people get here. Do you want to give them  
11 time, or do we have enough ---?

12 **MS. CHRISTA BIG CANOE:** We will have to  
13 start at 8:30 because that's when they announced it. The  
14 parties still have to come.

15 **MR. VERN BELLEGARDE:** Okay. Okay. So we'll  
16 -- those of you who need to fix your nicotine, we'll give  
17 you 20 minutes.

18 (LAUGHTER)

19 **MR. VERN BELLEGARDE:** Okay. We'll start  
20 right at 8:30 and just socialize a bit. Thank you.

21 (LAUGHTER)

22 --- Upon recessing at 8:10 a.m.

23 --- Upon resuming at 8:32 a.m.

24 **--- PANEL 1, Resumed:**

25 **MS. CHRISTA BIG CANOE:** Good day, and just

1 for the record and for anyone who might be just joining or  
2 viewing, starting to view, the panel that we have before us  
3 today is Recruitment, Training and Policing in Indigenous  
4 Communities. All of the witnesses have done their  
5 examination in-chief, and we have commenced and started  
6 with the cross-examinations.

7 Yesterday, I had made a note that commission  
8 counsel was consenting to a small adjustment on the  
9 schedule to accommodate a party being able to assist MMIWG  
10 family, and so we would actually like to call first the  
11 party that was originally listed fourth on the schedule.

12 The Regina Treaty Status Indian Services,  
13 Ms. Erica Beaudin, will be doing her cross-examination, and  
14 she has nine-and-a-half minutes.

15 **--- CROSS-EXAMINATION BY MS. ERICA BEAUDIN:**

16 **MS. ERICA BEAUDIN:** I have the same issue as  
17 Grandmother Bernie, being short. So good morning.

18 Thank you to the elders, drummers and  
19 singers for their prayers and songs, both yesterday and  
20 today. As a citizen of Treaty 4, I welcome all visitors to  
21 our strong and vibrant treaty area.

22 My name is Erica Beaudin, and I'm the  
23 Executive Director of the Regina Treaty Status Indian  
24 Services.

25 My questions are to Commissioner Lucki.

1 Thank you for the apology that you presented yesterday on  
2 behalf of the RCMP. I went over it again last night, and I  
3 believe it's truly heart felt.

4 I want to quickly share with you  
5 anecdotally, a conversation I had with a fellow member of  
6 the Provincial Partnership Committee on Missing Persons,  
7 who was a high-ranking RCMP officer -- he's now retired --  
8 here in Saskatchewan.

9 He stated to me that he knew the higher ups  
10 know the RCMP has to change, but that new recruits and  
11 officers are filled with their own thoughts and he didn't  
12 know how this was going to change. He further shared that  
13 it seemed that when officers finally understood the reality  
14 of First Nations people, they were then at desk jobs or  
15 retired.

16 Overall, has this been your experience as  
17 well?

18 **COMMISSIONER BRENDA LUCKI:** Generally, I  
19 feel that people in the RCMP, employees, want to change, we  
20 just have to find the mechanism to do that. And I -- we're  
21 going to spend in the next few months with senior  
22 management and outside facilitators ways -- creating a  
23 five-year plan in order to change -- like make improvements  
24 to the culture.

25 Because I think operationally, yes, we do

1 falter sometimes, but generally speaking, in operations, we  
2 -- we're a lot stronger, and I think if we create a  
3 stronger culture it will reflect itself in the operations.

4 **MS. ERICA BEAUDIN:** Thank you. In terms of  
5 recruitment, what tests are put into place for cadets and  
6 cadet hopefuls to determine if they have harmful beliefs  
7 about Indigenous people, in particular, Indigenous women  
8 and Two-Spirited lesbian/gay, trans and queer?

9 **COMMISSIONER BRENDA LUCKI:** I don't think  
10 there are anything in our tests that pull that -- those  
11 specific items out?

12 **MS. ERICA BEAUDIN:** Okay. So there isn't a  
13 polygraph or behavioural or psychological tests that are  
14 taken?

15 **COMMISSIONER BRENDA LUCKI:** There is a  
16 polygraph. I'm just not sure if it pulls out specific  
17 groups of people, but it does pull out -- there are ethical  
18 questions and questions in regards behaviour ensuring that  
19 people have -- like a good behaviour. I'm just not sure  
20 specifically if there is questions on specific types of  
21 people.

22 **MS. ERICA BEAUDIN:** Okay. If these recruits  
23 do show signs of distorted beliefs or racism, and now that  
24 you've said that you're not sure if it's any questions  
25 specifically towards Indigenous people, what is the cut-off



1 for tolerance of intolerant beliefs?

2 **COMMISSIONER BRENDA LUCKI:** Any -- if  
3 anything comes out that is huge -- like on the side of  
4 racism, those people -- what ends up happening in a  
5 polygraph is there is specific follow up by the  
6 polygraphist, and if it's determined that the attitudes of  
7 that applicant are not in line with our core values then  
8 they don't go any further.

9 **MS. ERICA BEAUDIN:** Okay. If the recruit is  
10 satisfactory in every other way except for bias beliefs of  
11 race will they still get accepted or will they pass?

12 **COMMISSIONER BRENDA LUCKI:** They shouldn't  
13 be accepted, no.

14 **MS. ERICA BEAUDIN:** Okay. So there is a  
15 threshold for new recruits?

16 **COMMISSIONER BRENDA LUCKI:** It's through the  
17 polygraph that we do -- if there are certain areas where  
18 they are showing negativity towards that particular area,  
19 they -- in all likelihood they will not get through the  
20 process.

21 But it's something that -- you know, when  
22 you say that it makes me want to think that it's a good  
23 opportunity maybe to review our polygraph and to ensure  
24 that the questions that we have in there -- that's a really  
25 good thought that you have, and I think we need to review

1 the polygraph. So I'm going to make that as one of my  
2 projects to make sure that maybe that's a way that we can  
3 spot that behaviour earlier on.

4 **MS. ERICA BEAUDIN:** Thank you. My next  
5 question is on training. How many hours specifically is  
6 spent on First Nations' traditional beliefs, customs and  
7 spirituality?

8 **COMMISSIONER BRENDA LUCKI:** I don't have the  
9 exact amount of hours, but I know that, for instance, when  
10 we look at various modules in the program, there are bits  
11 and pieces of it, and so I don't have the total addition of  
12 those hours.

13 But for instance, the blanket exercise is a  
14 full morning, or afternoon, like approximately three hours.  
15 There is also the -- there's a module, well, within the  
16 missing persons there are some cultural inserts in there.  
17 And at the very beginning, there are some cultural pieces  
18 as well, but I don't have the total for you, sorry.

19 **MS. ERICA BEAUDIN:** Okay. Are cadets  
20 required to partake in one of our ceremonies to understand  
21 the connection of Indigenous people to the land?

22 **COMMISSIONER BRENDA LUCKI:** Not at the  
23 training academy. It's not imbedded in the program. I  
24 know myself, when I was there, we had First Nations cadets  
25 that brought their entire troop to a smudge in the room of

1 reflection. That's happened, but it's not imbedded in the  
2 program.

3 **MS. ERICA BEAUDIN:** Okay. Do you believe  
4 this -- the hour count that is there right now is  
5 sufficient, and do you believe that training should be  
6 one-on-one as opposed to an online course?

7 **COMMISSIONER BRENDA LUCKI:** It's important  
8 to remember that the training that we do at the academy is  
9 the induction training, but it is followed up with the six  
10 month cadet field coaching, and then, of course, we expect  
11 our employees to be lifelong learners. So there is  
12 different courses in that regard. But as far as specific  
13 one-on-one, it probably -- it may be difficult in the  
14 induction phase, but it definitely is one-on-one when they  
15 go into field coaching.

16 **MS. ERICA BEAUDIN:** Okay. Yesterday, you  
17 spoke of volunteerism of cadets. You spoke a little bit  
18 also about the belief of why it's not mandatory for cadets  
19 to volunteer for Indigenous events or communities. My  
20 question to you is, if it was mandatory would this not be a  
21 good marker to gauge tolerance or intolerance of cadets  
22 before they actually had to serve in one of our  
23 communities?

24 **COMMISSIONER BRENDA LUCKI:** That may in fact  
25 be a marker. I think teaching them to give back to their

1 community is important, whichever community that may be,  
2 and making positive differences with youth and to the  
3 vulnerable sector, and that's imbedded in the program as  
4 far as dealing with it.

5 We have all kinds of events at depot that  
6 allow for the cadets to volunteer. We've turned it around  
7 and not made things mandatory because of the expectations  
8 of the program are so high, and there is so many extra --  
9 like to get through the program is a -- it's a difficult  
10 program. So they spend a lot of their time studying and  
11 doing various activities geared towards their training.

12 But for the most part, we never have any  
13 problem when we do have events to get volunteers.

14 **MS. ERICA BEAUDIN:** Okay. We all understood  
15 the -- or found that when a person becomes a police  
16 officer, they become part of a brotherhood in which they  
17 know their physical lives may one day be in each other's  
18 hands. This creates a bond that may extend to protection  
19 of more than their physical being. How does the RCMP  
20 monitor unhealthy relationships within team members and  
21 individual detachments, in particular northern communities  
22 in which there's a great power imbalance with the police  
23 force and women?

24 **COMMISSIONER BRENDA LUCKI:** Sorry. Your  
25 question was, how do we monitor it?

1                   **MS. ERICA BEAUDIN:** Yes. If there is a  
2 monitoring of it, unhealthy behaviours and relationships  
3 amongst team members.

4                   **COMMISSIONER BRENDA LUCKI:** We do have what  
5 we call a unit level quality assurance process that each  
6 detachment commander, as part of their annual performance  
7 plan, are required to review areas of risk. So, what they  
8 do is they go through all the areas of risk, which I don't  
9 have in front of me, there is several of them, and they  
10 have to go through an exercise to determine which areas are  
11 high risk through an exercise. And, once they determine  
12 the ones that are high risk, they're obliged to do a full  
13 unit level quality assurance. And, each risk has a booklet  
14 that they'll go through and it'll ask questions and they'll  
15 respond, and they'll usually allow each member a risk  
16 assessment so that everybody gets to participate in the  
17 process. And, once the risk is identified, best practices  
18 and efficiencies are identified and corrective measures  
19 need to be put into place. And, it's a yearly cycle, so it  
20 takes -- sometimes it could take up to a year; sometimes,  
21 depending on the activity, it may only take a month.

22                   **MS. ERICA BEAUDIN:** Thank you. My final  
23 question, when it comes to policing, it's about  
24 enforcement. Not the enforcement of officers on the  
25 general public, but the enforcement of all the policies,  
26

1 practices, protocols and acts that you spoke of yesterday  
2 to officers who break or breach them. Do you believe that  
3 stricter penalties including termination for officers who  
4 break or breach these may act as a deterrent for violations  
5 they are found guilty of?

6 **COMMISSIONER BRENDA LUCKI:** We do have a  
7 process that determines, through mitigating and aggravating  
8 factors, what type of discipline will be required for the  
9 incident that occurred, and obviously when it comes to  
10 serious offences, we will be looking for terminations.  
11 Yes.

12 **MS. ERICA BEAUDIN:** Thank you. That's all  
13 my time today. My thanks to you for your answers, and my  
14 appreciation to Mr. Bellegarde, Police Chief Larose and Mr.  
15 Coleman for your presentations yesterday.

16 **COMMISSIONER BRENDA LUCKI:** Thank you.

17 **MS. CHRISTA BIG CANOE:** Thank you, Ms.  
18 Beaudin. Next, we would like to invite up Native Women's  
19 Association of Canada, Ms. Virginia Lomax, will have nine  
20 and a half minutes.

21 **---CROSS-EXAMINATION BY MS. VIRGINIA LOMAX:**

22 **MS. VIRGINIA LOMAX:** Thank you. I would  
23 like to thank Treaty 4 and the Métis nation of Saskatchewan  
24 for welcoming us and allowing us to be on their territory.  
25 I acknowledge yesterday's drum song, and the elders'

1 prayers and the sacred items that are in the room with us,  
2 as well as the spirits who are with us today, particularly  
3 those of our stolen sisters.

4 Commissioner Lucki, would you agree with the  
5 statement that a culture that is tolerant towards sexual  
6 violence or a culture that normalizes sexual violence is a  
7 culture that is likely to foster high levels of sexual  
8 violence?

9 **COMMISSIONER BRENDA LUCKI:** If such  
10 behaviour is tolerated and normalized, I would say yes.

11 **MS. VIRGINIA LOMAX:** Would you agree that it  
12 has been widely publicized recently that the RCMP -- that  
13 women in the RCMP have faced an epidemic of sexual  
14 misconduct from their male colleagues?

15 **COMMISSIONER BRENDA LUCKI:** Given the recent  
16 lawsuits, I would agree many -- much of that -- well, the  
17 particular lawsuit is historic. I think the problem was  
18 probably worse in the past and we've made steps to improve  
19 that. Have we eliminated it? I wouldn't say we have  
20 eliminated it, but we're going towards that.

21 **MS. VIRGINIA LOMAX:** And so, is it possible  
22 that officers who have committed sexual misconduct, whether  
23 historical or contemporary, may be the same officers who  
24 are assigned to Indigenous communities?

25 **COMMISSIONER BRENDA LUCKI:** That may be

1 possible.

2 **MS. VIRGINIA LOMAX:** Is it true that  
3 officers who have committed sexual misconduct in the  
4 workplace may be the same officers who have been called to  
5 respond to instances of violence against Indigenous women?

6 **COMMISSIONER BRENDA LUCKI:** It could be  
7 possible. I can't say for sure.

8 **MS. VIRGINIA LOMAX:** And, is it true that  
9 officers who have committed sexual misconduct in the  
10 workplace may be the same officers called to respond to  
11 specifically incidences of sexual violence against  
12 Indigenous women?

13 **COMMISSIONER BRENDA LUCKI:** I need to add  
14 that, normally when somebody is found guilty of sexual  
15 misconduct, their postings will be reflected and we review  
16 that to ensure that they're not in a position where -- we  
17 do a risk assessment. So, I would like to be optimistic  
18 and say that when somebody has been found guilty of those  
19 offences, usually they will be up for termination,  
20 depending on again the circumstances, so -- but I always --  
21 when you say, is it possible, then I'm sort of at a loss of  
22 how to answer.

23 **MS. VIRGINIA LOMAX:** And so, would you agree  
24 that someone who exists in a culture that normalizes and  
25 tolerates sexual misconduct or who engages in sexual



1 misconduct themselves is likely to normalize, excuse or  
2 tolerate the sexual misconduct of others?

3 **COMMISSIONER BRENDA LUCKI:** I don't say in  
4 all cases because some people can learn from the error of  
5 their ways. Some people will find a way to improve their  
6 character so to speak, and maybe from that situation, they  
7 might be -- learn from their errors and be a better person.  
8 So, that is possible as well.

9 **MS. VIRGINIA LOMAX:** And, would you agree  
10 that a zero tolerance approach to sexual misconduct in the  
11 RCMP is necessary in order to ensure that sexual violence  
12 and exploitation, particularly of Indigenous women, is  
13 properly addressed by RCMP and communities?

14 **COMMISSIONER BRENDA LUCKI:** We do have a  
15 zero tolerance policy in regards to sexual misconduct. If,  
16 in fact, it is reported and dealt with, and the person is  
17 found to have committed those offences, we will deal with  
18 that.

19 **MS. VIRGINIA LOMAX:** And so, what are you  
20 going to do in your tenure as Commissioner to ensure  
21 accountability for that zero tolerance approach that you  
22 have described?

23 **COMMISSIONER BRENDA LUCKI:** When we are  
24 dealing with such behaviours, whether they're sexual  
25 misconduct -- any of those type of behaviours, we have a

1 system in place to deal with those behaviours and those  
2 people will be held to account. Those behaviours are not  
3 acceptable in my organization.

4 **MS. VIRGINIA LOMAX:** So, you testified  
5 yesterday that the RCMP are attempting to take an equitable  
6 approach to policing; is that correct?

7 **COMMISSIONER BRENDA LUCKI:** Yes, not sure in  
8 what context I had said that, so maybe you can remind me.

9 **MS. VIRGINIA LOMAX:** Toward the beginning of  
10 your testimony yesterday, you stated that the RCMP was  
11 looking to take an equitable approach.

12 **COMMISSIONER BRENDA LUCKI:** Yes.

13 **MS. VIRGINIA LOMAX:** And so, you testified  
14 that this means ensuring that diverse groups are not  
15 treated differently; is that correct?

16 **COMMISSIONER BRENDA LUCKI:** When it comes to  
17 diverse groups, I think we need to have a greater  
18 understanding of each group. And, when I say -- I don't  
19 like to say that we would treat them differently because --  
20 but we need to find the uniqueness of that group and be  
21 culturally sensitive to that group. So, if that means  
22 different, then yes.

23 **MS. VIRGINIA LOMAX:** And so, that would be a  
24 distinction between equal treatment and equitable  
25 treatment?

1                   **COMMISSIONER BRENDA LUCKI:** Yes.

2                   **MS. VIRGINIA LOMAX:** And so, since you  
3 testified that the RCMP is attempting to take an equitable  
4 approach to policing, what is the RCMP going to do  
5 differently to protect Indigenous women based on their  
6 experiences of intersecting oppression?

7                   **COMMISSIONER BRENDA LUCKI:** I think the best  
8 way to -- the RCMP is about one part of that, and I think  
9 together, working with the various agencies, health,  
10 education, social services, various agencies, I think we  
11 need to take a holistic approach to ensuring the safety of  
12 women in our communities, those -- and anybody in  
13 vulnerable circumstances, whether it's mental health,  
14 additions, violence. We need to rely on each other,  
15 because certain things that we do are from a law  
16 perspective, we try to do the prevention, but if we try to  
17 prevent something and somebody doesn't have a place to  
18 live, then it's very difficult. So, we need to look to  
19 housing, education, employment, and I -- as a community, I  
20 think we're stronger if we work together.

21                   **MS. VIRGINIA LOMAX:** And so, you testified  
22 yesterday that recruits are learning to be more equitable  
23 in their practice through role playing in training,  
24 including one that involves missing Indigenous women; is  
25 that correct?

1                   **COMMISSIONER BRENDA LUCKI:** Yes.

2                   **MS. VIRGINIA LOMAX:** And, you testified that  
3 this role playing training is not directly targeted towards  
4 training on major case management; is that correct?

5                   **COMMISSIONER BRENDA LUCKI:** Major case  
6 management is an advanced skill that something that  
7 somebody would learn while after they're a seasoned  
8 investigator, yes.

9                   **MS. VIRGINIA LOMAX:** And so, they would be  
10 learning major case management through experiential  
11 training, for example on the job training with more  
12 experienced officers?

13                   **COMMISSIONER BRENDA LUCKI:** They will manage  
14 minor cases without -- when I say major case management,  
15 that's a specific informatic solution and there's specific  
16 training for that.

17                   **MS. VIRGINIA LOMAZ:** And so the specific  
18 training for major case management, as well as the  
19 experiential knowledge that officers will learn on the job,  
20 are the more experienced officers who would be essentially  
21 guiding the younger officers through major case management,  
22 would they be going through the same equitable practice  
23 training as the new recruits?

24                   **COMMISSIONER BRENDA LUCKI:** Obviously  
25 they've gone through the recruit training already so

1 they'll have in-service training courses that they'll take  
2 throughout their career.

3 **MS. VIRGINIA LOMAX:** But would they be  
4 learning the same equitable practices, specifically through  
5 learning about how to properly manage a case where the  
6 victim is an Indigenous woman?

7 **COMMISSIONER BRENDA LUCKI:** That is part of  
8 that major case management training. And, actually,  
9 there's senior investigator's courses. We're in the midst  
10 of developing, for example, a constable development course  
11 and an investigator's development course because I think  
12 what we would we would like a more "cradle to grave"  
13 approach, we call it, of both functional competencies,  
14 which are investigations, for example; and organizational  
15 competencies, which are more leadership-based.

16 So instead of -- we would want to build upon  
17 everything they know so when they leave the RCMP training  
18 academy and go, for instance, to the Constable Development  
19 Program, that would build off of what they learnt already  
20 at the training academy.

21 **MS. VIRGINIA LOMAX:** And so I'd like to  
22 direct your attention to what I believe was entered as  
23 Exhibit 2, but please correct me if I'm wrong. This should  
24 be the Police Practices and Policies document. And on page  
25 14 the document discusses a Gender-Based Analysis-Plus that

1 will be applied to policies and programs within the RCMP.

2 Can you discuss how this framework was  
3 developed and how it will be implemented?

4 **COMMISSIONER BRENDA LUCKI:** The GBA-Plus was  
5 actually developed by the Status of Women, and we've taken  
6 it -- we've had many presentations quite a -- a few years  
7 back. We've brought it into -- the Federal Government, as  
8 a matter of fact, anything -- any request to Federal  
9 Government or any demands or asking for additional funding  
10 or additional infrastructure, anything has to go through a  
11 GBA-Plus lens.

12 So at the training academy we're in the  
13 midst of going through the Cadet Training Program as well  
14 as the infrastructure. We're applying those same lenses  
15 when we look at low-diversity units. An example would be  
16 in the dog masters, people who have a police service dog;  
17 that's what we call a low-diversity unit. So we're working  
18 with the GBA-plus lens to see how can we increase diversity  
19 in that unit? And we're applying the same lens to our  
20 entire organization.

21 Did I answer your question?

22 **MS. VIRGINIA LOMAX:** That's helpful; thank  
23 you.

24 **COMMISSIONER BRENDA LUCKI:** Thank you.

25 **MS. CHRISTA BIG CANOE:** I'd like to call up

1 the Vancouver Rape Relief and Woman's Shelter; Ms. Hilla  
2 Kerner will have a total of 14 minutes.

3 --- CROSS-EXAMINATION BY MS. HILLA KERNER:

4 MS. HILLA KERNER: Good morning. I want to  
5 start with thanking the Native Women Association of Canada  
6 for giving us some of their time, and Commissioner Audette,  
7 it's good to have you on this panel.

8 Commissioner Lucki, I will mainly direct my  
9 question to you and since we don't have time they will  
10 mainly be yes or no questions.

11 So you already responded this morning to the  
12 question about screening a candidate in relation to racist  
13 attitudes. I wanted to know if there's a screening process  
14 to test if they have misogynistic or sexist attitude before  
15 they are starting their training program.

16 COMMISSIONER BRENDA LUCKI: In the  
17 polygraph, there's attitudinal questions; I'm not sure if  
18 it's related specifically to sexism. But, again, I'm going  
19 to take those suggestions when we review the polygraph.

20 MS. HILLA KERNER: Okay. And while we're at  
21 it, are there screening questions in regarding to classist  
22 views, contempt or prejudice against people in poverty?

23 COMMISSIONER BRENDA LUCKI: I don't believe  
24 specifically to those type of issues but, again, that's  
25 something that we can add to the review. Thank you.

1                   **MS. HILLA KERNER:** When you do add it to the  
2 review, will you make those questions and tests accessible  
3 to the evaluation of women's groups and Indigenous groups?

4                   **COMMISSIONER BRENDA LUCKI:** Normally when we  
5 do changes to such events, we would probably -- we would do  
6 that in consultation. The test is actually -- the  
7 questions for the polygraph are actually found on our  
8 external Web site, so they're free for anybody to look at  
9 if they choose. So you could google it right now and find  
10 out if we do have any such questions. So I just can't  
11 remember off the top of my head.

12                   **MS. HILLA KERNER:** Sure. I'll do it as soon  
13 as I'm done.

14                   Do you know, Commissioner, that only very  
15 small percentage of women who have been victim to male  
16 violence will actually go to the police?

17                   **COMMISSIONER BRENDA LUCKI:** We need to  
18 increase the ability for victims to come forward.

19                   **MS. HILLA KERNER:** I'm sorry, Commissioner;  
20 it's a yes or no question. Are you are aware that a very  
21 small percentage of women who have been victims to male  
22 violence will go to the police?

23                   **COMMISSIONER BRENDA LUCKI:** I'm not aware of  
24 the statistics but I would imagine it's lower than normal.

25                   **MS. HILLA KERNER:** Okay. So it's based both



1 on the stats of rape crisis centre across the country. We  
2 ourself get way more calls than the VPD, but also Stat  
3 Canada is a very conservative research that estimates it's  
4 less than 5 percent of women who've been victims to sexual  
5 violence by men will go to the police. I can make this  
6 research available to you.

7 Are you aware that many women will not go to  
8 the police because -- and I'm quoting, "There is no point;  
9 they do not believe it will go anywhere, or that the police  
10 will do anything"?

11 **COMMISSIONER BRENDA LUCKI:** I imagine that  
12 that is true.

13 **MS. HILLA KERNER:** Do you agree that when  
14 women do call the police they are doing so -- and I'm  
15 basing it on what women tell us but they're doing so to  
16 protect themselves and their children?

17 **COMMISSIONER BRENDA LUCKI:** I would imagine  
18 in many cases, yes.

19 **MS. HILLA KERNER:** They are doing so to  
20 protect other women? They will explicitly say, "I don't  
21 want him to do it to other women"?

22 **COMMISSIONER BRENDA LUCKI:** I would imagine  
23 that's another reason, yes.

24 **MS. HILLA KERNER:** Do you agree when women  
25 do call on the police, they are calling on the realization

1 of the rights as women, the rights to equality, safety,  
2 security, equal protection and benefit of the law?

3 **COMMISSIONER BRENDA LUCKI:** Everybody should  
4 be afforded those rights, absolutely.

5 **MS. HILLA KERNER:** Surely you're aware of  
6 the high rate of cases that police all over the country has  
7 been deeming as "unfounded"; basically, they do not believe  
8 that the sexual assault happened or at least they're  
9 treating it as such.

10 **COMMISSIONER BRENDA LUCKI:** We have a sexual  
11 assault response team in place as a result of those reports  
12 and we are reviewing each and every case that has been  
13 deemed as unfounded.

14 **MS. HILLA KERNER:** So there is a book from  
15 '97 to '7, rapes sexuality, and it's already highlighted  
16 women's groups in Canada worrying about that. It took us  
17 many, many years to get it to the public knowledge through  
18 their recent exposure. I wanted to know if you're saying  
19 there are attempt to review cases; was there any effort so  
20 far within the RCMP not just to review the cases but to  
21 conduct investigations that resulted with new charges?

22 **COMMISSIONER BRENDA LUCKI:** Yes, each and  
23 every one of those cases will be reviewed, and if they  
24 ought not to have been unfounded, they will be reopened.

25 We also are doing steps to create third-

1 party reporting so that if a victim does not want to go to  
2 the police, they do not need to; they can go through a  
3 third party. It's being done in Manitoba right now, as  
4 well in Nunavut, through their legislation they have a way  
5 of reporting through another avenue. I don't remember the  
6 exact name but they do have a venue for victims to report  
7 alternate -- in alternate ways.

8 **MS. HILLA KERNER:** Are you aware that the  
9 practice of third-party reports often resulted with the  
10 police recording the complaint but not investigating?

11 **COMMISSIONER BRENDA LUCKI:** I hope not.

12 **MS. HILLA KERNER:** Well, that's the practice  
13 in British Columbia. I will take you to the third panel.  
14 Are you aware of the attrition rate of  
15 sexual assault complaints?

16 **COMMISSIONER BRENDA LUCKI:** The what rate?

17 **MS. HILLA KERNER:** Attrition rates?

18 **COMMISSIONER BRENDA LUCKI:** Of -- no, I'm  
19 not aware of the rates.

20 **MS. HILLA KERNER:** Okay. Well, Statistics  
21 Canada has published its stats almost every other year, and  
22 less than half of the 80 percent complaints that the police  
23 did believe the women will actually end up with charges and  
24 only half of that will actually go to the trial.

25 Does that sound reasonable?

1                   **COMMISSIONER BRENDA LUCKI:** That would be  
2 possible, yes.

3                   I think we need to work harder and better  
4 with prosecutions as well. And, again, presenting that  
5 best case, because I would hate to see if we did finally  
6 get to the point of bringing a case to court, I always say  
7 to members you can't control what happens in court but  
8 you'd better look at -- you'd better bring the best  
9 investigation forward, and if something doesn't happen in  
10 Court and it's our responsibility, we need to review those  
11 investigations.

12                   **MS. HILLA KERNER:** Okay. Well, Commissioner  
13 Lucki, are you aware to common situations that I can tell  
14 you, as a frontline worker, very, very often police will  
15 not conduct serious thorough investigations. Sometimes we  
16 need to remind them to call witnesses, to collect images of  
17 the bruises of the women, to get the rape kit, to go to the  
18 scene. It's very, very common that police -- and that's  
19 what we hear from rape crisis centres all over the country,  
20 won't conduct thorough diligent investigation on sexual  
21 assault cases.

22                   **COMMISSIONER BRENDA LUCKI:** If that is the  
23 case, we need to improve that, absolutely.

24                   **MS. HILLA KERNER:** Well, you will have to  
25 take my word, this is the case.

1                   **MS. CHRISTA BIG CANOE:** Sorry. Please stop  
2 the timer for a minute. So I just want to remind the legal  
3 representative that you're putting to a witness information  
4 without actually putting an exhibit or any documents. So I  
5 just remind you that opinions or submissions are not  
6 allowed during cross-examination, please. Thank you.

7                   **MS. HILLA KERNER:** I accept that, sorry.

8                   So I will go back to the knowledge -- the  
9 public information that is given by Stats Canada that 41  
10 percent of the cases of complaints that women are make, the  
11 police will end up with investigations that will result to  
12 recommend the charges. And do you agree that this kind of  
13 rate is basically discouraging women from using the  
14 criminal justice system in general, and the police in  
15 particular?

16                   **COMMISSIONER BRENDA LUCKI:** That could be  
17 one factor, yes.

18                   **MS. HILLA KERNER:** Do you agree that the  
19 current criminal justice system response to women tells men  
20 that they can attack and harm all women, and Indigenous  
21 women in particular, because they are likely to get away  
22 with it?

23                   **COMMISSIONER BRENDA LUCKI:** I think there is  
24 always room for improvement in that area, and if that is  
25 tragic messaging -- if that's the messaging that's going

1 across, it's tragic.

2 **MS. HILLA KERNER:** Do you agree that  
3 transparency is crucial for accountability?

4 **COMMISSIONER BRENDA LUCKI:** The more  
5 transparent we are as a police organization, the better we  
6 are.

7 **MS. HILLA KERNER:** Are you aware that it's  
8 very hard to find out in terms of the local police units,  
9 what available is on only on the national base -- based on  
10 what Stats Canada is wishing to expose? It's very hard to  
11 find out from the particular local police unit how many  
12 cases of sexual assault actually resulted with charges.

13 **COMMISSIONER BRENDA LUCKI:** I wasn't aware.  
14 I know our business intelligence does need improvement, but  
15 that information should be available in the sense of a  
16 yearly report. We should be able to mine those statistics.  
17 But maybe there's been difficulty on a local level.

18 **MS. HILLA KERNER:** Well, we know that those  
19 local units do deliver those statistics to Stats Canada.  
20 So you already have within your system a way to collect  
21 this data. And I would like to suggest that it will be a  
22 very good first step if all local police units will make  
23 very basic data easily accessible to the public. Starting  
24 with how many complaints they receive from women on male  
25 violence, all forms, rape, sexual assault, prostitution,

1 incest, and how many resulted in charges. Which is to say,  
2 how many men are held accountable.

3 Would you agree under your new role to make  
4 sure this is happening, that it's easily available to the  
5 public, maybe on the RCMP website? It's not going to be  
6 any need of investigative journalist report or freedom of  
7 information request by advocates.

8 **COMMISSIONER BRENDA LUCKI:** We will  
9 definitely review that and see if there's ways of being  
10 more transparent.

11 **MS. HILLA KERNER:** Do you support women  
12 using alternative tactics to denounce men, and to warn  
13 other women, and to hold abusive men accountable?

14 **COMMISSIONER BRENDA LUCKI:** I'm not sure  
15 what you mean by alternative tactics.

16 **MS. HILLA KERNER:** So the tactics that women  
17 who call us are using are protest, confrontations, they  
18 will gather a few women and face the man. They do  
19 postering with us, telling other women, watch out for this  
20 man. They're outing their attackers on social media. Do  
21 you support those attempts to hold men accountable?

22 **COMMISSIONER BRENDA LUCKI:** I support  
23 freedom of speech, so of course, and the right to protest,  
24 and if that's the -- what you call alternative tactics that  
25 women would like to use, yes, we support that.

1                   **MS. HILLA KERNER:** Are you aware that often  
2 women resort to that alternative tactics because they do  
3 not trust the police to do the -- to do the police job to  
4 protect women and to bring men to justice?

5                   **COMMISSIONER BRENDA LUCKI:** We -- I'm not --  
6 I wasn't aware of that, but I am now. And I -- it's  
7 shameful if they don't feel that they can trust their local  
8 police to be able to report that. So we need to find  
9 alternative ways of allowing victims to come forward. And  
10 if the avenue is not their local police, we need to find a  
11 secondary avenue for that.

12                   **MS. HILLA KERNER:** I want to argue that -- I  
13 want to know if you agree that actually, what we need is  
14 not alternative ways, we actually need to police to do its  
15 work. To treat every woman as a credible, believable  
16 witness, to conduct thorough investigation, to gather all  
17 the evidence that will allow charges, and to do whatever  
18 they can to hold men accountable.

19                   **COMMISSIONER BRENDA LUCKI:** I agree with  
20 you, but I also would like to add that in many cases, often  
21 -- well, not often, but in many cases there's -- the  
22 evidence may be not -- will not support the charges. And  
23 in a province like British Columbia, it's not the RCMP who  
24 decide if charges will be laid, it's the prosecution. So  
25 they need to work hand in hand to ensure the right evidence



1 -- all the evidence is brought forward, but in some cases  
2 that's not always possible. But when there is enough  
3 evidence, I believe that we should be bringing the charges  
4 forward.

5 **MS. HILLA KERNER:** More than once when an  
6 advocate does press, the police will do a better job.  
7 There are researcher that shows that when women use women's  
8 groups they're more likely to get a better criminal justice  
9 response. Would you agree with me in that if there is a  
10 will, there is often a better way to conduct thorough  
11 investigation to get more materials that will result in  
12 charges?

13 **COMMISSIONER BRENDA LUCKI:** That's probably  
14 a great avenue, but we need to, as an organization, we need  
15 to get to the root causes as to why this is happening in  
16 our organization, and find out -- make sure that when those  
17 things come forward we deal with them, absolutely.

18 **MS. HILLA KERNER:** I would like to suggest  
19 that the criminal justice system failure and the police  
20 failure is the result of the sexist, misogynistic attitude  
21 that this institution and many of its people hold against  
22 women in general, Indigenous women in particular.

23 **COMMISSIONER BRENDA LUCKI:** I can't say for  
24 sure if -- I'm sure if somebody was to hold such attitudes  
25 that maybe their approach wouldn't be in line with our core

1 values and that we would need to change.

2 **MS. HILLA KERNER:** Okay. Ran out of time.  
3 The rest of the questions I'll take to other panels. Thank  
4 you.

5 **COMMISSIONER BRENDA LUCKI:** Thank you.

6 **MS. CHRISTA BIG CANOE:** Next we would like  
7 to invite up ITK. But I just want the record -- because  
8 this list won't be in front of the Commissioners or other  
9 parties with standing. Yesterday during the adjustments  
10 one party had consented to giving ITK and additional four  
11 point five minutes and that's not reflected on this list.  
12 So ITK and Ms. Elizabeth Zarpa, instead of having nine and  
13 a half minutes will actually have a total of 13 minutes.  
14 And just also for the record, that was on consent from  
15 Pauktuutit.

16 **UNIDENTIFIED SPEAKER:** Fourteen?

17 **MS. CHRISTA BIG CANOE:** Yes. Thank you,  
18 again, someone's math is much better than mine. And if --  
19 yeah, the registrar has already got it up. So thank you,  
20 Ms. Zarpa.

21 **--- CROSS-EXAMINATION BY MS. ELIZABETH ZARPA:**

22 **MS. ELIZABETH ZARPA:** Sorry, I'm just going  
23 to get this one right here.

24 Good morning. My name is Elizabeth Zarpa.  
25 I'm legal counsel with ITK, which represents Inuit in

1 Canada. I want to thank the people of Treaty 4 for  
2 allowing me to be on their territory this week. I also  
3 want to acknowledge the family members of the missing and  
4 murdered and the Elders and Commissioners. And lastly,  
5 thank you to the witnesses for your testimony and time  
6 throughout yesterday and today.

7 And I also want to give thanks to Pauktuutit  
8 Inuit Women of Canada for allotting me four point five  
9 minutes of their time. and my apologies in advance, I'm  
10 going to move quite quickly because of time constraints.

11 So Mr. Larose, I recognize throughout your  
12 testimony that there is an issue with capacity throughout  
13 the KRP. And you highlighted that the KRP governs 14  
14 communities with a population of approximately 13,000, and  
15 of that population 90 percent are Inuit. There are 14  
16 police stations with a total population of 48 constables  
17 throughout Nunavik, and you highlighted that 97 percent of  
18 Nunavut residents speak Inuktitut as their first language.  
19 And, you also highlighted that when an accused person is  
20 transported, it is costly financially, and also in human  
21 capital, police officers, because they have to travel down  
22 south to Montreal.

23 I want to ask you, have there been studies  
24 done to look at the effects of removal on an Inuit accused  
25 from the community down and removed to a prison or a

1 penitentiary in Montreal?

2 **MR. JEAN-PIERRE LAROSE:** À ma connaissance,  
3 non, il n'y a pas d'études à ce niveau-là.

4 **MS. ELIZABETH ZARPA:** Can I pause the clock?  
5 I need to get a headset.

6 **MR. JEAN PIERRE LAROSE:** À ma connaissance,  
7 il n'y avait pas d'études à ce niveau-là.

8 **MS. ELIZABETH ZARPA:** Sorry, which channel  
9 is this on, channel one? Can you stop the clock please?  
10 Two? Okay.

11 **MS. CHRISTA BIG CANOE:** Could we just  
12 actually test -- could you just say something in French so  
13 that we can test that it's coming through?

14 (LAUGHS/RIRES)

15 **MR. JEAN PIERRE LAROSE:** Bonjour Madame  
16 Zarpa. Test, un, deux, trois.

17 **MS. ELIZABETH ZARPA:** I'm not hearing any  
18 translation. I just hear myself. Okay, now it's working.  
19 So, it is one? Yes, I know the volume. I just don't know  
20 the channel. Is it channel one? Okay.

21 So, to restart that again, could you please  
22 indicate, Mr. Larose, whether there has been any studies  
23 done to look at the effects of the removal of an Inuit  
24 accused from their community and placed down south into an  
25 institution in Montreal?

1                   **MR. JEAN PIERRE LAROSE:** À ma connaissance,  
2                   il n'y a pas d'étude qui a été faite à ce niveau-là ou, à  
3                   tout le moins, je n'en ai pas été informé.

4                   **MS. ELIZABETH ZARPA:** And, could you please  
5                   inform whether or not there has been any studies or  
6                   financial capital put into understanding how the removal of  
7                   a community member affects that particular Inuit community  
8                   of, say, a population of 300, 200? The effects on the  
9                   community of having one of their members taken and moved  
10                  down south?

11                  **MR. JEAN PIERRE LAROSE:** Encore une fois, je  
12                  ne pourrais pas vous dire, mais effectivement, sûrement que  
13                  ça doit avoir un effet dans la communauté.

14                  **MS. ELIZABETH ZARPA:** And, when the accused  
15                  or the Inuit person who is accused returns to the  
16                  community, are they transported back at their own expense?

17                  **MR. JEAN PIERRE LAROSE:** Non. Ils retournent  
18                  aux frais des services correctionnels.

19                  **MS. ELIZABETH ZARPA:** And, in your  
20                  experience as Chief of KRP, are there any re-integrative  
21                  programs for Inuit accused when they're returning back to  
22                  their homes after being incarcerated?

23                  **MR. JEAN PIERRE LAROSE:** Je crois qu'il en  
24                  existe ; je sais qu'il y a des pourparlers actuellement en  
25                  termes de comités de justice dans différentes communautés

1       pour, justement, réaccueillir ces prévenus-là qui ont  
2       terminé leur sentence et les réintégrer au sein de la  
3       communauté correctement et avec des partenaires.

4                   **MS. ELIZABETH ZARPA:** So, this isn't a  
5       conversation? There are no programs as of yet?

6                   **MR. JEAN PIERRE LAROSE:** No.

7                   **MS. ELIZABETH ZARPA:** Okay, thank you. So,  
8       you mentioned that they -- you highlighted the importance  
9       of this renewal of the agreement which has expired, the  
10      importance of a policing centre within Nunavik where there  
11      are Inuit who speak Inuktitut. And, also, you recognized  
12      the importance of increasing the number of police officers,  
13      30 police officers over the next five years throughout  
14      Nunavik. And, I just want to ask, with these renewed  
15      priority areas within this new agreement, will this  
16      agreement seek to address the underlying causes of, say,  
17      recidivism or the high crime rate within Nunavik from an  
18      approach that is not focused primarily on increased police  
19      presence but more on rehabilitative possibilities?

20                  **MR. JEAN PIERRE LAROSE:** Oui, effectivement.  
21      En fait, le nombre de policiers additionnels que l'on  
22      demande, c'est pour avoir des policiers additionnels dans  
23      les communautés, mais aussi pour avoir des agents de  
24      prévention, un agent de renseignements criminels, également  
25      des agents qui vont être en mesure de faire des enquêtes et

1 de prévenir aussi le crime et d'organiser des campagnes de  
2 prévention.

3 **MS. ELIZABETH ZARPA:** Okay. And, you  
4 highlighted that in Nunavik, when police officers move  
5 there for one year, that's three years' experience living  
6 in the south because of the high level of crime rate, and  
7 also the high level of responsibility of police officers  
8 when they take on a one or five-year contract in Nunavik.  
9 And, you highlighted also in your testimony the experience  
10 of alcoholism is something that drives up crime rate. Are  
11 there Inuit-specific programs in Nunavik that focuses on  
12 mental health or rehabilitation of the offenders with  
13 substance misuse issues?

14 **MR. JEAN PIERRE LAROSE:** Oui. À ma  
15 connaissance, je sais qu'il y a des programmes avec les  
16 services sociaux et aussi les centres de santé concernant  
17 la prévention de l'alcoolisme et ces choses-là. Nous, nous  
18 ne pouvons participer : on ne demande pas mieux que de  
19 participer à ces groupes, à ces campagnes-là pour aider à  
20 la sensibilisation.

21 **MS. ELIZABETH ZARPA:** Okay. So, does the  
22 KRP work with the Nunavik Regional Board of Health and  
23 Social Services to work on prevention, provision of mental  
24 health services?

25 **MR. JEAN PIERRE LAROSE:** Oui. Et je veux

1       accélérer et augmenter ces collaborations-là lors de mon  
2       mandat et particulièrement en termes aussi de prévention du  
3       suicide.

4                   **MS. ELIZABETH ZARPA:** Okay, thank you. And,  
5       also throughout your testimony, you highlighted that it  
6       takes about six months before a person who experiences  
7       sexual assault will speak with a police officer. Can you  
8       please elaborate what services are available for survivors  
9       of sexual assault throughout Nunavik and the KRP?

10                   **MR. JEAN PIERRE LAROSE:** Bien, en termes de  
11       thérapie, je pense que ce sont plutôt les services sociaux  
12       et les centres de santé qui pourraient mieux répondre. Mais  
13       au niveau des enquêtes, lorsque je disais que ça prenait  
14       six mois, c'est que nos policiers ne sont malheureusement  
15       pas formés et peut-être que ça serait un objectif qu'on  
16       pourrait atteindre prochainement - en tout cas, c'est mon  
17       désir que ces policiers-là soient formés en ce qu'on  
18       appelle C-15 - c'est un acronyme pour qu'ils soient en  
19       mesure d'effectuer des interrogatoires vidéo au niveau des  
20       agressions sexuelles. Actuellement, c'est la responsabilité  
21       de la Sûreté du Québec et, comme je le mentionnais, c'est  
22       problématique pour eux : actuellement, il n'y a pas  
23       d'effectifs au Nunavik qui ont la formation. Ils en sont  
24       conscients et il arrive parfois qu'on accumule plusieurs  
25       dossiers, comme dernièrement, il y a un enquêteur formé qui



1 est monté au Nunavik et a procédé à plusieurs  
2 interrogatoires vidéo. Mais malheureusement, le décalage en  
3 temps est un grand inconvénient.

4 **MS. ELIZABETH ZARPA:** Great. And then you  
5 highlighted earlier -- it's estimated that 97 percent of  
6 Nunavinit speak Inuktitut as their first language, and you  
7 highlighted also that during a major crime investigation,  
8 there's people who are flown in from Montreal. Could you  
9 please elaborate how many of those investigators speak  
10 Inuktitut, or how many of those investigators can take  
11 testimony in Inuktitut?

12 **M. JEAN-PIERRE LAROSE:** La réponse est  
13 simple. C'est aucun ne parle inuktituk. C'est des  
14 enquêteurs de la Sûreté du Québec. Ils montent en équipe  
15 de sept et huit. Certains parlent l'anglais et lorsqu'on  
16 est obligé de traduire, on a recours à des interprètes.

17 **MS. ELIZABETH ZARPA:** Okay. Thank you.  
18 Could you please -- you highlighted earlier that -- the  
19 suicide briefly. So, could you elaborate in brief what  
20 happens when a suicide takes place in Nunavik and the KRP's  
21 response? Is that considered a major crime?

22 **M. JEAN-PIERRE LAROSE:** Oui, effectivement,  
23 c'est considéré comme un crime... pas un crime, en fait, mais  
24 un incident majeur que nous traitons comme si c'était un  
25 crime. Alors nous effectuons la scène de crime. Nous

1       recueillons des témoignages. Nous faisons l'enquête de  
2       plusieurs journées précédant les allers et venues de la  
3       victime. Oui, il y a une enquête assez exhaustive et on ne  
4       prend rien pour acquis, que ce soit un suicide.

5                   **MS. ELIZABETH ZARPA:** And how long does that  
6       process take usually?

7                   **M. JEAN-PIERRE LAROSE:** Environ de 24 à 48  
8       heures.

9                   **MS. ELIZABETH ZARPA:** And the individuals  
10      who investigate this, they're from the community posts, or  
11      they come in from Montreal?

12                   **M. JEAN-PIERRE LAROSE:** C'est nos  
13      enquêteurs. Nous avons deux enquêteurs et certains aussi  
14      de nos patrouilleurs qui effectuent l'enquête et advenant  
15      une situation suspecte et qu'on a recueilli des éléments  
16      qui nous permettraient de croire que c'est peut-être pas un  
17      suicide, à ce moment-là, nous requérons les services de la  
18      Sûreté du Québec en assistance.

19                   **MS. ELIZABETH ZARPA:** Okay. Thank you.

20                   So I'm just going to quickly get into the -  
21      - into an article that was written in June 2018. And it's  
22      entitled "She's got \$25,000 in fines and was Homeless. How  
23      will she clear the slate," written by the Montreal Gazette.

24                   Mr. Larose and Mr. Coleman, have you had the  
25      chance to review this document?

1                   **M. JEAN-PIERRE LAROSE:** Non, pas  
2 précisément. J'en ai juste entendu parler.

3                   **MS. ELIZABETH ZARPA:** Okay. I was under the  
4 impression that it was being put in as -- under consent.

5                   Have you had the chance to look at it, Mr.  
6 Cameron [*sic*] -- or Coleman, sorry?

7                   **M. RICHARD COLEMAN:** Oui, merci. Oui, j'en  
8 ai pris connaissance du document.

9                   **MS. ELIZABETH ZARPA:** Okay. Great. And on  
10 page 2 of the news article it states that Ms. Puttayuk is  
11 49 years old and has \$25,000 worth of fines for blocking  
12 the circulation of Metro users, loitering, laying on the  
13 ground, basically being fined for being homeless. And  
14 because she can't afford to pay off \$25,000 she does  
15 community work to pay it off.

16                   And on page 3 it outlines that she has 200  
17 of 500 of her hours finalized and that if she doesn't  
18 finish her hours or pay it off she's going to prison. Ms.  
19 Puttayuk states that,

20                   "When I get these tickets paid  
21 off, I'm getting on a plane and  
22 getting the hell out of this city  
23 [...]. I'll be camping, fishing,  
24 hunting, going on all kinds of  
25 adventures."

1                   And on page 4 she outlines,  
2                   "I feel like a slave to these  
3                   hours some days [...]. Like, I'll  
4                   never be free again. But then I  
5                   think about going back up north  
6                   and getting therapy."

7                   Mr. Coleman, can you please elaborate what  
8                   the Branch of Public Safety Relations with Aboriginal  
9                   People's office has in place for people like Ms. Puttayuk?

10                   **M. RICHARD COLEMAN:** Oui, alors nous avons...  
11                   la direction générale des Affaires policières...

12                   **MS. CHRISTA BIG CANOE:** Sorry. We'll stop  
13                   the time, please.

14                   **Me MARIE-PAUL BOUCHER:** Je voudrais juste  
15                   vous mentionner, suite à la question de ma consœur, que  
16                   tout ce qui relève de la Cour municipale de Montréal, tout  
17                   ce qui relève du ministère de la Justice ou du SPVM ne peut  
18                   pas, malheureusement, être répondu par M. Coleman.

19                   Donc, vous pouvez poser une question  
20                   générale, mais si c'est une question extrêmement précise  
21                   sur qu'est-ce qu'ils veulent faire avec ça, ce n'est pas le  
22                   bon témoin pour répondre à cette question-là,  
23                   malheureusement.

24                   **MS. CHRISTA BIG CANOE:** So sorry. Sorry,  
25                   and you do get a right to reply, but if I may. The

1 question was general in nature and asked about public  
2 safety, so it's Commission Counsel's position that that was  
3 a general question, but Ms. Zarpa has the right to reply to  
4 your objection.

5 **MS. ELIZABETH ZARPA:** Yes, I -- the question  
6 is very general with relation to individuals who are over-  
7 criminalized and who are in a place of poverty and who are  
8 homeless and who are being policed. So I'm just wondering  
9 generally whether there's any avenues under the Branch of  
10 Public Safety in place for individuals who are in this  
11 situation who are Inuit.

12 **MS. CHRISTA BIG CANOE:** So it was your  
13 objection. Do you have a reply to her response?

14 **MS. MARIE-PAUL BOUCHER:** I won't reply to  
15 that, but I'm saying he's going to - il va être limité à  
16 une certaine réponse parce que ce n'est pas de sa  
17 responsabilité. C'est ce que je voulais mettre en contexte  
18 aujourd'hui, parce qu'il ne pourra pas répondre à  
19 l'entièreté de la question.

20 **MS. CHRISTA BIG CANOE:** Right. And I would  
21 ---

22 **Me MARIE-PAUL BOUCHER:** C'est pour ça.

23 **MS. CHRISTA BIG CANOE:** Thank you.

24 I would suggest that he always had the  
25 opportunity as a witness to answer to the best of his

1 ability the question that was put before him and the  
2 objection was not really even necessary.

3 **MS. MARIE PAUL BOUCHER:** Yeah. Thank you.

4 **MS. CHRISTA BIG CANOE:** Go ahead.

5 **M. RICHARD COLEMAN:** Oui, merci.

6 Dans le fond, Me Boucher a raison; ça relève  
7 de la Cour municipale de Montréal et le Service de police  
8 de la ville de Montréal.

9 Mais ce que je peux vous dire c'est que le  
10 ministère de la Sécurité publique a répertorié les  
11 meilleures pratiques policières en matière d'itinérance  
12 urbaine. Ces pratiques-là ont été déposées à la Commission  
13 d'enquête sur les relations avec les autochtones et  
14 certains services publics de la Commission Viens et ces  
15 pratiques policières-là itinérance vont être bientôt  
16 communiquées aux directeurs et directrices de tous les  
17 corps de police du Québec.

18 **MS. ELIZABETH ZARPA:** Great. Thank you.

19 **MS. CHRISTA BIG CANOE:** Thank you, Ms.  
20 Zarpa.

21 Before I call the next, I'm actually going  
22 to seek the Commissioner's direction on this. When we have  
23 an objection that actually is in the nature of how a  
24 witness would respond to a question, I would seek your  
25 instruction on whether the witness should leave the room

1 before the objection is actually heard so that there's not  
2 instruction to your witnesses, if that's possible. I'm not  
3 sure if you want to deal with that as a motion or just  
4 provide instruction on it at this point.

5 **CHIEF COMMISSIONER MARION BULLER:** The issue  
6 is the wording of the objection. An objection can be a  
7 message to a witness about how to answer the question or  
8 not. So the onus is on counsel to frame their objection in  
9 a way that does not instruct the witness as to how to  
10 answer the question. We have to deal with it on a case-by-  
11 case basis or objection-by-objection. But note to Counsel,  
12 do not instruct your witnesses on the basis of your  
13 objection. Simple.

14 **MS. CHRISTA BIG CANOE:** Thank you.

15 The Commission would next like to call up  
16 AWO Taan Healing Lodge Society. Mr. Darrin Blain will have  
17 nine-and-a-half minutes.

18 **--- CROSS-EXAMINATION BY MR. DARRIN BLAIN**

19 **MR. DARRIN BLAIN:** Chief Commissioner  
20 Buller, good morning and good morning to your colleagues.  
21 Good morning to the panellists and to our gracious hosts of  
22 Treaty 4. I've had the honour of doing hundreds of  
23 residential school hearings in Treat 4 45 minutes from here  
24 in an area called the Fort Qu'Appelle Valley. If anybody  
25 needs a de-stress after today's session, I would recommend

1 a 45-minute drive to the Fort Qu-Appelle Valley.

2 And good morning, Chief Larose. I was moved  
3 by your discussion about life, as it were, in the police  
4 world where you work, and the relevance of what we're  
5 talking about is bolstered by the Supreme Court of Canada's  
6 comments, specifically Justice Wagner recently indicating  
7 that we need to do something about Aboriginal people that  
8 are incarcerated.

9 It's also bolstered by a Supreme Court of  
10 Canada decision called *Ewert*, which is a plug for taking  
11 into account the psychological profile of First Nation  
12 folks in Corrections. And I know my friend, Ms. Turley,  
13 familiar with that case.

14 Sir, the question that I have for you, you  
15 paint quite a bleak picture of life where you're working  
16 and what's happening with getting prisoners to and from or  
17 the accused to and from holding cells, and hearings, and  
18 prisons and the rest of that. The question, first of all,  
19 is whether or not people who are facing trial are being set  
20 free because of delay in getting them to trial and  
21 prosecutions not going forward?

22 **MR. JEAN-PIERRE LAROSE:** Alors, à ma  
23 connaissance, depuis mon arrivée, je n'ai pas entendu  
24 parler de telles objections en termes de délais.

25 Cependant, ce que je peux vous dire c'est



1 qu'actuellement, il y a un rapport du Protecteur du citoyen  
2 qui a fait de nombreuses recommandations quant au  
3 transport, aux escortes de détenus au Nunavik et nous  
4 sommes présentement en discussion avec le ministère de la  
5 Justice du Québec pour l'installation d'un système de  
6 visio-comparution dans chacun de nos postes de police.

7 Alors, c'est un élément qui a été soulevé  
8 depuis plusieurs années et que probablement avec l'aide du  
9 Protecteur du citoyen, les choses s'accélèrent.

10 Et nous avons participé, la semaine  
11 dernière, à une première rencontre à cet effet-là pour  
12 l'implantation de cette visio-comparution.

13 De plus, nous avons aussi... nous sommes en  
14 discussion avec le ministère de la Sécurité publique et les  
15 services correctionnels pour établir un genre de navette,  
16 de pont aérien, pour accélérer et diminuer les coûts de  
17 transport au niveau de nos détenus. Donc, il y a des  
18 mesures actuellement qui sont mises de l'avant, en fait,  
19 des actions, j'ose espérer, qu'on va voir des résultats  
20 concrets à brève échéance.

21 **MR. DARRIN BLAIN:** Very well, sir. Thank  
22 you for your answer.

23 Commissioner Lucki, good morning.

24 **MR. JEAN-PIERRE LaROSE:** Good morning.

25 **MR. DARRIN BLAIN:** I've never been to a

1 political acceptance speech, but I must say that hearing  
2 you yesterday reminded me of a political acceptance speech.  
3 It reminded me of a song that Céline Dion sings as well  
4 called "A New Day Has Come".

5 And I say that somewhat tongue in cheek.  
6 You've got what appears to be a great attitude, and my hope  
7 for your 30,000 strong membership is that that attitude  
8 trickles down to the ground into the work boots of the men  
9 and women that are interacting with the Indigenous people  
10 in this country.

11 You, yourself said that you can't build  
12 trust in a year. Granted, especially with First Nation  
13 communities, Indigenous communities. I'll take from my  
14 mother's playbook, and she indicates as I was growing up  
15 that the proof will be in the pudding, and we look forward  
16 to hearing from you in a year or two from now as to how  
17 things have gone.

18 I have some pointed questions with respect  
19 to depot. I wonder what percentage of full time  
20 instructors are Indigenous?

21 **COMMISSIONER BRENDA LUCKI:** I don't have the  
22 numbers. I do know that we do have Indigenous instructors  
23 as well as recently we have a corporal that came down from  
24 Nunavut to be an instructor. So we do have a Inuit  
25 representative as well. I don't have the exact numbers,

1           though, sorry.

2                       **MR. DARRIN BLAIN:** Can you give a  
3           guesstimate?

4                       **COMMISSIONER BRENDA LUCKI:** I can't.

5                       **MR. DARRIN BLAIN:** Is it half? Is it  
6           10 percent?

7                       **COMMISSIONER BRENDA LUCKI:** No. It's not  
8           half. I would say it's probably in -- maybe in the  
9           5 percent, 10 percent range.

10                      **MR. DARRIN BLAIN:** So just a hair above the  
11           number of constables that are Indigenous?

12                      **COMMISSIONER BRENDA LUCKI:** Yeah, I'm  
13           guessing it would be similar statistics, but I can't say  
14           for sure. Sorry.

15                      **MR. DARRIN BLAIN:** And for your Indigenous  
16           officers, does the RCMP provide Indigenous-related care for  
17           the trauma that they see and the care that they need from  
18           their work on a daily basis? In other words, are you  
19           providing them with elders, sweats, other First Nation  
20           practices or practices that are important to them for their  
21           healing, instead of sending them to the white psychologist  
22           down the street?

23                      **COMMISSIONER BRENDA LUCKI:** We don't have --  
24           like those practices, members are free to obviously respect  
25           their practices. In regards to ensuring the mental well-

1 being, to gauge the mental well-being, we do use our RCMP  
2 psychologists to gauge that to ensure that they're mentally  
3 healthy to continue to work in certain areas. We also do  
4 have a Indigenous Mentorship Program whereby the members  
5 can reach out to other Indigenous members. If they have  
6 issues or if they just want to talk, we have programs for  
7 that.

8 **MR. DARRIN BLAIN:** Because I'm -- I want to  
9 believe that policing is hard work, and I want to believe  
10 that what the police see is -- on a daily basis can have a  
11 remarkable effect on them emotionally and mentally.

12 I wonder if that's something that the RCMP  
13 could work on, and that is to have those available for  
14 Indigenous constables, and I wonder if that might attract  
15 more constables or Indigenous people wanting to apply? In  
16 other words, they're going to recognize what helps me to  
17 heal and be healthy and be strong, so that looks like a  
18 good organization. I wonder if that's something we can put  
19 on our list?

20 **COMMISSIONER BRENDA LUCKI:** That's something  
21 we can definitely review. I know as part of our mental  
22 health strategy in general, because it's not just  
23 Indigenous members, because we have members in those  
24 communities as well. But as part of our mental health  
25 strategy, we are including a yearly -- we have a periodic

1 health assessment, and now we are including a psychological  
2 assessment to ensure our members are healthy  
3 psychologically.

4 We didn't have that in our periodic health  
5 assessments. It was only if you were going to do certain  
6 hardship -- harder postings or harder types of  
7 investigations or positions that we had that in place, but  
8 now we're putting it into a yearly review of that.

9 **MR. DARRIN BLAIN:** Right. I have a two-part  
10 question that I'll end with, and I'll leave this to you.  
11 The two-part question is this:

12 You talk about building trust in this  
13 organization that has historically been not very trusted by  
14 Indigenous people. That's a fact. We all know that. Can  
15 you talk about how that trust is going to help the issue  
16 that we're here talking about, and that is the Murdered and  
17 Missing Indigenous Women and Girls, what that intersection  
18 is like in your mind?

19 And finally, I wonder if you can tell the  
20 public who are watching online, and tell those folks that  
21 are here what the RCMP is doing with respect to the cold  
22 cases or those that have been shelved, those that have been  
23 not investigated, and I wonder if you can talk to those  
24 families this morning about that?

25 **COMMISSIONER BRENDA LUCKI:** In regards to

1 building trust, my vision for my organization is if we can  
2 increase the trust in all communities, victims or survivors  
3 will be better equipped or feel better about coming to the  
4 police to report crimes. If we build trust and increase  
5 the trust then when things go sideways people will report  
6 them.

7 And that means even internally. If somebody  
8 is not treated with dignity and respect by one of my  
9 members, if we had better trust, people would feel without  
10 fear or reprisal to come forward and report that and give  
11 us the opportunity to hold that member to account.

12 So in a perfect world we need to build that  
13 trust, and that's going to be one of my mandates moving  
14 forward. And it's in all communities, because we will be a  
15 better police force if we're able to build that trust.

16 **MR. DARRIN BLAIN:** And the second part of my  
17 question, I wonder -- and I know I'm over time, but the  
18 question was put to you before the time had expired. I  
19 wonder if you could respond to that?

20 **MS. CHRISTA BIG CANOE:** (Off mic) answer,  
21 but one thing we've actually asked counsel too, is to be  
22 cognizant when you're asking not to have like very large  
23 questions that's going to consume time that's going to cut  
24 short other people's cross-examination. In this case,  
25 we'll allow the Commissioner to answer the question if she

1 so chooses.

2 **COMMISSIONER BRENDA LUCKI:** And that was --  
3 sorry, can you repeat that question again? Sorry.

4 **MR. DARRIN BLAIN:** There are hundreds of  
5 cold cases in this country of Indigenous women that have  
6 been murdered and that have gone missing. The families are  
7 watching us as we speak and have gone missing, the families  
8 are watching us as we speak and they want answers from the  
9 RCMP as to what's happening with the cold cases, will they  
10 be taken off the shelves, will investigations be bolstered  
11 with respect to them. What is the status of cold cases and  
12 what are you going to do about them?

13 **COMMISSIONER BRENDA LUCKI:** Each and every  
14 case is being reviewed. And, if there are avenues of  
15 investigation that have not been followed up or that could  
16 require additional follow up, we will be doing that with  
17 each and every case. And, none of the cases are closed, we  
18 call -- you're calling them "cold", and often sometimes  
19 leaving -- once every investigational avenue has been  
20 covered, often we have to wait for new information, but  
21 bringing it forward can spark new avenues. So, we do  
22 continue to do that in all cases, yes.

23 **MR. DARRIN BLAIN:** Look forward to it.  
24 Thank you.

25 **COMMISSIONER BRENDA LUCKI:** Thank you.

1                   **MS. CHRISTA BIG CANOE:** Thank you, Mr.  
2 Blain. Next, we would like to invite up the Treaty  
3 Alliance Northern Ontario Nishnawbe Aski Nation and Grand  
4 Council Treaty 3, Ms. Krystyn Ordyniec, will have nine and  
5 half minutes.

6                   **--- CROSS-EXAMINATION BY MS. KRYSTYN ORDNYNIEC**

7                   **MS. KRYSTYN ORDNYNIEC:** Good morning. Thank  
8 you, Ms. Big Canoe. Good morning to the Commissioners,  
9 Chief Commissioner. I'd like to thank the people of Treaty  
10 3 for allowing us to be on their territory this morning, as  
11 well as I would like to honour the sacred items in the  
12 morning, as well as the prayers that we heard yesterday and  
13 the drum.

14                   Today, I would like to begin by remembering,  
15 honouring and acknowledging Autumn Andy from Big Grassy  
16 River First Nation and her family as they mourn her  
17 passing. The tragic death of another young Indigenous  
18 woman, as this Inquiry sits, reminds us that the work is  
19 urgent. We're in crisis and we need action.

20                   Thank you, Commissioner Lucki, for your  
21 testimony. One of the main issues we've heard throughout  
22 this Inquiry is communication between policing  
23 organizations and families and victims of violence. Mr.  
24 Blain alluded to my question, and so if I repeat myself, I  
25 apologize.



1                   But, in your policy documents, which was in  
2 Exhibit 7, you do state that there is no such thing as a  
3 cold case and the RCMP is committed to bringing much needed  
4 answers to the families and friends of victims and the  
5 community at large; is that correct?

6                   **COMMISSIONER BRENDA LUCKI:** No, I said  
7 closed case. Some are not being actively investigated, but  
8 we don't -- when there is such a -- as an example, a murder  
9 investigation that has not been solved, it is never closed.

10                  **MS. KRYSYTN ORDYNIEC:** Right. So, I'm  
11 reading actually from the document which is Exhibit 7. For  
12 your counsel, I think ---

13                  **MS. ANNE TURLEY:** Counsel, can you tell her  
14 which ---

15                  **MS. KRYSYTN ORDYNIEC:** --- it's page 10.  
16 Page 10.

17                  **MS. ANNE TURLEY:** Which page? And, are you  
18 referring to the Working Together document?

19                  **MS. KRYSYTN ORDYNIEC:** Yes, that's right.

20                  **COMMISSIONER BRENDA LUCKI:** And, what page  
21 were you...

22                  **MS. KRYSYTN ORDYNIEC:** I think it's 10.

23                  **COMMISSIONER BRENDA LUCKI:** Okay. We don't  
24 refer to investigations as "cold". Often, there are points  
25 in an investigation where there are no new avenues, so we

1 try to promote -- often, we promote through Crime Stoppers  
2 for example, reinvigorating the case so that we can get  
3 more information coming forward from the public. They are  
4 periodically reviewed and try to bring, again, those  
5 answers to the families and the communities.

6 **MS. KRYSZTYN ORDYNIEC:** Is there any policy  
7 with respect to how often you would review a case like  
8 this?

9 **COMMISSIONER BRENDA LUCKI:** I don't believe  
10 there is specific policy as in a specific timeline, but as  
11 soon as new information comes forward, it is again brought  
12 to the forefront, or if there are new investigative  
13 techniques that have been created, then each file would be  
14 reviewed to see if that applies to those files.

15 **MS. KRYSZTYN ORDYNIEC:** And, how do you  
16 ensure that families -- so a family that might have lost a  
17 loved one decades ago, how do you ensure that they're  
18 receiving information in a trauma informed way?

19 **COMMISSIONER BRENDA LUCKI:** As a result,  
20 actually, of many comments brought forward through the  
21 testimonies in this Inquiry, we have looked at a better of  
22 way of informing families through a communication form that  
23 obliges the investigators to do a regular contact with  
24 family members. Deputy Commissioner Brenda Butterworth-  
25 Carr probably can give better testimony in regards to that.

1 But, we have been listening to the testimonies, and one of  
2 the things is that obviously things -- like I said in my  
3 first day, poor communication results in issues, so we need  
4 to get better at that and we have created a better process  
5 for that.

6 **MS. KRYSYTN ORDYNIEC:** I think you -- are  
7 you familiar with the case of Jennifer Catcheway?

8 **COMMISSIONER BRENDA LUCKI:** Not intimately,  
9 but...

10 **MS. KRYSYTN ORDYNIEC:** Okay. Thank you.  
11 Recently, there was an honour 10 years after her  
12 disappearance and the family had made a statement that  
13 there is no relationship with the RCMP. And, in response,  
14 the RCMP stated there are a number of variables that go  
15 into how we communicate with the family and we work on that  
16 directly with the family. Is that part of the  
17 communication policy or could you expand on a reason that  
18 maybe there would be no communication with the family?

19 **COMMISSIONER BRENDA LUCKI:** I would be  
20 surprised and disheartened if there was no communication.  
21 Maybe the communication isn't as regular as the  
22 expectations of the family. Sometimes there is -- when  
23 there is nothing new to report, people may have the  
24 propensity to say, you know, it's -- when there is nothing  
25 new, to keep saying the same thing. But, we are including

1 that new protocol, so that even when there isn't anything  
2 new to say, maybe it's just time to have a conversation  
3 again with the family.

4 **MS. KRYSYTN ORDYNIEC:** So, you would agree  
5 that that would be something -- even if there is nothing,  
6 it would still be important to communicate that?

7 **COMMISSIONER BRENDA LUCKI:** Good  
8 communication is always so important. You're so right.

9 **MS. KRYSYTN ORDYNIEC:** Thank you. Last  
10 year, the OIPRD commenced an unprecedented review into the  
11 Thunder Bay Police Service with respect to allegations of  
12 systemic racism. On that basis, cases were reopened and  
13 analyzed, including nine cases of MMIWG. Would you be  
14 supportive of a similar review with respect to the root  
15 causes that the RCMP faces with respect to these cases?

16 **COMMISSIONER BRENDA LUCKI:** That might be  
17 one avenue. We are looking, as an organization, at various  
18 ways that we can ensure that our -- we have an improved  
19 culture. So, that could be a possibility that may be  
20 reviewed.

21 **MS. KRYSYTN ORDYNIEC:** Thank you. As you're  
22 aware, recommendations and inquests and inquiries are not  
23 binding, what measures is the RCMP prepared to take in  
24 responding to recommendations in the future, or if there  
25 are any directed from this Commission?

1                   **COMMISSIONER BRENDA LUCKI:** I can say that  
2 under my direction, I am committed to following through on  
3 any recommendations. I know a lot of the things that may  
4 come out, we're already working on as we speak. There is a  
5 commitment from my organization for that.

6                   **MS. KRYSZTYN ORDYNIEC:** Thank you. And, my  
7 last question is in regards to RCMP policing in Ontario  
8 specifically. I know that in communities, there is not a  
9 large RCMP presence, but on the website, it does say that  
10 there are First Nation partners including Nishnawbe Aski  
11 Police Service, as well as Treaty 3 Police Service, and I  
12 wonder if you could discuss how the RCMP is working with  
13 First Nation communities to ensure those partnerships are  
14 respected and the relationship with the RCMP is cultivated?

15                   **COMMISSIONER BRENDA LUCKI:** Yes, we have a  
16 unique role in Ontario. We do all federal policing, but  
17 it's still important that we form good relationships with  
18 police agencies across the province, because when there is  
19 an investigation on a federal nature, then we may need to  
20 work with those types of police forces across the entire  
21 province. So, I think our organization would be remiss not  
22 to maintain good communications with all partners and  
23 stakeholders.

24                   **MS. KRYSZTYN ORDYNIEC:** And, would you agree  
25 with me that, on that basis, it's not always responding to

1 a crises, but also working within the communities to build  
2 trust and communication, even at community events and  
3 levels, and allow the community members to see that  
4 presence, so that when there is a tragedy, that there is  
5 already a table set for that relationship?

6 **COMMISSIONER BRENDA LUCKI:** I would say  
7 trying to build a relationship of trust during a crisis,  
8 it's too late. You need to build the relationship before  
9 that, so that during the time of crisis, that relationship  
10 has already been built, yes.

11 **MS. KRISTYN ORDYNIEC:** Thank you. And,  
12 those are my questions. Thank you so much for your...

13 **COMMISSIONER BRENDA LUCKI:** Thank you.

14 **MS. KRISTYN ORDYNIEC:** Thank you.

15 **MS. CHRISTA BIG CANOE:** Thank you, Ms.  
16 Ordyniec. Next, we would like to invite up the Association  
17 of Native Child and Family Service Agencies in Ontario,  
18 they will be represented by Ms. Josephine de Whytell, and  
19 they will have nine and a half minutes.

20 **--- CROSS-EXAMINATION BY MS. JOSEPHINE DE WHYTELL:**

21 **MS. JOSEPHINE DE WHYTELL:** Thank you very  
22 much. Good morning, Commissioners. Good morning,  
23 witnesses, and thank you very much for your testimony. I  
24 have questions on behalf of the ANCFSAO for Mr. Bellegarde.

25 First of all, in a typical scenario, for

1 example, where a woman goes ahead and charges her partner  
2 for engaging in violence against her, there would be an  
3 automatic no-contact order. If they reside together, one  
4 of them must move out. If they're financially dependent on  
5 one another, perhaps they can't afford rent and both of  
6 them need to move out. If they have children together who  
7 witnessed any violence, there's a risk they will be  
8 apprehended from their mother for not adequately shielding  
9 them from it.

10 With all these factors and foreseeable  
11 consequences of pressing charges, would you agree that  
12 seeking formal help can arguably create harm to the family  
13 unit? And, what can and do First Nation Police Services do  
14 to support families staying together where it's safe to do  
15 so?

16 **MR. DANIEL BELLEGARDE:** Thank you. We are  
17 encouraging First Nation self-administrative policing to  
18 work very closely with the relevant Indian Child and Family  
19 Services and, if necessary, social services from the  
20 provincial government. But, we're looking at an inter-  
21 agency approach based on the hub model of dealing with or  
22 trying to assist individuals at risk at whatever level in  
23 whatever capacity.

24 **MS. JOSEPHINE DE WHYTELL:** You testified  
25 yesterday about the inherent treaty rights that underpin

1 First Nations policing. Specifically, the rights of First  
2 Nations to maintain peace and good order among themselves  
3 and those who enter their territory. Would you agree that  
4 maintaining peace and good order in the community includes  
5 ensuring the care and protection of children and families?

6 **MR. DANIEL BELLEGARDE:** Absolutely. Again,  
7 inter-agency concept, kinship ties and other relevant  
8 traditional practices within the communities themselves.

9 **MS. JOSEPHINE DE WHYTELL:** Thank you. And,  
10 in your experience -- well, you mentioned, actually, that  
11 First Nation police do sometimes assist social services to  
12 enforce provincial child welfare laws on reserve. What  
13 training do the officers get and does such training assist  
14 officers to decolonize their interpretation of what they  
15 see and do with respect to families?

16 **MR. DANIEL BELLEGARDE:** This is an  
17 operational question not specifically governance, but I'll  
18 try to answer it by saying that it's almost intuitive in  
19 terms of our First Nations officers being Indigenous  
20 themselves. Nine out of 10 are, and the intention is that  
21 they will be able to work effectively with the kind of  
22 kinship ties and traditional family care that's taken in  
23 those communities.

24 **MS. JOSEPHINE DE WHYTELL:** Would you agree  
25 that it's counter-productive to impose non-Indigenous



1 values and principles of family wellbeing to resolve issues  
2 such as violence against women and girls?

3 **MR. DANIEL BELLEGARDE:** It can be counter-  
4 productive in many instances. On the other hand, there is  
5 a need to balance traditional and contemporary ways of  
6 dealing with issues that are here considering the changing  
7 environment in which we live.

8 **MS. JOSEPHINE DE WHYTELL:** Thank you.  
9 Collective trauma related to genocidal government policies  
10 and practices, particularly with respect to the breakdown  
11 of the Indigenous family dynamic, has created significant  
12 ancillary mental health issues among Indigenous peoples,  
13 including addictions. Would you agree with that?

14 **MR. DANIEL BELLEGARDE:** Yes, I would.

15 **MS. JOSEPHINE DE WHYTELL:** And, mental  
16 health and addiction issues continue to be aggravating  
17 factors with respect to crime, would you agree?

18 **MR. DANIEL BELLEGARDE:** Yes, I would.

19 **MS. JOSEPHINE DE WHYTELL:** Colonial trauma  
20 stemming from genocide is a significant factor in why crime  
21 rates among Indigenous peoples are higher than average; is  
22 that fair to say?

23 **MR. DANIEL BELLEGARDE:** Yes, it would be  
24 fair to say that.

25 **MS. JOSEPHINE DE WHYTELL:** Would you agree

1 that sudden removal of a family member by the state, so to  
2 speak, perpetuates this type of trauma?

3 **MR. DANIEL BELLEGARDE:** Absolutely.

4 **MS. JOSEPHINE DE WHYTELL:** In your view, is  
5 there a correlation between reducing violence against women  
6 and achieving reconciliation of the equality intended by  
7 treaty?

8 **MR. DANIEL BELLEGARDE:** I missed your last  
9 few words.

10 **MS. JOSEPHINE DE WHYTELL:** In your view, is  
11 there a correlation between reducing violence against women  
12 and achieving reconciliation of the equality that was  
13 intended by treaty?

14 **MR. DANIEL BELLEGARDE:** Yes. The equality  
15 -- treaties are about mutual recognition and mutual respect  
16 and mutual sharing. That mutuality is not there at this  
17 point in time. And, yes, there has to be some structural  
18 change to make it happen.

19 **MS. JOSEPHINE DE WHYTELL:** Thank you. I  
20 have one further question, and this is for Chief Larose. Et  
21 je vais parler en français. Si la réponse de la police aux  
22 incidents au Nunavik est retardée à cause d'un manque de  
23 ressources et d'officiers, quels efforts sont entrepris  
24 afin d'éviter la violence et en particulier les agressions  
25 sexuelles?

1                   **MR. JEAN-PIERRE LAROSE:** Lorsque vous parlez  
2 de réponse aux appels, nos policiers, malgré le nombre  
3 insuffisant, répondent aux appels le plus rapidement  
4 possible. Et lorsqu'il y a des enquêtes qui nécessitent  
5 l'expertise additionnelle nous communiquons avec la Sûreté  
6 en assistance et nous travaillons en collaboration avec  
7 ceux pour mener à terme ces enquêtes.

8                   **MS. JOSEPHINE DE WHYTELL:** Merci. Thank  
9 you. Those are my questions.

10                   **MS. CHRISTA BIG CANOE:** Chief Commissioner  
11 and Commissioners, I would suggest that now is probably a  
12 good time for morning break, and I kindly request a 15-  
13 minute adjournment?

14                   **CHIEF COMMISSIONER MARION BULLER:** Fifteen,  
15 please.

16                   **MS. CHRISTA BIG CANOE:** That would bring us  
17 back here at 10:10. Thank you.

18  
19 --- Upon recessing at 9:57 a.m.

20 --- Upon Resuming at 10:23 a.m.

21  
22                   **MS. CHRISTA BIG CANOE:** The next is  
23 Mishkeegogamang First Nation. They will be represented by  
24 Whitney Van Belleghem. Ms. Van Belleghem -- and I'm sorry  
25 if I'm pronouncing your last name wrong -- will have 17.5

1 minutes.

2 --- CROSS-EXAMINATION BY MS. WHITNEY VAN BELLEGHEM

3 **MS. WHITNEY VAN BELLEGHEM:** Good morning.

4 I'd like to start off by thanking the peoples of Treaty 4  
5 for hosting us here today. My question today are for Mr.  
6 Bellegarde.

7 Yesterday, during your examination in-chief,  
8 you recommended a comprehensive approach to policing First  
9 Nation communities. You stated that no police service can  
10 ensure community safety on its own. It's about combining  
11 justice with health, education and economics, among others.

12 Can you please provide some insight as to  
13 how police services and officers in the communities can  
14 help facilitate the melding of these various facets to help  
15 ensure community safety?

16 **MR. DANIEL BELLEGARDE:** Thank you for that  
17 question. Here in Saskatchewan and across other parts of  
18 the country, we have a program called HUB, which brings  
19 together the various agencies, and in Saskatchewan, it's  
20 generally supported at the front end by the police  
21 services. It's particularly useful in the municipal police  
22 services in Prince Albert and Saskatoon, which have had  
23 great success in bringing the various agencies together to  
24 deal with at-risk individuals prior, and perhaps even after  
25 them coming into conflict with the law. So, that's one of

1 the areas that we can work with.

2 The other one is the area of governance writ  
3 large, governance not only of the police service, and good  
4 governance meaning not only sound policy frameworks, but  
5 also accountability measures from the police service back  
6 to the community. But, also, governance of the other  
7 agencies, education, health, et cetera, and they come  
8 together under the umbrella of an integrated governance  
9 process that will ensure that there's a social, economic,  
10 political even safety net for the people -- of all of our  
11 people in our communities at risk or not.

12 So, that's the intent. That's the hope,  
13 that these institutions would come together and provide  
14 that kind of environment that does promote community safety  
15 with particular emphasis on those most vulnerable, our  
16 youth and our women and children and the elders.

17 **MS. WHITNEY VAN BELLEGHEM:** Thank you.  
18 Yesterday, you also spoke about tripartite agreements. My  
19 next question is with respect to these tripartite  
20 agreements where First Nations enter into contracts with  
21 existing federal, provincial and regional police services.

22 In your experience, what steps can support  
23 effective communication between the First Nation Police  
24 Service and the regional and provincial police services  
25 such as the OPP?

1                   **MR. DANIEL BELLEGARDE:** We had originally  
2 here mentioned police management boards which have a very  
3 different character than community consultation committees,  
4 and the intent was to develop, again, that governance  
5 capacity, that accountability, that communication between  
6 the civilian population, if you will, and the police  
7 service. And, that can be accomplished, I think, through  
8 such things as MOUs, which are a little stronger than  
9 letters of agreement, and accountability factors built into  
10 the performance appraisals of the police service in terms  
11 of meeting the expectations of the community and, in fact,  
12 being accountable more to the community.

13                   And, the CTAs can do that, and there are  
14 some that are working very well, but the majority of them,  
15 in my experience and hearing anecdotal evidence from many  
16 communities are not working as well as they could, and I  
17 think the agreements call for 100 percent and -- presence  
18 in the community of those First Nations police program  
19 officers who are assigned to the detachments or assigned  
20 directly with the responsibility of providing policing  
21 services to the community.

22                   And so every position that's assigned to the  
23 detachments carries a price tag of \$172,000, and that kind  
24 of expenditure for the community should be at the community  
25 level.

1                   **MS. WHITNEY VAN BELLEGHEM:** The remainder of  
2 my questions have to do with an exhibit, Exhibit 20. I  
3 believe that was located at Schedule G of your documents.  
4 It's titled, Audit at a Glance -- sorry -- Audit at a  
5 Glance, Chapter 5, First Nations Policing Program.

6                   On page 1, regarding the First Nation  
7 Policing Agreements, it states that:

8                   "Some policing agreements don't require  
9 full compliance with the applicable  
10 provincial and legislative framework."

11                   (As read)

12                   Can you please expand on this statement in  
13 the context of policing in Ontario? And if possible, in  
14 relation to Nishnawbe-Aski Police Service and Treaty 3  
15 Police Service?

16                   **MR. DANIEL BELLEGARDE:** I would suggest that  
17 the situation in NAPS and Treaty 3 has changed dramatically  
18 since the 2014 audit. I believe the authorities in Ontario  
19 have taken the audit recommendations very seriously, and so  
20 has the Nishnawbe-Aski Police Service, and have entered  
21 into negotiations and discussions on improving dramatically  
22 that particular issue where they are in fact becoming part  
23 of the legislative framework of the *Ontario Police Act*  
24 willingly.

25                   And I think for them, at least from my

1 perspective, in listening to them explain to me where  
2 they're coming from, that they are satisfied with the  
3 arrangement should it be finally enacted into law and  
4 applied by regulation. But like they say, there's a new  
5 government in Ontario and hopefully they will continue with  
6 the process in NAPS favour or Nishnawbe-Aski.

7 **MS. WHITNEY VAN BELLEGHEM:** What gaps are  
8 you aware of that currently exists between these agreements  
9 and the legislative framework?

10 **MR. DANIEL BELLEGARDE:** Well, there's  
11 certainly issues of manpower, but my latest discussions  
12 with board representatives indicate that they are going to  
13 be dealing with that in the next couple of years, and  
14 they're going to get a full -- more full complement of  
15 officers for NAPS in the North.

16 They have now, I believe, more  
17 infrastructure. They had a serious infrastructure problem  
18 in the communities in terms of housing police officers as  
19 well as dealing with prisoners, if necessary. And that is  
20 being dealt with by a number of detachments being built up  
21 to standard, but I'm not sure exactly how that's going to  
22 play out at the end of the day. The legislation is in its  
23 proclamation stages and the implementation is still to be  
24 seen.

25 **MS. WHITNEY VAN BELLEGHEM:** And what impacts



1 do these gaps that you listed have on -- for on the ground  
2 on reserve policing in these First Nation communities?

3 **MR. DANIEL BELLEGARDE:** Well, work standards  
4 and the work environment, of course, have an impact on the  
5 ability of officers or anybody do their job effectively and  
6 efficiently, and it stands to such things as police morale,  
7 recruitment and retention, and things like that. But more  
8 importantly, I think to provide an effective policing  
9 service to our communities we have to have the kind of  
10 infrastructure and support and equipment that is necessary,  
11 as well as, of course, the training programs and our -- as  
12 I mentioned, the intuitive ability to interact effectively  
13 with our communities.

14 But for certain, the officers require really  
15 good supportive infrastructure and materials and equipment  
16 and numbers in the field to assist the communities.

17 **MS. WHITNEY VAN BELLEGHEM:** Also, in  
18 reference to Exhibit 20, at page 2 of that document, it  
19 states that:

20 "Program funds are often not used for  
21 enhanced policing services as  
22 intended." (As read)

23 Can you please share some more information  
24 about what those enhanced policing services funding is  
25 intended for?

1                   **MR. DANIEL BELLEGARDE:** Yeah. That -- the  
2 enhanced policing is something I -- is something that comes  
3 with the First Nations Policing Program, and the -- in our  
4 case, the Federal/Provincial Policing Agreement with the  
5 RCMP.

6                   And nobody could quite define what  
7 "enhanced" means. In many cases, they say, well, we just  
8 simply have to provide more and more effective policing  
9 services based on the RCMP model, other interpretations  
10 mean it's more First Nations controlled policing, it's more  
11 community-based policing, where preventative measures are  
12 more at play rather than totally enforcement and where  
13 there's more enforcement almost to the exclusion of  
14 preventative crime programs.

15                  But I think we're starting to reach a  
16 balance now in trying to say that, okay, let's forget about  
17 enhanced policing and let's talk about First Nations  
18 controlled policing on reserve, community-based policing,  
19 and get rid of some of these, what I call weasel words,  
20 like enhanced where nobody quite knows what it means,  
21 including myself. So I'm sorry I can't answer your  
22 question.

23                                   (LAUGHTER)

24                   **MS. WHITNEY VAN BELLEGHEM:** In your  
25 experience, what do these program funds instead get used

1 for?

2 **MR. DANIEL BELLEGARDE:** They're used for  
3 general policing, I believe. Detachments by and large are  
4 -- like say the Fort Qu'Appelle Detachment which I'm  
5 familiar with, they're charged with responsibility for  
6 urban policing within the Town of Fort Qu'Appelle, rural  
7 policing within the surrounding rural areas, highway  
8 patrol, as well as on reserve policing through the First  
9 Nations Policing Program CTAs. But there's also a couple  
10 of communities that do not have CTAs and the RCMP have to  
11 respond to calls for assistance there as well.

12 So although the CTA calls for 100 percent of  
13 the officers' time to be spent on a reserve, many times  
14 through deployment, under resourcing of the detachment, in  
15 terms of the number of police officers, it's taken away  
16 from the community from that expectation of 100 percent of  
17 officers' time spent in the community through -- like in  
18 carrying out community policing to fulfilling the overall  
19 objectives and deployment plan of the detachment.

20 **MS. WHITNEY VAN BELLEGHEM:** And can you  
21 explain what impact that has on the First Nations?

22 **MR. DANIEL BELLEGARDE:** I believe -- if we  
23 believe in community-based policing or community policing  
24 has the method of dealing with crime in our communities  
25 from a preventative viewpoint, and from dealing -- bringing

1 together such services as are evident in the HUB model, we  
2 come to a point where have only enforcement. And the  
3 police respond to calls of incidents and they don't --  
4 haven't got the time, or sometimes the training and the  
5 desire, to do a community-based policing from a  
6 preventative viewpoint where there's a lot of education,  
7 crime prevention and other activities like that.

8 So it has an impact where it becomes  
9 enforcement-related, punitive-related, rather than  
10 preventative in nature.

11 **MS. WHITNEY VAN BELLEGHEM:** Thank you.  
12 Those are all my questions for you this morning.

13 **MR. DANIEL BELLEGARDE:** Thank you.

14 **MS. CHRISTA BIG CANOE:** Thank you.

15 Next, we would like to invite up Pauktuutit,  
16 Ms. Beth Symes we'll be having. And just so the record  
17 reflects, earlier I had made mention where there was a  
18 consent on change of time, and Chief Commissioner, please  
19 feel free to check my math on this. Originally was twenty-  
20 two-and-a-half minutes allotted, but Pauktuutit provided  
21 ITK four-and-a-half minutes. My calculation has that at  
22 18. So if we could allow Pauktuutit and Ms. Symes to have  
23 18 minutes.

24 **--- CROSS-EXAMINATION BY MS. BETH SYMES:**

25 **MS. BETH SYMES:** Thank you. I acknowledge

1 the invitation to be on the lands of Treaty 4 and on the  
2 homeland of the Métis Nation. I not only represent the  
3 Pauktuutit, but also the Inuit Women of Labrador,  
4 Saturviit; the Ottawa Inuit Children's Centre; and the  
5 Manitoba Inuit Association.

6 And my questions will be for Chief LaRose,  
7 and also for the Commissioner.

8 Commissioner, the mandate of the RCMP in  
9 section 18 includes preventing crime and maintaining peace  
10 and order. Would you agree with me that in being proactive  
11 that is of -- an essential part of being an RCMP officer  
12 and of the RCMP as a force?

13 **COMMISSIONER BRENDA LUCKI:** Yes, it is.

14 **MS. BETH SYMES:** And if we can figure out  
15 ways to prevent violence, to prevent murder, infinitely  
16 better than doing a superb investigation to find out who  
17 did it?

18 **COMMISSIONER BRENDA LUCKI:** Yes, prevention  
19 would be much better.

20 **MS. BETH SYMES:** And that in your Strategic  
21 Priority, I think No. 4, it is contribute to a safer and  
22 healthier Indigenous communities?

23 **COMMISSIONER BRENDA LUCKI:** Yes, that's  
24 correct.

25 **MS. BETH SYMES:** And you'd agree with me

1 that a safer and healthier Inuit community is one where  
2 Inuit women are not violated, are not murdered.

3 **COMMISSIONER BRENDA LUCKI:** Absolutely.

4 **MS. BETH SYMES:** Now, the purpose -- one of  
5 the purposes of this inquiry is to identify causes of  
6 violence and murder of Indigenous women and girls. And so  
7 my questions to both of you are actually going to go to  
8 prevention as opposed to investigation. And one of the  
9 things that at the end of the day, this inquiry will do, is  
10 make recommendations to reduce -- and Chief Commissioner,  
11 you said optimistically, eliminate violence, murders of  
12 Indigenous women and surely that is Canada's goal as well.

13 Now, when we were in Quebec City there was  
14 introduced a report by NTI on examining the justice system  
15 in Nunavut. It's Exhibit 19, but the good news is that it  
16 is also part of the materials today for this afternoon's  
17 witness, Yvonne Niego. And so, whether we use one or the  
18 other, it's the same document. Examining the justice  
19 system, it was a report 2013, 2014 that looked at  
20 statistics from 1999 to 2012. And what that showed through  
21 that period is that whereas the crime rates in Canada are  
22 going down, the crime rates in Nunavut are going exactly  
23 the opposite way. They are in fact, increasing. And the  
24 two measures are the crime severity index and the violent  
25 crime severity index.

1                   Now, for this hearing Pauktuutit prepared  
2 updated crime statistics from Statistics Canada starting in  
3 2012, the year that Exhibit 19 ends, and moving up to 2016.  
4 Now, I have provided this last week to Commission counsel,  
5 to Ms. Turley and to Mr. Roy. I'm asking that that be the  
6 next exhibit.

7                   **CHIEF COMMISSIONER MARION BULLER:** The  
8 document entitled "Crime Statistics" is Exhibit 42, please.

9                   **--- EXHIBIT NO. 42:**

10                   Document entitled: "Crime Statistics"

11                   Document titled "Crime Statistics"

12                   (four pages)

13                   Witness: Panel I

14                   Submitted by Beth Symes, Counsel for

15                   Pauktuutit Inuit Women of Canada,

16                   Saturviit Inuit Women's Association,

17                   AnânuKatiget Tuningit Regional Inuit

18                   Women's Association, Ottawa Inuit

19                   Children's Centre and Manitoba Inuit

20                   Association, as a collective single

21                   party

22                   **MS. BETH SYMES:** And I being old, have  
23 handed out paper copies to the -- to the parties rather  
24 than electronic.

25                   Commissioner, the news is not good from 2012

1 to 2016, whether we want to parse the ups and downs. The  
2 point is, would you agree with me that for Canada, the  
3 trend down is more or less steady or stable, whereas the  
4 crime rate in Nunavut is not, it continues to rise?

5 **COMMISSIONER BRENDA LUCKI:** When I look at  
6 your paper that you provided me, there is some reduction,  
7 but the numbers are high.

8 **MS. BETH SYMES:** The numbers are very high,  
9 yes. And unacceptably high for Inuit women and girls.

10 **COMMISSIONER BRENDA LUCKI:** Yes. One thing  
11 I would like to comment, the statistics -- the problem with  
12 the crime severity index is it's based on larger  
13 populations. So it tends to be amplified in smaller ones.  
14 But I would never negate the fact that obviously, there is  
15 still an issue. But it -- the numbers are -- they look  
16 worse as far as the increase. I won't negate that. But  
17 the numbers are hugely large because of the smaller  
18 populations that they're measured on.

19 **MS. BETH SYMES:** That's true. But a smaller  
20 population we would also expect fewer numbers of murders.

21 **COMMISSIONER BRENDA LUCKI:** Yes, and it --  
22 but obviously in smaller population too the impact is high,  
23 yes.

24 **MS. BETH SYMES:** Yes. The numbers can --  
25 one homicide in a year can make a big difference in the



1 statistics.

2 **COMMISSIONER BRENDA LUCKI:** Absolutely. And  
3 then in general, one homicide in Canada is one too many.

4 **MS. BETH SYMES:** And Chief Commissioner, was  
5 this then marked as an exhibit?

6 **CHIEF COMMISSIONER MARION BULLER:** Yes, 42.

7 **MS. BETH SYMES:** Yes. Thank you very much.

8 Now, Mr. Larose, although you've been on the  
9 job -- Chief Larose, although you've been on the job for  
10 less than six months, you've concluded, and you said  
11 yesterday, that there were extremely high rates of crime in  
12 Nunavik. Assaults, sexual assaults, murders, et cetera.  
13 And you used this wonderful expression, at least in English  
14 was that your officers are out of breath. I heard you  
15 correctly?

16 **MR. JEAN-PIERRE LAROSE:** Absolutely.

17 **MS. BETH SYMES:** Chief Larose, your  
18 officers, I think you and the officers total 58; is that  
19 correct?

20 **MR. JEAN-PIERRE LAROSE:** Oui.

21 **MS. BETH SYMES:** Your officers are very  
22 young?

23 **MR. JEAN-PIERRE LAROSE:** Over 50 percent - 50  
24 pourcent de nos effectifs policiers ont moins d'un an  
25 d'expérience actuellement.

1                   **MS. BETH SYMES:** And many of them are just  
2 out of training, police training?

3                   **M. JEAN-PIERRE LAROSE:** Tout à fait.

4                   **MS. BETH SYMES:** You have only one woman on  
5 your force?

6                   **M. JEAN-PIERRE LAROSE:** Nous en avons trois,  
7 dont une Inuit.

8                   **MS. BETH SYMES:** Okay. And that we heard --  
9 we heard in Montreal from Inuit families from Nunavik. We  
10 heard from the President and the Vice-President of  
11 Saturviit that there is a crisis of child sexual abuse in  
12 Nunavik. And what are you doing, or your force doing about  
13 this crisis of child sexual abuse?

14                   **M. JEAN-PIERRE LAROSE:** Bien, en fait, il y  
15 a différents programmes qu'on veut mettre sur pieds. Il y  
16 en a un qui était existant avant mon arrivée qui s'appelle  
17 "Good touch, Bad Touch" qui est impliqué en termes... on a  
18 une conseillère en prévention qui est une Inuit qui  
19 s'appelle Lizzie Aloupa où elle fait l'ensemble des  
20 communautés pour promouvoir ce programme-là relativement  
21 aux agressions sexuelles en termes de prévention. C'est un  
22 excellent programme.

23                   Bien sûr qu'on doit travailler au niveau de  
24 ces agressions-là de la violence sur plusieurs aspects, que  
25 ce soit nos interventions auprès des écoles... j'ai

1 l'intention d'établir des protocoles d'entente avec la  
2 Commission scolaire de Kativik pour favoriser une  
3 collaboration entre le service de police et l'ensemble des  
4 écoles de Kativik. D'ailleurs, c'est une obligation de la  
5 loi au Québec d'avoir des ententes de telles sortes avec  
6 les commissions scolaires, particulièrement pour prévenir  
7 l'intimidation et tout ça. Donc, c'est un volet. On  
8 commence à l'école.

9 Par la suite, comme je le disais auparavant,  
10 on doit impliquer les services sociaux, les travailleurs  
11 sociaux dans tous ce giron, ce cycle de violence qu'on doit  
12 freiner, qu'on doit vraiment contrecarrer en amont par la  
13 prévention. Et ça, j'y crois beaucoup.

14 **MS. BETH SYMES:** So can I -- can I conclude  
15 then that it is a -- sorry -- it is a work to be begin, to  
16 be begun, right? You are just at the very beginning stage.  
17 Lizzie testified in Montreal about her efforts and how  
18 enormous the problem is for one woman to overcome. So  
19 you're at the beginning?

20 **M. JEAN-PIERRE LAROSE:** Absolument.

21 **MS. BETH SYMES:** Let me ask you a second  
22 question, because I may have misunderstood you in terms of  
23 the translation. Yesterday when you talked about suicide,  
24 you -- my notes say that your officers determine whether a  
25 particular death was a suicide. Did I hear you right? And

1 let me just carry on, and only if they deem the death  
2 suspicious do they call in la Sûreté. Did I understand you  
3 correctly?

4 **M. JEAN-PIERRE LAROSE:** En fait, lorsqu'il y  
5 a un décès, nous sommes appelés sur les lieux et nous  
6 débutons l'enquête carrément de la scène pour établir.  
7 Quelques fois c'est assez, je dirais, *obvious* que le décès  
8 est une mort naturelle. Parfois c'est assez évident que  
9 c'est un suicide et parfois c'est aussi un mort suspect.  
10 Donc, on établit l'ensemble de la scène de crime, on  
11 questionne, on essaie d'accumuler beaucoup d'éléments pour  
12 déterminer qu'en est-il du décès exactement. Et lorsque  
13 nous avons un doute, à ce moment-là, nous avons besoin de  
14 l'assistance de la Sûreté du Québec pour aller plus loin.  
15 Et récemment, nous avons eu un cas particulier, aussi. Est-  
16 ce que je réponds à votre question?

17 **MS. BETH SYMES:** Oh, yes, you replied. But,  
18 let me just ask you, is -- none of your officers are  
19 experts in suicide investigations? That's why you call in  
20 Sûreté?

21 **MR. JEAN-PIERRE LAROSE:** Non. Nos policiers  
22 sont capables de faire enquête et de déterminer avec assez  
23 de précision s'il y a eu suicide.

24 Lorsque nous faisons appel à la Sûreté du  
25 Québec, c'est parce que justement, il y a des éléments

1       douteux dans la scène de crime qui nous permettent de  
2       croire que c'est possiblement une morte suspecte, un  
3       meurtre ou un crime qui a été perpétré.

4               Alors, c'est à ce chapitre-là, lorsque nous  
5       avons des doutes et qu'on croit qu'un crime a été commis  
6       que nous communiquons avec les experts, parce qu'on a  
7       besoin d'expertise, on a souvent besoin de spécialistes en  
8       laboratoire scientifique du Laboratoire judiciaire, des  
9       balisticiens, toutes sortes d'experts pour venir nous aider  
10      à éclaircir. Mais nos policiers sont en mesure de vraiment  
11      déterminer si c'est vraiment une mort suspecte ou si c'est  
12      un suicide.

13              **MS. BETH SYMES:** I just want to observe that  
14      a number of Inuit families have criticized the finding of  
15      suicide when they did not accept that. So, let's just  
16      carry on.

17              Commissioner, would you agree with me that  
18      perhaps effective policing could reduce the violence  
19      towards Inuit women and girls?

20              **COMMISSIONER BRENDA LUCKI:** Yes, including,  
21      as we spoke about before, prevention.

22              **MS. BETH SYMES:** Prevention. Now, you, for  
23      two years, 2016 to 2018, were the commanding officer of the  
24      RCMP Academy here in Regina?

25              **COMMISSIONER BRENDA LUCKI:** Yes, I was.

1                   **MS. BETH SYMES:** And, the training for RCMP  
2 is based upon best policing practices?

3                   **COMMISSIONER BRENDA LUCKI:** Yes.

4                   **MS. BETH SYMES:** And, one of those  
5 cornerstone is building respect and trust for RCMP and its  
6 officers in the communities in which they serve?

7                   **COMMISSIONER BRENDA LUCKI:** Yes.

8                   **MS. BETH SYMES:** And, you do that,  
9 Commissioner, by getting to know the community?

10                  **COMMISSIONER BRENDA LUCKI:** Yes.

11                  **MS. BETH SYMES:** And, by the officer getting  
12 to be known by the community, it's a two-way getting to  
13 know?

14                  **COMMISSIONER BRENDA LUCKI:** Yes, that's  
15 actually part of the field coaching program. The coach,  
16 part of their responsibility is to ensure that the new  
17 member is introduced to the various stakeholders and  
18 partners and elected officials in the communities.

19                  **MS. BETH SYMES:** And, one of the ways of --  
20 or one of the theories at least, about best policing  
21 practices is that the policing reflects the community that  
22 is served.

23                  **COMMISSIONER BRENDA LUCKI:** Yes. In a  
24 perfect world, we would like to have more diversity at each  
25 of our detachments.

1                   **MS. BETH SYMES:** Well, diversity with  
2                   respect to gender?

3                   **COMMISSIONER BRENDA LUCKI:** Diversity with  
4                   gender, with ethnic background, with language, with  
5                   experience as well, and expertise.

6                   **MS. BETH SYMES:** I'd like you to turn to the  
7                   Employment Equity Report which you tendered as Exhibit No.  
8                   8, and in particular, would you turn with me to page 9.  
9                   Commissioner, as I understand, this is the results that  
10                  were reported for the fiscal year 2016/2017, and that women  
11                  make up 21 -- at that date, women made up 21.6 percent of  
12                  the RCMP complement; is that correct?

13                  **COMMISSIONER BRENDA LUCKI:** Yes.

14                  **MS. BETH SYMES:** And, that Aboriginal  
15                  peoples made up 8 percent?

16                  **COMMISSIONER BRENDA LUCKI:** It wasn't the  
17                  RCMP total complement. It's the regular members.

18                  **MS. BETH SYMES:** The regular members.

19                  **COMMISSIONER BRENDA LUCKI:** Yes.

20                  **MS. BETH SYMES:** I'm sorry. Regular  
21                  members. That Aboriginal peoples make up 8 percent ---

22                  **COMMISSIONER BRENDA LUCKI:** Yes.

23                  **MS. BETH SYMES:** --- of the regular members.  
24                  And, you're unable to break that down into what percentage  
25                  of your regular members are Inuit?

1                   **COMMISSIONER BRENDA LUCKI:** No, we're not  
2                   able to due to the way the federal government identifies.  
3                   So, if they self-identify, it's -- I think it might be a  
4                   little antiquated because it simply went as Aboriginal or  
5                   First Nations, and it wasn't divided out.

6                   **MS. BETH SYMES:** Okay. Let's turn to page  
7                   10, which is the page that concerns me. The first graph,  
8                   as I understand it, is the hires in fiscal year 2015/2016;  
9                   is that correct?

10                  **COMMISSIONER BRENDA LUCKI:** I think the  
11                  report is for fiscal year 2016/2017.

12                  **MS. BETH SYMES:** Okay. It's the most  
13                  recent. And, your hires of women were only 22.2 percent;  
14                  is that correct?

15                  **COMMISSIONER BRENDA LUCKI:** According to  
16                  this chart, yes.

17                  **MS. BETH SYMES:** And, of Aboriginal peoples,  
18                  only 4.7 percent?

19                  **COMMISSIONER BRENDA LUCKI:** Yes.

20                  **MS. BETH SYMES:** And, were you aware that  
21                  the -- and I'm no apologist for the Toronto Police  
22                  Services, but that their hiring of women in exactly the  
23                  same period was 48 percent?

24                  **COMMISSIONER BRENDA LUCKI:** I wasn't aware  
25                  of that.



1                   **MS. BETH SYMES:** And, the next one -- I'm  
2 running out of time. So, let me just say to you, if this  
3 is the rate of hiring in which, for optimal policing, you  
4 want to have your officers reflect the community they  
5 police, even in my great grandchildren's time, you will  
6 never achieve equity. You will have to be -- take  
7 aggressive -- RCMP will have to take aggressive, might I  
8 even say radical steps, so that your workforce reflects the  
9 community they police. What will you do? You're just  
10 starting.

11                   **COMMISSIONER BRENDA LUCKI:** I don't think we  
12 will get to 50 percent ---

13                   **MS. BETH SYMES:** Ever?

14                   **COMMISSIONER BRENDA LUCKI:** Policing is a  
15 unique profession. There are many challenges. Comparing  
16 the recruiting of RCMP to Toronto is -- I don't think it's  
17 a fair comparison because you're dealing with an urban  
18 environment, where they're primarily recruiting in an urban  
19 area, where people aren't -- there's not mobility concerns  
20 as far as people being able to stay their entire career in  
21 Toronto. The RCMP is primarily rural police, so it's very  
22 difficult.

23                   As I stated in the first day, one of our  
24 challenges is mobility, and of course we've talked about  
25 other issues, but it's difficult when -- if you are mobile

1 and you're leaving your family structure behind. For a  
2 woman having a family, we do have -- we've put measures in  
3 place, but I think Toronto has a better advantage in that  
4 area. But, of course, our goal is to increase those  
5 numbers.

6 **MS. BETH SYMES:** Commissioner, I challenge  
7 you to look at your ---

8 **MS. CHRISTA BIG CANOE:** I'm sorry, Ms.  
9 Symes, you're now two minutes over.

10 **MS. BETH SYMES:** Sorry.

11 **MS. CHRISTA BIG CANOE:** So, thank you -- I'm  
12 sorry.

13 **COMMISSIONER BRENDA LUCKI:** I will accept  
14 your challenges.

15 **MS. BETH SYMES:** Well, to use a gender plus  
16 lens in your analysis.

17 **COMMISSIONER BRENDA LUCKI:** Absolutely.

18 **MS. BETH SYMES:** Thank you very much.

19 **MS. CHRISTA BIG CANOE:** Next, we'd like to  
20 invite up the Liard Aboriginal Women's Society, and I see  
21 Ms. Anne Maje Raider coming up, and also Leila -- and I'm  
22 sorry if I say this wrong, is it Jejjie (phonetic)?

23 **MS. LEILA GEGGE HURST:** Geggie.

24 **MS. CHRISTA BIG CANOE:** Geggie, thank you.  
25 The Liard Aboriginal Women's Society has nine and a half

1 minutes.

2 --- CROSS-EXAMINATION BY MS. ANNE MAJE RAIDER & MS. HURST:

3 MS. ANNE MAJE RAIDER: Good morning. I'd  
4 just like to acknowledge Treaty 4 First Nations and thank  
5 them for allowing us on their traditional territory. My  
6 name is Anne Maje Raider, I'm with the Liard Aboriginal  
7 Women's Society in Watson Lake, Yukon. I'm, kind of,  
8 nervous, so bear with me. I'm just grateful for the  
9 opportunity to speak today. I bring in my heart to my  
10 Kaska people, my Kaska women.

11 So, what I'd like to do is put in context  
12 for you what is happening in the Yukon, in the North. So  
13 the Yukon, the north in particular, consistently has  
14 reported higher rates of violence against Indigenous women  
15 than other places in Canada. Also, the north has four  
16 times higher rates of violence against Indigenous women.  
17 And with that, the Watson Lake area, Watson Lake where I'm  
18 from, has, again, a higher rate of violence in the Yukon,  
19 not one that we are very proud of, but certainly the Kaska  
20 women and Kaska Elders really want to see a change in this.

21 So in 2010 I bring forward the memory of  
22 Raymond Silverfox, who died tragically in the cells of a  
23 Whitehorse RCMP -- the cells. And as he laid there dying,  
24 there was sneers of racism and prejudice remarks made to  
25 him as he laid in the cells needing medical attention. So

1 I bring him in my heart.

2 So the Yukon government called for a review  
3 of the RCMP. And so there was a committee that was formed  
4 and went across the Yukon territory, and many women came  
5 out and expressed outrage at how the RCMP were dealing with  
6 Indigenous women in our communities. And we wanted to  
7 bring change to that. So Yukon -- Liard Aboriginal Women's  
8 Society, in partnership with the Women's Coalition and all  
9 the Yukon women, we came together with the RCMP and did a  
10 two-year process of training and cultural education.

11 So we did that in Whitehorse and Watson Lake  
12 and we attribute the success to that process to then  
13 Commanding Officer Peter Clark. And so out of that we  
14 developed a protocol, a Together for Justice protocol, and  
15 the Women's Coalition in Whitehorse developed the Together  
16 for Safety protocol.

17 So we made commitments -- both parties made  
18 commitments to collaborate and make changes to how we were  
19 policed in Watson Lake. And we held firmly to our  
20 commitments to provide cultural education and training.

21 Training is essential. RCMP are coming in  
22 to our communities with very limited knowledge of violence  
23 and sexual assault. And the sad thing is, nobody wants to  
24 fund. Why is it that we, as a non-profit, have to go out  
25 and look for funding to train the RCMP in our culture and

1 who we are? There's something wrong with this picture so.

2 **MS. CHRISTA BIG CANOE:** Ms. Raider, are you  
3 asking that question to the Commissioner?

4 **MS. ANNE MAJE RAIDER:** Yeah, so what we're  
5 wanting is funding to continue the training and cultural  
6 training and training on violence.

7 **COMMISSIONER BRENDA LUCKI:** I can't speak to  
8 it specifically, but I will have a follow-up to see if --  
9 what we're doing in regards to that training and if we can  
10 assist. Obviously we'll do everything we can if we can  
11 assist with that training. I'm not sure if maybe part of  
12 the reason we aren't assisting -- and I'm just surmising --  
13 is maybe that we brought in some other programs. But I  
14 will definitely have that reviewed, and if there's  
15 possibilities of us contributing we will.

16 **MS. ANNE MAJE RAIDER:** Yeah, I'm very  
17 conscious of the time because I want Leila to ask  
18 questions, but one of the questions we want is we want  
19 access to the training that the RCMP are given in -- what  
20 sexual assault training they're provided here. We wanted  
21 to review it. We want to review the -- also review the  
22 cultural training.

23 **COMMISSIONER BRENDA LUCKI:** Okay. Thank  
24 you.

25 **MS. LEILA GEGGE HURST:** Thank you,

1 Commissioner.

2 Can I just ask for clarity in regards to  
3 Anne's last question, whether you would support a future  
4 request by the Liard Aboriginal Women's Society to release  
5 the Module 7, I believe, from -- excuse me, let me check my  
6 notes here -- Module 7 from Exhibit 9, the Domestic  
7 Violence Training Module at RCMP Depot?

8 **COMMISSIONER BRENDA LUCKI:** The 1 to 15 is  
9 an overview. We can provide the overview of Module 7.

10 **MS. LEILA GEGGE HURST:** Thank you.

11 So, continuing this theme of honouring the  
12 Indigenous women's wisdom and the wisdom of Indigenous  
13 women's organizations, I noticed that much of your  
14 material, for example, in your Exhibit 7, the Working  
15 Together document focuses on the importance of  
16 collaboration. Can you please tell me what specific  
17 concrete actions the RCMP has taken to address the deep  
18 power imbalances and the inequalities between the RCMP and  
19 the Indigenous women's organizations who are collaborating  
20 on these projects?

21 **COMMISSIONER BRENDA LUCKI:** I think in many  
22 communities the collaboration -- I think Mr. Bellegarde  
23 spoke about interagency approaches, and that includes the  
24 advocacy groups, as well as the social services groups, the  
25 education, the health, and collaborating all together.

1 I can't speak of the imbalance. All I can  
2 say is that once we put that together and we have people  
3 together to solve those issues, it's a much better approach  
4 because we're but one part of that. And so I think it's  
5 important that we work together.

6 **MS. LEILA GEGGE HURST:** On that note, I note  
7 that Annex A of that exhibit, Exhibit 7, it lists multiple  
8 different initiatives that, in fact, have been initiated  
9 and led -- spearhead by grassroots organizations. And I'm  
10 wondering whether you have any concrete measurable evidence  
11 or assurances that the RCMP can provide to show that the  
12 RCMP's engagement in those initiatives is substantive and  
13 meaningful and is not being used to hide behind the labour  
14 or grassroots organizations for the PR benefit of the RCMP.

15 **COMMISSIONER BRENDA LUCKI:** I wouldn't say -  
16 - when I heard the first person speak about the  
17 collaboration they did to create a cultural awareness  
18 program, that's an incredible initiative and we should be  
19 doing more of that. Obviously, if people have those ideas  
20 and we collaborate, we're a better organization for that.

21 And many of the initiatives that are listed  
22 in Annex A were -- are in collaboration with communities.  
23 I've seen it dozens of times when I was in northern  
24 Manitoba and northern Alberta where detachment commanders  
25 would work with a community on a collaborative approach to

1 solve issues within the community, whether it was through  
2 training, education, prevention, various ways of doing  
3 that.

4 I applaud collaboration.

5 **MS LEILA GEGGE HURST:** Thank you. I  
6 appreciate that.

7 When the RCMP is benefitting from these  
8 collaborations, is it your experience that you run into  
9 difficulties or the -- in particular, the organization has  
10 difficulties in resourcing, especially with the inadequacy  
11 or unavailability of core funding for Indigenous women's  
12 organizations, particularly in the north?

13 **COMMISSIONER BRENDA LUCKI:** Well, we are --  
14 we don't hold the funds for the organizations. But I know,  
15 for instance, a good example is when we did the Circle of  
16 Reflection, for instance, there was no funding. So we  
17 stepped up and took care of doing the audio visual.  
18 Whenever we can do something like that, we're ready to do  
19 that.

20 But as far as funding all of the advocacy  
21 groups, I don't think we probably have the budget. But  
22 when there is projects where we're collaborating, anytime  
23 we can provide some funding, I think we try to do that.

24 **MS LEILA GEGGE HURST:** I thank you for that.  
25 Just turning to the unique cultures in



1 isolated northern communities, you mentioned earlier the  
2 possibility of reforming your polygraph test at Depot for  
3 any incoming recruits. Would you consider the creation or  
4 the addition of -- additional screening for officers will  
5 be posted in isolated northern communities, particularly  
6 those serving predominantly Indigenous populations? And  
7 would you support the involvement in local community  
8 organizations, particularly Indigenous organizations, in  
9 the screening and selection of members posted in those  
10 territories?

11 **COMMISSIONER BRENDA LUCKI:** It may be  
12 problematic, but we have done approaches where -- and I say  
13 problematic because of the fluidity of staffing actions.  
14 But what I personally have done in the past is spoken with  
15 the communities and get their -- consult with the  
16 communities, for instance, to get what type of person  
17 they're looking for or the emphasis of what they're looking  
18 for when we're choosing detachment commanders, because that  
19 person is the one that's going to evoke the change amongst  
20 all the members.

21 Most definitely, if we have -- maybe we  
22 wouldn't do it one-on-one, but having guidelines that  
23 outline things that the -- you know, expectations of the  
24 community, and each and every community, and then putting  
25 that into staffing practices, I think that would be a great

1 benefit.

2 MS LEILA GEGGE HURST: Thank you for your  
3 time.

4 MS CHRISTA BIG CANOE: Thank you.

5 And next we would like to invite up Manitoba  
6 Keewatinowi Okimakanak, who is -- counsel is Jessica  
7 Barlow. Ms. Jessica Barlow will have nine-and-a-half  
8 minutes.

9 --- CROSS-EXAMINATION BY MS. JESSICA BARLOW:

10 MS. JESSICA BARLOW: Good morning. I would  
11 like to begin by acknowledging the elders, singers and  
12 drummers and families and survivors, and those that have  
13 gone before us. I would like to recognize the sacred items  
14 in the room, and I would like to say thank you to the panel  
15 witnesses for sharing with us. I would also like to  
16 express my gratitude to the Treaty 4 nations of this  
17 territory, and also to the Métis Nation of Saskatchewan for  
18 welcoming us here to conduct this work.

19 My name is Jessica Barlow, and I am legal  
20 counsel on behalf of MKO, and it is with the utmost respect  
21 to all of the panel members but all of my questions will be  
22 directed to you, Commissioner Lucki.

23 I'd like to begin, Commissioner Lucki, if I  
24 may, I would like to start out by talking about limited  
25 duration and isolated posts. And so, in your testimony

1 yesterday, you stated that you worked in northern Manitoba;  
2 is that correct?

3 **COMMISSIONER BRENDA LUCKI:** Yes, it is.

4 **MS. JESSICA BARLOW:** And, you also made  
5 specific reference to working with MKO and also MKO  
6 communities; is that also correct?

7 **COMMISSIONER BRENDA LUCKI:** Yes, it is.

8 **MS. JESSICA BARLOW:** And so, is it fair to  
9 say that you are familiar with the uniqueness of this  
10 region in northern Manitoba and also with its communities?

11 **COMMISSIONER BRENDA LUCKI:** Yes.

12 **MS. JESSICA BARLOW:** And, I'd like to focus  
13 your attention now on your overview document, which was  
14 listed, I believe, at Exhibit 2, and we'd be specifically  
15 focusing on page 7.

16 **COMMISSIONER BRENDA LUCKI:** Yes.

17 **MS. JESSICA BARLOW:** Do you have that  
18 document in front of you?

19 **COMMISSIONER BRENDA LUCKI:** Yes, I do.

20 **MS. JESSICA BARLOW:** Perfect. And, I'm  
21 looking specifically at point number 7 on this page where  
22 it briefly describes limited duration and isolated posts,  
23 and it provides a list of factors for assessing these  
24 limited duration and isolated posts. Do you see that?

25 **COMMISSIONER BRENDA LUCKI:** Yes, I do.

1                   **MS. JESSICA BARLOW:** And so, it lists  
2 factors including, and just to name a few, because of the  
3 short amount of time that we have today, location. So,  
4 distance from major centres; access; means of travel;  
5 access to goods, services and facilities; availability or  
6 lack of amenities such as shopping, entertainment,  
7 recreation at or near a post; education facilities  
8 available for families of regular members; medical  
9 facilities available to families of regular members; and  
10 quality of life for regular members in relation to the  
11 communities in the division. And so, we'd be speaking  
12 specifically to Division D. Do you see that there?

13                   **COMMISSIONER BRENDA LUCKI:** Yes.

14                   **MS. JESSICA BARLOW:** And, would you agree,  
15 based on your knowledge and experience, that a number of  
16 MKO nations would be considered limited duration or  
17 isolated posts if you're utilizing this assessment  
18 criteria?

19                   **COMMISSIONER BRENDA LUCKI:** Actually, every  
20 one of the 23 detachments located in what we call Manitoba  
21 North District were all limited duration.

22                   **MS. JESSICA BARLOW:** Thank you.

23                   **COMMISSIONER BRENDA LUCKI:** Not all were  
24 isolated though.

25                   **MS. JESSICA BARLOW:** Perfect. And, you

1 stated that the officers posted in these communities may  
2 have to leave their families behind so that these short  
3 periods of time -- or these limited duration posts are done  
4 because it's a long time to be away from the family. You  
5 stated that yesterday.

6 **COMMISSIONER BRENDA LUCKI:** Yes, that's one  
7 factor. Yes.

8 **MS. JESSICA BARLOW:** And so, in your  
9 experience, is it common practice for RCMP officers not to  
10 bring their families to their postings, or is this more  
11 common in limited duration, in isolated posts?

12 **COMMISSIONER BRENDA LUCKI:** It's more common  
13 in limited duration, and it is more prevalent with the  
14 amount of experience a member may have. For instance, a  
15 member at a staff-sergeant rank, detachment commander,  
16 their family may be well-embedded in the community or the  
17 education facilities that they're in. So, often, a  
18 detachment commander may leave their family back in the  
19 family home down south, and they would live in the  
20 community by themselves, often depending on the age of  
21 their kids. But, if their kids are at the age where  
22 they're no longer needing to be taken care of, the spouse  
23 and the member may, in fact, both move to the community,  
24 depending on the situation.

25 **MS. JESSICA BARLOW:** Thank you. And, is it

1 fair to say that there is a likely correlation between the  
2 lack of services or the proximity to certain facilities  
3 such as education or medical facilities that may impact on  
4 an RCMP officer's decision to bring their family to these  
5 limited duration posts?

6 **COMMISSIONER BRENDA LUCKI:** I think it's a  
7 personal choice. Some people actually -- we have -- I had  
8 members in that district who would never leave that  
9 district, and it was a personal choice. Some people prefer  
10 that type of policing; others, smaller town policing.  
11 Myself, I just moved to Ottawa and I'm finding it far too  
12 big.

13 **MS. JESSICA BARLOW:** And so, is it fair to  
14 say that if the services and goods and facilities and the  
15 availability to access services that it might actually make  
16 officers more apt to be able to bring their families, and  
17 that it may also necessitate the need for longer term  
18 postings as opposed to limited duration?

19 **COMMISSIONER BRENDA LUCKI:** Actually, again,  
20 I think it's a personal choice, but it may affect some  
21 people from bringing their families. But, we find often  
22 when members have younger families, they're more apt to --  
23 that's the time when they're going to bring their families.  
24 We always suggest that once your kids hit high school, do  
25 not move them because they will hate you for the rest of

1 their lives.

2 **MS. JESSICA BARLOW:** But, can you speak to  
3 the fact that if there were more access to services and  
4 goods and facilities that this may actually potentially  
5 lead to longer term postings?

6 **COMMISSIONER BRENDA LUCKI:** Yes. That could  
7 affect definitely, because that's what we use the factors  
8 to determine the length of the posting. So, obviously, if  
9 those factors were no longer -- they were mitigated, then  
10 obviously the posting could be maybe increased to be  
11 longer.

12 **MS. JESSICA BARLOW:** Thank you. And so, you  
13 spoke yesterday about relationships and the importance of  
14 relationship building. Do you recall that?

15 **COMMISSIONER BRENDA LUCKI:** Yes.

16 **MS. JESSICA BARLOW:** And, would you agree  
17 that having strengthened relationships and trust between  
18 First Nations communities and RCMP who serve in those  
19 communities would be critical?

20 **COMMISSIONER BRENDA LUCKI:** Yes.

21 **MS. JESSICA BARLOW:** And, we've heard you  
22 agree today that strong relationship building and trust is  
23 generally not established over short durations. Do you  
24 recall that?

25 **COMMISSIONER BRENDA LUCKI:** Yes. It's hard

1 to establish trust overnight.

2 **MS. JESSICA BARLOW:** Right. And, it's  
3 especially the case when there's been a significant history  
4 of distrust?

5 **COMMISSIONER BRENDA LUCKI:** Yes.

6 **MS. JESSICA BARLOW:** And, you also stated  
7 earlier today that you would be a better police force if  
8 there was increased trust; is that correct?

9 **COMMISSIONER BRENDA LUCKI:** Yes.

10 **MS. JESSICA BARLOW:** And, yesterday, you  
11 mentioned that short tenure or limited duration posts can  
12 have a negative impact on Indigenous communities; is that  
13 right?

14 **COMMISSIONER BRENDA LUCKI:** I would hope  
15 they don't, but it's difficult, because I think from a  
16 community perspective, it may be seen as a negative because  
17 when people come, and especially when we have members that  
18 connect very well with the community, it's very sad for the  
19 community when those members leave. So, I think it has a  
20 negative impact and it doesn't always work to our favour.

21 **MS. JESSICA BARLOW:** Are you aware that not  
22 every MKO community has an RCMP detachment?

23 **COMMISSIONER BRENDA LUCKI:** Yes, I am. We  
24 try to create in-land patrols because we can't -- we don't  
25 have the funding, or the funds, or the members to put in



1 many of those communities. So, we do mitigating strategies  
2 in order to provide service to those communities. It's the  
3 same in the south as well. There are RCMP detachments.

4 **MS. JESSICA BARLOW:** And, even though there  
5 are those mitigation strategies in place, are you aware  
6 that there are periods of time and instances whereby RCMP  
7 are not able to attend MKO communities that may not have  
8 detachments?

9 **COMMISSIONER BRENDA LUCKI:** Yes. They do it  
10 on a schedule, and they try to make it random, obviously,  
11 for obvious reasons. But, there are times when we turn  
12 into a reactive type of approach, because we're not there  
13 when the crime happens.

14 **MS. JESSICA BARLOW:** Right. So, it's  
15 reactive instead of preventative.

16 **COMMISSIONER BRENDA LUCKI:** In some cases,  
17 yes. And, it's not as preventative as if we were in the  
18 community.

19 **MS. JESSICA BARLOW:** And so, where there are  
20 periods where RCMP are absent in the community and/or where  
21 there's limited duration posts, would you agree that this  
22 could detrimentally affect information sharing and also  
23 continuity between the RCMP and families that may have  
24 ongoing cases or where they may have family members who are  
25 missing?

1                   **COMMISSIONER BRENDA LUCKI:** I think it could  
2 affect, because we're not onsite. But, we do rely on  
3 community members in those cases, elected officials,  
4 different people in the community. But, I would say, yes,  
5 it could affect it.

6                   **MS. JESSICA BARLOW:** And, what is the RCMP  
7 doing to address that issue currently in northern Manitoba?

8                   **COMMISSIONER BRENDA LUCKI:** We tried to  
9 increase the number of patrols. Maybe not as lengthy. I  
10 know during my tenure, they tended to do longer type  
11 patrols, which is great for building relationships. But,  
12 then, of course, we're not in the community as often. So,  
13 sometimes it's a combination of longer stints or many  
14 little stints.

15                   But, the same thing happens down south.  
16 It's just not amplified as much because travel is much more  
17 difficult in the north than it is in the south. So, we  
18 don't have detachments in every single town, and often,  
19 when things aren't happening in those towns, we tend to  
20 spend more time in the areas where they are happening.

21                   **MS. JESSICA BARLOW:** Well, I'm out of time  
22 now, but I'd love to keep talking with you.

23                   **COMMISSIONER BRENDA LUCKI:** Yes.

24                   **MS. JESSICA BARLOW:** So, thank you so very  
25 much.

1                   **COMMISSIONER BRENDA LUCKI:** Thank you.

2                   **MS. CHRISTA BIG CANOE:** Thank you. Next, we  
3 would like to invite up Nunatukavut Community Council Inc.  
4 I believe Mr. Stewart will be asking questions on behalf of  
5 the council. And Mr. Stewart will have nine-and-a-half  
6 minutes.

7                   **--- CROSS-EXAMINATION BY MR. ROY STEWART:**

8                   **MR. ROY STEWART:** Good afternoon, everybody.  
9 First, I would just like to thank everyone in the territory  
10 that we're on, commissioners and all the families that are  
11 contributing again to the -- this Inquiry.

12                   This afternoon, my questions are going to be  
13 directed at Commissioner Lucki.

14                   So my first question is related to the  
15 Community Conflict Management course that you discussed  
16 yesterday and how RCMP officers are taught to work with  
17 communities prior to protests to ensure they're aware of  
18 the rights of the people and that those are respected.

19                   So this morning, I read on the RCMP website  
20 that members who meet the criteria, including possessing  
21 self-control, composure, effective communication skills,  
22 they can be selected to take this course, and that those  
23 trained members can then be deployed as needed.

24                   Is that an accurate description of who gets  
25 to take that course?

1                   **COMMISSIONER BRENDA LUCKI:** Yes.

2                   **MR. ROY STEWART:** Would you agree that all  
3 members of the RCMP should take that course or a similar  
4 type of course?

5                   **COMMISSIONER BRENDA LUCKI:** We do have  
6 de-escalation courses that have those type of competencies  
7 imbedded as well. So yes, all members should have those  
8 competencies.

9                   **MR. ROY STEWART:** So I guess in any  
10 detachment near an Indigenous group, there would be  
11 guaranteed to be an officer that would have these, I guess  
12 formal training or the skills on hand to deal with, I guess  
13 a impromptu protest?

14                   **COMMISSIONER BRENDA LUCKI:** The Community  
15 Conflict Training, I can't say for sure that all -- each  
16 detachment that's in an Indigenous community would have  
17 those members, but those members are dynamic. They can be  
18 deployed to such incidents if required.

19                   And I think the goal of the commanding  
20 officer in each division is to strategically have those  
21 members trained, but obviously, over time they may get  
22 transferred. So we may have somebody in that area, and  
23 then they're transferred out, so we -- but we are -- they  
24 are deployable.

25                   **MR. ROY STEWART:** So in situations or

1 circumstances in the past few years across the country  
2 where legitimate peaceful protests have taken place -- I  
3 know specifically back in NunatuKavut there have been a few  
4 unfortunate situations where peaceful protests have been  
5 occurred and RCMP officers, unprovoked, and suddenly come  
6 in, and you know, aggressively arrest and detain people.

7 So I guess moving forward, do you foresee  
8 any type of national review of these types of situations  
9 and how these -- this course, such as the Community  
10 Conflict Management, can reflect on these situations and  
11 better itself moving forward?

12 **COMMISSIONER BRENDA LUCKI:** We reflect on  
13 every major incident, and that's the reason why we brought  
14 in some of this training. Because we always look at best  
15 practices across the world. If there is something good  
16 happening in one area that we can steal, we'll take it and  
17 make it our own and try to fill those gaps.

18 I know that Deputy Commissioner Brenda  
19 Butterworth-Carr is very familiar with this model, and she  
20 probably is in a better position to describe the courses.

21 **MR. ROY STEWART:** Okay. I'll try to note  
22 that.

23 So now, I just want to turn your attention  
24 to the community outreach that you spoke of.

25 **COMMISSIONER BRENDA LUCKI:** Yes.

1                   **MR. ROY STEWART:** And yesterday, you  
2 explained that, you know, and I'm paraphrasing, that  
3 community outreach is an important aspect of recruiting  
4 Indigenous individuals, and ultimately, the delivery of  
5 police services?

6                   **COMMISSIONER BRENDA LUCKI:** Yes, it is.

7                   **MR. ROY STEWART:** And that in seeking  
8 potential Indigenous candidates RCMP recruiters will  
9 integrate themselves in the community, including in this is  
10 youth outreach at schools?

11                   **COMMISSIONER BRENDA LUCKI:** Yes. Each  
12 school, we always have a school liaison officer for each  
13 school in our detachment areas.

14                   **MR. ROY STEWART:** So I guess when you're  
15 considering factors such as Indigenous peoples being  
16 arrested for legitimate protests or the long-lasting impact  
17 of any arrest can have on a person or communities, how can  
18 this community outreach effectively work when the police  
19 presence at schools is felt as intimidating and almost  
20 overstepping?

21                   **COMMISSIONER BRENDA LUCKI:** In -- when I was  
22 in Northern Manitoba and in Northern Grand Prairie it was  
23 the exact opposite. Reports that we were getting from the  
24 schools, they were actually requesting more school liaisons  
25 because the connection that the officers were making with

1 youth, it's a positive way of collaborating and -- like you  
2 said, outreach. We've received nothing but -- I haven't  
3 received very many negatives in my career about having  
4 police officers in the schools.

5 **MR. ROY STEWART:** I think you'd agree it's  
6 probably not a one-size-fits-all across the country. So I  
7 know back home there have been, you know, that -- those  
8 issues raised of when you have those factors, you know,  
9 arrests, and then a good faith outreach into the school,  
10 that even though it's based on good faith it still produces  
11 those fears of intimidation or, wow, you know, what are the  
12 police doing here.

13 So I would just hope that you would consider  
14 maybe in your scan across the country that that's not  
15 applicable, that's it's not always a positive outcome.

16 **COMMISSIONER BRENDA LUCKI:** I guess my  
17 message would be to school officials, if in fact we're  
18 having that effect we need to know and change that, yes.

19 **MR. ROY STEWART:** I agree. So this morning,  
20 you were asked questions regarding officers being convicted  
21 of sexually violent offences against Indigenous women. And  
22 I believe that you explained that such actions, if the  
23 officer is ultimately found guilty, that that's not  
24 tolerated and that there is processes in place to address  
25 that. And one of those -- or one part of the process is

1 considering the placement of that officer in the future.

2 **COMMISSIONER BRENDA LUCKI:** I can say with  
3 good confidence that if one of our members is found guilty  
4 of a sexually violent offence they will be terminated ---

5 **MR. ROY STEWART:** That answers ---

6 **COMMISSIONER BRENDA LUCKI:** --- from our ---

7 **MR. ROY STEWART:** --- my second question.

8 **COMMISSIONER BRENDA LUCKI:** From our  
9 organization.

10 **MR. ROY STEWART:** Right.

11 **COMMISSIONER BRENDA LUCKI:** So placing them  
12 is not an option.

13 **MR. ROY STEWART:** Okay.

14 **COMMISSIONER BRENDA LUCKI:** There is no --  
15 absolutely not any wiggle room in that regard if it's that  
16 type of offence.

17 **MR. ROY STEWART:** I guess, along that theme,  
18 are you able to comment or have any knowledge regarding the  
19 correlation between communities where the local economy is  
20 based on resource development and the incidents or reports  
21 of sexual violence by women?

22 **COMMISSIONER BRENDA LUCKI:** I can't speak to  
23 it off the top of my head, but I know -- today, we've seen  
24 some statistics that would maybe suggest in some of the  
25 areas where there's less resources. And I'm not just



1 speaking about RCMP resources, I'm speaking about community  
2 resources and support for survivors of crime, that it's  
3 probably -- and if there isn't...

4 For instance, in Northern Manitoba, when we  
5 have areas that don't have addictions counselling, it's  
6 very difficult in those communities because to take  
7 somebody out of their community for addictions and  
8 addictions does tend to cause differences and sometimes  
9 problems with crime.

10 **MR. ROY STEWART:** Yeah. I guess just to sum  
11 up then, I'm not trying to put words in your mouth, but if  
12 an Indigenous group is given control or, you know, some  
13 form of collaboration with a resource development in or  
14 near their communities that you think -- would it be your  
15 opinion that that would ultimately improve or reduce the  
16 rates of incidents or reported levels of sexual or any type  
17 of violence against Indigenous women?

18 **COMMISSIONER BRENDA LUCKI:** I can't say for  
19 sure because I'm not an expert in that, but I would say if  
20 we increase the ability for people to have a healthy  
21 community then I think it would flow into less incidents.

22 **MR. ROY STEWART:** Perfect. And my final  
23 question relates to cultural awareness that you spoke of.  
24 And my understanding from your testimony is that cultural  
25 awareness training occurs at the depot and it still

1 continues or it follows that officer on their placement to  
2 wherever -- whatever attachment they're at?

3 **COMMISSIONER BRENDA LUCKI:** Yes. And each  
4 division has their own type of cultural awareness because  
5 each area is unique.

6 **MR. ROY STEWART:** Okay. Well, I know for  
7 NunatuKavut, it was only this year, I believe in 2018, that  
8 the RCMP initiated us for cultural awareness training. So  
9 that gives rise to my last question, which is given the  
10 differences between Indigenous groups across the country,  
11 so you know, whether you're a status or non-status, on  
12 reserve, off reserve, whether you have a land claim  
13 accepted or you're in the recognition stage with the  
14 government, I guess what form of cultural awareness is  
15 provided at Depot to give cadets this broader understanding  
16 of Indigenous issues and that cultural awareness is not a  
17 one-size fits all model.

18 **COMMISSIONER BRENDA LUCKI:** We give them the  
19 cultural awareness training, and they take the online  
20 course within two years. That's the broad perspective.  
21 But, each division has their own perceptions course. I  
22 know for instance in Nunavut, specifically, we have a 5-day  
23 cultural perceptions course, and they also have a 1-day  
24 cultural awareness course specifically geared towards new  
25 people, new RCMP members coming to those communities.

1                   **MR. ROY STEWART:** Oh, perfect. And, I'm  
2 already over my time, so thank you and congrats on your  
3 employment.

4                   **COMMISSIONER BRENDA LUCKI:** Thank you.

5                   **MS. SHELBY THOMAS:** The next party to ask  
6 questions today is New Brunswick's Aboriginal Peoples  
7 Council who is represented by Elizabeth Blaney and Chief  
8 Wendy Wetteland. I apologize if I said the name wrong, and  
9 they have 9.5 minutes.

10                   **--- CROSS-EXAMINATION BY MS. ELIZABETH BLANEY:**

11                   **MS. ELIZABETH BLANEY:** Thank you. I want to  
12 first thank the peoples of the homelands for welcoming us  
13 to the territory. I also want to thank the elders,  
14 families, pipe carriers, drum and the Commission for their  
15 commitment to the success of this Inquiry. The New  
16 Brunswick Aboriginal Peoples Council is a representative  
17 organization for treaty beneficiaries who live off-reserve  
18 in the traditional, ancestral territories in the Province  
19 of New Brunswick. Today, my questions are going to be  
20 specific to Commission Lucki. What a last name.

21                   **COMMISSIONER BRENDA LUCKI:** That's because  
22 I'm lucky to be here.

23                   **MS. ELIZABETH BLANEY:** Yes. So, the first  
24 set of questions that I have for you are around the  
25 cultural competency training. So, we've heard that the

1 RCMP policing services are working to build cultural  
2 competency practices. So, how do cultural competency  
3 practices then interact with off-reserve communities?

4 **COMMISSIONER BRENDA LUCKI:** When we take  
5 cultural competency training, it's our goal that the  
6 members who are more sensitive to the issues, and it's more  
7 broad. And so, then what we -- what I would expect is that  
8 when -- and it happens all the time, is when members are  
9 posted to a particular community that they need to reach  
10 out and learn about that community. But, I also say it's a  
11 two-way street. And, when I built that communication  
12 protocol for instance in Northern Manitoba, my question was  
13 to those communities, "What do you expect from the RCMP?  
14 What events do you expect them to attend? What do you want  
15 them to know about your community?"

16 And, I believe that the community members  
17 have so much pride about their community that they should  
18 actually share that with the RCMP members. And, I think  
19 sometimes we do have young, shy members who may come from  
20 an urban environment. And, for the first time in their  
21 careers, they're in a rural environment, and they might not  
22 be so adept to go out and be forward thinking or forward  
23 leaning. And, that's why the field coaching program plays  
24 an integral role with the new members.

25 **MS. ELIZABETH BLANEY:** Are you aware,

1 Commissioner Lucki, that approximately 67 percent of  
2 Indigenous people in Canada live off-reserve?

3 **COMMISSIONER BRENDA LUCKI:** I am now. I  
4 wasn't aware of the statistics specifically.

5 **MS. ELIZABETH BLANEY:** Yes. So, my question  
6 is, is there any training specifically related to the off-  
7 reserve population?

8 **COMMISSIONER BRENDA LUCKI:** I wouldn't say  
9 -- no, it's not specifically. I think we -- our training  
10 is more broad in nature.

11 **MS. ELIZABETH BLANEY:** So, how does the  
12 interaction with and the provision of services for off-  
13 reserve differ from reserve communities, or can you answer  
14 that then?

15 **COMMISSIONER BRENDA LUCKI:** I'm not sure. I  
16 could not -- I'm not sure of the differences.

17 **MS. ELIZABETH BLANEY:** Okay.

18 **COMMISSIONER BRENDA LUCKI:** Sorry.

19 **MS. ELIZABETH BLANEY:** How is -- my second  
20 question, how is cultural competency training being  
21 institutionalized to ensure that it's capturing human  
22 resource issues? We've heard that you have it at Depot,  
23 and then you have online training, but you have also  
24 mentioned that -- is it available to all the RCMP staff  
25 including civilian staff members?

1                   **COMMISSIONER BRENDA LUCKI:** Yes, and I know  
2 for myself for instance, in Northern Manitoba and in  
3 Northern Alberta, I made it mandatory for each and every  
4 employee in my district, and I know a lot of district  
5 officers take the same approach. And, as an organization,  
6 we have made it mandatory for most regular members in those  
7 positions.

8                   **MS. ELIZABETH BLANEY:** Okay. I need a bit  
9 of clarification before I ask my next question, because I'm  
10 not quite sure. Did you state this morning that it is good  
11 practice for Indigenous officers to return to their  
12 communities to police?

13                   **COMMISSIONER BRENDA LUCKI:** I don't recall  
14 saying that.

15                   **MS. ELIZABETH BLANEY:** Okay.

16                   **COMMISSIONER BRENDA LUCKI:** But, I think  
17 ideally that would be a great opportunity. I also think  
18 it's an opportunity -- because we're such a diverse nation,  
19 I often say that, for instance, if people of the same  
20 background return back to their community, it does benefit  
21 the community, but in a holistic sense, from my  
22 organization, when they can go to another community and  
23 share their knowledge. I think that's a great thing as  
24 well.

25                   **MS. ELIZABETH BLANEY:** Okay. Well, my

1 question would be then, if we move in that kind of a  
2 direction, then can we -- you talked a lot about equity and  
3 equitable practice, so can these officers then be assured  
4 that if they devote their careers to policing in their  
5 communities that they will be equitably compensated  
6 including promotions?

7 **COMMISSIONER BRENDA LUCKI:** I can't say that  
8 for sure because some of the places are so small that it  
9 only goes up to a certain rank. Some communities, there's  
10 only a corporal. So, after a constable, you can get  
11 promoted to corporal. And, if there's no other ranks in  
12 those communities, because of the makeup or the number,  
13 that's sort of as far as promotion goes. That may in fact  
14 be -- they may have to move if they would like to go  
15 further up. I mean, in a perfect world as Commissioner, I  
16 would like to be Commissioner in Regina.

17 **MS. ELIZABETH BLANEY:** Right. My next has  
18 to do with case identification. So, the MMIW issues raised  
19 the need to add Module 13 as you indicated as specific to  
20 MMIW issues, recognition, that cultural sensitivity of  
21 issues and knowing what to expect. So, what are policing  
22 services doing to ensure they identify off-reserve cases as  
23 being about Aboriginal people? And, is there a consistent  
24 process to identify files for off-reserve populations?

25 **COMMISSIONER BRENDA LUCKI:** I think every

1 file that involves a missing person should be afforded the  
2 same attention. So, whether it's off-reserve or on-  
3 reserve, I think it's important that we're not remiss in  
4 providing a different tiered service for on or off-reserve.  
5 I think every case should be taken seriously, and we -- in  
6 missing persons, we would like to, what I call, front-end  
7 load it, make sure that at the beginning, because that's  
8 when the information is fresh and important, that we need  
9 to be agile enough to react to all those types of files in  
10 any location.

11 **MS. ELIZABETH BLANEY:** So, what do policing  
12 services then know about identifying off-reserve cases?

13 **COMMISSIONER BRENDA LUCKI:** I don't think we  
14 specifically differentiate between on and off-reserve  
15 cases. As soon as -- if something is Indigenous in nature,  
16 it would be my hope that the members are identified that  
17 and be culturally sensitive just as if, off-reserve, if  
18 somebody of Muslim background went missing, they need to be  
19 culturally sensitive to know -- and maybe if they don't  
20 know the nuances of that culture and that person being  
21 missing, they need to be at least adept to identifying it,  
22 and then finding out where they can get assistance to be  
23 culturally sensitive to the specific needs of that family.

24 **MS. ELIZABETH BLANEY:** So, what do policing  
25 services -- who do policing services then work with in



1 terms of Indigenous communities to ensure the knowledge  
2 they have gathered and that it's informed in the  
3 identification of files is reliable?

4 **COMMISSIONER BRENDA LUCKI:** I think they  
5 need to rely on -- when you say the identity of the files,  
6 what do you mean?

7 **MS. ELIZABETH BLANEY:** In cases of off-  
8 reserve missing Indigenous women when it may not be  
9 apparent that the Indigenous person who is missing is ---

10 **COMMISSIONER BRENDA LUCKI:** Currently off-  
11 reserve?

12 **MS. ELIZABETH BLANEY:** Yes.

13 **COMMISSIONER BRENDA LUCKI:** Yes. Well, I  
14 guess when they were doing the background information, one  
15 of the things that is -- one of the investigative tools is  
16 finding out where the person came from because there's many  
17 sources of information. So, when they do identify that,  
18 then they need to go back to that community to get those  
19 sources of information, because -- and it's as simple as  
20 things as current photos, habits of that person, who saw  
21 them last, who talked to them last on Facebook in that  
22 community, so it's important to make that linkage between  
23 off-reserve and on-reserve. Absolutely.

24 **MS. ELIZABETH BLANEY:** Okay.

25 **COMMISSIONER BRENDA LUCKI:** The point is

1 well taken.

2 **MS. ELIZABETH BLANEY:** That leads me into my  
3 next set in terms of relationship building. I'm short of  
4 time here, but you mentioned working with Indigenous  
5 communities to contribute to safer and healthier  
6 communities and working collaboratively, then you stated  
7 that the RCMP advisory committees were created in the past  
8 to achieve this mandate. Are you partnering with  
9 leadership for off-reserve communities?

10 **COMMISSIONER BRENDA LUCKI:** We have a cross-  
11 section of advisors from all across each province, so I am  
12 confident that some of them are representing off-reserve.  
13 I can't say specifically, but I know for instance one of my  
14 advisors, when I was in Grand Prairie, wasn't actually on-  
15 reserve, but they were of First Nations descent, so  
16 hopefully -- but I am going to take what was said  
17 yesterday, I think we need to re-evaluate the role of our  
18 Aboriginal advisory committees and, you know, for lack of  
19 better word, step it up a bit and make some correlations  
20 with some of the topical issues.

21 **MS. ELIZABETH BLANEY:** Mm-hmm. Great.  
22 Thank you very much.

23 **COMMISSIONER BRENDA LUCKI:** No, thank you.

24 **MS. SHELBY THOMAS:** Eastern Door Indigenous  
25 Women's Association was scheduled to go next, but ---

1                   **CHIEF COMMISSIONER MARION BULLER:** Oh,  
2 nevermind. Thank you.

3                   **MS. SHELBY THOMAS:** But, they have advised  
4 that they won't be asking any questions. Therefore,  
5 Canadian Association of Police Governance, First Nations  
6 Police Governance Council will be next and counsel  
7 representing them is Michelle Brass. They get 5 minutes.

8                   **MS. MICHELLE BRASS:** Thank you. Okay.

9                   **CHIEF COMMISSIONER MARION BULLER:** Excuse  
10 me. Just before we start the clock, I just want to clarify  
11 the record, Ms. Brass, that you will not be using the time  
12 to cross-examine your witness?

13                   **MS. MICHELLE BRASS:** No.

14                   **CHIEF COMMISSIONER MARION BULLER:** Thank  
15 you.

16                   **--- CROSS-EXAMINATION BY MS. MICHELLE BRASS:**

17                   **MS. MICHELLE BRASS:** I will not be. Good  
18 morning, Commissioners. And, thanks for that  
19 clarification. But, you know, my questions actually are  
20 for Commissioner Lucki. I want to, again, welcome you to  
21 Treaty 4 and thank you for having us here today.

22                   So, I have about three questions depending  
23 on whether I can get through them in 5 minutes. First  
24 question relates to Exhibit 17, which was one of our  
25 documents that we had. And, where we indicate in the

1 document that there's stats being provided on -- sure. If  
2 you look at page -- where it is? Page 7 of Exhibit 17.  
3 And, it just gives a general overview about the number  
4 of ---

5 **MS. ANNE TURLEY:** I'm sorry, counsel, can  
6 you tell us which tab it was at or what document it was  
7 when you produced it on the online?

8 **MS. MICHELLE BRASS:** Yes, it was Tab E.

9 **MS. ANNE TURLEY:** E?

10 **MS. MICHELLE BRASS:** Yes.

11 **MS. ANNE TURLEY:** Thank you. And, what page  
12 did you say?

13 **MS. MICHELLE BRASS:** 7. And, on there,  
14 you'll see a table that just identifies the number of self-  
15 administered agreements and CTAs that exist in Canada.

16 **COMMISSIONER BRENDA LUCKI:** Yes.

17 **MS. MICHELLE BRASS:** And then there's a  
18 value that's attached to it. So, if you do the math and  
19 you refer -- just focus on Saskatchewan, there are 38 CTAs  
20 in Saskatchewan that cover about 48 communities, with a  
21 total of expenditure at about \$21,875,000.00-and-change for  
22 the cost of those services, which provides for as well as  
23 126.5 First Nations positions that are attached to various  
24 detachments in the province. How do you ensure  
25 accountability to the communities for the level of police

1 services in light of those numbers?

2 **COMMISSIONER BRENDA LUCKI:** Those are the  
3 CTA numbers, but we also have our RCMP provincial  
4 complements, and it's the responsibility of each commanding  
5 officer to deploy the resources in consultation with the  
6 province to ensure that we have an ample -- enough coverage  
7 in each of the areas where we police. So, although that's  
8 about one portion of our resources, we also have the  
9 provincial resources. In times of major incidents, we also  
10 have the ability to deploy federal resources for  
11 assistance, temporary assistance as well.

12 **MS. MICHELLE BRASS:** Okay. So, is  
13 accountability, sort of, recognized within annual reports  
14 or managerial reviews?

15 **COMMISSIONER BRENDA LUCKI:** In regards to  
16 resourcing, they do resourcing reviews, each division, and  
17 we do have, sort of -- I want to say formulas, but they do  
18 in fact have certain levels. I think it would be my goal  
19 as Commissioner if we could actually capture a proper way  
20 of establishing resources, because we don't have an  
21 infinite amount of resources and we need to be strategic on  
22 that. And, if we can be better at that, I think it's a  
23 goal I would like to see.

24 **MS. MICHELLE BRASS:** Okay. Thank you. So,  
25 my next question relates to your Exhibit No. 2 at page 2.

1                   **COMMISSIONER BRENDA LUCKI:** Okay.

2                   **MS. MICHELLE BRASS:** And, on that page, you  
3 see the different areas that, of course, the RCMP focus on.

4                   **COMMISSIONER BRENDA LUCKI:** Yes.

5                   **MS. MICHELLE BRASS:** So, given the apparent  
6 lack of resources for contract policing and while the  
7 mandate also deals with national security, terrorism,  
8 airports, cyber-crimes, organized crimes and international  
9 commitments, will the RCMP support self-administered  
10 policing agreements by transitioning from existing RCMP  
11 detachments to a self-administered agreement?

12                   **COMMISSIONER BRENDA LUCKI:** We are the  
13 service providers, we're not the signatories to those  
14 agreements. And, that would be -- anything self-  
15 administered would not be our decision, but we definitely  
16 -- and the commanding officer actually, of Saskatchewan,  
17 has said this when I was in Manitoba. The commanding  
18 officer said the same thing, if there is a decision made  
19 for a self-administered police service, we will definitely  
20 assist in that transition.

21                   And, I know that even if a police service is  
22 self-administered, we need to work together. And, I think  
23 Mr. Bellegarde can agree that how File Hills works with the  
24 RCMP, we rely on each other to ensure that safe community.  
25 And, I don't think that File Hills, for example, could be

1 totally on its own without working collaboratively with the  
2 RCMP. But, to your question, yes, we would support them.

3 **MS. MICHELLE BRASS:** Okay. One quick  
4 question then -- final question. Depot in Regina is in  
5 northwest central of Regina?

6 **COMMISSIONER BRENDA LUCKI:** Yes.

7 **MS. MICHELLE BRASS:** And, what neighbourhood  
8 is that? Like, what predominantly in that neighbourhood is  
9 that? It's known to be, sort of, the roughest  
10 neighbourhood in Canada?

11 **COMMISSIONER BRENDA LUCKI:** Yes, it's, kind  
12 of, west of that. We're not quite in that area. We're  
13 near the -- well, we used to be right on the edge of town,  
14 but now we're not. But, yes...

15 **MS. MICHELLE BRASS:** So, has any thought  
16 gone to -- okay. All right.

17 **COMMISSIONER BRENDA LUCKI:** You can ask me  
18 that later.

19 **MS. MICHELLE BRASS:** I will. Okay. Thank  
20 you.

21 **MS. SHELBY THOMAS:** The next party is  
22 Aboriginal Women's Action Network who is represented by Fay  
23 Blaney, and they will have 9.5 minutes.

24 **--- CROSS-EXAMINATION BY MS. FAY BLANEY:**

25 **MS. FAY BLANEY:** Can I go now? Yes. Hi, my

1 name is Fay Blaney, I'm with the Aboriginal Women's Action  
2 Network. And, I just want to honour the women from the  
3 downtown eastside of Vancouver that were part of the  
4 Pickton massacre, as well I want to honour the survivors of  
5 the Pickton massacre.

6 My first question pertains to those Pickton  
7 cases. There were six that went forward in the courts and  
8 there were 20 that were set aside, and those families are  
9 still seeking justice. And, I'm wondering, Commissioner  
10 Lucki, if you have any plans to proceed with those cases.

11 **COMMISSIONER BRENDA LUCKI:** All the cases  
12 are still active, but I can't speak specifically to those  
13 20 cases that you're speaking about, but Deputy  
14 Commissioner Brenda Butterworth Carr is also testifying  
15 later in the week, and she would probably be the best  
16 source of information on that. Sorry.

17 **MS. FAY BLANEY:** Thank you. So, I will ask  
18 her that question.

19 **COMMISSIONER BRENDA LUCKI:** Yes, please.

20 **MS. FAY BLANEY:** I wanted to speak with you,  
21 Commissioner Lucki, about your gender-based analysis or  
22 your bias-free policing that you've spoken about yesterday.  
23 I'm just wondering if you're prepared to go even further  
24 and to include anti-racism, to include feminist material  
25 within that training?



1                   **COMMISSIONER BRENDA LUCKI:** We definitely  
2 need to cover any of those issues. I think broadly they  
3 are, maybe not as specific as that, but it's something that  
4 we can review.

5                   **MS. FAY BLANEY:** All right. And, I'm  
6 wondering if within that training, is there time spent on  
7 our colonial history, some of the realities that are shaped  
8 by that colonial history? And, I want to give a few  
9 examples; three of them, anyway. Child welfare, in which  
10 so many of our children that are apprehended are ending up  
11 being missing or murdered; the patriarchy within the *Indian*  
12 *Act* that excluded women in so many ways; and other  
13 institutions that oppress us such as the church and  
14 Christianity. I'm wondering if those very concrete things  
15 are included in training?

16                   **COMMISSIONER BRENDA LUCKI:** I know in the  
17 blanket exercise, much of that is covered. We talk about  
18 the different parts of colonialism, the Sixties Scoop which  
19 may include some of the child welfare, and in the  
20 Aboriginal Awareness online course, much of that -- there's  
21 many -- it's actually quite a long and lengthy course with  
22 much information, and I believe many of that is covered and  
23 the factors affecting -- that have affected Indigenous  
24 populations over the years, yes.

25                   **MS. FAY BLANEY:** All right. So, my third

1 question did pertain to the effectiveness of the internet  
2 training, the computerized training. I myself am an  
3 educator and know that there's a stark contrast between  
4 face-to-face learning and computer learning where you have  
5 no opportunity to question. So, I'm wondering if there's  
6 any thought put into the effectiveness of computerized  
7 training?

8 **COMMISSIONER BRENDA LUCKI:** Yes. Our  
9 educators look at that all the time. I know we find with  
10 the newer generation, they seem to respond better to  
11 internet training. I don't think if we did all of our  
12 training on internet would it be effective. We need a  
13 combination. So, in regards to, for instance, Aboriginal  
14 awareness training, we have the online component, but each  
15 division also has the face-to-face five-day course that was  
16 presented -- the syllabus for Alberta was presented.

17 I agree with you, though, people do learn  
18 differently, and our online training is far more  
19 sophisticated than it was in the earlier days. There's  
20 videos embedded, and scenarios embedded. So, it's more  
21 comprehensive than it used to be, but I think you're right,  
22 a combination of both is important.

23 **MS. FAY BLANEY:** And, I'm still -- maybe  
24 I'll leave that question alone. I'm just concerned about  
25 the inclusion of Indigenous women's reality within the

1 Indigenous experience, because they tend to get lumped  
2 together as if they're the same thing.

3 **COMMISSIONER BRENDA LUCKI:** I think you  
4 might be right, and I think we could review that to ensure  
5 that there is a bit more emphasis placed on that.

6 **MS. FAY BLANEY:** All right. So, I wanted to  
7 move on to -- I have two more questions for you. I wanted  
8 to ask you, are you familiar with the Human Rights Watch  
9 reports that came out regarding northern British Columbia,  
10 the Prince George area, as well as northern Saskatchewan?

11 **COMMISSIONER BRENDA LUCKI:** I'm not  
12 intimately familiar and maybe, again, for northern B.C.,  
13 Deputy Commissioner Brenda Butterworth Carr could respond  
14 as the commanding officer of that division.

15 **MS. FAY BLANEY:** Okay. So, both of those  
16 reports deal with sexual violence at the hands of police  
17 officers, and I'm wondering if there are any steps that  
18 will be taken to address that beyond what has happened?

19 **COMMISSIONER BRENDA LUCKI:** If we receive  
20 reports of sexual violence on behalf of an RCMP member, we  
21 will deal with that. That will be dealt with. We will  
22 investigate it, and if that person is found guilty of  
23 sexual violence, as I said earlier, I am committed to  
24 ensure that that person is not working for my organization.

25 **MS. FAY BLANEY:** Okay. And, I think in

1 previous questioning you've been asked about the  
2 effectiveness of the current system in having Indigenous  
3 women reporting cases of violence, much less violence at  
4 the hands of police officers. So, is there any  
5 consideration to find other means to access that  
6 information?

7 **COMMISSIONER BRENDA LUCKI:** Yes. I think we  
8 are definitely going down the road of third-party  
9 reporting. I know some provinces, the Territory of  
10 Nunavut, for instance, has put that into legislation to  
11 provide other avenues of reporting, and I think we have to  
12 look at other -- maybe even other police agencies, other  
13 countries, to see what they're doing in that regard because  
14 the bottom line is we have to ensure people report the  
15 crimes. I agree with you on that.

16 **MS. FAY BLANEY:** And, is there any  
17 consideration to looking at how effective is it to have  
18 police investigating police in both of those circumstances,  
19 as well as the Val D'Or situation?

20 **COMMISSIONER BRENDA LUCKI:** In most  
21 provinces, when it's a statutory *Criminal Code* offence, we  
22 have independent agencies investigating police. When it's  
23 a public complaint, often, the police have jurisdiction, is  
24 given that responsibility. But, once the report is given  
25 back to the person making the complaint, there is the CRCC

1 where people can make a complaint. If they're not  
2 satisfied with the results, there's an independent body  
3 that will take their complaint in a public complaint. But,  
4 anything *Criminal Code* or statutory, for instance, in  
5 Alberta, they have the Alberta Serious Incident Response  
6 Team. They have -- I forget the name in B.C., but every  
7 province has one of those independents.

8 **MS. FAY BLANEY:** Okay. So, I had more  
9 questions, but I really want to get to my final question to  
10 you, and it relates to the notion that Indigenous women  
11 engage in high-risk behaviour, and there was this notion  
12 that we needed to be educated and trained to not engage in  
13 high-risk behaviours. And, I am wondering if you have, at  
14 this point, recognized that it's external conditions rather  
15 than the woman herself who is creating the high risk?

16 **COMMISSIONER BRENDA LUCKI:** I can't even  
17 possibly speak to Indigenous women in what happens, because  
18 I would like to say that I fully understand what that  
19 choice -- and maybe it's not even, from what you're saying,  
20 it's maybe not even a choice that they're making, and  
21 that's tragic. And, for us -- for me to have an opinion, I  
22 think, wouldn't be...

23 **MS. FAY BLANEY:** What I'm getting at is the  
24 lack of transportation that results in hitch hiking or the  
25 lack of housing and the increasing numbers of homeless

1 women and the lack of services to Indigenous women in this  
2 country, whether it's within our own communities or out in  
3 urban centres, and to say to women, "You shouldn't hitch  
4 hike" is blaming her. Would you agree with that?

5 **COMMISSIONER BRENDA LUCKI:** I think when you  
6 put it in those terms, yes, it is. But, if we can prevent  
7 that from happening and work together with other social  
8 entities and prevent any vulnerable person, whether it's an  
9 Indigenous woman, a youth, an elder person from hitch  
10 hiking, I think we should do that. And, it's unfortunate  
11 that bad things happen when people are hitch hiking, and to  
12 be able to prevent that, I think, absolutely. And, maybe  
13 we are re-victimizing them by saying that.

14 **MS. FAY BLANEY:** Thank you.

15 **COMMISSIONER BRENDA LUCKI:** Thank you for  
16 your questions.

17 **MS. CHRISTA BIG CANOE:** Thank you, Ms.  
18 Blaney. Chief Commissioner and Commissioners, I have a  
19 request to make on behalf of Commission counsel. From  
20 time-to-time, there are exceptions to our process, one of  
21 our processes on determining the draw on the numbers for  
22 the purpose of cross-examination, and yesterday, one party,  
23 due to circumstances beyond her control, was unable to  
24 verify in the process.

25 So, I'm kindly requesting that we allow the

1 IAAW their 9.5 minutes, and that I confirm that the  
2 exception was a reasonable one for her to be unable to be a  
3 part of the verification process. And, on that basis,  
4 would ask that we invite the Indigenous Advancement of  
5 Aboriginal Women (sic) up with Ms. Lisa Weber.

6 **CHIEF COMMISSIONER MARION BULLER:** Yes,  
7 that's agreeable. Thank you.

8 **MS. CHRISTA BIG CANOE:** Yes. Thank you.  
9 So, on that basis, Ms. Weber will have the same base time  
10 which was the 9-and-a-half minutes.

11 **--- CROSS-EXAMINATION BY MS. LISA WEBER:**

12 **MS. LISA WEBER:** Thank you, Commission  
13 Counsel, for bringing that forward, and thank you to the  
14 Commissioners for accommodating my request. And, it is  
15 Lisa Weber, counsel for the Institute for the Advancement  
16 of Aboriginal Women, and I will not take the full 9  
17 minutes, by the way. I just have a couple of questions.  
18 One of the benefits, if you will of coming late on the list  
19 is many of the questions that I would have brought up  
20 already have been raise by my colleagues. So, my two  
21 questions would be as follows, and they would both be for  
22 Commissioner Lucki this morning. Good afternoon,  
23 Commissioner Lucki.

24 **COMMISSIONER BRENDA LUCKI:** Good afternoon.

25 **MS. LISA WEBER:** Yesterday morning, Chief

1 Day Walker-Pelletier raised the issue of the R word she  
2 said, and she said we need to be able to deal with racism  
3 through this important work that we're endeavouring to do.

4 So, my first question, Commissioner, would  
5 be, when you think back to your work, you mentioned that  
6 you were placed in Grand Prairie for your work some years  
7 ago, and I'm very familiar. I'm from Northern Alberta  
8 myself, and my client is located in Alberta, so very  
9 familiar with the community you mention.

10 And, I'm just wondering if you could comment  
11 on while you were stationed in Grand Prairie, do you recall  
12 or could you comment on the incidents where you observed  
13 myths and stereotypes about Indigenous women to have  
14 perhaps arisen or came to mind with respect to complaints  
15 between Indigenous women and perpetrators?

16 **COMMISSIONER BRENDA LUCKI:** Not  
17 specifically, but I know what ends up happening in our  
18 organization. Again, we need to ensure that those members  
19 -- I can't stop people from what they think, but maybe I  
20 can try to change the way they think through education and  
21 awareness, and we definitely did some of that in Northern  
22 Alberta to create a more culturally sensitive approach.

23 **MS. LISA WEBER:** So, I take it then in your  
24 response that there were instances where that did arise?

25 **COMMISSIONER BRENDA LUCKI:** Instances of



1 where...

2 **MS. LISA WEBER:** Where such myths and  
3 stereotypes perhaps were apparent.

4 **COMMISSIONER BRENDA LUCKI:** I would imagine  
5 that it may have come up, yes.

6 **MS. LISA WEBER:** Okay. I only have one  
7 additional question. Like I said, I won't take the whole 9  
8 minutes this morning. A question was posed earlier by one  
9 of our colleagues asking about resource development. And,  
10 I want to take you back to that, and perhaps confirm from  
11 the perspective of my client what we would be interested in  
12 hearing about is whether or not you have observed -- have  
13 observed in your work, whether it be Grand Prairie or now  
14 actually as the Commissioner, whether there is knowledge of  
15 a relationship between incidents of crimes, sexual violent  
16 crimes, in communities where their economy is based on  
17 natural resource development and those reported incidents  
18 of sexual violence. So, be that mining, oil and gas,  
19 forestry, things of that nature.

20 **COMMISSIONER BRENDA LUCKI:** That's a great  
21 question. I would -- what I do know from my time in Grand  
22 Prairie is when the economy was booming, the crime rates  
23 were booming as well. But, crime rates also, when  
24 communities fall from that, we have a changing crime rate.  
25 So, there's so many factors involved, because when you have

1 an economic boom, you also have a transient -- a more  
2 transient population. So, it's a population that doesn't  
3 take ownership of where they're living necessarily, or  
4 they're living in a camp environment. That was one we were  
5 dealing with a lot where they're dealing in a camp  
6 environment, and then on their days off, moving to an urban  
7 environment. So, there is so many factors. It would be  
8 something interesting that definitely should be studied.

9 **MS. LISA WEBER:** Would you perhaps support  
10 such a recommendation that this Commission looks  
11 specifically at that correlation?

12 **COMMISSIONER BRENDA LUCKI:** Anything that --  
13 I say my attitude towards any study is if it helps us to do  
14 our job, please study it and please give us the results so  
15 that we can look at those gaps in that study and make  
16 ourselves a better organization.

17 **MS. LISA WEBER:** Thank you. Those are my  
18 only questions.

19 **COMMISSIONER BRENDA LUCKI:** Thank you.

20 **MS. LISA WEBER:** Thank you, Commissioner.

21 **MS. CHRISTA BIG CANOE:** Thank you, Ms.  
22 Weber. Chief Commissioner and Commissioners, at this  
23 point, I would request that we actually take our lunch.  
24 And, I have just a couple quick announcements of  
25 housekeeping, if I might.

1           For the parties with standing, lunch will be  
2 available for you in the Oak Room, which is the parties  
3 with standing room, from today right through till Friday.  
4 For the rest of the public or anyone in attendance who  
5 would like to have lunch, it will be served in the same  
6 location it was, which was downstairs in the main  
7 restaurant.

8           I also just wanted to announce to parties  
9 with standing that pursuant to the updated process for  
10 drawing, that we will have someone available today at lunch  
11 in the Oak Room if you would like to begin drawing for the  
12 panel for tomorrow. But, we will also be making ourselves  
13 available after the adjournment today. So, on that basis,  
14 I would request that we actually take a 1-hour, and return  
15 -- recommence at 1:00, but I'll take your instruction on  
16 that.

17           **CHIEF COMMISSIONER MARION BULLER:** Ms. Big  
18 Canoe, we'll take only a 45-minute lunch break.

19           **MS. CHRISTA BIG CANOE:** Thank you.

20           **CHIEF COMMISSIONER MARION BULLER:** Thank  
21 you.

22           **MS. CHRISTA BIG CANOE:** So, if we could  
23 return at 12:45 and recommence, that would be great. Thank  
24 you.

25           --- Upon recessing at 12:04 p.m.

1 --- Upon resuming at 1:00 p.m.

2 **MS. CHRISTA BIG CANOE:** Hello. Okay. We're  
3 about to get started again, so I would ask everyone to  
4 please take their seat. Thank you.

5 Chief Commissioner and Commissioners, at  
6 this time I would like to invite the Government of Québec  
7 up. I believe she has a request.

8 **MS. MARIE-PAULE BOUCHER:** Mesdames les  
9 commissaires et Monsieur le commissaire, je vous  
10 demanderais un ajournement d'encore 10 minutes  
11 additionnelles étant donné le remaniement de mon temps de  
12 contre-interrogatoire. Suivant les discussions avec les  
13 procureurs, je vous demanderais de pouvoir commencer un  
14 petit peu plus tard pour réajuster mon plan de  
15 présentation, s'il vous plaît.

16 **CHIEF COMMISSIONER MARION BULLER:** Ten  
17 minutes, (indiscernible).

18 **MS. MARIE-PAULE BOUCHER:** Thank you.

19 (LAUGHS/RIRES)

20 **MS. CHRISTA BIG CANOE:** So, on that basis,  
21 we will break for 10 minutes please.

22 --- Upon recessing at 1:01 p.m.

23 --- Upon resuming at 1:12 p.m.

24 **MS. CHRISTA BIG CANOE:** Good afternoon,  
25 Chief Commissioner and Commissioners. Next, I would like

1 to call up the Government of Québec, Maître Boucher, with  
2 consent and on agreement with Commission Counsel, has  
3 reduced her time to 45 minutes. I do recommend that if  
4 people have access to the interpreter's services. And --  
5 so Mr. Registrar, if you could put 45 minutes on the clock.

6 **MS. MARIE-PAULE BOUCHER:** Can I go?

7 **MS. CHRISTA BIG CANOE:** M'hm, yes.

8 **--- CROSS-EXAMINATION BY MS. BOUCHER:**

9 **MS. MARIE-PAULE BOUCHER:** Donc, Mesdames les  
10 commissaires et Monsieur le commissaire, je voudrais  
11 d'emblée remercier l'ensemble des parties qui nous ont cédé  
12 généreusement leur temps de contre-interrogatoire hier pour  
13 nous permettre de faire l'exercice important pour le  
14 Québec, en fait, pour vous donner notre vision de nos  
15 services policiers.

16 Malheureusement, suivant certaines  
17 discussions que nous avons eues avec les procureurs de la  
18 Commission, nous avons consenti, en fait, à réduire notre  
19 temps de contre-interrogatoire afin que ce soit équitable  
20 pour l'ensemble des parties et dans cette optique, c'est  
21 pour ça que nous n'utiliserons pas les 77 minutes qui nous  
22 étaient initialement données.

23 Notre plan de présentation, donc, ne sera  
24 pas le même, étant donné la réduction du temps. On voulait  
25 quand même mentionner aux commissaires qu'il y avait un

1 gros changement ; ça sera donc plus rapide et ce sera sur  
2 certains points très précis, étant donné qu'on ne sera pas  
3 en mesure de vous expliquer aujourd'hui comment  
4 fonctionnent les services policiers nécessairement au  
5 Québec. On vous réfère donc à la pièce E-36, la  
6 présentation PowerPoint qui a été...

7 **MS. CHRISTA BIG CANOE:** I'm sorry. I'm  
8 sorry to interrupt. Pardon. Please stop time.

9 I just have to acknowledge that there  
10 appears to be an objection on the floor.

11 **MS. MARIE-PAULE BOUCHER:** Oh.

12 **MS. CHRISTA BIG CANOE:** Ms. Fay Blaney?

13 **MS. FAY BLANEY:** Fay Blaney, Aboriginal  
14 Women's Action Network. I want to object to the fact that  
15 the lottery system is not being played out as fairly as it  
16 was initially intended. All of us got to choose a number  
17 and we were allotted nine minutes, not to mention the  
18 25 years that we fought for this Inquiry.

19 And what I perceive happening right now is  
20 that the provincial governments are allocating their time  
21 to this one province to work against a position that  
22 Indigenous people are taking. So I have huge problems with  
23 this.

24 **MS. CHRISTA BIG CANOE:** Commissioners -- you  
25 get a right of reply as well, Maître Boucher. Sorry.

1                   Commissioners, I would -- on behalf of  
2                   commission counsel, just to make the opinion that what has  
3                   occurred is an agreement to reduce the time to address an  
4                   issue. I am not taking -- commission counsel is not taking  
5                   a position on Ms. Blaney's objection other than to advise  
6                   that collaboratively with the Government of Québec we  
7                   negotiated out a reduction in the time for purposes of  
8                   ensuring the intent.

9                   I don't think it was purposeful. Like when  
10                  the time -- the way the lottery worked, it wasn't -- I  
11                  don't think that -- and my friend will explain better that  
12                  they were going to get all of the time they got. And so  
13                  this is one way to correct that.

14                 And Maître Boucher actually gets a right to  
15                 reply in regards to the objection.

16                 **MS. MARIE-PAULE BOUCHER:** C'est afin  
17                 d'éviter un débat que nous avons décidé, avec les  
18                 procureurs de la Commission, de réduire notre temps. Donc,  
19                 initialement, nous allions utiliser les 77 minutes qui nous  
20                 était alloué. Ça nous a été... en fait, on a su il y environ  
21                 45 minutes que finalement, le temps, il pouvait y avoir un  
22                 problème d'équité. Donc, c'est pour cette raison-là qu'on a  
23                 décidé, finalement, de s'entendre avec les procureurs de la  
24                 Commission pour éviter un long débat et que les audiences  
25                 puissent continuer.

1           Je suis très désolée pour la situation, je  
2 ne croyais pas être dans cette situation-là, mais c'est  
3 vraiment dans le but de pouvoir avancer et de faire avancer  
4 les travaux que nous avons pris cette décision-là.

5           L'autre chose, sur les commentaires de ma  
6 consœur : écoutez, ce n'est pas moi qui fais les règles  
7 pour, justement, quand on prend le temps. Il y a des  
8 provinces qui ont décidé de nous donner du temps, il y a  
9 des organismes qui ont décidé de nous donner du temps étant  
10 donné la situation dans laquelle nous nous sommes retrouvés  
11 de ne pas pouvoir faire un interrogatoire en chef. Donc, à  
12 partir de là, malheureusement, c'était hors des mains du  
13 Québec.

14           **MS. CHRISTA BIG CANOE:** I'm sorry. Yeah.  
15 And I -- in terms of -- part of the argument that's just  
16 been presented to you is not the issue that's before you on  
17 the objection. So I don't know if you have more,  
18 Maître Boucher, but Ms. Blaney also has a right to respond  
19 to your reply.

20           **MS. MARIE-PAULE BOUCHER:** Yes.

21           **MS. CHRISTA BIG CANOE:** Okay. And I'm not  
22 sure if you want to, Ms. Blaney, but you get a chance if  
23 you want to reply to what Maître Boucher just submitted.

24           **MS. FAY BLANEY:** I understand that you  
25 weren't a part of the construction of the lottery system,



1 but my concern is the fact that -- sorry, I'm hearing  
2 myself in my head very loud.

3 (LAUGHTER)

4 **MS. FAY BLANEY:** My concern is that this  
5 Inquiry came about as a result of unresponsiveness of  
6 Canadian society institutions, and we fought long and hard,  
7 like over 25 years for me, and now the governments, the  
8 provinces want to gang up on us by allocating their time to  
9 one government. Where is the fairness in that? They  
10 already have power over us and now they're flexing more  
11 muscle here?

12 I'm prepared to leave if she goes with the  
13 45 minutes, or whatever it is. She should have nine  
14 minutes like I did.

15 **MS. CHRISTA BIG CANOE:** Commissioners,  
16 before you make a determination, I see another party  
17 standing. But just -- Hilla, if I may. You're -- are you  
18 standing to weigh in on the same issue?

19 **MS. HILLA KERNER:** Yeah, but a different  
20 point.

21 **MS. CHRISTA BIG CANOE:** Okay.  
22 Commissioners?

23 **CHIEF COMMISSIONER MARION BULLER:** As I  
24 understand it, the basis of the objection is that some  
25 parties are perceived to be acting unfairly by donating

1 their time or giving up their time to one particular party.  
2 Is that correct?

3 **MS. CHRISTA BIG CANOE:** With Ms. Blaney, was  
4 that correct?

5 **MS. FAY BLANEY:** I don't have issue with  
6 parties donating time to other parties. What I object to  
7 is provincial governments pooling their time to one  
8 province. And they're the ones that hold the power over a  
9 lot of the recommendations that are going to come out of  
10 the Inquiry, and I'm just really concerned about how  
11 they're going to sway or shape the recommendations using  
12 the power that they have over these, first 77, now 45 is  
13 supposedly the compromise. It doesn't feel like a  
14 compromise to me because I got nine minutes.

15 **MS. CHRISTA BIG CANOE:** Sorry, before I  
16 address the next party. Can we ask to excuse Mr. Coleman  
17 at this point, on a case-by-case basis so that he has an  
18 opportunity. He doesn't need to actually hear what's  
19 happening in the decision. He's here as a witness of  
20 Commission counsel, but we don't want him -- anything that  
21 he might be testifying to us has nothing to do with the  
22 arguments we're discussing right now.

23 **CHIEF COMMISSIONER MARION BULLER:** No.  
24 Better to be safe than sorry.

25 **MS. CHRISTA BIG CANOE:** Thank you.

1 So Mr. Coleman, you can leave.

2 **CHIEF COMMISSIONER MARION BULLER:** So --  
3 yeah. Go ahead.

4 (WITNESS WITHDRAWS)

5 **CHIEF COMMISSIONER MARION BULLER:** So I want  
6 to restate the issue as I understand it. That there's an  
7 objection to governments pooling their time or donating --  
8 trading their time? Is that the correct way of describing  
9 it? But there would be no objection to other parties,  
10 non-governmental parties pooling their time? So we're  
11 asking -- you're asking for a different set of rules for  
12 governments?

13 **MS. CHRISTA BIG CANOE:** So commission  
14 counsel, on that basis, although I take no position to what  
15 Ms. Blaney had originally raised, is that in terms of  
16 process as Commission counsel we set out -- so the  
17 commissioners make determinations on fact and they provide  
18 instruction and they make -- they're finders of fact. But  
19 when it comes to process, when we lay out a method for  
20 process, we have to treat every party with fairness and  
21 equal opportunity to access the rules.

22 I don't know if what ended up occurring was  
23 exactly intentional, so one of the ways to try to resolve  
24 that was to enter into the agreement. We would not be in a  
25 position as commission counsel who has to act in the

1 public's interest based on legislation, the Inquiry's Act  
2 and providing fairness to all parties and participants if  
3 we set out different procedures for different parties based  
4 on where they come from or who they're representing. We,  
5 as Commission Counsel, in the public interest have to treat  
6 all parties with the same level of fairness to access the  
7 process. One of the lessons, I think, we can take from  
8 this is sometimes -- like, the intention of the lottery was  
9 to be equal and fair, and we've just, I think, learned  
10 something for the first time after four hearings of this  
11 being in process.

12 **CHIEF COMMISSIONER MARION BULLER:** Now, is  
13 the party who wishes to address us going to address this  
14 issue or raise this as a separate issue -- or a separate  
15 objection?

16 **MS. HILLA KERNER:** Same issue, but a  
17 different point to the issue.

18 **CHIEF COMMISSIONER MARION BULLER:** Go ahead.  
19 And, could you state your name and your organization?

20 **MS. HILLA KERNER:** Sure. Hilla Kerner of  
21 Vancouver Rape Relief and Women's Shelter. I think the  
22 issue that we're facing is the difference between formal  
23 equality and substantive equality, and we respect the  
24 Commissioner's decision to grant government status of  
25 parties with standing and I think it was tolerated in -- or

1 accepted in a lot of the hearings because the governments  
2 were putting their time, most often, to the pool, so all  
3 the non-for-profits, women's group and the Indigenous  
4 groups could actually use the time, and time is the essence  
5 of what's going on here. There was a man yesterday who  
6 said time is the currency of life, it's also the currency  
7 of this Inquiry and we have such limited times that any  
8 time that an institutional government state agency is  
9 getting does mean by fact it will be much less time to the  
10 Indigenous groups and the women's groups who fought for the  
11 existence of the Inquiry. We cannot have it all.

12 So, I think in this context, one province  
13 gets so much time will be at the expense of the Indigenous  
14 women's groups, other women's groups and Indigenous groups  
15 who are the leadership of calling for this Inquiry and  
16 holding it as a strong and bold criticism of how the  
17 missing and murdered women are a result of male violence,  
18 but definitely an expression of the abandonment by  
19 different governments and different provinces of these  
20 women. Thank you.

21 **MS. CHRISTA BIG CANOE:** Prior to you making  
22 a determination, is it possible to ask for a very short  
23 adjournment? I've -- Commissioner Robinson, please.

24 **COMMISSIONER QAJAQ ROBINSON:** This is not a  
25 process that's defined by our rules or something that we

1 have directed. So, I need a little bit of clarity on what  
2 the current practice is.

3 **MS. CHRISTA BIG CANOE:** Certainly.

4 **COMMISSIONER QAJAQ ROBINSON:** Is it fair to  
5 understand that based on the time we have available, it's  
6 equally distributed to those parties present and with  
7 standing, and then there is a process that they can either  
8 share with a specific party or they put it back into the  
9 time pool?

10 **MS. CHRISTA BIG CANOE:** Certainly. I'm  
11 happy -- I think you have received a copy of this, but I'm  
12 happy to give you a copy of the process for cross-  
13 examination order and time at part 2 and 3 hearings. The  
14 effective date was May 25<sup>th</sup>, 2008. There was updates, but  
15 only for the purposes of operations of a specific hearing,  
16 there were no other updates to the process.

17 And, the goal of the process was to allow  
18 all parties to have equal access and to honour the times  
19 agreements from negotiations that parties with standing  
20 made to give up their time, or to share their time or to  
21 pool it, and Commission Counsel has no role in any of those  
22 agreements or negotiations, party are free to do and assign  
23 or pool their time in accordance to the instruction from  
24 their clients. And so, I'm happy to provide you the  
25 updated copy which just has -- it's highlighted in yellow,

1 just -- that's specific to this hearing so that you have  
2 that, but then I would also request the 5 minute  
3 adjournment.

4 **CHIEF COMMISSIONER MARION BULLER:** Yes.  
5 Okay.

6 **MS. CHRISTA BIG CANOE:** Thank you. So,  
7 1:30.

8 --- Upon recessing at 1:27 p.m.

9 --- Upon resuming at 1:55 p.m.

10 **CHIEF COMMISSIONER MARION BULLER:** State for  
11 the record that we need not rule on the objection that was  
12 raised because the Government of Quebec has very kindly  
13 agreed to limit their cross-examination to 9.5 minutes of  
14 time. The Commissioners and I are very grateful for the  
15 spirit of collaboration expressed by the Government of  
16 Quebec. Thank you.

17 **MAÎTRE MARIE-PAULE BOUCHER:** Can you give me  
18 5 more minutes and I'm going to be ready to take my 9  
19 minutes, please.

20 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
21 Not 6.

22 **MAÎTRE MARIE-PAULE BOUCHER:** Perfect. Thank  
23 you very much.

24 --- Upon recessing at 1:56 p.m.

25 --- Upon resuming at 2:02 p.m.

1                   **MS. CHRISTA BIG CANOE:** So, pursuant to what  
2 we just heard from the Chief Commissioner, Maître Boucher  
3 will have nine and a half minutes. Thank you.

4                   **MAÎTRE MARIE-PAULE BOUCHER:** Thank you. Je  
5 vais parler en français, si vous voulez bien mettre vos  
6 écouteurs pour ceux qui comprennent mieux l'anglais.

7                   Le Procureur général du Québec, au nom du  
8 Gouvernement du Québec n'a jamais voulu que les victimes et  
9 les survivantes ou tout organisme qui représente celles-ci  
10 se sentent brimées dans le processus. Dans les  
11 circonstances, nous renonçons donc, comme il a été dit par  
12 les commissaires, à notre temps que nous avons négocié avec  
13 la Commission et au temps aussi que les parties nous avaient  
14 donnés.

15                   L'objet de notre contre-interrogatoire  
16 aurait porté plus précisément sur les modèles novateurs mis  
17 en place au Québec en matière de police autochtone. Or,  
18 Monsieur Coleman n'a pas eu l'occasion de présenter la  
19 situation et Québec n'a pas pu non plus l'interroger en  
20 chef.

21                   Par ailleurs, Monsieur Coleman a été l'objet  
22 de contre-interrogatoire par des parties, de sorte qu'un  
23 éclairage réaliste des pratiques mises en place au Québec  
24 n'a pas pu être donné à la Commission. Vu les circonstances  
25 exceptionnelles dans lesquelles nous étions placés,



1 plusieurs provinces et organisations -soulignons bien qu'il  
2 y a des organisations qui nous avaient donné du temps et  
3 nous en avons donné à certaines autres - nous ont offert du  
4 temps afin de nous permettre d'interroger Monsieur Coleman  
5 et d'offrir une présentation objective de la situation au  
6 Québec.

7 Nous avons toujours été encouragés par les  
8 procureurs de la Commission à nous entendre entre nous et il  
9 nous a été répété à maintes reprises qu'il n'y aurait pas  
10 d'intervention de ce type.

11 Le point important à retenir, je crois, est  
12 que mes collègues ne m'ont pas donné de temps juste parce  
13 que je suis le Québec. Ils m'en ont donné parce que je  
14 n'avais pas eu la chance de pouvoir interroger en chef mon  
15 client suivant les circonstances exceptionnelles.

16 Mes collègues auraient fait la même chose  
17 avec toutes les parties, j'en suis persuadée.

18 Donc, dans ces circonstances, le Québec  
19 entend soumettre à la Commission sa position écrite...

20 **MAÎTRE FANNY WYLDE:** Excusez-moi... excusez-  
21 moi...

22 **MAÎTRE MARIE-PAULE BOUCHER :** ... au sujet qui  
23 a été traité par Monsieur Coleman...

24 **MAÎTRE FANNY WYLDE :** Excusez-moi... excusez-  
25 moi. Si vous permettez, je vais m'objecter à votre

1       prétention qu'on ne vous a pas remis la chance de procéder à  
2       l'interrogatoire en chef de Monsieur Coleman. Après  
3       vérification auprès de vous, vous nous avez confirmé autant  
4       par écrit que de façon verbale que nous n'aviez aucunement  
5       l'intention d'assigner les témoins. C'est alors que la  
6       Commission a assigné les deux témoins ici présents par  
7       *subpoena*, donc par voie de *subpoena*, on procède à  
8       l'interrogatoire principal.

9                   **MAÎTRE MARIE-PAULE BOUCHER** : Si je peux vous  
10       répondre, Me Wylde, là-dessus, il y a clairement eu une  
11       confusion à cet égard, suite à des discussions que j'avais  
12       déjà eues avec d'autres procureurs. Mais je ne vais pas  
13       refaire le procès de cette problématique, présentement, sur  
14       la place publique.

15                   Ce que je vous dis, c'est que dans les  
16       circonstances, nous avons l'intention de soumettre à la  
17       Commission, par écrit, ce sur quoi Monsieur Coleman aurait  
18       témoigné afin de s'assurer que la Commission dispose de  
19       toutes les informations pertinentes pour mener ses travaux.

20                   Dans un autre ordre d'idées, étant donné  
21       qu'il me reste encore sept minutes, j'aimerais aussi  
22       déposer cinq ententes de prévention qui ont été signées  
23       entre le Gouvernement du Québec et certaines communautés.  
24       Il en a été mention dans le témoignage de M. Coleman hier  
25       et afin d'avoir vraiment le portrait complet au niveau de

1 la prévention, nous souhaitons que la Commission accepte le  
2 dépôt de ces cinq documents.

3 Je ne sais pas quelle cote, par exemple,  
4 vous voulez lui donner.

5 **MS. CHRISTA BIG CANOE:** They were raised in-  
6 chief, so maybe if you could just indicate by the title?

7 **Ms. MARIE-PAUL BOUCHER:** Can you give me a  
8 hardcopy?

9 Donc, la première pièce se nomme « Entente  
10 relative au versement d'une aide financière dans le cadre  
11 du programme de prévention et d'intervention en matière  
12 d'exploitation sexuelle des jeunes de 2016 à 2021 entre la  
13 Sécurité publique et le Centre d'amitié autochtone du  
14 Québec ».

15 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
16 Exhibit 43, please.

17 --- **Exhibit 43:**

18 Agreement between Government of Quebec  
19 and Pekuakamiulnuatsh Takuhikan  
20 «Entente relative au versement d'une  
21 aide financière à Pekuakamiulnuatsh  
22 Takuhikan dans le cadre de sa  
23 participation au *Programme de*  
24 *financement Prévention Jeunesse 2016-*  
25 *2019*» (eight pages)

1                   Witness: Richard Coleman, Director of  
2                   Public Safety, Relations with  
3                   Aboriginal Peoples Office  
4                   Submitted by Marie-Paule Boucher,  
5                   Counsel for Government of Quebec

6                   **Me MARIE-PAULE BOUCHER:** La deuxième entente  
7                   se prénomme « Entente relative aux versement d'une aide  
8                   financière dans le cadre du programme de soutien aux  
9                   municipalités en prévention de la criminalité entre 2016 et  
10                  2019 entre le Conseil de la Nation Huronne-Wendat et le  
11                  ministère de la Sécurité publique ».

12                  **CHIEF COMMISSIONER MARION BULLER:** Forty-  
13                  four (44), please.

14                  **--- Exhibit 44:**

15                  Agreement between Le conseil de la  
16                  nation Huronne-Wendat and the Ministère  
17                  de la sécurité publique (Québec) titled  
18                  « Entente relative au versement d'une  
19                  aide financière dans le cadre du  
20                  Programme de soutien aux municipalités  
21                  en prévention de la criminalité 2016-  
22                  2019 », signed November 22, 2017 (12  
23                  pages)

24                  Witness: Richard Coleman, Director of  
25                  Public Safety, Relations with

1 Aboriginal Peoples Office

2 Submitted by Marie-Paule Boucher,

3 Counsel for Government of Quebec

4 **COMMISSAIRE MICHÈLE AUDETTE:** Si vous  
5 permettez, de lire moins vite pour les traducteurs, afin  
6 que tout le monde vous comprenne.

7 **Me MARIE-PAULE BOUCHER:** Merci. Oui. J'ai  
8 tendance à parler vite.

9 « Entente relative au versement d'une aide  
10 financière dans le cadre du programme de soutien aux  
11 municipalités en prévention de la criminalité 2016-2019  
12 entre le Conseil des Atikamekw d'Opitciwan et le ministère  
13 de la Sécurité publique ».

14 **CHIEF COMMISSIONER MARION BULLER:** Exhibit  
15 45, please.

16 --- **Exhibit 45:**

17 Agreement between Ministère de la  
18 sécurité publique and Centre d'amitié  
19 autochtone la Tuque titled « Entente  
20 relative au versement d'une aide  
21 financière dans le cadre du Programme  
22 de prévention et d'intervention en  
23 matière d'exploitation sexuelle des  
24 jeunes 2016-2021 » (eight pages)

25 Witness: Richard Coleman, Director of

1 Public Safety, Relations with  
2 Aboriginal Peoples Office  
3 Submitted by Marie-Paule Boucher,  
4 Counsel for Government of Quebec  
5

6 **Me MARIE-PAULE BOUCHER:** « Entente relative  
7 au versement d'une aide financière dans le cadre du  
8 programme de financement de prévention jeunesse 2016-2019  
9 entre le Gouvernement du Québec et la Nation Anishinaabe du  
10 Lac Simon. »

11 Il y en avait cinq, Madame la commissaire,  
12 mais j'ai simplement quatre...

13 **CHIEF COMMISSIONER MARION BULLER:** Excuse  
14 me. The last one, Lac Simon, is 46.

15 --- **Exhibit 46:**

16 Agreement between the Government of  
17 Quebec and Le conseil de la nation  
18 Anishnabe de Lac-Simon titled « Entente  
19 relative au versement d'une aide  
20 financière dans le cadre du Programme  
21 de financement Prévention Jeunesse 2016-  
22 2019 », signed February 9, 2017 (9  
23 pages)  
24 Witness: Richard Coleman, Director of  
25 Public Safety, Relations with



1                   Aboriginal Peoples Office  
2                   Submitted by Marie-Paule Boucher,  
3                   Counsel for Government of Quebec

4                   **MS. CHRISTA BIG CANOE:** And, if I can stop  
5 the time for one moment? If these have not been distributed,  
6 and they may have been by the legal team, but I haven't been  
7 able to check that, if it has not been distributed to parties,  
8 we will ensure that parties receive a copy of these five  
9 agreements that were discussed by Mr. Coleman in his examination  
10 in-chief yesterday.

11                   **Me MARIE-PAULE BOUCHER:** Donc, ça va  
12 compléter pour moi, Mesdames les commissaires, Monsieur le  
13 commissaire. Merci.

14                   **MS. CHRISTA BIG CANOE:** Thank you. So,  
15 Chief Commissioner and Commissioners, the last cross-  
16 examination would be done by Ms. Wendy van Tongeren on  
17 behalf of Commission Counsel. She is only entitled to  
18 cross-examine any witness that we did not call, so that  
19 would actually allow her only to cross-examine Commissioner  
20 Lucki and Mr. Dan Bellegarde. And, Commission Counsel will  
21 have 9-and-a-half minutes.

22                   **--- CROSS-EXAMINATION BY MS. WENDY VAN TONGEREN:**

23                   **MS. WENDY VAN TONGEREN:** Yes, good  
24 afternoon, everyone. I start, of course, with  
25 acknowledging and thanking the fourth treaty, families,



1 survivors, pipers, drummers, elders, Commissioners,  
2 witnesses and supports who all come here to contribute to  
3 this important work this week here in Regina, Saskatchewan.  
4 And, my questions will be directed to Commissioner Lucki.

5 Commissioner Lucki, first of all, thank you  
6 very much for your attendance these last couple of days,  
7 and for the authentic self that you bring in your answers.  
8 It is -- it has been very, how can I say, perhaps unusual  
9 in a way having been a lawyer for 40 years in Canada and,  
10 actually, special constable with the RCMP in 1976 in the  
11 Yukon. Although I was a special constable, I didn't -- I  
12 wasn't really legitimate in the same way, but I was the  
13 first woman to dawn an RCMP uniform in Yukon with all the  
14 consequences that you can imagine would flow from that,  
15 including being kissed by a guy in the Whitehorse Inn when  
16 we were doing -- you know, of the various inns.

17 So, starting with this, you -- it is clear  
18 to me your attitude that you believe very strongly in  
19 practices that are well-informed, whether it be trauma-  
20 informed, or research-informed, culturally-informed, and  
21 that obviously comes with its many challenges. So, today,  
22 as a result of my practice, to rely upon advice from  
23 elders, I have been taught about a concept that we must be  
24 sensitive about, which is cultural appropriation.

25 And so, I bring to the attention as part of

1 the formula in trying to basically Indigenize these  
2 practices and documentation, everything that we do in an  
3 Indigenous-informed, culturally-informed environment that  
4 there is the possibility that when we look to the  
5 violations, potentially, of traditional norms and practices  
6 that part of the processes must include responding to those  
7 violations. And, I regret to say that I've been to the  
8 Circle of Reflection, and I actually went there with a key  
9 person who I interviewed about the development of the  
10 Circle, but the concern that has been articulated is that  
11 the stones having been transported in the way that they did  
12 in the minds of some could actually constitute to  
13 violation of a cultural -- traditional cultural norms.

14 And so, are you in support of the idea that  
15 in the event that that is the case that resolution would be  
16 sought to ensure that, in the minds of elders and others,  
17 would see some acknowledgement of that having taking place  
18 and have a -- deal with it in one way as advised by elders?

19 **COMMISSIONER BRENDA LUCKI:** In fact, if  
20 those stones came to us in a way that was not in following  
21 with culture, we definitely should correct that.

22 **MS. WENDY VAN TONGEREN:** Thank you. And,  
23 it's my understanding that, and I don't pretend to know  
24 what I'm talking about on this topic, but perhaps a  
25 ceremony and a feast would be the type of thing that would

1 resolve it? And so, I appreciate that you are basically  
2 indicating to us that you will pursue that?

3 **COMMISSIONER BRENDA LUCKI:** Yes.

4 **MS. WENDY VAN TONGEREN:** Thank you. My next  
5 topic relates to isolated posts. And, when we look to  
6 Exhibit 2, page 7, and you list the various reasons why the  
7 time that a new -- that a member in coming at a particular  
8 location would have a limited time there, and I recall that  
9 there's many starting with location, and it basically has  
10 to do with the dearth of resources. And, I'm assuming that  
11 there's kind of a premise to that in that people  
12 particularly who are living in large urban communities or  
13 in other parts of Canada where they don't have some of  
14 these limitations that it might be difficult on them. And,  
15 you also have emphasized the importance of looking after  
16 the members, making sure their well-being is looked after,  
17 and including circumstances where they're separated from  
18 their family members.

19 But, the -- what I'm asking you to help  
20 dialogue with me on this, and see if you would acknowledge,  
21 that when you list those various things, they -- it reminds  
22 me -- and you've worked overseas and so have I, and so it's  
23 like a hardship-type post. And so, that would not only  
24 have an impact on the members who are attending, but  
25 clearly we all acknowledge that it would also have a

1 deleterious impact on the well-being of the people who are  
2 required to live there, stay there. After the members have  
3 left, those conditions remain, would you agree with that?

4 **COMMISSIONER BRENDA LUCKI:** I think people  
5 within their community, it might not impact the same  
6 because they're born and raised in the community and people  
7 have a special relationship from -- and they have a bigger  
8 support network within their community. But I think any  
9 community that doesn't have all the necessary resources,  
10 yes would be impacted.

11 **MS. WENDY van TONGEREN:** Yes, thank you.  
12 And during the hearings, of course, we've heard of things  
13 like family members or survivors who have difficulty  
14 getting privacy when they're trying to pursue therapy, or  
15 there is not even therapy available in their town, and they  
16 have to receive therapy by phone and that type of thing.  
17 So there are some examples that have come up, clearly, that  
18 have an impact on the vulnerability of Indigenous women and  
19 girls in those communities.

20 And I take it that you appreciate that as  
21 well, that it would contribute to their vulnerability?

22 **COMMISSIONER BRENDA LUCKI:** Absolutely. But  
23 we do also have, for instance, limited duration posts in  
24 beautiful places like Lake Louise, but it's because of what  
25 those communities have to offer. There might be something

1 that you can go to, but absolutely.

2 **MS. WENDY van TONGEREN:** And I raise this  
3 point in part because the members go to these various posts  
4 with each one having its own uniqueness and its own  
5 variables. And this phenomena is important in terms of the  
6 attitude that they bring there, and actually could be part  
7 of their training, I suggest, in being able to introspect  
8 and gain some self-awareness about the impact that that  
9 particular environment has on all, and that they are not  
10 alone in the deleterious impact on their well-being.

11 And perhaps this will be one area where,  
12 although you are a bit skeptical about whether or not  
13 compassion could in fact be taught, that this is one way of  
14 developing a model in training or in transitions where  
15 perhaps that would help them with their approach. Rather  
16 than seeing it separate and superior, it's really the  
17 commonality of human beings who have to live in an  
18 environment that is suitable to their well-being.

19 **COMMISSIONER BRENDA LUCKI:** I believe  
20 anybody -- if our members can better connect with the  
21 community and if that's one way they can do it, then yes,  
22 I'd be for that. And I was referring to empathy, not  
23 compassion.

24 **MS. WENDY van TONGEREN:** Oh, I see.

25 Okay. The -- so that takes me to the next

1 topic of sensitization. And having had the experience you  
2 have with -- in training, can you see that the medical --  
3 sorry, the medicine wheel is actually helpful to us in  
4 understanding the components of a human being that are  
5 impacted or not by training? So it's the emotional, the  
6 mental, the physical and the spiritual, and the spiritual  
7 is as important as all the others.

8 And sensitization, would you agree that that  
9 is a strategy where spirituality is as important as the  
10 emotions, the mental, the physical?

11 **COMMISSIONER BRENDA LUCKI:** Yes. And in  
12 fact, at the training academy, the oldest building in  
13 Regina, is the RCMP Chapel. So it's a spiritual place. We  
14 also have the cenotaph, where all the members who have been  
15 lost in the line of duty, their names are there. So again,  
16 it's a different kind of spiritual, but it -- they do say  
17 that the RCMP training academy is that place for members.  
18 So ---

19 **MS. WENDY van TONGEREN:** So ---

20

21 **COMMISSIONER BRENDA LUCKI:** But I think it's  
22 bigger than that, but I'm just saying that we do have those  
23 bits and pieces incorporated, but not from an Indigenous  
24 point of view.

25 **MS. WENDY van TONGEREN:** Thank you. And I

1 have -- I no longer have time, but I just want to thank you  
2 again for responding to these questions and being here  
3 today with your complete self.

4 **COMMISSIONER BRENDA LUCKI:** And I want to  
5 thank you for your daughter. She's such a great member.

6 **MS. WENDY van TONGEREN:** Thank you.

7 (LAUGHTER)

8 **MS. CHRISTA BIG CANOE:** At this point, we  
9 would turn our attention to the re-examination.  
10 Re-examination is set for 20 minutes, but because there's  
11 different counsel who have presented and done the  
12 examination in-chief with their witnesses, each will take  
13 five minutes per witness.

14 And so -- I forgot to ask, and we didn't  
15 draw straws. I would suggest we do it in the same order  
16 that the evidence was heard, and on that basis, Ms. Anne  
17 Turley would have five minutes in re-examination for  
18 Commissioner Lucki.

19 **MS. ANNE TURLEY:** And I would like to ask  
20 for a five minute break so I could decide to do re-exam.  
21 I'm sorry, for some reason I was thinking that re-exam was  
22 going to be after the commissions' -- commissioners'  
23 questions. And so I just need to take a few minutes to  
24 decide whether I will have any questions or not.

25 **CHIEF COMMISSIONER MARION BULLER:** We're

1 going to reach a compromise on this. I'm going to ask the  
2 other parties to go ahead with their re-examination,  
3 Ms. Turley. That will give you some time to collect your  
4 thoughts while they're cross -- re-examining their own  
5 witnesses. Thank you.

6 **MS. ANNE TURLEY:** Thank you.

7 **CHIEF COMMISSIONER MARION BULLER:** Go ahead.

8 **MS. CHRISTA BIG CANOE:** On that basis, I  
9 would ask Michelle Brass to please do her re-examination of  
10 Mr. Daniel Bellegarde.

11 **--- RE-EXAMINATION BY MS. MICHELLE BRASS:**

12 **MS. MICHELLE BRASS:** Thank you.

13 So Dan, we've heard quite a bit in the last  
14 day-and-a-half about police policies and practices, and I  
15 just ask if you can -- if you have any clarifications to  
16 make to the commissioners on behalf of the First Nations  
17 Police Governance Council that they can take away from  
18 today?

19 **MR. DANIEL BELLEGARDE:** Thank you,  
20 Ms. Brass.

21 Those two stories I told yesterday, and what  
22 came after them, I think served to give the signal that  
23 Indigenous people, men, women, girls, youth, elders, are  
24 now empowered, empowered to the point that they are fully,  
25 I think, partners in developing these new models of police



1 governance and police operations that will be hopefully  
2 used in the future.

3 As part of that, I will read out for the  
4 record once again, and put more emphasis on it, the  
5 recommendations from the Canadian Association on Police  
6 Governance, which by the way, represents 75 percent of the  
7 police governance boards across the country from Toronto to  
8 Vancouver and to the East Coast, and the First Nations  
9 Police Governance Council that represents First Nations'  
10 self-administered policing.

11 And here they are, the five -- the four  
12 points that I wish to bring forward and again emphasize:

13 "The First Nations Police Governance  
14 Council recommends a comprehensive  
15 approach to community safety as part of  
16 Indigenous governance that will help  
17 prevent, and if needed, resolve cases  
18 of violence in missing women and girls  
19 through, (a) adoption of a public  
20 safety model that combines modern  
21 policing methods with traditional  
22 pre-colonial values of community safety  
23 as outlined in this submission; (b)  
24 First Nations are taking control of  
25 their public safety by adopting self-

1 administered policing models throughout  
2 First Nations territories; (c)  
3 effective oversight of policing  
4 services of all kinds through some  
5 governance practices as advocated by  
6 the First Nations Police Governance  
7 Council and the Canadian Association of  
8 Police Governance." (As read)

9 Number 2:

10 "This comprehensive approach is based  
11 on the principles of self-determination  
12 and a model of community safety that  
13 combines modern police methods with  
14 contemporary understandings of  
15 pre-colonial public safety as outlined  
16 in this submission." (As read)

17 Number 3:

18 "First Nations should be encouraged and  
19 supported by the federal and provincial  
20 governments as a matter of public  
21 policy and even legislation and by  
22 providing resources and training to  
23 adopt the self-administered model of  
24 policing rather than relying upon the  
25 RCMP or provincial policing services as

1 an external institution that are  
2 working with our communities but  
3 remaining in a partnership with them."

4 (As read)

5 Number 4:

6 "The federal and provincial  
7 government's support to First Nations  
8 community safety should be funded on  
9 this model rather than simply on the  
10 provision of policing services, and  
11 this model will include traditional  
12 practices such as the support for  
13 elders, mental health services and  
14 community supports." (As read)

15 And I will say on behalf of my colleagues  
16 and self-administered policing service boards across the  
17 country that we think it is an inevitable process, that  
18 First Nations will continue to assert Indigenous rights,  
19 the inherent right of self-determination, and we'll accept  
20 the responsibility and the discipline as required to manage  
21 and control our own policing services to support safety and  
22 security of all people with particular emphasis on those  
23 most vulnerable in our communities.

24 On behalf of the council, I thank the  
25 Commission, I thank those in attendance, my fellow panel

1 members, for allowing us to speak here today and to be part  
2 of this, what I consider to be a tremendous piece of work  
3 who have far reaching impacts into the future on  
4 relationships throughout the country. Thank you.

5 **MS. MICHELLE BRASS:** Thank you. Those are  
6 all the questions I have.

7 **MS. CHRISTA BIG CANOE:** Thank you, Ms.  
8 Brass. Maître Jacob, if you could -- yes. So, Mr.  
9 Registrar, thank you. Because Maître Jacob will be doing  
10 the next two, we can -- do you want 5 each, so you know, or  
11 do you want it 10 as a whole?

12 **MAÎTRE BERNARD JACOB:** I will do Mr. Larose,  
13 and after I will ---

14 **MS. CHRISTA BIG CANOE:** Thank you.

15 **MAÎTRE BERNARD JACOB:** --- take the time for  
16 mister -- no, I will pool the time. 10 minutes. Sorry.

17 **UNIDENTIFIED SPEAKER:** Staying out of it.

18 **MS. CHRISTA BIG CANOE:** Merci.

19 **--- RÉ-INTERROGATOIRE PAR Me BERNARD JACOB:**

20 **MAÎTRE BERNARD JACOB:** Okay. M. Larose,  
21 vous avez parlé, lors de votre contre-interrogatoire que  
22 suite à un rapport du Protecteur de l'élève, vous aviez  
23 entrepris des discussions avec le Ministère de la Sécurité  
24 publique pour établi une sorte de pont aérien. Avec qui  
25 discutez-vous au Ministère de la Sécurité publique?

1                   **M. JEAN LAROSE:** Avec le sous-ministre aux  
2 services... sous-ministre associé aux services  
3 correctionnels.

4                   **MAÎTRE BERNARD JACOB:** Est-ce que la  
5 Direction des affaires autochtones est impliquée là-dedans?

6                   **M. JEAN LAROSE:** Je ne crois pas. Les membres  
7 du comité qui va être mis en place... Monsieur Coleman  
8 pourrait répondre, je ne crois pas qu'ils en font partie.

9                   **MAÎTRE BERNARD JACOB:** D'accord.

10                  **M. JEAN LAROSE:** Il n'y a pas de  
11 représentants.

12                  **MAÎTRE BERNARD JACOB:** Est-ce que j'ai bien  
13 compris, quand vous nous avez dit que vous transportiez au  
14 coût d'un million de dollars les gens jusqu'à Montréal, par  
15 année?

16                  **M. JEAN LAROSE:** Tout à fait.

17                  **MAÎTRE BERNARD JACOB:** Et que par la suite,  
18 ils sont ramenés par le Ministère de la Sécurité publique à  
19 Amos?

20                  **M. JEAN LAROSE:** Tout à fait. C'est que nos  
21 policiers escortent nos détenus du Grand Nord jusqu'à  
22 Montréal-Trudeau...

23                  **MAÎTRE BERNARD JACOB:** Et ils sont remontés  
24 par la suite à Amos?

25                  **M. JEAN LAROSE:** ... et ils sont pris en charge

1 par les Services correctionnels dès notre arrivée sur le  
2 tarmac, à Dorval, à la porte 17. Ils sont transportés par  
3 la suite à Saint-Jérôme et quelques fois, ils doivent  
4 dormir à Saint-Jérôme, mais ils doivent reprendre le chemin  
5 pour Amos pour la comparution.

6 **MAÎTRE BERNARD JACOB:** Corrigez-moi si je me  
7 trompe, mais est-ce qu'il ya une prison à Amos?

8 **M. JEAN LAROSE:** Il y a un centre de  
9 détention complètement neuf à Amos.

10 **MAÎTRE BERNARD JACOB:** Et pourquoi...

11 **M. JEAN LAROSE:** ... il n'est pas ouvert encore  
12 par vice de construction.

13 **MAÎTRE BERNARD JACOB:** Ça fait combien de  
14 temps que c'est fini de construire?

15 **M. JEAN LAROSE:** Oh, précisément, je ne sais  
16 pas, mais ça fait plusieurs mois.

17 **MAÎTRE BERNARD JACOB:** Okay. On a parlé tout  
18 à l'heure de la question de l'itinérance à Montréal de la  
19 communauté inuite. Avez-vous des projets relativement à la  
20 Ville de Montréal?

21 **M. JEAN LAROSE:** En fait, j'ai appris qu'il y  
22 avait un centre à Montréal, précisément à Dorval, le centre  
23 Ullivik. Et donc, il existe un protocole entre le centre et  
24 le Service de police de Montréal. Lorsque j'ai appris ce  
25 protocole-là, nous sommes entrés en communication avec eux,

1 parce que je veux en développer un avec le Service de  
2 police de Montréal et le corps de police régional de  
3 Kativik pour, justement, faciliter les échanges, échanger  
4 de l'information, faciliter notre travail et aider la  
5 communauté inuite qui se trouve à Montréal, qui peut  
6 remonter dans le Grand Nord et qui éprouve certaines  
7 difficultés. Nous avons donc intérêt, entre les deux  
8 services de police, à travailler ensemble, échanger de  
9 l'information, et ce, sous forme de protocoles.

10 **MAÎTRE BERNARD JACOB:** M. Coleman a déposé  
11 cinq ententes particulières pour la prévention. Vous faites  
12 aussi des programmes de prévention : étiez-vous au courant  
13 que le Ministère de la Sécurité publique disposait de fonds  
14 pour les services de police autochtones pour financer ce  
15 genre d'initiatives?

16 **M. JEAN LAROSE:** En fait, j'ai appris, durant  
17 mes cinq mois, que nous bénéficions d'un projet de  
18 financement par le projet Ungaluk, qui nous permet d'avoir  
19 des sommes d'argent pour faire de la prévention. À ce  
20 chapitre, nous avons trois policiers qui bénéficient de ce  
21 programme, de ce financement, qui paie leur salaire, deux  
22 agents de prévention et un agent de renseignements  
23 criminels.

24 **MAÎTRE BERNARD JACOB:** D'accord. On a parlé,  
25 hier, que... Me Sioui a posé une question à M. Coleman sur

1 les fins d'ententes. J'ai compris que M. Coleman avait dit  
2 que l'entente de Kativik n'avait pas de fin. Qu'en est-il?

3 **M. JEAN LAROSE:** Non, pas du tout. Il y a une  
4 fin et elle s'est terminée le 31 mars dernier.

5 **MAÎTRE BERNARD JACOB:** Et actuellement, vous  
6 fonctionnez comment?

7 **M. JEAN LAROSE:** Nous roulons, en fait, sur  
8 l'entente qui est échue. Nous avons reçu récemment une  
9 portion des montants du provincial pour nous permettre de  
10 continuer. Nous n'avons reçu aucune somme du fédéral.

11 **MAÎTRE BERNARD JACOB:** Je viens de terminer,  
12 je passerais à M. Coleman. Alors, la même question : je  
13 comprends que c'est une erreur de bonne foi... quand vous  
14 avez parlé... allo? Je n'ai plus de son. Allo? Bon! Je  
15 comprends que c'est une erreur de bonne foi quand vous avez  
16 dit que l'entente avec Kativik finissait. C'est plutôt  
17 qu'il y a une entente qui est écrite et qui est bonne pour  
18 quelques années, c'est bien ça?

19 **M. RICHARD COLEMAN:** Aucunement. Le corps de  
20 police Kativik existe dans une loi québécoise, le *Kativik*  
21 *Act*. Elle existe dans la *Loi sur la police*. Alors,  
22 l'existence du corps de police n'est aucunement remise en  
23 question, sinon M. Larose ne serait pas ici, il serait un  
24 civil et non un agent de la paix.

25 L'entente de financement tripartite est



1 échue depuis le 1<sup>er</sup> avril et comme M. Larose vient juste de  
2 le mentionner, la partie québécoise, le 48 % a été versé.

3 **MAÎTRE BERNARD JACOB:** Donc, je comprends que  
4 c'est uniquement l'entente financière qui prend fin?

5 **M. RICHARD COLEMAN:** Dans le cas de Kativik,  
6 exactement.

7 **MAÎTRE BERNARD JACOB:** D'accord. On a parlé,  
8 toujours dans le contre-interrogatoire de Me Sioui, vous  
9 avez référé... elle a posé des questions sur la fin des corps  
10 de police. Vous rappelez-vous du cas de Obijiwan?

11 **M. RICHARD COLEMAN:** Oui, je connais le corps  
12 de police de Obijiwan, effectivement.

13 **MAÎTRE BERNARD JACOB:** Il a cessé d'agir?

14 **M. RICHARD COLEMAN:** À deux reprises dans les  
15 dix dernières années, si ma mémoire est bonne.

16 **MAÎTRE BERNARD JACOB:** Vous rappelez-vous la  
17 SQ a envoyé combine de policiers sur place pour remplacer  
18 le corps de police locale?

19 **M. RICHARD COLEMAN:** La dernière fois, en  
20 2014, je crois... je n'aurai pas l'information précise, mais  
21 quelques dizaines de policiers.

22 **MAÎTRE BERNARD JACOB:** En lieu et place de  
23 combien de policiers?

24 **M. RICHARD COLEMAN:** Obidjiwan a  
25 24 policiers, si je ne me trompe pas, dans l'entente.

1                   **MAÎTRE BERNARD JACOB:** Ils en avaient donc  
2                   envoyé beaucoup plus?

3                   **M. RICHARD COLEMAN:** À peu près le même  
4                   nombre.

5                   **MAÎTRE BERNARD JACOB :** Est-ce qu'ils étaient  
6                   en mesure d'urgence?

7                   **M RICHARD COLEMAN:** La Sûreté? Il faudrait  
8                   confirmer avec M. Charbonneau, mais généralement, c'est  
9                   toujours en opération spéciale.

10                  **MAÎTRE BERNARD JACOB:** Et les coûts étaient  
11                  de combien, à ce moment-là?

12                  **M. RICHARD COLEMAN:** Je ne pourrais pas vous  
13                  dire précisément.

14                  **MAÎTRE BERNARD JACOB:** Vous ne vous rappelez  
15                  pas?

16                  **M. RICHARD COLEMAN:** Mais on peut faire..  
17                  plusieurs centaines de milliers de dollars.

18                  **MAÎTRE BERNARD JACOB:** Je pense qu'il est  
19                  important de dire qu'on a reçu l'engagement de M. Coleman  
20                  concernant la mise en place d'un comité mixte des  
21                  représentants des corps policiers autochtones avec  
22                  différents intervenants du Ministère de la Sécurité  
23                  publique pour la formation des policiers autochtones. C'est  
24                  bien ça?

25                  **M. RICHARD COLEMAN:** Oui.

1                   **MAÎTRE BERNARD JACOB:** Je vais vouloir qu'on  
2                   dépose éventuellement sous la prochaine cote... Monsieur et  
3                   Mesdames les Commissaires et Madame la Commissaire chef, je  
4                   vais vous en fournir une copie ultérieurement. Je suis  
5                   sincèrement désolé, mais j'aimerais garder une cote, s'il  
6                   vous plaît. Comment on pourrait l'intituler?

7                   **CHIEF COMMISSIONER MARION BULLER:** Could we  
8                   have that?

9                   **MAÎTRE BERNARD JACOB:** Okay. Just a moment.  
10                  I will give you -- le temps... time. Sorry about that. Okay.  
11                  C'est en liasse, sous E-47, Comité...

12                  **CHIEF COMMISSIONER MARION BULLER:** We're on  
13                  48.

14                  **MAÎTRE BERNARD JACOB:** 48, sorry. Donc,  
15                  c'est « Mandat du comité sur la formation des futurs  
16                  policiers et policières autochtones ainsi que des policiers  
17                  et policières oeuvrant dans les communautés autochtones,  
18                  incluant la formation en enquête, de même que le nom des  
19                  membres dudit comité, le tout en liasse. »

20                  **--- PIÈCE No. 48:**

21                         « Comité sur la formation des futurs  
22                         policiers et policières autochtones ainsi  
23                         que des policiers et policières oeuvrant  
24                         dans les communautés autochtones, incluant  
25                         la formation en enquête », Ministère de la

1                   sécurité publique (Québec), updated 2018-04-  
2                   12 (one page)

3                   Witness: Richard Coleman, Director of Public  
4                   Safety, Relations with Aboriginal Peoples  
5                   Office

6                   Submitted by Bernard Jacob, Commission  
7                   Counsel

8                   **CHIEF COMMISSIONER MARION BULLER:** Okay.  
9                   We'll hold that. Thank you.

10                  **Me BERNARD JACOB:** À votre connaissance,  
11                  toujours en lien avec le contre-interrogatoire de Mme  
12                  Sioui, existe-t-il des études sur le coût de remplacement  
13                  des corps de police autochtones par la Sûreté du Québec?

14                  **M. RICHARD COLEMAN:** Des études, j'en  
15                  connait pas personnellement.

16                  **Me BERNARD JACOB:** O.k. À titre de directeur  
17                  du Bureau des Affaires autochtones, je comprends que... est-  
18                  ce que vous êtes au courant de la problématique du  
19                  transport des membres de la communauté inuit arrêtés de  
20                  Kuuujuaq vers Montréal?

21                  **M. RICHARD COLEMAN:** Oui, je le connais très  
22                  bien.

23                  **Me BERNARD JACOB:** Et qu'est-ce que vous  
24                  avez fait pour cette problématique-là.

25                  **M. RICHARD COLEMAN:** Dans le fond, le

1        Protecteur du citoyen du Québec a souligné plusieurs  
2        problématiques concernant le transport et la gestion des  
3        personnes sous arrestation et sous garde des services  
4        correctionnels et des services de police. Un rapport a été  
5        déposé l'an dernier. Nous sommes en suivi des conclusions.  
6        Il y a plusieurs démarches. Il y a une trentaine de  
7        mesures dont la visio-comparution, le transport vers le sud  
8        et la gestion des personnes sous garde dans le nord, la  
9        construction d'un nouveau quartier cellulaire à Puvirnitug.  
10       Il y a plusieurs démarches en cours actuellement.

11                    **Me BERNARD JACOB:** D'accord.

12                    À la Pièce E-39, qui sont les statistiques  
13        concernant la violence dans les communautés... voulez-vous  
14        voir la pièce, Monsieur Coleman?

15                    **M. RICHARD COLEMAN:** Oui.

16                    **Me BERNARD JACOB:** E-39. Où sont mes  
17        binders? Ça ne sera pas long. On parle des statistiques,  
18        juste pour vous situer, sur les violences faites aux  
19        femmes. On voit qu'il y a un grand nombre de cas.

20                    En fait, ma question va être plus  
21        précisément que ça. Je veux pas vous poser des questions  
22        sur les statistiques. Quelles mesures a mis en place le  
23        ministère de la Sécurité publique pour prévenir, face à ces  
24        constats-là, l'ampleur du problème... quelles mesures vous  
25        avez mis en place pour améliorer la sécurité des femmes

1 autochtones et les enfants autochtones?

2 **M. RICHARD COLEMAN:** Au Nunavik, c'est ça?

3 **Me BERNARD JACOB:** Non, de façon générale.

4 **M. RICHARD COLEMAN:** De façon générale dans  
5 les...

6 **Me BERNARD JACOB:** Les communautés  
7 autochtones.

8 **M. RICHARD COLEMAN:** Les communautés  
9 autochtones, o.k. Nous avons déposé, tout à l'heure, des  
10 ententes de prévention. Alors, je ne reviendrai pas là-  
11 dessus. Nous avons plusieurs mesures annoncées dans le  
12 plan d'action gouvernemental, dont une recherche des  
13 meilleures pratiques policières en matière d'agression  
14 sexuelle et d'enquêtes sur les agressions sexuelles. Ce  
15 projet est en cours et parrainé par la Sûreté du Québec.  
16 Des corps de police autochtones sont impliqués. Il y a une  
17 obligation de résultats pour 2022. Alors, les premières  
18 rencontres vont avoir lieu sous peu.

19 Nous avons aussi plusieurs fonds d'argent  
20 qui sont versés, entre autres, chez les Inuits. Je  
21 reprends le point de mon confrère Larose. Pour les Inuits,  
22 le Québec verse 325 millions de dollars sur 25 ans, le  
23 programme connu sur Ungaluk. C'est environ 14 millions de  
24 dollars cette année qui est versé. Une partie de ces  
25 sommes-là servent à financer le programme « Good Touch, Bad

1 Touch, à titre d'exemple ». Il y a d'autres initiatives  
2 que les Inuits choisissent après analyse et suivi de leur  
3 part. Nous avons d'autres initiatives de ce type-là qui  
4 sont incluses dans le plan d'action.

5 Je vois le temps qui baisse. Ça va?

6 **Me BERNARD JACOB:** Continuez si vous...

7 **M. RICHARD COLEMAN:** Absolument. Alors, on  
8 a une recherche aussi sur la formation policière de base,  
9 qui est importante. Il faut que nos policiers...

10 **Me BERNARD JACOB:** Qui fait la recherche?

11 **M. RICHARD COLEMAN:** Ben, pas la recherche.  
12 Comme on a discuté hier... vous l'avez annoncé tout à  
13 l'heure. Là, je l'ai l'annonce que dans la prochaine  
14 semaine ou deux, il va y avoir une rencontre sur la  
15 formation policière, à la base, d'intervenir sur les  
16 questions de violence faite aux femmes et aux filles  
17 autochtones. Il faut que nos policiers et policières aient  
18 une formation de base adéquate. C'est un défi pour nous.  
19 On s'engage à regarder ça avec eux.

20 D'ailleurs, il y a trois chefs de police  
21 autochtone qui sont sur ce comité de travail-là et c'est  
22 des chefs de police respectés, dont M. Jean Vicaire, Dwayne  
23 Zachary de Kahnawake et le chef de police Akwesasne, Shawn  
24 Duluth. Alors, on forme beaucoup d'espoir là-dessus sur la  
25 formation de base pour mieux intervenir et mieux prévenir

1 les gestes de violence envers les femmes et les filles.

2 Me BERNARD JACOB: J'ai terminé.

3 Ah, je peux poser une question?

4 Mme CHRISTA BIG CANOE: Merci, Maître.

5 Me BERNARD JACOB: Merci.

6 MS. CHRISTA BIG CANOE: At this point in  
7 time, we'd ask -- Ms. Turley, would you like to proceed?

8 MS. ANNE TURLEY: Yes, thank you.

9 MS. CHRISTA BIG CANOE: And so if we could  
10 set the clock, Mr. Registrar, for five minutes.

11 --- RE-EXAMINATION BY MS. ANNE TURLEY:

12 MS. ANNE TURLEY: Thank you. And I'm --  
13 hello. I'm going to follow the lead of my friend,  
14 Ms. Brass, and ask Commissioner Lucki if she has anything  
15 that she would like to add in response to the questions  
16 that she got in cross-examination. So I'll use my five  
17 minutes that way.

18 COMMISSIONER BRENDA LUCKI: Thank you.

19 First, I really just want to say thank you  
20 for allowing me to be at the Inquiry. And you know, when I  
21 was reading bits and pieces about the Inquiry, the --  
22 Commissioner Buller always said it's about telling their  
23 truths. And so for me to be here to hear those truths is  
24 extremely powerful, especially as the new commissioner.

25 It's kind of giving me a part of my road map



1 forward, and I have my management team that's coming  
2 together for several days between now and September to make  
3 a five-year plan. And it's not about operations, it's  
4 about culture change in order to improve operations. And I  
5 call it the Road to 150 because in five years we'll be  
6 150 years old.

7 So there are so many great things that came  
8 out of this, and for people to have the courage to come and  
9 tell and say what's wrong and what could be done, my  
10 challenge, I guess, to everyone in the room it shouldn't  
11 stop here. It's unfortunate that it takes an inquiry for  
12 this to happen, but our police organization, like every  
13 other, is open to hearing what people have to say.

14 So if you have that would have, could have,  
15 should have moment, and you've left here and said, oh, I  
16 thought of something, please feel free to come forward to  
17 your local detachment, and if you don't feel that's a good  
18 forum, come forward through our website or through any  
19 other RCMP member or to my office, and -- if you have  
20 suggestions.

21 I know I am committed to, first of all, I  
22 would like to bridge the gap in communication and to make  
23 sure that we are better communicators and that we're a more  
24 culturally-sensitive organization. But I'm committed to  
25 really listening and I'm committed to learning and I'm

1 committed to responding and responding in a culturally-  
2 sensitive manner. And I'm going to be challenging my  
3 employees, my members to do the same thing.

4 Because I go back to my motto of making  
5 every community better than what it was, and I have the  
6 extra duty of making my RCMP better than what it is going  
7 forward in the next few years. And I can't do that by  
8 myself, so I'm looking to all the people in this room and  
9 people outside of this room in the communities where we  
10 serve so that we are the best police in the world.

11 No offense to my other colleagues in the  
12 room who are policing, but sorry, we're going to be better  
13 than you.

14 (LAUGHTER)

15 **COMMISSIONER BRENDA LUCKI:** And it's -- we  
16 didn't lose the trust overnight, and we're not going to  
17 gain it. And I always make the comparison to my weight. I  
18 didn't gain my weight overnight, and I'm not going to lose  
19 it. So I think trust works the same way.

20 And I really ask this room for a bit  
21 patience and a bit of trust. Not just a trust going  
22 forward that we will -- I am committed to doing better, and  
23 I need people to help me with that and I need you to have  
24 just -- just grab a little bit of trust, if you have  
25 absolutely none, to think that we will do our best to be

1 better. And I'm really appreciative of having this  
2 opportunity in the last day or so.

3 I have a great team of RCMP. There's a lot  
4 of good things that are happening. And I know this Inquiry  
5 is not here to focus on some of the good things, but I  
6 could spend five or six days talking about good things.  
7 But we would be remiss if we didn't learn from past  
8 mistakes, and shame on us if we don't. And this Inquiry  
9 has taught me that being open to learning, listening and  
10 responding in a positive and culturally-sensitive manner,  
11 so for that, I thank you.

12 And I thank all the people who had -- the  
13 families who have had the courage to tell their truths  
14 because I could not imagine how difficult that must have  
15 been. And for that, I really do thank everybody for  
16 shedding some light on this such important topic. So thank  
17 you.

18 **MS. CHRISTA BIG CANOE:** Thank you. Thank  
19 you. That includes *[sic]* the re-examination.

20 I just wanted to note that Mr. Bellegarde is  
21 going to have to leave at 3:00 and I know the Commissioners  
22 may have some questions. So I was going to kindly request  
23 that if you had questions for Mr. Bellegarde that you make  
24 them and then maybe we can have a short break?

25 **CHIEF COMMISSIONER MARION BULLER:** Actually,

1 you must have read our minds. We'll go through questioning  
2 for Mr. Bellegarde, thank him, and then have a short break  
3 before we continue with the other witnesses.

4 **--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:**

5 **COMMISSIONER BRIAN EYOLFSON:** Good  
6 afternoon. Thank you.

7 Mr. Bellegarde, I have a few questions for  
8 you, if you don't mind, just following up on your  
9 presentation.

10 In your presentation you said that First  
11 Nations should be encouraged by the federal and provincial  
12 governments as a matter of policy and providing resources  
13 and training to adopt the self-administered model. I'm  
14 just wondering if you can comment further on anything that  
15 could be incurred -- done to encourage or support the  
16 implementation of more of those models?

17 **MR. DANIEL BELLEGARDE:** I will go back to  
18 the original signing of the CTA Agreement back in 1993  
19 between the Federation of Sovereign Indigenous People or  
20 Nations and the -- at that time -- I'm not sure exactly who  
21 carried the responsibility, Indian Affairs perhaps or  
22 Justice Canada. In any case, built into that agreement was  
23 the development of the governance aspect of First Nations  
24 policing. The fact that we have to establish institutions  
25 of governance within our communities to govern such things

1 as delivery of policing services, to govern such things as  
2 delivery of Indian Child and Family Services, and to govern  
3 our education, our health, our economic development and our  
4 political institutions themselves, are all part of the  
5 responsibility that we have moving forward in what we call  
6 nation rebuilding.

7 And the current federal government's  
8 approach has been very clear from Prime Minister Trudeau  
9 throughout to his ministers regarding the support and the  
10 implementation of the United Nations Declaration on the  
11 Rights of Indigenous Peoples, the implementation of the  
12 Treaty Relationship in the Victorian or Numbered Treaties,  
13 as well as developing of a nation-to-nation relationship  
14 throughout the country.

15 Now, that is a big challenge to us after --  
16 in this part of the country 150 years of *Indian Act*  
17 administration. But I think that speaks to what the  
18 federal and provincial governments have to do together in  
19 order to move forward with First Nations people on a tri-  
20 government or intergovernmental approach to developing the  
21 kind of policy framework that we have; and, further,  
22 cementing this in legislation such as is happening in  
23 Ontario now with the *Ontario Police Act*, which puts into  
24 legislation protection for First Nations policing services  
25 so that they are no longer just a program, but part of a

1 legislative framework that has sustainability, a level of  
2 funding, a level of support, a level of equity with other  
3 police services, and that has, I think, a future to move  
4 forward on.

5 And that type, however it may be negotiated  
6 throughout the rest of Canada, is something that has to be,  
7 I think, brought forward for the future models of First  
8 Nations policing.

9 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thanks.

10 In terms of governance and oversight, you  
11 spoke to that in your presentation, you talked about some  
12 of the recommendations and challenges of oversight. I'm  
13 just wondering if you have any key recommendations about  
14 what, in terms of oversight, might assist in particular  
15 with improving the safety of Indigenous women and girls in  
16 First Nations' communities?

17 **MR. DANIEL BELLEGARDE:** Well, again, I think  
18 that speaks to, in general, about First Nations assuming,  
19 reassuming I think the responsibility and the obligations  
20 of managing and controlling our own affairs, of not being  
21 in a position where, if there is a critical incident in our  
22 community, that the common theme is call the RCMP. Call  
23 Indian Affairs. Call somebody to come and get us out of  
24 this situation. It's time to say we will deal with it. We  
25 will deal with it ourselves in our own way and we will deal

1 with it far more efficiently and far more effectively.

2 So it's the question, I think, when you talk  
3 about governance, of developing that governance framework  
4 that brings together our traditional principles and  
5 cultures, of good relationships within our communities,  
6 within our nations, along with the contemporary  
7 requirements of governance from an interagency concept, the  
8 requirements for good governance of resources, good  
9 governance of interagency cooperation, but particularly,  
10 good governance of listening to the concerns and reacting  
11 to the concerns of our citizens, which include women,  
12 girls, elders, and all of our citizens. And that is part  
13 of a good governance paradigm or good governance model.

14 So participatory governance I suppose would  
15 be what it's called today. And that can be done and that  
16 is done -- being done in many areas of the province now.

17 I just want to speak just to places like the  
18 James Bay Cree who have entered into a self-government  
19 agreement as far back as 1975 and they have assumed  
20 responsibility for governance and to various sectors within  
21 their communities, including justice, and justice at large,  
22 not just policing, but also the court system as well as  
23 certain parts of their rehabilitation, correction system.  
24 And that's the kind of model that we're looking at.

25 And there are models out there that we can

1 look at. Kahnawake, Chetina (ph) in Calgary, the Yukon  
2 have some very good models of justice administration, and  
3 so on. And it's growing and it's happening very quickly.  
4 And I think we have to work a little bit harder to bring it  
5 here to the Prairies, but it's happening I think throughout  
6 our borders. And it's just a question of I think moving it  
7 along more quickly.

8 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank  
9 you very much for your presentation and for answering my  
10 questions.

11 **MR. DANIEL BELLEGARDE:** Right.

12 **--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:**

13 **COMMISSIONER QAJAQ ROBINSON:** I just have  
14 one short question. You spoke about funding inequities.  
15 Other than the Attorney General's Report on the First  
16 Nations policing program, are there any reports you could  
17 direct us to to speak to that inequity?

18 **MR. DANIEL BELLEGARDE:** Yeah, the Auditor  
19 General's Report from 2014 speaks a lot about that. But  
20 there are reports. I think the First Nations Chiefs of  
21 Police Association. I suggest that you take a look at  
22 their website. I'm not sure if they're going to be  
23 presenting here at all, but they have some significant  
24 issues about has -- in the operation side of the equation.

25 There's been underfunding that we know in



1 Ontario, but that's been taken care of now, as we  
2 mentioned, through the *Ontario Police Act* and a new  
3 legislation that's going to guarantee that equity.

4 There's fairly equitable funding here in  
5 Saskatchewan for the File Hills First Nations Police  
6 Association. It is equitable to the RCMP, which it was a  
7 transition from an RCMP Detachment to a self-administered  
8 policing service. So during a transition we were able to  
9 maintain a level of support and pay compensation and  
10 manpower that was there at the original detachments 20  
11 years ago. So that's carried on.

12 So it varies across the country. In some  
13 areas there's a real problem, but these are being  
14 addressed. And I mention that again that there is good  
15 cooperation now between the various levels of government  
16 and the agencies that are involved in supporting First  
17 Nations policing, which hasn't been there in the past.

18 And I must say that the Public Safety  
19 Canada, as I mentioned, has announced in January for the  
20 next 5 years a \$291 million increase in funding from the  
21 previous 5 years, as well as the additional 110 person a  
22 year -- or officer positions that will be assigned to the  
23 First Nations Policing Program beginning in 2019.

24 So there are steps being done, steps taken,  
25 and I think I have a great deal of optimism for the future

1 of First Nations policing from that perspective.

2 Problems were identified. I think problems  
3 are being dealt with. And I think what we need is more  
4 First Nations participation at those various policy  
5 councils that are occurring throughout the country.

6 For instance, and I made this point several  
7 times to Public Safety Canada, when they are negotiating  
8 the federal/provincial contracting policing services for  
9 Saskatchewan, there is no First Nations participation, even  
10 though there is a First Nations component to that  
11 negotiation, which of course is the Sikh Community  
12 Tripartite Agreements and the Self-Administered Agreement.  
13 It may seem small in comparison to the overall contract  
14 between Canada and Saskatchewan and the RCMP, but to us  
15 it's a hugely important matter of peace and security and  
16 safety in our community.

17 So we need to be involved. We can't just  
18 accept what comes down the pike. And I think it's changing  
19 and I think it's changing for the better.

20 **COMMISSIONER QAJAQ ROBINSON:** Thank you so  
21 much for your time and for coming to speak with us this  
22 week.

23 **COMMISSIONER MICHÈLE AUDETTE:** Well, my  
24 colleague, the two of them, asked the question, so I'll  
25 take 30 seconds to say it was good to see you again and

1 thanks for coming, and I wish you a bon voyage via your  
2 part of the history, and I hope that you will continue to  
3 make sure that our women and girls are safe in our  
4 communities. S'il vous plait.

5 **MR. DANIEL BELLEGARDE:** Absolutely. Yes.

6 **COMMISSIONER MICHÈLE AUDETTE:** Merci.

7 **MR. DANIEL BELLEGARDE:** Thank you.

8 **--- QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:**

9 **CHIEF COMMISSIONER MARION BULLER:**

10 Mr. Bellegarde, I want to thank you also for coming in and  
11 sharing your truth with us, and I thank you also for your  
12 recommendations. And thank you to your counsel, as well,  
13 Ms. Brass, for her preparations. It's been very helpful to  
14 us.

15 I see I have about three minutes, so I'll go  
16 fast.

17 Exhibit 15, which is your presentation to  
18 us, dated June 4, 2018, at page 5, if you have that  
19 document in front of you, refers to -- and I'll just quote:

20 "The loss of one woman or girl for  
21 whatever reason is not acceptable.  
22 However, there is a cyclical  
23 relationship of these losses to  
24 underlying issues of safety within a  
25 First Nation." (As read)

1                   Can you explain a little bit more about what  
2 you mean by a cyclical relationship?

3                   **MR. DANIEL BELLEGARDE:** The cycles that we  
4 talk about are what people refer to as the underlying root  
5 causes. The cycle of poverty, the cycle of colonization,  
6 the cycle of public policy that was in place, that quite  
7 frankly were set out to depopulate the reserve.

8                   How else can you explain such things as  
9 underfunding for housing and underfunding for education and  
10 underfunding for health and underfunding for the other  
11 services except to look at that as a way of moving people  
12 off the reservations and into the cities and to the urban  
13 mainstream? I mean, that's a very difficult thing to look  
14 at, but you really have to look at such things as  
15 documentation or books such as *Clearing the Plains: The*  
16 *Politics of Starvation*.

17                   I mean, historically, and with all due  
18 respect to those who hold the pen on the history of Canada  
19 and who write the history books that are taught in our  
20 schools that I've learnt from when I was a little boy in  
21 grade school and so on, and even into university did not  
22 tell the full and complete story, and now it's coming out.

23                   It's coming out by both Indigenous authors,  
24 Indigenous researchers, and it's coming out from  
25 non-Indigenous people as well. Every university across the

1 country now has an Indigenous component to it, and I think  
2 that's important going forward.

3 But yeah, that cyclical thing I'm talking  
4 about -- and cycles can be broken. Cycles can be dealt  
5 with if you understand where they came from, the impact of  
6 them right now in our communities and what we have to do to  
7 break that cycle. And that's going to be -- and that's  
8 what I'm saying, it's going to take a wholistic approach in  
9 our communities to deal with those cycles.

10 And I think that we are getting there, we  
11 are getting there very quickly. There's still a lot of  
12 work to do. And while we're doing this work, we're going  
13 forward, we still have to resolve the injustices of the  
14 past. Because only if we do that can we fully expect true  
15 reconciliation as recommended in the Truth and  
16 Reconciliation Commission recommendations.

17 So injustices of the past, try and deal with  
18 them, reparations made, go forward with a new model of  
19 community development, of nation-to-nation relationships.

20 **CHIEF COMMISSIONER MARION BULLER:** Thank  
21 you. Speaking of moving forward, my last question.  
22 Although I had others, in the interest of time I won't hold  
23 you too long.

24 In your document 15 -- Exhibit 15 at page 9,  
25 there's reference to a survey in consultation with First

1 Nations governing bodies in 2014 that identified several  
2 issues with oversight. And the first one was:

3 "Oversight is complicated, often  
4 involving people who know each other  
5 and have many roles to play." (As  
6 read)

7 In the course of hearing from families  
8 across Canada, they have told -- many have told us that  
9 they have little faith or confidence in Aboriginal policing  
10 because the police force or members appear to be in the  
11 pockets of the chief and council, and vice versa. Would  
12 you like to comment on that?

13 **MR. DANIEL BELLEGARDE:** Well, I can't  
14 comment on a lot of other police services. The First  
15 Nations Police Governance Council, first of all, did that  
16 survey, and they did that survey with the representatives  
17 who were there and talked about what they saw as perhaps  
18 barriers to good governance, and part of it was the  
19 training component, part of it was another thing.

20 But from the perspective of the File Hills  
21 First Nations Police Service, we are very clear that the  
22 File Hills Board of Police Commissioners is separate from  
23 the chief and council. We are very clear that the File  
24 Hills Board does not interfere with operations which is the  
25 purview of our chief of police and his officers and special

1 constables and civilian staff. Those are written out in  
2 clear terms of reference, signed by each chief in our  
3 community and reviewed on an annual basis.

4 So from my perspective, from my police  
5 service, from my board, I will say that there is no  
6 potential for undue influence by chiefs and councils of our  
7 police service in File Hills. I cannot speak for any other  
8 police service, but I can assure that I know some of the  
9 individuals who are working in those other areas and I can  
10 -- if I can't -- I can't vouch for them, but I can say I  
11 support what they're doing.

12 I'm talking about people like Fabian over in  
13 NAPS and our people down in Setina (ph), as well as I met  
14 the chief of police in -- from British Columbia, and of  
15 course, Duane Zachary with the Ottawa Police Service. So -  
16 - and Ron Sky, who is a real veteran of the governance of  
17 police services in this country.

18 So if there are -- I mean, there is always a  
19 bit of a tension between boards of police commissioners and  
20 the police services themselves, and this is not just within  
21 First Nations police services. We can see it and read  
22 about it with the Police Services Board of Toronto, with  
23 their police service. Winnipeg had the same thing. Ottawa  
24 faces the same thing. Edmonton is in -- and so is Calgary.  
25 Victoria, in particular. I mean, take a look anytime.

1           I get weekly updates on police information  
2 across the country, particularly around police governance,  
3 and it is sometimes difficult, but I think we are doing the  
4 right thing and I think now we have to continue to develop  
5 the kind of training and developing programs for our boards  
6 of police commissioners on self-administered policing that  
7 would make it work for us.

8           And nothing is ever perfect, but I think we  
9 are really doing as best as we can. I think good  
10 governance of our policing services is what it's going to  
11 be about from a self-administered perspective.

12           **CHIEF COMMISSIONER MARION BULLER:** Thank  
13 you. Mr. Bellegarde, thank you very much for even going a  
14 little late with us. We all really appreciate it.

15           Because you've given us the gift of your  
16 time and your experience and your truth, we have a small  
17 gift for you. We were told by the Haida matriarchs to give  
18 eagle feathers to all of our witnesses. To -- I won't go  
19 into the different cultural interpretations of eagle  
20 feathers, but I think it's fair to say that eagle feathers  
21 are there to hold you up when you need to be held up on  
22 those hard days, and to help you reach higher places than  
23 you ever though you could reach. So please -- thank you  
24 for being with us, please accept this gift on our behalf,  
25 and we're very grateful, sir, for the time you've been with



1 us.

2 And we'll take a 15-minute break. Thank  
3 you.

4 --- Upon recessing at 3:06 p.m.

5 --- Upon resuming at 3:27 p.m.

6 **MS. CHRISTA BIG CANOE:** ...to ask your  
7 questions.

8 (SHORT PAUSE)

9 **MS. CHRISTA BIG CANOE:** Sorry. We just need  
10 the mic on.

11 **CHIEF COMMISSIONER MARION BULLER:** I'm on?  
12 Good. Okay. Thank you.

13 For the information of witnesses, all four  
14 of us will question one witness at a time, rather than that  
15 sort of scattered gun approach. So Mr. Coleman, we're  
16 going to start with you.

17 (A SHORT PAUSE)

18 **CHIEF COMMISSIONER MARION BULLER:**  
19 Commissioner Audette will start.

20 **COMMISSIONER MICHÈLE AUDETTE:** You have the  
21 mic, Chief Commissioner.

22 **CHIEF COMMISSIONER MARION BULLER:** Sorry.

23 **--- QUESTIONS BY COMMISSIONER MICHÈLE AUDETTE:**

24 **COMMISSAIRE MICHÈLE AUDETTE:** Merci, Madame  
25 la commissaire en chef.

1                   Alors, je vais me permettre ce qui est très  
2 rare dans ces fonctions-là de pouvoir le faire en français.

3                   Tout d'abord, avant de commencer, je veux  
4 vous dire un gros merci d'avoir accepté de venir présenter  
5 devant l'enquête, devant les commissaires, mais aussi  
6 devant tout le Canada, parce que, comme vous le savez,  
7 c'est en direct, et d'entrée de jeu, vous dire merci aussi  
8 dans une ancienne vie pour avoir soutenu à quelques  
9 reprises mes fonctions de présidente de Femmes autochtones  
10 du Québec lorsqu'il y avait des crises en territoire où les  
11 femmes étaient menacées et la SQ était présente, c'était  
12 vous que j'appelais pour être sûre que les femmes soient  
13 bien traitées par la police si jamais il y avait des  
14 arrestations. Et peu importe l'heure dans la journée ou  
15 dans la nuit, vous répondiez à mes appels.

16                   Alors, j'espère que vous allez répondre à  
17 mes questions. Alors, un gros, gros, merci.

18                   **M. RICHARD COLEMAN:** Ça me fait plaisir.

19                   **COMMISSAIRE MICHÈLE AUDETTE:** Ils vont rire  
20 au ralenti plus tard, le temps que la traduction arrive.

21                   Alors, sérieusement, vous nous avez parlé de  
22 votre expérience avec votre curriculum vitae,  
23 l'organigramme qui a été présenté aux commissaires et ainsi  
24 de suite. Donc, on sait que vous avez beaucoup de  
25 connaissances et d'expérience.

1                   Vous avez été aussi à la tête des  
2 négociations pendant 13 ans et au cours de ces années-là,  
3 le Canada, dans vos ententes, dans leurs programmes au  
4 niveau de la police, de leur côté révisait aux cinq ans, si  
5 je comprends bien.

6                   Et considérant les risques que le  
7 Gouvernement du Canada mette fin à son propre programme,  
8 vous, quelles sont les alternatives que vous identifiez et  
9 recommandez à vos autorités en ce moment? Ça c'est ma  
10 première question.

11                   **M. RICHARD COLEMAN:** Merci, Madame la  
12 commissaire. Merci de vos paroles. C'est apprécié.

13                   Dans le fond, le modèle québécois est un  
14 modèle, comme on dit souvent au Canada, un peu différent et  
15 les Premières nations ont été à l'œuvre dès le début, dès  
16 les années '70 en matière policière. On a parlé  
17 abondamment des Cris, des Inuits, les Naskapis, les  
18 Peacekeepers de Kahnawake 1972. Alors, ça fait longtemps  
19 qu'on a des autogérés.

20                   Quand on a une incertitude avec notre  
21 partenaire fédéral en matière financière... comme vous le  
22 dites, on l'a vécu pendant plusieurs années, des  
23 renouvellements à l'année. On l'a vécu. Les corps de  
24 police, les policiers, policières des Premières nations  
25 l'ont vécu directement. Moi, j'ai toujours plaidé pour

1 l'exemple de Kahnawake. C'est sûr que je vous dirais avant  
2 de parler de Kahnawake, je vous dirais qu'on est toujours  
3 en une démarche en traités. Actuellement, on est en  
4 pourparlers avec le regroupement Pettapam (phonétique),  
5 trois communautés innues, dans une grande négociation  
6 globale du gouvernement. Mais il y a une section police,  
7 sécurité publique, sécurité civile.

8 On est aussi en discussion avec des  
9 Atikamekws, les trois Premières nations Atikamekws, on est  
10 en pourparlers pour une entente police dans le cadre d'un  
11 traité global. Donc, on est vraiment... ça bouge. Ça  
12 bouge.

13 Mais le plan de sortie dans la loi actuelle  
14 est toujours 90... l'article 90 de la loi. Dans le fond,  
15 l'article 90 de la *Loi sur la police* au Québec dit que le  
16 Gouvernement du Québec peut avoir une entente pour créer un  
17 corps de police avec un ou des communautés des Premières  
18 nations.

19 Alors, c'est ça qui nous a inspiré avec  
20 Kahnawake en 2009, c'est de dire, dans le fond, un petit  
21 peu... on n'attend pas après le financement. Les  
22 Peacekeepers existent depuis des années. Alors, on s'est  
23 assis et puis on a travaillé en bipartite, dans le fond,  
24 avec le Mohawk Council et on a une entente qui dit plein de  
25 choses, c'est quoi les Peacekeepers, quelle est la vision

1 des Mohawks de Kahnawake, c'est quoi le *Peacekeeper Law*.  
2 Il y a plein de choses là-dedans qui étaient avant leur  
3 temps, je crois sincèrement. On est presque 10 ans plus  
4 tard. On reconnaissait certaines affaires que les Mohawks  
5 voulaient que ce soit officiel.

6 Alors cette entente-là qui ne finira jamais,  
7 parce que dans le fond, on a été précurseur en mettant  
8 aucune date d'expiration. Dans le fond, on a mis une  
9 clause de collaboration. Aux cinq ans, si le Conseil  
10 Mohawk ou le Québec veut discuter de problèmes, on lève la  
11 main et on discute ou mettre fin, mais on n'a jamais eu de  
12 raison pour le faire. Alors, l'entente continue.

13 Est-ce qu'elle est parfaite? Non, mais elle  
14 est quand même différente de toutes les autres.

15 **COMMISSAIRE MICHÈLE AUDETTE:** Vous avez  
16 aussi mentionné à maintes reprises « entente tripartite ».   
17 Donc, on s'entend ici que entente tripartite c'est une  
18 communauté, une nation, le Gouvernement du Québec et le  
19 gouvernement fédéral, la troisième partie?

20 **M. RICHARD COLEMAN:** Oui.

21 **COMMISSAIRE MICHÈLE AUDETTE:** Est-ce que  
22 vous êtes en mesure de nous décrire à quoi ressemble la  
23 partie du gouvernement fédéral dans ces ententes  
24 tripartites, si vous êtes en mesure, là.

25 **M. RICHARD COLEMAN:** La partie en termes de

1 budget?

2 **COMMISSAIRE MICHÈLE AUDETTE:** Bien, décrire  
3 où est la contribution du Canada?

4 **Me BERNARD JACOB:** Annexe H.

5 **COMMISSAIRE MICHÈLE AUDETTE:** Annexe H?

6 **Me BERNARD JACOB:** On prend l'entente de la  
7 communauté d'Opitciwan.

8 **M. RICHARD COLEMAN:** D'Opitciwan, oui.

9 **COMMISSAIRE MICHÈLE AUDETTE:** La communauté  
10 d'Opitciwan. O.k., ça c'est un exemple.

11 **Me BERNARD JACOB:** Madame la commissaire  
12 veut savoir la partie fédérale, la partie provinciale ou la  
13 partie des nations...

14 **COMMISSAIRE MICHÈLE AUDETTE:** Exactement.

15 **Me BERNARD JACOB:** Alors, j'ai montré à  
16 monsieur l'entente à l'Annexe H, Opitciwan. Je me rappelle  
17 plus du numéro de pièce exactement.

18 **M. RICHARD COLEMAN:** H.

19 **Me BERNARD JACOB:** Bien, c'était l'onglet H,  
20 mais...

21 **COMMISSAIRE MICHÈLE AUDETTE:** Onze (11).

22 **Me BERNARD JACOB:** ...il y a un numéro de  
23 pièce. Et la question de la Commissaire Audette c'est les  
24 obligations du fédéral, les obligations du provincial et  
25 les obligations de la nation concernée?

1                   **M. RICHARD COLEMAN:** Oui. Alors, dans le  
2 fond, l'entente de financement tripartite est un produit du  
3 Gouvernement du Canada. La manière que c'est rédigé, les  
4 sections sont... ils ont des spécialistes. Ils ont des  
5 gens habitués. Alors, c'est eux qui proposent un genre  
6 de... bon, je vais prendre un anglicisme... un genre de  
7 *template*.

8                   **COMMISSAIRE MICHÈLE AUDETTE:** M'hm.

9                   **M. RICHARD COLEMAN:** Et chaque section  
10 décrit les obligations de tous et chacun. Alors, le  
11 fédéral a des responsabilités à une section. C'est assez  
12 bien défini. Le Québec, même chose. Le Québec, c'est  
13 souvent des questions reliées à c'est quoi un corps de  
14 police et puis qu'est-ce que ça fait dans la vraie vie,  
15 opérationnellement parlant. Et ensuite on a les  
16 responsabilités du conseil de la Première nation, les  
17 tâches du directeur ou la directrice du corps de police,  
18 les normes d'embauche, et cetera. Alors, c'est très bien  
19 fait. C'est très bien écrit. C'est un beau document.  
20 C'est facile à travailler. C'est de cette manière-là qu'on  
21 travaille depuis au moins 20 ans, si c'est pas plus, ce  
22 genre d'entente-là pour le financement.

23                   **COMMISSAIRE MICHÈLE AUDETTE:** Alors, ça  
24 c'est le fédéral.

25                   Et vous, pour le Québec, c'est quoi le

1           mécanisme au niveau du financement pour le Québec?

2                           **MAÎTRE BERNARD JACOB** : En fait, la question  
3           peut-être n'a pas été répondue: quelle est la partie  
4           d'obligations du fédéral, quelles sont les obligations du  
5           provincial et quelles sont les obligations de la Nation?  
6           Juste les identifier dans le document.

7                           **M. RICHARD COLEMAN** : Ah, okay. Si vous me le  
8           permettez, Madame la commissaire. On pourrait passer  
9           beaucoup de temps parce que c'est très défini, mais dans le  
10          fond, généralement, pour le fédéral, étant donné que c'est  
11          un programme de contribution, on parle de réédition de  
12          comptes, *where does the money go*, comment les dépenser, des  
13          mécanismes de ce type-là. Les sections pour le Québec sont  
14          beaucoup plus opérationnelles dans, par exemple, le Conseil  
15          comme l'employeur doit déposer un plan de formation. Le  
16          directeur de police dépose un plan de formation annuel, il  
17          fait un rapport, s'il y a lieu, des infractions  
18          disciplinaires avec ses policiers et policières. Est-ce que  
19          ça vous aide un peu?

20                           **COMMISSAIRE MICHÈLE AUDETTE** : Je vais vous  
21          poser d'autres questions.

22                           Alors, vous parlez de coûts, ce qui va peut-  
23          être amener à répondre quelles sont les obligations, aussi,  
24          de chaque partie, notamment celles du Québec. Mais un  
25          exemple qu'on peut utiliser, c'est le témoignage de votre



1       collègue, M. Larose, sur les coûts incroyables au niveau du  
2       transfert de prévenus, de gens qui viennent du Nord vers le  
3       Sud et ça a des impacts sur ses opérations policières.

4                   Alors vous, vous étiez en poste quand ces  
5       choses-là arrivaient, depuis le nombre d'années que vous  
6       êtes là; qu'est-ce qui a été fait pour solutionner cette  
7       réalité-là ou cette situation-là? Avez-vous fait des choses  
8       pour régler ça?

9                   **M. RICHARD COLEMAN** : Oui. La situation des  
10      Inuits au Nunavik, au Québec, me touche beaucoup. J'ai vécu  
11      parmi eux et j'ai appris d'eux pendant sept ans, au début  
12      de ma carrière, dans les années 1990 et je suis triste et  
13      troublé par la situation de mes amis Inuits au nord du  
14      Québec.

15                   Depuis des années, on voit venir les  
16      statistiques, la situation dans le Nord ne semble pas  
17      s'améliorer malgré beaucoup d'efforts de la part de ce  
18      peuple résilient et des paliers de gouvernement.  
19      Actuellement, on travaille avec des propositions de leur  
20      part, dont le projet Saqijuq, qui veut dire « le tournant  
21      du vent » et Saqijuq est un projet inuit proposé et mené  
22      par Minnie Grey et d'autres personnes du Nord. Dans le  
23      fond, c'est une idée de travailler autrement avec des  
24      personnes qui commettent des actes en état d'ébriété.

25                   Dans le fond, on veut trouver une manière

1 d'utiliser le processus de dégrisement et de sevrage d'abus  
2 d'alcool et, en même temps, travailler l'infraction  
3 criminelle d'une autre manière. C'est un projet ambitieux,  
4 mais je dois dire que c'est un projet qui vient d'eux, qui  
5 porté par eux et que le Ministère de la Sécurité publique  
6 supporte. Nous sommes actifs là-dedans.

7 Je crois que c'est un projet à moyen et long  
8 terme, alors en attendant, nous n'avons pas oublié nos  
9 responsabilités. Le financement du corps de police de M.  
10 Larose et son équipe, le financement a été bonifié à  
11 plusieurs reprises; des infrastructures policières neuves  
12 ont été faites dans les dernières années et il y en a  
13 d'autres à prévoir dans les prochaines années. Je crois  
14 qu'il y a un financement du Ministère des Affaires  
15 municipales du Québec de 20 millions de dollars pour  
16 construire deux postes de police neufs à Inukjuak et  
17 Puvirnituk.

18 Nous, la Direction générale des Services  
19 correctionnels est actuellement en démarche pour construire  
20 un nouvel établissement de détention temporaire pour  
21 Unituk, un autre projet d'envergure qui est en cours suite  
22 au rapport du Protecteur du citoyen. Et on a aussi signé,  
23 depuis 2009, environ deux ententes majeures : nous avons  
24 une entente bilatérale avec des Inuits où Québec injecte  
25 environ 3 millions de dollars supplémentaires sans

1 contribution du Canada et ça, c'est en vue de ce que vous  
2 avez bien décrit, la crise est une partie de la réponse. Et  
3 la deuxième entente, c'est l'entente d'équipe d'enquêteurs  
4 en 2009 de la Sûreté du Québec et l'Academic Region Police  
5 Force.

6 Cette entente prévoit que nous avons, dans  
7 le fond, une équipe qui sera jumelée avec des enquêteurs de  
8 Kativik et des enquêteurs de la Sûreté. Les résultats,  
9 honnêtement, sont un peu mitigés à cause de ce que  
10 M. Larose a décrit, la rétention et l'attraction du  
11 personnel, autant pour Kativik que pour la Sûreté est un  
12 défi; je crois que M. Charbonneau pourra compléter plus  
13 tard cette semaine.

14 Alors, vous voyez qu'on a plusieurs actions.  
15 J'ai fait mention tout à l'heure aussi du fonds Ungaluk,  
16 qui oui, est 325 millions de dollars sur 25 ans pour  
17 favoriser des projets de prévention de criminalité au  
18 Nunavik qui sont conduits, dirigés, développés par les  
19 Inuits du Nunavik.

20 **COMMISSAIRE MICHÈLE AUDETTE** : Vous me  
21 permettez, M. Coleman : ce que je comprends de vous,  
22 d'ailleurs, d'entrée de jeu, dans votre réponse, vous êtes  
23 d'accord avec le fait qu'il y a une crise en ce moment chez  
24 les Inuits? Est-ce que vous êtes d'accord avec ce que votre  
25 collègue, M. Larose a présenté comme réalité de sa

1 perspective, comme directeur, qu'il y ait un manque de son  
2 côté à lui aussi pour répondre à la sécurité des gens, mais  
3 aussi à la sécurité de ses employés? Pas sécurité humaine,  
4 mais en termes de prévenir le *burn-out* ou le roulement de  
5 personnel: ça, vous êtes conscient de ça?

6 **M. RICHARD COLEMAN** : Oui, absolument. J'ai  
7 vécu sept ans à Kuujuaq et j'ai voyagé beaucoup sur le  
8 détroit d'Hudson. Je partage en presque totalité les  
9 commentaires de mon confrère et je répète : je suis triste  
10 et troublé. Et je pense que j'ai fait quand même une courte  
11 liste des initiatives qu'on veut travailler, mais je suis  
12 convaincu d'une chose, comme criminologue et comme  
13 fonctionnaire de longue date : on doit continuer à  
14 accompagner les Inuits dans leurs projets à eux, comme  
15 Saqijuq, comme la justice réparatrice, les comités de  
16 justice au Nord et d'autres mesures qui viennent d'eux.

17 Mais c'est sûr qu'on a un problème de  
18 violence, de violence avec des armes à feu, de suicides et  
19 de désarroi social qui me touchent profondément.

20 **COMMISSAIRE MICHÈLE AUDETTE** : Est-ce que le  
21 message de votre collègue, vous le connaissiez, vous m'avez  
22 dit oui. Est-ce que dans votre ministère, il va y avoir des  
23 actions, justement, pour remédier à cette réalité-là qui  
24 perdure depuis plusieurs décennies, si j'ai bien compris,  
25 suite à la présentation?

1                   **M. RICHARD COLEMAN** : Oui. Encore là, je  
2                   répète un peu ce que j'ai dit hier : je n'ai pas participé  
3                   aux négociations sur la police, mais je me porte garant  
4                   comme voix qu'à chaque fois que j'entends parler, au 2525  
5                   boulevard Laurier de la question de la police et des  
6                   besoins de la police de Kativik Regional Police Force, qui  
7                   est un corps de police créé en vue d'un traité et d'une  
8                   loi. Alors, c'est important ; le Québec a des  
9                   responsabilités et je peux juste dire que sur la question  
10                  des négociations de mon confrère Larose, je me porte garant  
11                  pour me faire l'écho de ses besoins.

12                  Dans les autres catégories, on en  
13                  mouvement : le quartier cellulaire neuf, le transport des  
14                  détenus, on va s'y attarder. Ça va être fini, le fourgon  
15                  cellulaire dans le parc de La Vérandrye pendant 10 heures,  
16                  ça va être terminé bientôt. Mais on va travailler toutes  
17                  ces choses-là avec le milieu, avec le corps de police, avec  
18                  nos partenaires régionaux. On est actifs dans un centre  
19                  résidentiel communautaire à Kangirsuk, Nakitautsik, qui  
20                  existe depuis 20 ans. On a relancé des activités avec eux,  
21                  on s'est déplacés sur place. Alors, on est en mouvement  
22                  dans plusieurs affaires.

23                  Mais sur la police, ce n'est pas moi qui  
24                  négocie, mais dans l'ascenseur, je peux passer des messages  
25                  et je vais le faire pour M. Larose et, dans le fond, pour

1 toutes les femmes et filles inuites qui sont affectées par  
2 cette violence-là qui est désolante.

3 **COMMISSAIRE MICHÈLE AUDETTE** : J'espère que  
4 vous allez prendre souvent l'ascenseur! Alors, mes  
5 dernières questions pour laisser du temps aussi à mes  
6 collègues et sachant qu'on a d'autres personnes très  
7 intéressantes aussi qui vont venir nous partager leur  
8 vérité, j'irais un peu, dans le cadre de votre mandat, au  
9 niveau de la Direction des affaires autochtones.

10 Est-ce que vous avez développé des outils de  
11 rendement au fil des années pour voir que ce que vous  
12 mettez en place, en effet, ça fonctionne ou comment ça fait  
13 que quand j'énumère une série de mesures pour le Nord,  
14 finalement, le taux d'incarcération augmente, le taux de  
15 suicide augmente, la violence augmente et ainsi de suite?  
16 Où ça accroche? Avez-vous mis des outils d'évaluation en  
17 conséquence?

18 **M. RICHARD COLEMAN** : Oui. On a beaucoup  
19 d'analyses qui sont faites sur les résultats de beaucoup  
20 d'initiatives et il y en a plusieurs qui sont nouvelles,  
21 avec le plan d'action, que j'ai hâte de lire, surtout en  
22 prévention. Je pense qu'en prévention, c'est quelque chose  
23 qu'on a négligé un peu, avec les Premières Nations, entre  
24 autres à cause un peu de la complexité de faire une demande  
25 et de se faire accompagner pour avoir une entente. Mais

1 depuis un an ou deux ans, voyez-vous, on a déjà cinq  
2 nouvelles ententes. Ça, c'est quelque chose qu'on va devoir  
3 évaluer, les résultats et il y a une démarche qui va être  
4 faite. Ça fait partie du contrat, dans le fond.

5 Les autres initiatives, autant avec les  
6 nations conventionnées, on travaille surtout avec leur  
7 analyse. Si on parle des Cris, du gouvernement cri de la  
8 Baie James, qui sont rendus très loin en gouvernance et en  
9 autonomie, c'est surtout Donnie Nichols et les autres qui  
10 me disent comment ça va et on regarde ça ensemble.

11 Alors, on encourage tous les corps de  
12 police, tous les conseils et toutes les initiatives en  
13 justice et en sécurité publique. On veut être plus à  
14 l'écoute et je pense que c'est un peu la mission de mon  
15 bureau de relations avec les autochtones qui est un petit  
16 bureau, mais on veut être à l'écoute des Premières Nations  
17 un peu dans le sentier qu'ils veulent prendre pour se  
18 rendre à l'objectif que Monsieur Bellegarde, à titre  
19 d'exemple, décrivait tout à l'heure.

20 **COMMISSAIRE MICHÈLE AUDETTE :** Alors, je vais  
21 laisser mes collègues poursuivre pour leurs questions.

22 **MR RICHARD COLEMAN :** Merci à vous.

23 **COMMISSIONER QAJAQ ROBINSON:** Merci. Thank  
24 you.

25 **--- QUESTIONS BY COMMISSIONER QAJAK ROBINSON:**

1                   **COMMISSIONER QAJAQ ROBINSON:** A couple of  
2 questions just following up from the questions that  
3 Commissioner Audette asked of you. The temporary detention  
4 centre in Puvirnituaq, is this a remand facility or a  
5 overnight holding cell? Can you describe that a little bit  
6 more?

7                   **MR RICHARD COLEMAN:** Oui. Dans le fond, la  
8 Protectrice du citoyen nous a signalé que la manière dont  
9 les personnes inuites étaient détenues au poste de police  
10 lors des sessions de la Cour était largement inacceptable.

11                   Alors, la nouvelle facilité ou la nouvelle  
12 infrastructure qui va être construite à même le Palais de  
13 justice, c'est ça le projet, est une extension des lieux,  
14 un agrandissement et va permettre de garder les gens  
15 temporairement pendant que la Cour itinérante est sur  
16 place. Donc, on parle d'un maximum de trois ou quatre  
17 nuits. Mais ça va être beaucoup plus adapté à la réalité et  
18 à des conditions normales de détention au lieu de  
19 conditions inacceptables.

20                   **COMMISSIONER QAJAQ ROBINSON:** And just so I  
21 know I have this right, and so those listening can have an  
22 appreciation for the reality of this in the Ombudsman's  
23 findings. If a citizen from Nunavik is detained and, as  
24 Mr. LaRose described, sent south and held in the remand  
25 facilities in Amos (ph), when it comes time for them to



1 have court they go to Puvirnitug where court is held. And  
2 am I correct that in -- Puvirnitug is where court is held  
3 for the entire region? Is that correct?

4 **MR RICHARD COLEMAN** : Non. Le Nunavik est  
5 desservi par une Cour itinérante qui visite les 14  
6 communautés ou presque. Puvirnitug et Kuuujuaq sont les  
7 deux places où il y a un Palais de justice permanent, donc  
8 ce sont les deux villages où la Cour s'installe pour leur  
9 semaine et, ensuite, va dans d'autres villages plus loin.

10 **COMMISSIONER QAJAQ ROBINSON**: Okay. Okay.  
11 So it's holding them in remand within the territory during  
12 the duration of court, that's the Puvirnitug facility?

13 **MR RICHARD COLEMAN** : Temporairement.

14 **COMMISSIONER QAJAQ ROBINSON**: Oui. Okay.

15 **MR. RICHARD COLEMAN**: Only for a few days.

16 **COMMISSIONER QAJAQ ROBINSON**: Oui.

17 **MR RICHARD COLEMAN** : Ils sont en *remand* à  
18 Amos, dans le fond.

19 **COMMISSIONER QAJAQ ROBINSON**: Okay.

20 Perfect. Okay. Good. Thank you.

21 You talked about working with Inuit, and  
22 Inuit are organized in political legal bodies. When you  
23 say that the Department of Public Safety is working with  
24 Inuit, are you working with the Kativik Regional Government  
25 as well the Makkovik Corporation?

1                   **MR RICHARD COLEMAN** : Oui. On travaille..  
2                   professionnellement parlant, on travaille beaucoup avec  
3                   l'administration régionale de Kativik. Si on prend  
4                   l'exemple des techniciens correctionnels ou le CRC  
5                   Makitautik, c'est avec le département de justice de l'ARC.  
6                   Et dans les ententes plus larges, c'est avec la société  
7                   Makkovik. Donc, dans le fond, on travaille avec les deux.

8                   **COMMISSIONER QAJAQ ROBINSON**: Okay. Thank  
9                   you.

10                   My following questions are more about police  
11                   training and policing standards generally within the  
12                   province, not exclusively within Nunavik.

13                   Within the Province of Quebec, are there  
14                   codified or legislated policing standards?

15                   **MR RICHARD COLEMAN** : Euh, si je comprends  
16                   votre question, vous parlez de pratiques policières? Police  
17                   practices?

18                   **COMMISSIONER QAJAQ ROBINSON**: Yeah.  
19                   Standards in adequacy that are codified and legislated. We  
20                   heard from ONWA this morning about the legislation within  
21                   Ontario. Is there an equivalent in Quebec?

22                   **MR RICHARD COLEMAN** : Oui. Alors, dans un  
23                   premier temps, la Loi sur la police prescrit des attentes  
24                   légales à l'égard de tous les policiers et policières au  
25                   Québec, incluant les corps de police des Premières Nations

1 en termes de déontologie policière, en termes de  
2 discipline, obligation d'avoir un code de discipline et  
3 l'obligation de signaler une infraction criminelle faite  
4 par un confrère ou un consoeur de travail. Il y a plein  
5 d'obligations ; la Loi est quand même assez détaillée.

6 Dans la question des pratiques policières,  
7 parce que je pense que votre question a une partie à deux  
8 volets, le Ministère, la Direction générale des affaires  
9 policières publie depuis maintenant plus de 20 ans un Guide  
10 de pratiques policières qui inclut des pratiques sur tous  
11 les volets de l'activité policière : l'incarcération, la  
12 patrouille, la gendarmerie. Et toutes ces pratiques-là sont  
13 traduites en anglais et en français et sont distribuées à  
14 tous les corps de police au Québec. Les corps de police au  
15 Québec en tirent inspiration pour conduire leurs opérations  
16 quotidiennes.

17 **COMMISSIONER QAJAQ ROBINSON:** Perhaps it's a  
18 question of translation. It was translated as it inspires  
19 their daily work, or does it bind it?

20 **MR. ROBERT COLEMAN:** Yeah, I can go in  
21 English if that can help, just for clarity.

22 The police practices manual of the the  
23 Public Safety Quebec is not legally binding. Each police  
24 force is independent and autonomous, and they use those  
25 practices to inspire them. These practices are developed

1 by lawyers, by specialists in policing, but each police  
2 force must adapt those practices to their reality.

3 **COMMISSIONER QAJAQ ROBINSON:** Okay.

4 **MR. RICHARD COLEMAN:** Is that all right?

5 **COMMISSIONER QAJAQ ROBINSON:** Okay. Thank  
6 you. And it applies to the Kativik Police Regional Police  
7 Force?

8 **MR RICHARD COLEMAN :** Oui, ça s'applique à la  
9 Police régionale de Kativik.

10 **COMMISSIONER QAJAQ ROBINSON:** Okay. And for  
11 failure to live up to those standards, if a citizen in  
12 Nunavik were to bring into question the performance of the  
13 Kativik Regional Police Force, whom do they raise their  
14 concerns with?

15 **MR RICHARD COLEMAN :** Il y a plusieurs  
16 outils. Le citoyen peut se plaindre si c'est une question  
17 de traitement par la police en termes d'incarcération ou de  
18 choses de cette nature-là : il y a le Protecteur du  
19 citoyen. Si c'est une question lors d'une interception  
20 policière ou une interaction avec un policier, c'est le  
21 Code de déontologie, donc le Commissaire en déontologie du  
22 Québec, qui est accessible sans frais, en français et en  
23 anglais.

24 Pour une personne inuite qui voudrait porter  
25 plainte au Commissaire, je sais... je ne pense pas que je me

1 trompe, mais je sais qu'ils vont prendre toutes les mesures  
2 nécessaires pour faciliter la plainte et même assez aussi  
3 loin que d'utiliser un interprète ; je m'avance peut-être  
4 un peu, mais il me semble que c'est ça qui est la situation  
5 chez mon ami, Me Marc-André Dowd, qui est le commissaire.

6 **COMMISSIONER QAJAQ ROBINSON:** Okay. My  
7 final, and it question relates to recruitment, and  
8 specifically, training. There was a recent incident in  
9 Quebec that highlighted issues with racism. It was at a  
10 AAA I think it was Peewee hockey game. So 13 and 14 year  
11 old boys were subjected to racial slurs and racism.

12 When it comes to identifying issues with  
13 racism and in the recruitment, are there policies and  
14 practices established to address and to look for those  
15 kinds of ideologies?

16 **MR RICHARD COLEMAN :** Je crois que c'est une  
17 très bonne question. Le recrutement policier n'est pas  
18 vraiment du ressort de notre ministère ; par contre, je ne  
19 suis pas au courant s'il y a des évaluations d'idées ou de  
20 comportements ou de racisme de la part d'un aspirant  
21 policier ou policière.

22 Je ne sais pas, Jean-Pierre...? Jean-Pierre  
23 Larose pourra peut-être vous dire comment lui traite ce  
24 sujet-là avec ses membres.

25 **COMMISSIONER QAJAQ ROBINSON:** We'll wait

1 until we get to him. My final question then is with  
2 respect to training, how police are trained at the école --  
3 at the college. Are there specific training to speak to  
4 issues of racism and racial bias and gendered bias?

5 **MR RICHARD COLEMAN** : Je ne sais pas. Je ne  
6 sais pas.

7 **COMMISSIONER QAJAQ ROBINSON**: Okay. Those  
8 are all my questions. Merci.

9 **M. RICHARD COLEMAN**: (Langue autochtone  
10 parlée)

11 **COMMISSIONNER QAJAQ ROBINSON** : (Langue  
12 autochtone parlée)

13 **COMMISSIONER BRIAN EYOLFSON**: Thank you. I  
14 don't have any additional questions. I just want to thank  
15 you very much, Mr. Coleman, for coming here and giving your  
16 presentation and answering questions. Thanks.

17 **M. RICHARD COLEMAN**: Merci à vous.

18 **--- CROSS-EXAMINATION BY CHIEF COMMISSIONER MARION BULLER:**

19 **CHIEF COMMISSIONER MARION BULLER**:

20 Mr. Coleman, I also want to thank you for being with us for  
21 these two days.

22 I just have one question for clarification  
23 because my colleagues have asked my questions better than I  
24 could have. So it's just one remaining. The Tripartite  
25 Agreements, am I correct that they do not require Level 1

1 police services?

2 **M. RICHARD COLEMAN :** C'est une très bonne  
3 question. Dans le fond, les communautés... prenons l'exemple  
4 des Cris. L'entente tripartite est l'entente qui crée le  
5 corps de police régional Cri, le Innu Police Force. Les  
6 Cris nous ont proposé les services qu'ils voulaient  
7 rendre : il y en a plusieurs qui sont énumérés dans la  
8 question de niveau 1. Alors, chaque corps de police nous  
9 propose des choses pour le *day-to-day policing*.

10 Mais l'entente tripartite, étant donné que  
11 c'est un peu un document fédéral, n'en fait pas mention.  
12 Mais souvent, on trouve les services qui sont rendus par  
13 chaque corps de police des Premières Nations à une annexe,  
14 l'annexe B, où le corps de police peut énumérer ce qu'il  
15 veut faire et ce qu'il fait, dans le fond.

16 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
17 Thank you very much. Those are my questions.

18 **MR RICHARD COLEMAN:** Merci à vous.

19 **CHIEF COMMISSIONER MARION BULLER:**  
20 Mr. LaRose.

21 **---CROSS-EXAMINATION BY COMMISSIONEER MICHÈLE AUDETTE:**

22

1                                   **COMMISSIONEER MICHÈLE AUDETTE:** Je pensais  
2                                   que c'était moi! Merci beaucoup d'être venu, M. Larose et  
3                                   ce fut fort intéressant de voir la perspective d'un  
4                                   Québécois de comment se passent les choses dans le Nord et  
5                                   de nous partager aussi franchement les réalités, en tout  
6                                   cas, de les décrire de cette façon. Alors, merci pour votre  
7                                   courage et j'espère que bien des gens qui vont faire partie  
8                                   des institutions vont suivre aussi vos traces, d'avoir  
9                                   cette capacité-là de dire les vraies choses.

10                                   Donc, votre expérience, vous dites qu'en  
11                                   termes de temps, elle est courte, au Nunavut, mais en vous  
12                                   écoutant, on comprend que vous avez couvert beaucoup  
13                                   beaucoup, au-delà peut-être même de vos tâches. Et comme  
14                                   vous l'avez expliqué, vos membres sont multitâches -  
15                                   j'allais le dire en anglais, mais je ne le ferai pas! Ils  
16                                   ont une capacité *multitask* - je l'ai dit! Alors, c'est la  
17                                   réalité de bien des gens dans le Nord, alors? Je comprends  
18                                   ça.

19                                   Est-ce que vous trouvez ça normal que ne  
20                                   soient pas déjà en place des protocoles d'entente avec la  
21                                   Sûreté du Québec pour leurs services ou avec la Commission  
22                                   scolaire... supplétifs, pardon, des services supplétifs ou  
23                                   avec la Commission scolaire sur la prévention?

24                                   **M. JEAN-PIERRE LAROSE:** C'est très anormal,  
25                                   parce que la loi a été passée il y a quelques années et



1 l'ensemble des corps de police a reçu des ententes. J'ai  
2 même fait partie des comités de travail pour élaborer les  
3 ententes de collaboration avec les commissions scolaires.

4 Mais je crois qu'avec l'ensemble des  
5 dossiers et de la charge de travail qu'ils avaient, au  
6 corps de police Kativik, ils n'ont pas eu nécessairement le  
7 temps de regarder ça actuellement. Ça fait quand même à peu  
8 près un an et demi que les ententes ont été développées,  
9 donc c'est quand même relativement récent.

10 Cependant, c'est sûr qu'au Sud, ils avaient..  
11 on avait des ententes de collaboration avec les commissions  
12 scolaires qui datent de plusieurs années. Il y a un guide  
13 d'intervention policière au sein des écoles également. Ça,  
14 ça a été issu du fameux... ce qu'on appelle le Prêt de la  
15 Sûreté du Québec : ce sont les interventions dans les  
16 écoles lors d'un tireur actif. Alors, ça fait partie de ces  
17 ententes de collaboration.

18 Donc, ça existait auparavant, mais plus  
19 récemment, le gouvernement a adopté une loi qui concernait  
20 particulièrement l'intimidation qui se passait dans les  
21 écoles. Et à partir de cette loi-là, ils ont rendu une  
22 obligation des corps de police à signer des ententes de  
23 collaboration, ce qui n'existait pas dans le passé. Les  
24 ententes existaient, il y avait de la bonne foi de part et  
25 d'autre, mais il n'y avait pas d'obligation d'engagement de

1 part et d'autre entre le service de police et les  
2 commissions scolaires.

3 **COMMISSIONNEER MICHÈLE AUDETTE** : Alors,  
4 pourquoi on fait des ententes?

5 **M. JEAN-PIERRE LAROSE** : (rires)

6 **COMMISSIONNER MICHÈLE AUDETTE** : Pouvez-vous  
7 me répondre?

8 **M. JEAN-PIERRE LAROSE** : Dans quel sens  
9 voulez-vous dire?

10 **COMMISSIONNEER MICHÈLE AUDETTE** : Vous  
11 m'expliquez qu'il y a des ententes, mais il n'y a pas  
12 d'obligation pour les mettre...?

13 **M. JEAN-PIERRE LAROSE** : Il n'y en avait pas,  
14 mais là...

15 **COMMISSIONNEER MICHÈLE AUDETTE** : Là, il y en  
16 a?

17 **M. JEAN-PIERRE LAROSE** : Là, il y a une  
18 obligation. On doit signer des ententes. Ça a été modifié  
19 récemment par la Loi.

20 **COMMISSIONNEER MICHÈLE AUDETTE** : Je pensais  
21 que c'était vous qui l'aviez amené, ça.

22 **M. JEAN-PIERRE LAROSE** : Non.

23 **COMMISSIONNEER MICHÈLE AUDETTE** : Okay. Et  
24 vous avez aussi parlé... on va rester dans le concept de  
25 commissions scolaires pour aller vers la formation, le

1 manque de formation sur les réalités autochtones ou on va  
2 parler ici des réalités inuites.

3 Et je veux juste me rappeler un peu... ce  
4 n'est pas une obligation, chez vous, d'avoir une formation  
5 ou ça l'est?

6 **M. JEAN-PIERRE LAROSE** : Ce n'est pas une  
7 obligation. J'ai constaté que c'est un manque. J'en fais  
8 une obligation dans mon corps de police d'assurer que cette  
9 formation soit offerte à tous nos policiers, non seulement  
10 les nouveaux. Et ça va commencer, comme je l'ai mentionné  
11 dans mon témoignage, prochainement.

12 **COMMISSIONNEER MICHÈLE AUDETTE** : Est-ce que  
13 la Commission devrait recommander aux 300 corps policiers,  
14 on va parler à travers le Canada parce que...

15 **M. JEAN-PIERRE LAROSE** : Madame la  
16 Commissaire, c'est un must.

17 **COMMISSIONNEER MICHÈLE AUDETTE** : Parfait.  
18 Voulez-vous finir votre phrase : un must pourquoi?

19 **M. JEAN-PIERRE LAROSE** : (rires) C'est une  
20 formation qui est incontournable et qui doit être faite.  
21 Pour le bien, la performance, une meilleure intervention,  
22 une meilleure compréhension de part et d'autre de nos  
23 policiers envers la communauté et de la communauté envers  
24 les policiers. Et comme je le disais, c'est un élément qui  
25 contribuerait davantage à réduire la méfiance, entre

1 autres.

2 **COMMISSIONEER MICHÈLE AUDETTE** : Et de  
3 connaître la beauté d'un peuple!

4 **M. JEAN-PIERRE LAROSE** : Absolument!

5 **COMMISSIONEER MICHÈLE AUDETTE** : J'ai le  
6 droit de le dire, moi! (rires)

7 **M. JEAN-PIERRE LAROSE** : Et j'endosse!  
8 (Rires)

9 **COMMISSIONEER MICHÈLE AUDETTE** : Alors, est-  
10 ce que, sur un autre sujet, qu'en est-il du port aérien  
11 pour le transport des prévenus, question dont j'ai glissé  
12 un mot à votre collègue?

13 **M. JEAN-PIERRE LAROSE** : En fait, il y a eu  
14 justement... comme mon collègue le disait, des discussions  
15 depuis plusieurs années sur cet enjeu-là. À mon arrivée, je  
16 l'ai re-soulevé, j'ai posé des questions à la lumière de  
17 mon constat du coût que ça occasionnait pour le service de  
18 police. Alors, j'ai demandé des rencontres avec le  
19 Ministère de la Sécurité publique en haut lieu, alors le  
20 sous-ministre Morneau avec ses adjoints. On a eu une  
21 première rencontre et ça a été soulevé.

22 Et à cette rencontre-là, on a dégagé une  
23 initiative de M. Morneau, en disant... il y avait aussi, à  
24 cette rencontre, le sous-ministre aux Services  
25 correctionnels et M. Coleman, je crois, oui? Il y avait

1 plusieurs personnes. Et M. Morneau et M. Longtin, je crois,  
2 du Service correctionnel, le sous-ministre, ont convenu de  
3 mettre en place un comité officiel dont on fait partie pour  
4 regarder la situation et proposer des solutions en termes  
5 de pont aérien. Et, surtout, ce que je recommandais, parce  
6 qu'on en entendait tellement parler puis il n'y avait  
7 aucune action de faite : est-ce qu'on peut commencer avec  
8 un projet pilote?

9 Alors, je pense que c'est une bonne façon de  
10 voir comment on peut mettre ça en place avec un projet  
11 pilote. Donc, il y a eu une première rencontre récemment ;  
12 il y en a une deuxième le 12 juillet prochain là-dessus.

13 **COMMISSIONNEER MICHÈLE AUDETTE** : Donc, ce  
14 n'est pas une situation/problématique nouvelle?

15 **M. JEAN-PIERRE LAROSE** : Pas du tout.

16 **COMMISSIONNEER MICHÈLE AUDETTE** : Alors  
17 pourquoi, selon vous, cette situation/problématique, il n'y  
18 a toujours pas de solution pour ça?

19 **M. JEAN-PIERRE LAROSE** : Pourquoi elle  
20 perdure, hein? Je n'en ai aucune idée. C'est une question  
21 évidemment financière, mais au-delà de ça, c'est une  
22 question aussi d'opérationnalité, de saine gestion et aussi  
23 d'opérationnalité, de saine gestion et d'efficience de  
24 gestion, honnêtement, je comprends pas que ça soit pas  
25 abouti aussi vite. On me dit que ça fait plusieurs années

1 qu'on en parle. Alors, on espère. Là, c'est sûr que je  
2 crois avec différentes pressions du Protecteur du citoyen,  
3 tout ça a aidé à enligner les instances.

4 **COMMISSAIRE MICHÈLE AUDETTE:** Mm. Mm. Mm. Mm.  
5 Je me rappelle très bien de cet article-là où les  
6 reportages, ça l'avait frappé l'imaginaire.

7 **M. LAROSE:** Oui.

8 **COMMISSAIRE MICHÈLE AUDETTE:** On commençait  
9 comme commissaires.

10 Et quels sont les... le soutien ou les aides  
11 que vous recevez du ministère ou, ben, de votre ministère  
12 là pour vous et vos représentants, vos employés, vos  
13 collègues?

14 **M. LAROSE:** En termes de soutien logistique,  
15 opérationnel, psychologique?

16 **COMMISSAIRE MICHÈLE AUDETTE:** J'allais dire  
17 tout ça. Non, non. Oui, merci de me réenligner. Parce que  
18 vous avez parlé de saine gestion : pour atteindre vos  
19 objectifs?

20 **M. LAROSE:** Bien, effectivement, on a... y'a un  
21 Bureau des affaires autochtones à la Sûreté du Québec, donc  
22 y'a un responsable qui a sous sa gouverne plusieurs agents  
23 de liaison et probablement que M. Charbonneau va vous en  
24 dire plus... davantage là-dessus, mais c'est surtout via la  
25 Sûreté du Québec qu'on a un certain soutien à ces égards-

1 là. Et M. Coleman a parlé aussi, de leur côté, avec son  
2 bureau, du soutien qu'ils peuvent nous apporter lors de  
3 problématiques quelconques. On m'a signalé que toute leur  
4 assistance et leur collaboration à cet égard-là.

5 **COMMISSAIRE MICHÈLE AUDETTE:** Pour terminer,  
6 je vous dirais comme parent, hein, j'ai cinq beaux enfants,  
7 comme toutes les mamans qui sont ici aussi ou les papas, on  
8 voudrait pas que nos enfants soient touchés, agressés ou  
9 violés, battus, et ainsi de suite. C'est... on veut vraiment  
10 pas ça. Puis je vais vous dire la vérité, ça m'a frappé  
11 d'apprendre que ça peut prendre six mois avant que une  
12 famille et un enfant, pis je vais même rajouter une  
13 communauté, puissent être soutenus et pris en charge.

14 **M. LAROSE:** Vous avez raison et ça m'a frappé  
15 également, et je peux vous dire que je vais amorcer des  
16 discussions avec la Sûreté. Ça va faire partie du  
17 renouvellement du protocole et, à ce chapitre-là, je peux  
18 vous garantir que je vais faire d'énormes pressions pour  
19 que ces délais-là soient... c'est même pas une question de  
20 réduction, il faut que ces interrogatoires-là et cette  
21 assistance-là soient faits dans les 24, 48 heures suivants  
22 les évènements, c'est un incontournable.

23 **COMMISSAIRE MICHÈLE AUDETTE:** Alors, ça  
24 pourrait faire partie d'une recommandation pour une réalité  
25 nordique, une réalité iso...

1                   **M. LAROSE:** Tout à fait.

2                   **COMMISSAIRE MICHÈLE AUDETTE:** Dont les  
3 communautés isolées sont...

4                   Merci beaucoup. Merci.

5                   **M. LAROSE:** Ça me fait plaisir. Et n'hésitez  
6 pas, vous pouvez m'appeler également comme mon collègue si  
7 vous avez des problèmes.

8                   (RIRES)

9                   **COMMISSAIRE MICHÈLE AUDETTE:** En ce moment,  
10 j'ai pas le droit. Après.

11                   (RIRES)

12                   Ah, you have yours!

13                   **COMMISSIONER QAJAQ ROBINSON:** Merci.

14                   Again, I'm going to continue a little bit  
15 where Commissioner Audette left off.

16                   And, so that I'm clear, the wait time for  
17 the investigation, it's with respect to aggravated sexual  
18 assaults?

19                   **M. LAROSE:** Oui, particulièrement chez les  
20 enfants.

21                   **COMMISSIONER QAJAQ ROBINSON:** Okay. So I want  
22 to flesh out the impact of that. If it takes six or more  
23 months to determine -- to investigate, that means in a  
24 community -- that means that in terms of the determination  
25 of whether or not the accused should be detained or



1 released or on any kind of conditions likely has to wait  
2 till that investigation occurs. Is that correct?

3 **M. LAROSE:** Euh, pas nécessairement.

4 Heureusement, y'a des dispositions évidemment qui nous  
5 permettent d'enquêter et d'agir rapidement avec des motifs  
6 raisonnables et probables de croire que y'a eu une  
7 agression et tout ça. Lorsque on fait venir un spécialiste  
8 pour interroger sous vidéo à la Sûreté, c'est un complément  
9 d'enquête qui vient renforcer notre preuve pour la Cour.  
10 Mais, dans bien des cas, lorsque l'enquête dès les 24-  
11 48 heures nous permet d'identifier un agresseur, et peut-  
12 être qu'on a des motifs raisonnables et probables de croire  
13 qu'il a fait l'acte et on peut procéder à l'arrestation et  
14 tout ça, mais on doit compléter l'enquête par des processus  
15 d'enquête plus, je dirais, sophistiqués et plus complets  
16 pour nous aider dans notre preuve afin de bien inculper  
17 l'agresseur éventuellement.

18 **COMMISSIONER QAJAQ ROBINSON:** Okay. Thank  
19 you. Em...

20 **M. LAROSE:** Mais, bien évidemment - si vous  
21 me permettez -, c'est sûr que avant de déposer des  
22 accusations à la cour, ça peut prendre un certain temps  
23 parce qu'on n'a pas complété notre dossier parce qu'on  
24 attend ces spécialistes.

25 **COMMISSIONER QAJAQ ROBINSON:** So it could

1 result in women and girls having to remain in a community  
2 with the person who assaulted them, a community of 300  
3 people, while they wait for the investigation.

4 **M. LAROSE:** C'est possible.

5 **COMMISSIONER QAJAQ ROBINSON:** Are Kativik  
6 Regional Police Force officers trained in administering  
7 and/or collecting DNA collection kits, sexual assault kits,  
8 things like that or is that something that has to wait for  
9 the SQ as well?

10 **M. LAROSE:** Non. Les policiers ont une  
11 formation quand même de base pour faire une préenquête lors  
12 de tout évènement criminel qui peut se produire. Ils  
13 recueillent des informations, recueillent la preuve,  
14 recueillent de l'ADN, protègent des scènes, prennent des  
15 photos, recueillent des empreintes digitales, ils sont  
16 formés. C'est lorsque ça devient un peu plus sophistiqué  
17 qu'on a besoin de spécialistes en scènes de crime.

18 **COMMISSIONER QAJAQ ROBINSON:** Okay. Good.  
19 Thank you. I just wanted to ensure I properly understood  
20 what that reality looked like.

21 I'm going to move on to training and  
22 recruitment, and ---

23 Sorry, I'm hearing voices.

24 (LAUGHTER)

25 **COMMISSIONER QAJAQ ROBINSON:** People are

1 talking, I'm not literally hearing voices.

2 (LAUGHTER)

3 **UNIDENTIFIED SPEAKER:** Questioning. We have  
4 questions.

5 **COMMISSIONER QAJAQ ROBINSON:** <Laughter> I'm  
6 sorry.

7 Recruiting and training, from the funds that  
8 the Kativik Regional Police Force receives for that -- for  
9 that -- for the recruitment and training, does that come  
10 out of the Tripartite Agreement funds? I guess the  
11 Tripartite Agreement, that's your sole source of funding?

12 **M. LAROSE:** Tout à fait.

13 **COMMISSIONER QAJAQ ROBINSON:** Okay.

14 **M. LAROSE:** Et y'a des sommes d'argent qui  
15 sont prévues dans les ententes triparties pour la  
16 formation.

17 **COMMISSIONER QAJAQ ROBINSON:** And when it  
18 comes to the funds that you receive, is it comparable to  
19 Southern Canadian police forces?

20 **M. LAROSE:** Pas vraiment parce que  
21 évidemment, comme je l'ai dit auparavant, les couts  
22 d'envoyer un de mes policiers en formation à l'École  
23 nationale, considérant que nous ne contribuons pas au 1 %  
24 de la masse des policiers à l'École nationale, nous devons  
25 payer un prix, un plein-prix que y'appellent, donc des

1       prix, des couts très élevés sans compter le cout des  
2       transports. Vous savez qu'un transport d'un policier à  
3       Nicolet pour suivre la formation en partant du Nunavik, les  
4       billets d'avion, c'est à peu près 3 000 \$.

5                   **COMMISSIONER QAJAQ ROBINSON:** Have you looked  
6       at comparing the training dollars, recruitment dollars in  
7       just general operation dollars of the Kativik Regional  
8       Police force with other Northern police forces? Say, for  
9       example, the RCMP in Nunavut? Is it comparable? Are you  
10      aware? Have you looked at that?

11                   **M. LAROSE:** Non, pas vraiment. J'ai pas  
12      comparé encore ces couts avec d'autres services de police,  
13      non.

14                   **COMMISSIONER QAJAQ ROBINSON:** Okay.

15                   **M. LAROSE:** Mais c'est... pour moi, c'est des  
16      couts très élevés et c'est sûr que ça coute moins cher  
17      envoyer un policier en formation à partir du Sud pour deux  
18      raisons, comme je vous disais : le transport...

19                   **COMMISSIONER QAJAQ ROBINSON:** Thank you.  
20      I'm going to move on to the negotiation of your tripartite  
21      agreement. As you are negotiating or renegotiating this  
22      agreement, is it you and the Quebec Regional Police Force  
23      that is in engagement with the federal government and the  
24      Province of Quebec in this negotiation?

25                   **MR. JEAN-PIERRE LAROSE:** Oui, j'étais sur la

1 table pour une première rencontre récemment avec mon  
2 directeur général adjoint du gouvernement de Kativik.

3 **COMMISSIONER QAJAQ ROBINSON:** Can you talk a  
4 little bit about the negotiations, as much as you can? It  
5 seems to me that a lot of these programs and these  
6 initiatives come as contribution agreements. They are  
7 boilerplate, a lot of them, and we've heard from other  
8 First Nations police forces as well as from different  
9 reports that when it comes time to renegotiate these  
10 things, it's not actually a renegotiation. There is an  
11 equal bargaining power. It's more or less a dynamic where  
12 it's, "this is our program, this is the budget lines that  
13 we've allocated to it, and this is what you're going to  
14 get". I'm wondering if this has been your experience and  
15 if you have thoughts on that?

16 **MR. JEAN-PIERRE LAROSE:** Ben, comme je vous  
17 dis, j'ai participé à une première rencontre et mon  
18 prédécesseur a participé à plusieurs rencontres, et  
19 effectivement, ce n'était pas vraiment une négociation. On  
20 a déposé des documents, le ministère les a reçus, les a  
21 étudiés, n'a pas fait de contrepropositions à nos  
22 propositions encore. Par la suite, on a... lors de notre  
23 rencontre dont j'ai participé il y a quelques semaines,  
24 nous avons proposé, suite à notre entente initiale, une... en  
25 fait un étalement de nos propositions sur cinq ans parce

1 que notre première proposition initiale, elle était prévue  
2 pour avoir des policiers, de l'équipement dès les premières  
3 années de l'entente. Or, ce qu'on a proposé, c'est plutôt  
4 de faire un étalement de nos propositions, et, à ce jour,  
5 on attend un retour du ministère une prochaine rencontre  
6 pour voir quelle sera leur position, mais jusqu'à  
7 maintenant, on n'a pas reçu de contreproposition ou de  
8 questionnement; plutôt, ils ont plutôt accueilli notre  
9 document actuellement.

10 **COMMISSIONER QAJAQ ROBINSON:** Okay. I look  
11 forward to seeing that agreement when concluded. Those are  
12 all my questions. I want to thank you for coming and  
13 speaking with us. A lot of the other questions I had were  
14 raised by the parties as well. So, I just want to say  
15 nakomik.

16 **MR. JEAN-PIERRE LAROSE:** Merci.

17 **COMMISSIONER BRYAN EYOLFSON:** Thank you. I  
18 don't have any further questions in light of what's been  
19 asked, so I also want to just thank you very much for  
20 coming and presenting and answering questions. Thank you.

21 **MR. JEAN-PIERRE LAROSE:** Merci.

22 **CHIEF COMMISSIONER MARION BULLER:** I also  
23 wanted to thank you, Chief Larose, for coming and spending  
24 two days with us and sharing your knowledge. I just have  
25 one area of questioning, and that has to do with the

1 tripartite agreement. And, my understanding is that  
2 according to this agreement, your police force is to  
3 provide services in accordance with the Quebec Police Act.  
4 And, yet, if I understand your testimony correctly, you  
5 said that your services do not reach the Level 1  
6 requirement. Can you tell me how I can rationalize the  
7 contract and the services you provide?

8 **MR. JEAN-PIERRE LAROSE:** Oui, en fait, c'est  
9 un peu compliqué. Comme M. Coleman l'a mentionné, les  
10 services de police autochtones ne sont pas assujettis à la  
11 *Loi sur la police*, particulièrement à l'annexe G qui  
12 définit les niveaux de services de 1 à 6. Alors, les  
13 services policiers fournis par les différents corps de  
14 police autochtones, dont le mien, est établi selon une  
15 annexe à l'intérieur de l'entente tripartite. Je peux vous  
16 en lire un extrait.

17 (ÉCHANGES INAUDIBLES)

18 **MR. JEAN-PIERRE LAROSE:** Excusez-moi. Alors,  
19 ça se répartit en tâches policières dans trois sections :

20 Services policiers, soit la Gendarmerie :  
21 patrouille, réponse aux appels, application de la Loi et  
22 règlements, transport, gardiennage des accusés, prévention,  
23 protection de scènes de crime, prise d'otages ou tireurs  
24 fous en termes seulement de protection et de périmètre.

25 Par la suite, en termes de responsabilités

1 d'enquêtes : agression sexuelle niveau 1 (de base), voie de  
2 fait, vol qualifié, introduction par effraction, incendie,  
3 vol de véhicule, drogue, fraude, vol et recel - j'y vais  
4 rapidement -, accidents de véhicule, méfaits, conduite  
5 dangereuse avec facultés affaiblies, délit de fuite, décès  
6 lorsque c'est un décès normal et qui n'est pas... c'est pas  
7 un meurtre ou c'est pas une mort suspecte, certaines  
8 disparitions. On fait plusieurs sauvetages et... de la  
9 recherche et du sauvetage au Nunavik pour des personnes  
10 disparues dans la toundra.

11 En en termes de services de soutien, la  
12 troisième partie : analyse des crimes de niveau 1 (de très,  
13 très de base), recherche d'empreintes digitales,  
14 photographies, renseignements criminels, analyse des liens  
15 de crime et de la violence, détention, garder les éléments  
16 de preuve, garder la scène de crime, liaison et sécurité  
17 avec les tribunaux, l'ADN, gestion des mandats, gestion de  
18 dossiers, affaires publiques, CRPQ, affaires internes,  
19 télécommunication et équipement technique, instructeurs en  
20 armes à feu.

21 Alors, c'est... c'est un peu les tâches que  
22 nous avons, et c'est évidemment pas de niveau 1, tel que la  
23 *Loi sur la police* et les autres corps de police du Sud ont  
24 l'obligation de livrer, c'est nettement en deçà. Comme, par  
25 exemple, je n'ai pas de centre d'appels, je n'ai pas de



1 patrouille 24 heures sur 24 contrairement à un niveau 1 qui  
2 a l'obligation de faire ces activités-là. Alors, c'est... et  
3 dans notre demande - comme je le mentionnais - tripartite  
4 actuelle, nous voulons... nous avons des demandes assez  
5 importantes, comme je le disais, mais, même là, les  
6 demandes d'ajout d'effectifs ne couvriraient pas une  
7 patrouille 24 heures dans l'ensemble de mes communautés.  
8 C'est pour ça que je dis que, quand même, je serais même  
9 pas en niveau 1. Et je demande un centre d'appels qui est  
10 pas un centre 911, qui serait extrêmement onéreux et avec  
11 beaucoup de normes, on demande tout simplement à tout le  
12 moins un centre d'appels avec du personnel inuit pour gérer  
13 nos appels.

14 Également, j'ai pas de système  
15 d'enregistrement de nos appels. J'ai pas de système de  
16 cartes d'appel. Alors, je marche avec... je fonctionne avec  
17 des... de l'informatique assez de base, rudimentaire, qui  
18 n'est pas relié, interrelié entre mes 14 communautés. Donc,  
19 chaque communauté doit envoyer par lien internet ses  
20 rapports et tout ça, donc on compile toutes les  
21 statistiques manuellement et c'est un travail fastidieux,  
22 et qui implique et qui comporte une marge d'erreur  
23 évidemment.

24 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
25 Thank you very much, Chief. Those are my questions.

1                   **MR. JEAN-PIERRE LAROSE:** Thank you.

2                   Commissioner Lucki.

3                   **COMMISSAIRE MICHÈLE AUDETTE:** Merci, Madame

4 Buller.

5                   Alors...

6                   Ah! Je vous cherchais. Vous voyez, vous êtes  
7 petite quand même, je vous cherchais.

8                   Alors, un gros gros merci à vous aussi  
9 d'être venu présenter devant l'Enquête nationale.

10                   Merci, Maitre Jacob, d'être venu présenter,  
11 et je vois que vous respectez vos engagements parce que  
12 dans une de vos premières entrevues, vous avez mentionné,  
13 lorsqu'on vous a parlé de l'enquête nationale, le  
14 journaliste en question, vous avez ouvert la porte pour un  
15 dialogue et faire en sorte que les choses se passent bien  
16 entre l'enquête nationale et la GRC. Alors, votre présence  
17 le démontre. Et je tiens d'entrée de jeu aussi à vous dire  
18 que votre voix, votre message a résonné à travers le  
19 Canada, et au Québec aussi où la présidente de Femmes  
20 autochtones du Québec, Mme Viviane Michel, salue votre  
21 courage là d'avoir commencé votre message par des excuses  
22 auprès des femmes et des filles.

23                   Alors, je voulais que vous le sachiez, puis  
24 c'est important pour moi.

25                   Alors, ce qui est important aussi, je l'ai

1 dit tout à l'heure, je suis une maman, je suis aussi une  
2 commissaire, ça, c'est clair là, j'honore ce mandat, mais  
3 j'honore aussi le fait d'être entourée de femmes  
4 remarquables, dont mes filles, et j'ai peur pour elle qu'un  
5 jour elles subissent une agression sexuelle ou des  
6 agressions sexuelles. Et, au Canada, on nous dit par les  
7 statistiques que beaucoup, beaucoup, beaucoup de femmes  
8 vont avoir vécu une ou plusieurs formes de violence  
9 sexuelle, notamment les agressions sexuelles, et y'a près  
10 de 640 000 agressions sexuelles déclarées par les femmes  
11 ici, au Canada. Y'en a 20 000 à peu près qui se rendent au  
12 niveau de la police où nous, les femmes, on réussit à faire  
13 des plaintes là auprès de la police, plus ou moins 20 000 -  
14 vous allez comprendre pourquoi je dis ça -, puis une fois  
15 que ces plaintes-là vont avoir passé le système de justice,  
16 y'a à peu près 1 800 qui vont se solder par une  
17 condamnation. On part de 600 000 à 1 800.

18 Donc, y'a une culture au Canada, une culture  
19 dans laquelle, je dénonce, mais la justice n'est peut-être  
20 pas adaptée ou au rendez-vous. C'est ma position.

21 Mais, en vous écoutant, vous avez souvent  
22 mentionné aux parties intéressées que si jamais une femme  
23 au sein de vos troupes, à l'interne, vivait une agression  
24 sexuelle, la personne coupable serait automatiquement  
25 tassée. Est-ce que c'est ce que j'ai bien compris?

1                   **COMMISSIONER BRENDA LUCKI:** Yes, if the  
2 member is or employee is found guilty of that, we'd be  
3 putting them up for termination.

4                   **COMMISSAIRE MICHÈLE AUDETTE:** Comment  
5 pouvez-vous me rassurer que une femme chez vous qui va  
6 porter plainte pour harcèlement ou agression, le processus  
7 va se faire beaucoup plus rapidement de ce que nous disent  
8 les statistiques ou les recherches et faire en sorte que  
9 elle ne tombe pas dans des plaintes ou...

10                   C'est-tu ça, des plaintes non déclarées,  
11 « unfounded », en anglais là? Pour être sûr qu'on...

12                   **COMMISSIONER BRENDA LUCKI:** Pardon me? Are  
13 you talking about internal complaints?

14                   **COMMISSIONER MICHÈLE AUDETTE:** Yes. Yes, I  
15 want to start with that. Avec ça en premier.

16                   **COMMISSIONER BRENDA LUCKI:** Our process has  
17 changed quite a bit in the last couple of years. We used  
18 to -- our process was very, very lengthy, and we did a  
19 complete reform of our process and our new code of conduct  
20 whereby we have brought certain types of events to lower  
21 levels, but more serious events still go up to higher  
22 decision makers.

23                   We reserve hearings strictly for  
24 terminations as opposed to fact finding for seeking other  
25 forms of discipline. So, that has reduced the workload as

1 far as the delays in that process. I've heard good  
2 comments, and myself being a decision maker when I was in  
3 district, having conduct meetings as opposed to in days  
4 gone by, my authority as a district officer was one day's  
5 pay, for example.

6 And, under the new legislation, I have up to  
7 10 days' pay. So, it's brought back down to a lower level,  
8 but with increased responsibility. So, the lower level has  
9 increased responsibility, and that's a good thing, because  
10 everybody, as you go higher up, you're busy. Everybody is  
11 busy. And, somebody can't be responsible for multiple --  
12 for example, the Commissioner can't be responsible for  
13 every single discipline meeting or hearing, so bringing it  
14 back down to the level.

15 Also, I think it's more applicable for the  
16 person in charge of that person to be dealing with it, as  
17 opposed to somebody removed who there's no facing that  
18 person who is actually in charge of you. So, it's more  
19 impactful as well. So, we have done some positive changes.

20 Of course, it's difficult. When you provide  
21 those stats, it saddens me, and I can -- but I can totally  
22 understand why it is, because I think I said it the first  
23 day. Crimes against persons are very, very personal, and I  
24 can say from personal experience it is not easy. And, I'm  
25 a police officer, so it should be easier. I can only

1        imagine what it would be like for somebody outside knowing  
2        the justice system and being revictimized in a justice  
3        system.

4                    Also, people feel often that if it's not  
5        affecting them, or so they think, and they don't believe in  
6        the justice system, then why would they spend the time to  
7        do that?

8                    So, it's a very personal decision. There's  
9        a stigma attached to it still to this day. So, the numbers  
10       are alarming and tragic, but in many ways, it doesn't  
11       surprise me, unfortunately, because those crimes are so  
12       personal, and they don't get any depersonalized when you  
13       bring them forward. In fact, they get even more  
14       personalized and you get more revictimized, and if you  
15       don't have an educational background or support system from  
16       family to be able to maybe understand it more or have the  
17       support of your family to deal with it, it's even more  
18       difficult. So, in isolated communities, the stigma might  
19       be even greater.

20                   **COMMISSAIRE MICHÈLE AUDETTE:** OK, je  
21       comprends, mais pour revenir à votre organisation de la  
22       GRC, pour juste terminer avec... au niveau interne, votre  
23       culture pour dénoncer ou soutenir les victimes d'agressions  
24       sexuelles, vos employées, vous faites des changements, si  
25       je comprends bien. Vous apportez des changements.

1                   **COMMISSIONER BRENDA LUCKI:** Yes.

2                   **COMMISSAIRE MICHÈLE AUDETTE:** Sur le terrain  
3 maintenant, ce sont ces mêmes policiers qui ont été  
4 agressés ou qui ont agressé et qui vont recevoir des  
5 victimes agressées sexuellement, des femmes autochtones,  
6 des femmes autochtones qu'on va avoir entendues pendant les  
7 neuf mois d'audience qu'on a fait à travers le Canada.  
8 Beaucoup d'entre elles ont parlé de comment elles ont été  
9 traitées par la police, comment elles ont été reçues par  
10 vos employés et vos collègues. Et comment... comment faire  
11 pour que... vous dites aux femmes « venez me voir si il vous  
12 est arrivé quelque chose là », comment rassurer ces femmes-  
13 là que, en effet, si elles ont été agressées sexuellement,  
14 elles peuvent aller voir vos corps policiers et faire en  
15 sorte qu'on prenne au sérieux leurs plaintes?

16                   Les statistiques nous disent et les  
17 témoignages nous disent que « j'ai déposé une plainte, ç'a  
18 resté mort, je suis tombé dans la catégorie 'plaintes non  
19 déclarées', alors ç'a finit là ». Comment allez-vous faire  
20 en sorte que cette culture-là auprès de vos troupes, ça  
21 change?

22                   **COMMISSIONER BRENDA LUCKI:** The only way we  
23 can change the culture is to provide more awareness, more  
24 education and change our processes. So, specifically with  
25 sexual assaults, we have taken every sexual assault

1 investigation that has been unfounded. We've developed a  
2 sexual assault response team, the SART, who originally went  
3 only back so many years, and now they're going back even  
4 further to say sometimes a complaint is legitimately  
5 unfounded, and it's not -- it's a word we use, and I don't  
6 think it's the proper word, because sometimes when we say  
7 "unfounded", it might be that the victim, for instance, has  
8 changed their mind or does not want to go any further. So,  
9 we can't do anything with the complaint without the  
10 testimony, for instance, the way the justice system may  
11 work. And, it's been put as unfounded.

12 Now, is that the right term? No, I don't  
13 think it's the right term. It's more for our statistics in  
14 the sense that it's not going any further. Their case  
15 doesn't get destroyed, but it's put aside for no further  
16 investigation.

17 But, the ones that were not legitimately  
18 unfounded, and we're finding some of those, we are  
19 reopening them. I say it's never too late to do the right  
20 thing. Unfortunately, the right thing ought to have been  
21 done in the first instance. Can I explain why? No.  
22 There's probably a lot of reasons for it, and policing is  
23 90 percent judgment calls, and people with poor judgment  
24 might make poor decisions.

25 So, we need to -- and often it might not



1 even be a cultural thing. It might be lack of experience,  
2 and I know my colleagues deal with the lack of experience  
3 in some of our detachments. We have an average age of  
4 experience of one-and-a-half to two years as well in some  
5 of our areas. And so, the kids are teaching the kids, I  
6 say, and often we can't change that because of the -- just  
7 having people go to those detachments, some of the younger  
8 ones are more attracted to do that work, or often we're  
9 just a younger police force bringing people in, but we have  
10 to get more education.

11 So, we look at -- in fact, one of my big  
12 projects as the Commanding Officer of the training academy  
13 was to take over the cadet field coaching program. I  
14 believe there's a big gap in our program. It hasn't been  
15 revisited in many years. I don't think it's meeting our  
16 needs. And, those first six months -- it's one thing for  
17 six months at Depot, but the second six months, when  
18 they're in the field and they can apply what they learn at  
19 Depot, if that's not strong, that should be as or more  
20 strong than what they would learn in Depot, because now  
21 they're actually dealing with real live people as opposed  
22 to actors.

23 So, we need to reinforce those skills, and I  
24 think there's a gap, and I am committed. I was committed,  
25 and I've continued to get the people at the training

1 academy. First of all, we will take ownership of that  
2 program so that -- when people go out in the field, we  
3 often hear, "Forget what you learned at Depot," and "This  
4 is the way we're doing it out here." No. You know what?  
5 This is the way the RCMP is going to do things. These are  
6 our standards, and this is what we're going to do. So,  
7 those first six months will reinforce what they learned at  
8 Depot instead of being contrary. So, that's one commitment  
9 that we are making to change that.

10 And then, again, I explained the functional  
11 competencies and not stopping there, and having a constable  
12 in the midst of developing a constable development program,  
13 and every one of them will have ethics embedded into it,  
14 cultural sensitivity embedded into it. So, it's not -- it  
15 just doesn't stop at the training academy, which is a  
16 perfect ground to change culture, but it has to be  
17 reinforced throughout their time. So, we will be working  
18 on that.

19 **COMMISSIONER MICHÈLE AUDETTE:** If I may, you  
20 -- I'll use your words because that's where I was going to  
21 go, and you read my mind. Maybe it's a poor judgment from  
22 a police officer when the person -- when the police receive  
23 the complaint from the victim. And, I understand that, but  
24 as a manager, as a director, or as a Commissioner, as a  
25 « la grande patronne », en plus, comme femme, do you think

1 that women deserve 100 percent good judgment and not poor  
2 judgment in those cases?

3 **COMMISSIONER BRENDA LUCKI:** I think every  
4 Canadian citizen deserves good judgment. And so, if it is  
5 a question of poor judgment, we need to make sure the  
6 supervisors of those people who use poor judgment catch  
7 that poor judgment and fix that poor judgment, and so it  
8 doesn't come to me trying to explain to you poor judgment.  
9 That ought to have been fixed, like, 17 layers below me.  
10 And, if it isn't, we need the checkers to check the  
11 checkers who check the checkers if that's what it takes.  
12 And, we need to have those systems in place to make sure  
13 those supervisors can supervise, and make sure the  
14 supervisors have the proper tools to supervise, and make  
15 sure they have the proper time to supervise. And, of  
16 course, resourcing is always an issue, so we talk about  
17 that. And, when people are carrying high file loads,  
18 similar to what our colleague spoke about in Northern  
19 Québec, in many of the northern parts of the province and  
20 in the territories, they're carrying large file loads.

21 So, if they use poor judgment, that's one  
22 thing. But, if the supervisor has so many people under  
23 them that they cannot check and review those files  
24 properly, then we're not -- we're just perpetuating the  
25 problem. So, we need to ensure our processes are more

1 solid. I totally agree with you.

2 **COMMISSIONER MICHÈLE AUDETTE:** Thank you.

3 And, would you -- did you ever hear about the Philadelphia  
4 Approach in Philadelphia, in the state?

5 **COMMISSIONER BRENDA LUCKI:** Oh, yes, I have.

6 **COMMISSIONER MICHÈLE AUDETTE:** You have?

7 **COMMISSIONER BRENDA LUCKI:** And, it's  
8 escaping me. My head is so full right now, but I've -- I  
9 know the -- it's ringing a bell in my head, if that makes  
10 any sense.

11 **COMMISSIONER MICHÈLE AUDETTE:** Well, some  
12 police force across Canada, because they noticed that  
13 Indigenous women are very affected by that when we listened  
14 the truth, that maybe it's a poor judgment, or maybe it's a  
15 lack of sensitivity, or maybe it's a lack of cultural  
16 sensitivity and so on, and so on. So, in order to change  
17 that, they invited groups, women's groups, to revise their  
18 cases, their files, their decisions. And, many of them,  
19 after being reviewed by the women's organization,  
20 grassroots, of course, you see that the numbers change.  
21 And, many women who were sexually abused went to the  
22 justice system with positive answer or response.

23 **COMMISSIONER BRENDA LUCKI:** I believe we  
24 sent some people down to Philadelphia actually, and we're  
25 reviewing that model.

1                   **COMMISSIONER MICHÈLE AUDETTE:** Okay. Is it  
2 something that you think Indigenous women could be  
3 benefitting?

4                   **COMMISSIONER BRENDA LUCKI:** I definitely  
5 think anything that increases the trust, and then increases  
6 the reporting. And, we need to look at all those best  
7 practices because there's so many out there, and we have to  
8 ensure that when we do find something, obviously sometimes  
9 in a Philadelphia context we might have to adjust that.  
10 So, we have to make sure it's workable in our rural and  
11 northern context as far as logistics go, but I think the  
12 actual idea behind it is very workable.

13                   **COMMISSIONER MICHÈLE AUDETTE:** Two more  
14 questions, Madame Commissioner, what are the indicators  
15 that, according to you, you could utilize to monitor the  
16 progress of the RCMP with the relationship with the  
17 Indigenous people?

18                   **COMMISSIONER BRENDA LUCKI:** Well, I hate  
19 using the word "survey", but that seems to be one of the  
20 few ways that we can do that. I think to dialogue with --  
21 and we need to find creative measures to determine if we  
22 are, in fact, doing better. And, that's always a  
23 challenge, making meaningful measurements.

24                   We do surveys, and of course it might only  
25 be -- it might not be something that always provides us

1 with best results. I think we need to get creative, maybe,  
2 through our telecoms operators, they might have some good  
3 suggestions, because they deal with the frontline calls.  
4 The members go to the calls, but the initial call to action  
5 comes through those groups of people, and most of them are  
6 women. So, I think they would have some good insight as  
7 well.

8 I think the -- I see myself revisiting the  
9 Aboriginal Advisory Committees to see what role they can  
10 play and what role they can get the, sort of, I call it,  
11 the word on the street, how can we figure out to better  
12 communicate, how can we figure out how we're doing. But,  
13 yes, we need to find meaningful measurements.

14 **COMMISSIONER MICHÈLE AUDETTE:** Merci. And,  
15 my last question, it's when you start your testimony, when  
16 you share your truth to us, your apologies was very, very,  
17 like I said, for many of us, important. And, for many of  
18 us, "Hm, again." But, let's bring some hope this time,  
19 that it's not an "again", something that we've heard  
20 before. Are you going to be putting an action plan or  
21 something under those apologies?

22 **COMMISSIONER BRENDA LUCKI:** Yes, I have an  
23 entire team, some of which are here today, which have been  
24 at every single testimony. And, I say actions will speak  
25 louder than words, so you don't have to trust me now,

1 because they're words. Trust me when they're actions.

2 **COMMISSIONER MICHÈLE AUDETTE:** Bon. I say  
3 (speaking Indigenous language), I say merci, I say thank  
4 you.

5 **COMMISSIONER BRENDA LUCKI:** Merci beaucoup.  
6 I say merci. I say thank you.

7 **COMMISSIONER BRENDA LUCKI:** Merci beaucoup.

8 **--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:**

9 **COMMISSIONER QAJAQ ROBINSON:** Thank you,  
10 Commissioner Lucki, for joining us this week and talking  
11 with us particularly about training and recruitment issues  
12 I think of great significance.

13 I'm wondering if, in terms of recruitment on  
14 a national scale, is there a comprehensive nationwide  
15 Indigenous recruitment strategy?

16 **COMMISSIONER BRENDA LUCKI:** We have a  
17 national recruiting strategy and Indigenous is a part of  
18 that strategy.

19 **COMMISSIONER QAJAQ ROBINSON:** Is there a  
20 corresponding implementation plan with designated financial  
21 support earmarked specifically to the Aboriginal component,  
22 Indigenous component?

23 **COMMISSIONER BRENDA LUCKI:** I don't think we  
24 divide it specifically. I do know that efforts are made --  
25 we ensure that we have recruiters in all three categories

1 in Indigenous to ensure that they're represented. We have  
2 the sharing of best practices, of course, because some  
3 people have done some great recruiting work. We have  
4 strategies in general on recruiting of all, like, diverse  
5 categories, including visible minorities and women and  
6 Indigenous.

7 We used to divide everything up into the  
8 three categories, but then we found that if we pooled our  
9 efforts we were getting better results. I'm not sure how  
10 that works -- what our numbers are now, but I think -- I  
11 gave some of the numbers. I think we can do better. I  
12 know we can do better.

13 We do participate in as many activities,  
14 local activities and celebrations and places where we think  
15 -- in Indigenous areas where we think we can get the best  
16 bang for our buck, so to speak. So we probably wouldn't be  
17 doing recruiting at elderly homes, for instance. No  
18 offence to the elderly, but we would probably go to  
19 sporting events, schools, places where we have the best  
20 population or the demographic that we're looking for

21 But dividing it up, I'm not sure we do that  
22 anymore.

23 **COMMISSIONER QAJAQ ROBINSON:** Okay. Would  
24 you be able to provide us with some indication of the  
25 percentage of that budget that's focussed on Indigenous



1 recruiting?

2 **COMMISSIONER BRENDA LUCKI:** No, I have no  
3 idea. And we just got an increase in the budget of  
4 recruiting and it's -- and we actually have a new person in  
5 charge of recruiting who worked for me, so I'm very  
6 encouraged with the recruiting.

7 **COMMISSIONER QAJAQ ROBINSON:** In your  
8 material you provided us with a partnership agreement with  
9 the AFN in relation to recruitment. Do you have, or are  
10 you looking at, developing similar partnerships with Inuit  
11 organizations like Inuit Tapiriit Kanatami and the  
12 Pauktuutit Women's Association, as well as the Métis -- the  
13 women of the Métis Nation, NWAC Native Women's Association  
14 and MNC, the Métis National Council?

15 **COMMISSIONER BRENDA LUCKI:** I think we'd  
16 benefit from partnering with all those agencies, especially  
17 in recruitment. And then when I look at this protocol it  
18 reminds me of the protocol I did in northern Manitoba. And  
19 as the district officer, I made those agreements with each  
20 one of the advocacy groups, a communications protocol.

21 I think we've done this with AFN, but I  
22 think we need to continue, because those organizations can  
23 help us recruit. And absolutely, I think we definitely  
24 need to expand the protocols.

25 **COMMISSIONER QAJAQ ROBINSON:** I would also

1 echo discussing the different advisory groups you have with  
2 these organizations as well.

3 I want to speak to you a little bit,  
4 specifically about the Nunavut territory, and  
5 representation and recruitment in the membership within  
6 Nunavut.

7 I appreciate that you may not be able to  
8 answer this, but I would like, if you can, to answer and  
9 perhaps provide a follow-up report on this.

10 Under the Nunavut Land Claim Agreement,  
11 Article 23, it calls on governments within the Nunavut  
12 territory to have representative employment levels. Inuit  
13 make up over 80 per cent of the population of Nunavut and  
14 the objective of the Nunavut Land Claim Agreement,  
15 specifically this article, is to increase training capacity  
16 and to have a workforce that reflects the people.

17 The RCMP is exempt from this section of the  
18 land claim. However, this exemption isn't complete and it  
19 does speak to the obligations of the Canadian Forces and  
20 the RCMP at Article 23.8.1. And I'm just going to read it  
21 to you.

22 "Although uniformed members of the  
23 Canadian Forces and the R.C.M.P. are  
24 excluded from the broad application of  
25 the provisions of this Article, it is

1                   understood that with respect to these  
2                   categories of government employment,  
3                   current policies for increasing  
4                   recruitment, training and retention of  
5                   Inuit shall continue, but will not  
6                   necessarily reflect representative  
7                   levels of the population in the Nunavut  
8                   Settlement Area."

9                   Are you able now, or perhaps undertake, to  
10                  provide us with a report on how the RCMP within Nunavut is  
11                  implementing this section of the land claim?

12                  **COMMISSIONER BRENDA LUCKI:** I do know,  
13                  having been the Commanding Officer of the training academy,  
14                  that CO Michael Jeffrey, Chief Superintendent Mike  
15                  Jeffrey's constant communication on how can we, for  
16                  instance, get an all Indigenous troupe at Depot or troupes  
17                  at Depot. He was strictly going with Inuit, but we've  
18                  since expanded his idea to Indigenous.

19                  But we used to have a program when I was an  
20                  instructor where we brought in people who could not make  
21                  the minimum requirements. And while they were training to  
22                  be a police officer we were working with them to meet the  
23                  minimum requirements for the testing. And driving was  
24                  another one that we spent more time with, because police  
25                  driving is a skill that even we're finding with the

1 urbanization of our young people it's a skill that they're  
2 lacking. So we needed to improve that.

3 But I know right now we're looking at  
4 various ideas like that to expand the availability. And we  
5 are definitely putting the GBA plus lens to our recruiting.  
6 That's a big project where we're saying, okay, how do we do  
7 this? What are the barriers that are stopping groups that  
8 are not well represented in the RCMP? And putting that GBA  
9 plus lens to it, and we're in the midst of that, so that's  
10 another project. But the Commanding Officer is very  
11 committed to increasing the numbers.

12 Right now we do have, of all of our  
13 Indigenous, we have 40 Inuit members in the RCMP. I can't  
14 say exactly where they're posted. I know one is at Depot  
15 now. She left Nunavut and came as an instructor to Depot,  
16 but it's not very high numbers, I would agree, but it's  
17 something that we can work on. But we can do some follow-  
18 up on what we're doing in regards to Article 23.8.1.

19 **COMMISSIONER QAJAQ ROBINSON:** Thank you. I  
20 would appreciate that very much.

21 I'm going to go on to training and the Inuit  
22 -- and perceptions training that's provided in V Division  
23 in Nunavut.

24 Are you able to advise us how much training  
25 time and dollars are put towards the delivery of this

1 program, either a figure or a percentage?

2 **COMMISSIONER BRENDA LUCKI:** I'm not sure on  
3 the dollars, but I know it's a five-day course.

4 **COMMISSIONER QAJAQ ROBINSON:** M'hm.

5 **COMMISSIONER BRENDA LUCKI:** So that's the  
6 training time. And it was developed in consultation with  
7 the Inuit Special Constables, the Inuit regular members and  
8 employees. And it's specific to Nunavut and it does cover  
9 the topics of the history, the justice system, the struggle  
10 for recognition, the rights and the education. And a lot  
11 of work was put into making it very specific, but we also  
12 created a one-day Inuit cultural awareness course for --  
13 again, it was hosted by a Nuvik [sic] member, a Inuk  
14 member, sorry, and the -- it's specifically for new people  
15 coming, new members and employees coming to the division so  
16 that they have a cultural awareness, one day just overview  
17 of the division itself and the territory itself.

18 **COMMISSIONER QAJAQ ROBINSON:** Are you able  
19 to find out how much, whether a actual dollar amount or a  
20 percentage amount, is allocated to provision of this  
21 training?

22 **COMMISSIONER BRENDA LUCKI:** Specifically,  
23 the two training I talked about?

24 **COMMISSIONER QAJAQ ROBINSON:** Yes. The five  
25 day and the one day.

1                   **COMMISSIONER BRENDA LUCKI:** Yes, I can find  
2 that out.

3                   **COMMISSIONER QAJAQ ROBINSON:** Can you also,  
4 either now or as the information becomes available to you,  
5 advise of how many of the division members currently have  
6 received both types of training?

7                   **COMMISSIONER BRENDA LUCKI:** I can find that  
8 out as well. I know that the commanding officer of V  
9 Division has made it mandatory for the online course, which  
10 is quite lengthy, but he has made it mandatory for his  
11 entire division.

12                   **COMMISSIONER QAJAQ ROBINSON:** Final  
13 question, this is a one-time training in terms of it being  
14 mandatory? There's no sort of recertification that's  
15 required?

16                   **COMMISSIONER BRENDA LUCKI:** For the cultural  
17 courses? Not to my knowledge.

18                   **COMMISSIONER QAJAQ ROBINSON:** Okay. I'm  
19 going to suggest to you something. I'm going to give you a  
20 little recommendation. Spoiler alert, you're not going to  
21 have to wait until the final report.

22                   **COMMISSIONER BRENDA LUCKI:** I've got the  
23 inside.

24                   **COMMISSIONER QAJAQ ROBINSON:** Yes, you do.  
25 Indigenous cultures are living and breathing and growing,

1 and realities in the communities are living and breathing  
2 and growing, and you might want to consider having these  
3 types of programs and training be ones that are required  
4 over a number of a few years to be repeated.

5 I know that officers have to be recertified  
6 when it comes to their guns, their other tools. I think it  
7 might be very important to be refreshed and recertified  
8 when it comes to their knowledge and capacity with working  
9 with Inuit specifically in this case, but with all  
10 Indigenous peoples. So, just a little thought for you  
11 there.

12 **COMMISSIONER BRENDA LUCKI:** It's a great  
13 thought.

14 **COMMISSIONER QAJAQ ROBINSON:** Continuing on  
15 the issue of training but now more, sort of, broader  
16 nationally, there have been a number of reports, including  
17 the RCMP's Murdered and Missing Indigenous Women reports in  
18 2014 with the update in 2015 that really identified causes  
19 of death as being situations of either intimate partner or  
20 domestic violence, or violence perpetuated by someone --  
21 women are familiar with, and being committed by men, that  
22 women in Canada, generally, are more likely to be killed in  
23 this situation and be killed by men, and this is true for  
24 Indigenous women. Since the RCMP's report in 2014/2015,  
25 have policies or training changed to reflect this finding?

1                   **COMMISSIONER BRENDA LUCKI:** I can't say for  
2 sure on the specific content for that specific finding, but  
3 definitely familial -- we call it familial domestic  
4 violence -- is part of training because -- well, because  
5 when we get to domestic violence, it's very, like you said,  
6 it's usually somebody known to the person. That is  
7 definitely a part of it. And, with that comes other  
8 requirements. So, that's part of the training as well.

9                   I know when I was in Alberta, for example,  
10 there were -- many of the provinces have enacted other  
11 additional requirements in regards to domestic violence  
12 specifically. I was just amazed when I moved from Manitoba  
13 to Alberta the difference with how the regulations or the  
14 requirements for domestic violence investigations are from  
15 one place to another. There was mandatory courses that you  
16 needed to take when you arrived in Alberta for domestic  
17 violence specifically.

18                   So, we've been looking at the various models  
19 across the country and, again, trying to see if we could  
20 standardize that approach.

21                   **COMMISSIONER QAJAQ ROBINSON:** Thank you.  
22 You answered my second question. There were also a number  
23 of findings in the Opal Inquiry, two in particular that I  
24 think would have an impact on training, and that was issues  
25 around leadership and collaboration and communication with



1 neighbouring jurisdictions or police forces. Are you aware  
2 of any changes or responses of the RCMP when it comes to  
3 training to those findings in the Opal Inquiry?

4 **COMMISSIONER BRENDA LUCKI:** I'm not -- I  
5 don't know what the specific recommendation was. I do know  
6 our approach to leadership is changing completely. We are  
7 looking at -- we do have courses within our organization,  
8 but we're starting to look outside of our organization  
9 because I keep saying we can't be good at every -- we can't  
10 pretend we're good at everything, and there's so many  
11 people that are experts in those fields of leadership, for  
12 example, that we need to look at those models.

13 D&D has a leadership model as well that  
14 we're looking at, and succession planning and promotion  
15 within D&D and career streamlining within D&D is something  
16 that we're looking at, because even though we're not  
17 exactly the same type of organization, we have like issues.  
18 But, we need, again, a cradle to grave approach, we say, to  
19 leadership. And, maybe when a member is just starting out,  
20 maybe it might be a little bit more about the functional  
21 competencies and a little less about the leadership.

22 But, as they go forward, they need to -- we  
23 promote people, for instance, to the first rank of  
24 corporal, but we don't teach them how to have difficult  
25 conversations. We don't teach them how to hold members to

1 account. We don't teach them to do proper assessments or  
2 to review files. That is inherent to that rank when you're  
3 supervising, and that's part of leadership.

4 So, we are making a constable-development  
5 program that is sort of the pre-emptive to being your first  
6 promotion, your first -- and many constables are leaders  
7 informally. So, they might be the senior member on the  
8 watch that night, so they need to be a leader and we need  
9 to start that early on. So, yes, we're definitely looking  
10 at leaders.

11 **COMMISSIONER QAJAQ ROBINSON:** Thank you.  
12 You talked about the conflict teams that respond to  
13 protests. I want to suggest to you that particularly when  
14 you're looking at protests that relate to land disputes,  
15 this isn't a standard public protest. Many of those, and  
16 I'll take Kinder Morgan for example, speak to and relate to  
17 long-standing claims about true ownership title to these  
18 lands.

19 Are your officers educated about the roots  
20 of these issues before they go to a specific protest, and  
21 are they informed of the nature of that conflict and the  
22 complexity of it?

23 **COMMISSIONER BRENDA LUCKI:** They get  
24 information on it, we do find, not that we want them to go  
25 there unarmed with that information, but it's very

1 precarious when the person who is also having to enforce,  
2 let's say, an order that the company has gotten and the  
3 people with rightful -- the right protest.

4 So, our approach is more to deal with both  
5 sides and just to provide the safe environment to protest.  
6 And, often, we're not there to take sides on any of the  
7 protests. So, they do have the general nature of the  
8 protest and the history, but we try not -- they try not to  
9 get too much involved in one side or the other because  
10 we're representing, if that's even the right word, both  
11 sides, and trying to make it as peaceful and as equitable  
12 on both sides because we're sort of the meat in the  
13 sandwich, so to speak.

14 **COMMISSIONER QAJAQ ROBINSON:** Thank you. My  
15 final, I guess, comment and question to you is in relation  
16 to the isolated post/limited duration posts. And, other  
17 people have referenced the material as well as your  
18 testimony to this and identifying how the Treasury Board  
19 has created these designations in recognition of lower  
20 quality of life particularly, limited access to education,  
21 health care services and other services.

22 I'm sure it won't surprise you that in a lot  
23 of the testimony we heard, particularly from people who  
24 live in northern parts of provinces and in the territories  
25 and in Inuit Nunangat that difficulty with accessing

1 services has been identified repeatedly as a contributing  
2 factor to their experiences of violence.

3           Would you agree with me that increasing the  
4 access to these essential services within remote northern  
5 communities, those same communities that are designated as  
6 either isolated posts or limited durations would not only  
7 be good for the citizens and Indigenous women and girls of  
8 those communities, but would also be good for the RCMP to  
9 ensure that you can have longer posts in those communities  
10 to build a longer standing relationship with those  
11 communities and to better serve those communities.

12           **COMMISSIONER BRENDA LUCKI:** Absolutely. And  
13 one example that I give is when we're dealing with -- in  
14 the north our members are often dealing with social issues,  
15 addictions, alcoholism, drug addiction. And we're dealing  
16 with it because of the lack of facilities. So there isn't  
17 treatment centres and the chance of somebody being  
18 successful in treatment when we send them -- for example  
19 when I was in Northern Manitoba people couldn't even go to  
20 Thompson, they had to go down to Winnipeg. That's not  
21 where they're from. Maybe Thompson could be a place for  
22 that.

23           It still isn't right because -- but I guess  
24 cost wise you might not be able to have addictions centres  
25 in every location. But at least if there was something in

1 the north. And when we are dealing with somebody three --  
2 we are putting them in our cells, for example, 325 times in  
3 a year, maybe if we had other options to deal with it  
4 instead of incarceration, meaning court ordered addiction  
5 counseling. But it's not -- when we don't have the  
6 facilities it's pretty difficult to have those types of  
7 partnerships with the prosecutions. So yes.

8 **COMMISSIONER ROBINSON:** Thank you.

9 Final comment, actually a little bit of,  
10 again, a recommendation. A little bit of advice. Hearing  
11 from families, and survivors, and those with lived  
12 experience has been transformative for me in my work as a  
13 Commissioner. As you look at these advisory bodies, I  
14 suggest to you that you might want to look at ensuring that  
15 you include the perspective of those with lived experience.

16 And I draw your attention to the women and  
17 men back there who make up a sample of our national family  
18 advisory circle. Their expertise had been invaluable, and  
19 we've heard across the country how important it is to  
20 listen and learn from that expertise. So I just wanted to  
21 give you that little bit of a sharing of my experience, if  
22 it may help you in yours. And I want to thank you and  
23 recognize the significance of your appointment as a woman  
24 in this role, and I hope that you are given the financial  
25 support as well as the time and resources to do what you

1 need to do in your role.

2 COMMISSIONER BRENDA LUCKI: Thank you.

3 COMMISSIONER ROBINSON: Nakurmiik.

4 --- QUESTIONS FROM COMMISSIONER BRIAN EYOLFSON:

5 COMMISSIONER BRIAN EYOLFSON: Thank you,  
6 Commissioner Lucki. I have a few follow up questions for  
7 you. I don't think it will take too long.

8 Yesterday I believe you said that 3.1  
9 percent of cadets in the 2017, 2018 year were Indigenous,  
10 and I think that's in your materials at Tab 2 as well.

11 COMMISSIONER BRENDA LUCKI: Yeah. Page 11.

12 COMMISSIONER BRIAN EYOLFSON: Okay. And  
13 that's out of -- that's 3.1 percent out of how many total  
14 cadets? It's a little over 1,000 I believe?

15 COMMISSIONER BRENDA LUCKI: One thousand  
16 eighty-eight (1,088).

17 COMMISSIONER BRIAN EYOLFSON: One thousand  
18 eighty-eight (1,088). So that's a little over 30 cadets  
19 and -- okay.

20 COMMISSIONER BRENDA LUCKI: Identified --  
21 self identified.

22 COMMISSIONER BRIAN EYOLFSON: Self  
23 identified, okay. And you also spoke about some of the  
24 challenges with recruitment in terms of recruiting  
25 Indigenous members as well, yesterday.

1                   **COMMISSIONER BRENDA LUCKI:** Yes.

2                   **COMMISSIONER BRIAN EYOLFSON:** And I wanted  
3 to ask you as well about your materials at Tab 8 that you  
4 referred to yesterday at page 10.

5                   **COMMISSIONER BRENDA LUCKI:** You're referring  
6 to the employment equity report?

7                   **COMMISSIONER BRIAN EYOLFSON:** Yes.

8                   **COMMISSIONER BRENDA LUCKI:** Okay. Yes.

9                   **COMMISSIONER BRIAN EYOLFSON:** So at page 10  
10 it's a couple of charts. One refers to regular member  
11 hires, and I think this is in the -- your earlier 2016,  
12 2017, right?

13                   **COMMISSIONER BRENDA LUCKI:** Sixteen ('16),  
14 '17, yes.

15                   **COMMISSIONER BRIAN EYOLFSON:** Right. Okay,  
16 so in terms of -- it identifies 45 Aboriginal People hired,  
17 or 4.7 percent of hires. At the same time there's -- in  
18 terms of regular member departures, 57 people or 8.4  
19 percent. So this seems like there's a little bit of a  
20 slippage in terms of hires and departures of Indigenous  
21 Peoples that year. Would you agree?

22                   **COMMISSIONER BRENDA LUCKI:** Our attrition  
23 rate, yes is -- in general our attrition rate is much  
24 higher.

25                   **COMMISSIONER BRIAN EYOLFSON:** It is?

1                   **COMMISSIONER BRENDA LUCKI:** Well, and it's  
2 economy based often. Because I use the Alberta example,  
3 and when it was booming members at 24 years services they  
4 were going to other -- drawing a pension and then going to  
5 another profession. And it's location driven as well,  
6 depending on the economy.

7                   **COMMISSIONER BRIAN EYOLFSON:** Okay. But  
8 further to that, do you have an idea of why, you know, 57  
9 Indigenous People left that year? Do you do exit  
10 interviews, do you track the reasons why?

11                   **COMMISSIONER BRENDA LUCKI:** We do exit  
12 interviews, or they can do a -- if they don't want to do an  
13 interview they can do an exit survey, but it's voluntary on  
14 both parts. But I'm not sure. That's a good question, if  
15 we actually track that and see if there's some kind of  
16 commonality, but I think we need to put that on our list.

17                   **COMMISSIONER BRIAN EYOLFSON:** Right.

18                   **COMMISSIONER BRENDA LUCKI:** Because if 57  
19 people said the same reason, and it was something to do  
20 with what we could change, then we ought to.

21                   **COMMISSIONER BRIAN EYOLFSON:** Right. Okay.  
22 And then related to that, do you -- in terms of equitable  
23 hiring, do you do any sort of surveys of existing members  
24 to see if groups like Indigenous members are satisfied in  
25 the workplace, if they're experiencing any discrimination,



1 or facing any barriers? Do you do any of that?

2 **COMMISSIONER BRENDA LUCKI:** Yes. We do  
3 that. We're mandated to do that every -- I think it's  
4 every year. The public -- we call it -- it's called the  
5 public service employee survey, because we are included in  
6 that, and then we did a separate one for regular members as  
7 well. Things like, do you have enough time to do your job  
8 within the hours that you work? Are you -- have you been a  
9 victim of harassment? There's many, many categories.

10 It's quite a lengthy -- and those are  
11 analysed, and each division gets their own results, because  
12 it does vary from province to province. Nationally, the  
13 groups try to use that information to evoke some positive  
14 change, especially when there is a trend happening.

15 **COMMISSIONER BRIAN EYOLFSON:** Okay. I think  
16 those are all my questions. Thank you very much for coming  
17 and spending the time with us and sharing.

18 **COMMISSIONER BRENDA LUCKI:** Thank you.

19 **MS. CHRISTA BIG CANOE:** Pardon me, Chief  
20 Commissioner.

21 **CHIEF COMMISSIONER MARION BULLER:** Yes?

22 **MS. CHRISTA BIG CANOE:** May I ask one  
23 question before you ask your questions? And it's in  
24 relation to the next panel.

25 **CHIEF COMMISSIONER MARION BULLER:** Yes.

1                   **MS. CHRISTA BIG CANOE:** Because we have a  
2 number of witnesses in the room waiting to be called for  
3 the next panel. So I just wanted to seek your direction on  
4 whether we'd be calling any members of the panel today, or  
5 if we'll be waiting for the morning. And I'm just  
6 recognizing that it's now after 5:00 and those witnesses  
7 have been here for a couple hours.

8                   **CHIEF COMMISSIONER MARION BULLER:** We'll  
9 hear from one more witness this afternoon.

10                   **MS. CHRISTA BIG CANOE:** Thank you.

11                   **--- QUESTIONS FROM CHIEF COMMISSIONER MARION BULLER:**

12                   **CHIEF COMMISSIONER MARION BULLER:**  
13 Commissioner Lucki, thank you very much for coming and  
14 being so generous with your time. Ms. Turley, thank you  
15 for your preparation. It's been very helpful.  
16 Commissioner Lucki, I want to start off by saying I cannot  
17 imagine any of your predecessors having the courage to do  
18 what you did yesterday. So thank you.

19                   **COMMISSIONER BRENDA LUCKI:** Thank you.

20   (Applause)

21                   **CHIEF COMMISSIONER MARION BULLER:** I have  
22 several questions and I'll try to make them as coherent as  
23 I can. First of all, regarding the limited duration and  
24 isolated postings, why is it that treasury board determines  
25 those postings and not the RCMP?

1                   **COMMISSIONER BRENDA LUCKI:** It's in  
2                   consultation with the RCMP, but there is benefits attached  
3                   to that.

4                   **CHIEF COMMISSIONER MARION BULLER:** Financial  
5                   benefits?

6                   **COMMISSIONER BRENDA LUCKI:** Yes.

7                   **CHIEF COMMISSIONER MARION BULLER:** Okay.  
8                   Some of it is not actual money, but how many trips out of  
9                   the community and various benefits. That makes sense.  
10                  Thank you. As you've probably been told, we've heard from  
11                  people all across Canada who have described issues with  
12                  policing that for today's purposes I'll put into three  
13                  different categories. One is the exercise or lack thereof  
14                  of police discretion. The second is lack of local  
15                  knowledge, and the third is being overwhelmed by the  
16                  process, the criminal justice process. I call it, to use  
17                  the words of one family member, "I was at a complete loss  
18                  as to what to do." And, police, of course, were the first  
19                  point of contact.

20                  So, I want to put those observations or  
21                  those concerns into the context of training and policing in  
22                  Indigenous communities. I don't mean this as a rhetorical  
23                  question at all. I'm curious about what happens at Depot  
24                  and then in six months, field training. How do you teach  
25                  the good exercise of police discretion at the time of

1 deciding how to respond to a situation?

2 **COMMISSIONER BRENDA LUCKI:** That's why we  
3 switched our training back in the '90s. We made it more  
4 scenario based. Before, literally, it was a lecture, a  
5 paper scenario and what if, and we'd sit around. I think I  
6 had -- just to give a you difference, when I went through a  
7 couple of years ago -- no, just kidding -- we had one  
8 scenario, and we did it as a group. They do over 18 files,  
9 complete files, in their 26 weeks of training. When I say  
10 "files", it's broken down.

11 So, one part of that file is notetaking, and  
12 there's decision making, and we teach them the entire CAPRA  
13 problem-solving model of decision making where they analyze  
14 the problem, what partners or stakeholders do they need for  
15 that decision, and it's broken down. It's very slow at the  
16 beginning. It's very tedious.

17 So, a shoplifting complaint might take  
18 hours, but it's to show them and also to show them how to  
19 do a proper risk assessment when going to calls, and what  
20 to take into consideration, and some of those things are  
21 not just police things. Some are internal. Am I tired?  
22 Is it the beginning of my shift? The end of my shift? Did  
23 I have a -- did I come to my shift? Did I eat? When was  
24 the last time I ate? Because those affect your decision  
25 making, so they need to be cognizant of all of those things

1 during a risk-assessment process and decision-making  
2 process.

3 So, it's very slow and tedious, and as a  
4 facilitator, it was painful at times. But, eventually,  
5 they'd start being able to do it as just a natural way of  
6 making decisions. So, we find we get better results with  
7 scenario-based training.

8 Then they actually do detachment visits.  
9 So, they have that twice in their training, and they'll  
10 actually be on call. So, they have to bring a radio to  
11 their dorm, and they try to go to sleep, and they might get  
12 a call in the middle of the night and have to make a  
13 decision.

14 We also do a lot through simulation  
15 training, fire arms and driving simulation, and we are in  
16 the midst of creating -- we are actually the top in the  
17 world for simulation training. People from all over the  
18 world come to Depot to see our simulation training,  
19 especially in decision making for firearms. It's huge,  
20 because I don't think I'd want to be a firearms instructor  
21 watching a cadet trying to make a decision with a loaded  
22 gun. So, simulation is good for the nerves for our  
23 instructors as well.

24 But, it gives them scenarios that we can't  
25 make -- we can't make those live because of the firearm,

1 but what we can do is we can create stress. We put them in  
2 a car, chase them or get them to chase somebody, bring  
3 their adrenaline up, and then we see what happens with  
4 their decision making.

5 We also -- we have an entire research where  
6 one of the -- we are one of the only police training  
7 academies that has their own curriculum design embedded,  
8 and we have our own research embedded. I really invite the  
9 Commissioners to go spend a day, a Monday, especially, at  
10 Depot, because that's graduation day. We'll give you an  
11 overview of -- the in-depth overview of the program.

12 I know that it's -- I can't say enough about  
13 the training, and I'll say this. It's one of the top  
14 training in the world, and I know this because people from  
15 all over the world come to the training, including the FBI  
16 and the federal law enforcement. The Ukrainians have been,  
17 in my tenure, three or four times.

18 We train, for instance, the Kahnawake  
19 peacekeepers. They are inserted into our training with our  
20 troops. The Lakeshore Police Service is a self-  
21 administered police service. Their cadets train with our  
22 cadets the exact same training. They do the exact same 26  
23 weeks. It's tried and tested.

24 Can it improve? Absolutely. That's why we  
25 do 200 changes a year. I went on a bit, but I can't be

1 more proud of our training than I am, and the decision  
2 making. And, I'd just remind everybody that it's induction  
3 training, and if we took every request that people asked  
4 and inserted it in that training, they'd be there for three  
5 years. But, we need them to get out and use that training.  
6 So, that's why we are very particular on -- because now  
7 we're at the point of when we put something in, we have to  
8 take something out now, because it's so big. Or, we have  
9 to adjust, and that's what we've been doing. And,  
10 depending recently with the Moncton Inquiry, we've added  
11 carbine training to -- that's where we went from 24 to 26  
12 weeks. And, as a result of tragic events like school  
13 shootings, we've added immediate action response deployment  
14 which is a five-day course. So, very tactical.

15 But, again, I think my fear is we have been  
16 adding tactical training to our training. And so, the  
17 pendulum, I think, is a little bit this way, and we need to  
18 go back to our grassroots, our community policing, our  
19 talking and remembering -- it's still in the high 90's --  
20 that our intervention is verbal. So, we have to make sure  
21 that they have those verbal skills, and they have to have  
22 that empathy and compassion to deal with those calls so  
23 that situations that have been talked about in the Inquiry  
24 aren't happening.

25 **CHIEF COMMISSIONER MARION BULLER:** Okay,

1       thank you. You described training in Indigenous issues and  
2       history at Depot. You've also described the online course  
3       that must be completed within two years. You've described  
4       a number of other courses and training that can be  
5       available to members.

6                        What, after Depot and after that online  
7       course, is mandatory training for members in the area of  
8       policing in Indigenous communities, in interactions with  
9       Indigenous people, Canadian history that includes the real  
10      history of -- what I call the real history of Indigenous  
11      people in Canada? I know they're available, but what's  
12      mandatory?

13                      **COMMISSIONER BRENDA LUCKI:** Apart from the  
14      online Aboriginal Awareness, I don't believe there are any  
15      national mandatory courses. I know divisionally, for  
16      instance, in northern Manitoba, each and every member  
17      needed to take the five-day Perceptions course. It's  
18      difficult. Logistically, it's difficult to do those face-  
19      to-face courses because every time you take somebody out of  
20      their community, that's one less member in the community.

21                      We try to do -- in Manitoba, they were  
22      trying to get the cadets in the south to get all trained up  
23      to go north so they wouldn't have to come out of their  
24      communities as often. We try to do that as often as we  
25      can, because there's equipment-specific courses when you go



1 up north as well, snowmobile and boating courses, and ATV  
2 courses. And, yes, every time they have to come out to  
3 shoot their firearm to recertify.

4 So, yes, it's very intensive when people are  
5 in the north logistically to go on a lot of courses. So,  
6 as much as I agreed with one of the presenters about the  
7 online courses, for us, it really helps not taking people  
8 out of their communities, and we have done really well with  
9 better courses online. Is it the best? Not at all, but  
10 our new generation, I think, learns a bit better online  
11 than they do face-to-face. I think they get bored with  
12 face-to-face, actually.

13 **CHIEF COMMISSIONER MARION BULLER:** I can see  
14 that happen.

15 **COMMISSIONER BRENDA LUCKI:** Yes. Every time  
16 we do add courses, and we're actually doing -- the Office  
17 of the Auditor General is doing a review of all of our  
18 mandatory courses, because what's happening is they have  
19 actually just haphazardly -- we would decide something  
20 would be mandatory. But, when you say that, then there  
21 comes a responsibility with that, and does it need to be  
22 mandatory or should this be mandatory, because we have some  
23 non-negotiables. Like, the equipment is non-negotiable.  
24 They have to recertify in their firearms, and -- but we  
25 have to start looking at the other ones. Do they actually

1 need this course versus that course, but I'm sure following  
2 some of the recommendations here that we will be revisiting  
3 that.

4 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
5 Thank you. Then turning to more the detachment level, and  
6 I'm looking at the experience that you've had at that level  
7 and higher, of course, what obligation, mandatory  
8 obligation is there for a Detachment Commander, a  
9 detachment of any size, to develop relationships with  
10 members of their Indigenous communities?

11 **COMMISSIONER BRENDA LUCKI:** It's mandatory  
12 through the Annual Performance Plan. And, we have a  
13 Detachment Commander's Handbook, and part of that is a  
14 checklist of everybody, and it's a generic checklist  
15 because -- like, it'll say, Education, so principals,  
16 counsellors, elected officials, would it be chiefs,  
17 counsellors. And then it would be Health. You're going to  
18 make sure you go to the nursing station and make those  
19 relationships, or the hospitals. And then it goes into  
20 Social Services and Advocacy Groups. And then when you do  
21 the Annual Performance Plan, you need to -- and businesses  
22 as well, you need to meet with all those stakeholders and  
23 partners to determine what their priorities are in order to  
24 establish your plan for April 1<sup>st</sup>.

25 So, the planning cycle for the Annual

1 Performance Plan starts in and around January, February,  
2 and they have till approximately the end of February,  
3 middle of March to do all those consultations, and also  
4 under the unit level quality assurance, do their risking  
5 exercise to determine what activities need to be risked in  
6 because they run on the same system. And, it's actually on  
7 the computer, and they have to generate a report every  
8 quarter, and that report has to be shared with their  
9 elected officials on their progress on those priorities.

10 **CHIEF COMMISSIONER MARION BULLER:** Okay.

11 **COMMISSIONER BRENDA LUCKI:** They call it  
12 APP.

13 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
14 Thank you. Is there community feedback allowed on those  
15 reports that are circulated every quarter?

16 **COMMISSIONER BRENDA LUCKI:** I think they're  
17 shared simply with the Mayors, Chiefs, Counsellors, and  
18 what -- I think they leave it to the elected officials to  
19 share that. Sometimes there's -- like, a current example  
20 that I have, in Saskatchewan, the Commanding Officer --  
21 Assistant Commissioner Curtis Zablocki has created town  
22 halls, which town halls aren't new, but now they're doing  
23 town halls in every area, so it gives community members an  
24 opportunity to voice their concerns or, you know, maybe in  
25 the odd chance, they might have something good, positive,

1 and then also the concerns, and those are taken. And,  
2 again, they're bringing all that into headquarters'  
3 environment so that if the same concern is being brought up  
4 at the various town halls, then, Houston, we have a  
5 problem; right?

6 **CHIEF COMMISSIONER MARION BULLER:** Well,  
7 that raises an observation that I've had personally, and  
8 then we've also had in evidence before us is that there  
9 doesn't seem to be a way that community members can provide  
10 input about police performance other than a complaint  
11 through the complaint process so that, for example, where a  
12 community's concerned about a specific member -- or it can  
13 go both ways. Where a community is very happy with a  
14 member, their performance, their relationship with them,  
15 prefer that they not be transferred. There doesn't seem to  
16 be a way to tell the Detachment Commander, "We really like  
17 this person, and we would like to keep them if at all  
18 possible."

19 **COMMISSIONER BRENDA LUCKI:** We do have on  
20 our website, actually our national website where people can  
21 -- and we receive, actually, a lot of feedback off the  
22 website, and we share that with the detachments. The  
23 reason why we -- we actually looked at having detachment  
24 emails, but then we were worried that if they didn't  
25 answer, then again -- with an email address comes great

1 responsibility, and we're trying to eliminate some of the  
2 work for Detachment Commanders instead of create more, so  
3 we put it to the national website where it was easier to  
4 find and they could go, and they click, and then they can  
5 send an email on both positive and negative feedback.

6 **CHIEF COMMISSIONER MARION BULLER:** Well,  
7 that raises the flip side of my question is that, in some  
8 communities, some people have said, "There's a member we're  
9 not happy with," for whatever reasons.

10 **COMMISSIONER BRENDA LUCKI:** Yes.

11 **CHIEF COMMISSIONER MARION BULLER:** And, it's  
12 a broad stroke, I know. There doesn't seem to be any way  
13 that we can raise our concerns with the district -- or,  
14 sorry, the Detachment Commander short of a formal  
15 complaint. It doesn't go so far as a formal complaint, but  
16 that seems to be our only option. Is there another option  
17 available for community members to provide that feedback?

18 **COMMISSIONER BRENDA LUCKI:** I think,  
19 generally, unless there's a town hall, which I don't think  
20 maybe somebody would feel comfortable anyways in that  
21 environment saying they didn't like a particular member. I  
22 know in some of the -- when I was in Northern Manitoba, we  
23 actually -- if it was an extreme case, and the community  
24 was not happy with a member, then they did a Band Council  
25 resolution. That happened a couple of times while I was

1       there. They put in a resolution to say that they no longer  
2       wanted this member in the community.

3                 We tried to work with them, because  
4       sometimes it was -- again, it went back to communication.  
5       And so, sometimes, very often, when we had that  
6       communication, the problem got rid of itself, but there was  
7       times when it didn't, so we would actually remove the  
8       member from the community if it was legitimate. Sometimes  
9       if it -- if it was not something that we felt the member  
10      should be removed, often the member felt they wanted to  
11      leave by that time anyways because if they weren't welcome  
12      in the community, then they didn't necessarily want to be  
13      there.

14                But, other than, I guess, sending something  
15      on our website or actually going to the detachment and  
16      having a conversation with the Detachment Commander, the  
17      only other way is maybe to go -- call the district office,  
18      which is in the area, in the general area. For example,  
19      each province has two to five districts depending on the  
20      size of the province, and hopefully they felt that they  
21      could go through that avenue. But, unless they do any of  
22      that, we probably wouldn't -- but I'm open to suggestions.

23                If there's a way that somebody could --  
24      we're actually looking -- I was very intrigued. I was at  
25      the Toronto G7 Minister's Conference, and the French

1 proposed an online gendarm, they called it, online  
2 constable, so that people could actually talk to a  
3 constable online, and I was very intrigued by that. So, I  
4 thought, that would be very interesting if somebody --  
5 because often complaints aren't -- people -- my mom would  
6 be one who would never phone the police because it's never  
7 big enough for her to call the police. But, if -- I know  
8 if she had an online constable, she'd be on the -- be  
9 calling that constable. But, if we can increase -- and I  
10 think we have to look at creative, innovative ways to  
11 increase our accessibility.

12 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
13 Thank you. You described a new National Investigation Unit  
14 made up of 19 members. Could you provide a little more  
15 information about that, please?

16 **COMMISSIONER BRENDA LUCKI:** Yes, I can.  
17 Basically, as a result of the comments that were -- came  
18 out of the Inquiry about reviewing, we created what's  
19 called a National Investigative Standards and Practice  
20 Unit. And, it's an internal RCMP centre of expertise and  
21 oversight for high profile, major case investigations so  
22 that -- we wanted to make sure that when we got to that --  
23 we were in the investigation, it's one thing to  
24 investigate, but if we cannot successfully, and your  
25 colleague shared the statistics, successfully bring that to

1 court and bring it to prosecution, that's a lot of hours  
2 spent for nothing.

3 So, this -- there is 19 people in that Unit.  
4 It's not all RCMP members. It's civilian members,  
5 analysts, and they review these files. And, it was as a  
6 direct result of things that came out of the Inquiry. Our  
7 liaison, Shirley Coullier (phonetic) she's listening, and  
8 then she comes back, and then they brainstorm, and then  
9 they come up with ideas just as another example is the  
10 communication with families. We now have a different  
11 protocol because of -- and I say we're listening, but  
12 actions do speak louder than words. So, they make sure  
13 that the prospect is successful and investigations and  
14 criminal prosecutions are increased.

15 **CHIEF COMMISSIONER MARION BULLER:** Thank  
16 you. Are you familiar with what's commonly called Jordan's  
17 Principle?

18 **COMMISSIONER BRENDA LUCKI:** Yes.

19 **CHIEF COMMISSIONER MARION BULLER:** Do you  
20 think that applies to policing?

21 **COMMISSIONER BRENDA LUCKI:** You know what?  
22 I'm thinking of something completely different. I'm  
23 thinking of *R. v. Jordan*, so that's probably not ---

24 **CHIEF COMMISSIONER MARION BULLER:** No.

25 **COMMISSIONER BRENDA LUCKI:** But, I know it.



1 It's just not coming to me. Sorry.

2 **CHIEF COMMISSIONER MARION BULLER:** We'll  
3 move on then. Thank you. In the mandate letter that you  
4 provided as part of your documents, there are a number of  
5 priorities or strategic areas that the Minister wants you  
6 to consider. Where does Aboriginal or Indigenous policing  
7 fit in that hierarchy of priorities?

8 **COMMISSIONER BRENDA LUCKI:** I don't think  
9 that we're -- I'm not putting any of those priorities in  
10 order. Anything in this mandate letter and anything that  
11 comes out of any of the recommendations is a priority. I  
12 don't want to put one above the other. We've had -- and we  
13 get priorities all the time. For instance, during the  
14 Moncton Inquiry we got priorities.

15 So, we need to take those. We need to put  
16 them all together. Instead of saying Indigenous is number  
17 two on the list, maybe this particular part of Indigenous  
18 might fall lower because it's less risk? So, we sort of do  
19 a risk-assessment process in what is the biggest risk to  
20 police and public safety, and those tend to hit the top of  
21 the list, obviously.

22 And then things that are out of our control  
23 that we can advocate for, they may be on our list, but they  
24 might not be as high of a priority because we only have an  
25 advocacy role, and we've done that part, and now it's

1 monitoring. So, they all fall within different parts of  
2 our priorities, so to speak.

3 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
4 Then, finally, we've heard many times from people all  
5 across Canada that when they go to the police, they're at a  
6 complete loss as to what to do next or how to navigate the  
7 system. I suppose that could be attributed to  
8 communication issues that need to be addressed.

9 But, some people have suggested to us a  
10 couple of things. One, that there be at each detachment an  
11 Indigenous liaison officer or an Aboriginal liaison officer  
12 who would work specifically with families on these types of  
13 cases, where someone is missing or murdered. Another  
14 recommendation or another observation that someone made was  
15 that if you're charged with something, if you're arrested  
16 and charged with something, you get a lot of paper work.  
17 When you make a complaint or report a crime to the police,  
18 you get a business card. That was their observation, and  
19 that witness suggested they get a receipt for their  
20 complaint to the police so it could be tracked.

21 **COMMISSIONER BRENDA LUCKI:** That's a great  
22 idea.

23 **CHIEF COMMISSIONER MARION BULLER:** Rather  
24 than a file number on a business card or something similar  
25 to that. Would you like to comment on those observations

1 and suggestions?

2 **COMMISSIONER BRENDA LUCKI:** I know when we  
3 have major cases and I know -- for instance, in northern  
4 Manitoba, on the investigative team, one person was  
5 specifically assigned. That was their role, was a family  
6 liaison for the investigations. And, we specifically took  
7 somebody from the investigative team because they would  
8 have the knowledge and they would know what they could and  
9 could not share, and they knew -- for instance, being  
10 culturally sensitive in certain communities, the deceased  
11 stays in our garage. That's the morgue in many  
12 communities. And, in certain communities when we move that  
13 body or that deceased, certain communities have certain  
14 ceremonies; other communities don't.

15 So, they need to work side-by-side with the  
16 people, the members who are working in that community, and  
17 with the elders to make sure, because I know one instance  
18 where that wasn't followed, and it was just a bad set of  
19 circumstances, and the deceased was brought back down south  
20 for the autopsy without anybody in the community being  
21 advised. It sounds like a small thing to some people, but  
22 in that community, that's monumental, and that goes to a  
23 bigger issue if we don't know those cultural nuances.

24 So, again, in that communication protocol  
25 that I created up there, some of those things were outlined

1 because each community is different. They may have  
2 different nuances of celebrations or ceremonies that we  
3 need to respect, and if -- you know, I can say, well -- you  
4 can plead ignorance, "I didn't know" but, really, you  
5 didn't know? Let's make sure you know. So, we have to  
6 figure out how to make sure they know that.

7 And so, we have the family liaison often for  
8 that communication piece. The frustration for the  
9 families, though, is that often in the early stages, we  
10 can't say much, and it's frustrating, and it's really for  
11 the integrity of the investigation and to ensure that we  
12 can bring that to successful prosecution.

13 So, we're very limited in our information,  
14 and we always get criticized about that. But, I'm willing  
15 to take that criticism as long as we're culturally  
16 sensitive when we do deliver the minimal information that  
17 we can. And, if somebody at least explains why they can't  
18 give that information -- because information is power;  
19 right? When people have that information, it's power.

20 So, I go back to my original everything, all  
21 the issues I hear is always about communication, lack of  
22 communication, not timely, poor communication,  
23 disrespectful communication, but it's always communication.  
24 So, we really need to get better at it and make sure that  
25 our members are equipped to have that, and if they aren't,

1 then they need the training. And, if they aren't, then  
2 maybe we need to find somebody who can.

3 So, going back to we also have -- Victim  
4 Services plays a huge role. Maybe not so much in a murder  
5 case, but in an aggravated assault, Victim Services, and if  
6 that communication doesn't go from the police to Victim  
7 Services, why are you having a Victim Services? They need  
8 to be able to have the information or they need to be told  
9 that that file exists so that they can engage with the  
10 victim.

11 So, do things fall through the cracks?  
12 Absolutely. Is it perfect? No, and we need to improve on  
13 it. You're absolutely right.

14 **CHIEF COMMISSIONER MARION BULLER:** Thank  
15 you. Those are my questions. Thank you very much.

16 **COMMISSIONER BRENDA LUCKI:** Thank you.

17 **CHIEF COMMISSIONER MARION BULLER:** To all of  
18 the witnesses this afternoon, we're very grateful for your  
19 time and your truth and your commitment to your work. We  
20 have gifts for you. I hope you will accept them. They are  
21 eagle feathers. We were told by the matriarchs in Haida  
22 Gwaii to do this, and we don't argue with them. We love  
23 them. They're to hold you up on those days you need to be  
24 held up, and on those days when you can reach a little  
25 higher, they'll help you reach higher.

1                   So, it's a small token of our thanks and  
2 recognition for your dedication. Thank you all.

3                   (PRESENTATION OF GIFTS)

4                   **COMMISSIONER BRENDA LUCKI:** Thank you.

5                   **CHIEF COMMISSIONER MARION BULLER:** And,  
6 we'll take a short break to bring the next witness.

7                   **MS. CHRISTA BIG CANOE:** I'm sorry, but I'm  
8 going to ask again, because I've actually been inundated  
9 with requests from parties with standing in relation to the  
10 time, just recognizing it is now quarter to six. The  
11 evidence in-chief for the one witness is anticipated to be  
12 40 minutes, and in addition to that, we would require at  
13 least a 10-minute break to swap out space. So, on that  
14 basis, I'm just putting forward requests by at least seven  
15 counsel to the panel.

16                   **CHIEF COMMISSIONER MARION BULLER:** We have  
17 to huddle. Okay, here's the plan. We'll start with our  
18 opening prayers and opening tomorrow morning at 7:45. We'll  
19 commence evidence at 8:00 a.m. We will call no further  
20 evidence this afternoon.

21                   **MS. CHRISTA BIG CANOE:** Thank you. So, on  
22 that basis, I'm assuming we are now adjourned once you give  
23 gifts?

24                   **CHIEF COMMISSIONER MARION BULLER:** Yes.

25                   **MS. CHRISTA BIG CANOE:** But, that there will

1 be likely a closing prayer, and I just have one  
2 announcement for the parties with standing. We will have  
3 Commission Counsel in the parties with standing room, which  
4 is the Oak Room. As you recall earlier today, I did  
5 announce at lunch that we would allow for people to pull,  
6 or draw the number. And so, we'll for 30 minutes after we  
7 close, there will be Commission Counsel in that space for  
8 any parties that have not yet done that.

9 **CHIEF COMMISSIONER MARION BULLER:** Okay.  
10 We're adjourned after we have our prayer.

11 **MS. CHRISTA BIG CANOE:** Thank you.

12 **MR. VERN BELLEGARDE:** They are just  
13 presenting the gifts to our presenters, and Louise is  
14 extinguishing the qu'liq. Just two more very quick agenda  
15 items. I'd like to call on Elder Doug PeeAce (phonetic).  
16 Is he in the room? Doug? Doug PeeAce? He's saying our  
17 closing prayer. Just give us a few minutes. Once they  
18 make the presentation of the eagle feathers, Doug will give  
19 our -- do us an opening -- a closing prayer for us. Okay.  
20 I'll just ask if -- Louise, can you extinguish the qu'liq,  
21 please? Thank you very much, Louise.

22 Tomorrow morning at 7:00 is the pipe  
23 ceremony in the Wascana Room. We've -- the first two pipe  
24 ceremonies, we've had about 12 or 15 ladies and two men,  
25 oh, and the pipe carrier. We'd certainly like to see some

1 more men get involved in the pipe ceremony. They are  
2 praying for us and our success here. I'll just turn the  
3 mic over to Doug to say our closing prayer. He's not going  
4 to use the mic. You can just join us in rising, please.

5 **ELDER DOUG PEEACE:** (Speaking in Indigenous  
6 language).

7 **MR. VERN BELLEGARDE:** Hai. Hai, hai. Thank  
8 you so much, Doug. Okay. Well, sleep tight, don't let the  
9 bugs bite. Enjoy your evening. Some people have inquired  
10 about where is the Qu'Appelle Valley. I've told them you  
11 go out and you -- in front of our building here is the  
12 Victoria Avenue. Catch Victoria Avenue and go straight  
13 east. That will take you to Balgonie, about 20 miles out.  
14 And then you hit 10 Highway, and it takes you into the  
15 valley in about another 20 minutes. So, it's about 45  
16 minutes from here.

17 --- Upon adjourning at 5:41 p.m.

18 **LEGAL DICTA-TYPIST'S CERTIFICATE**

19  
20 I, Félix Larose-Chevalier, Court Transcriber, hereby  
21 certify that I have transcribed the foregoing and it is a  
22 true and accurate transcript of the digital audio provided  
23 in this matter.

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Félix Larose-Chevalier

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June 25, 2018