

National Inquiry into
Missing and Murdered
Indigenous Women and Girls

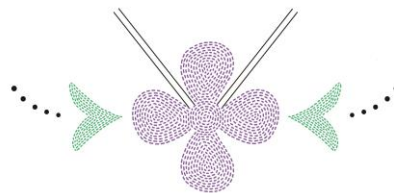


Enquête nationale
sur les femmes et les filles
autochtones disparues et assassinées

**National Inquiry into Missing & Murdered Indigenous Women & Girls
Truth-Gathering Process - Part II Institutional Hearings**

“Police Policies and Practices”

**Saskatchewan Hotel
Regina, Saskatchewan**



PUBLIC

**Part II Volume X
Friday June 29, 2018**

Panel III: “Investigative Policies & Practices”

**Deputy Commissioner Brenda Butterworth-Carr, Commanding Officer
of the British Columbia RCMP (“E” Division);**

**Capitaine Paul Charbonneau, Directeur par intérim,
Autorité disciplinaire et services juridiques, Sûreté du Québec;**

Chief Superintendent Mark Pritchard, Ontario Provincial Police

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

II

APPEARANCES

Aboriginal Legal Services	Emily Hill (Legal Counsel)
Aboriginal Women's Action Network	Fay Blaney (Representative), MiKenze Jordan (Representative)
Animakee Wa Zhing #37 First Nation, Eagle Lake First Nation, Asubpeeschoseewagong Netum Anishinabek (ANA) First Nation/Grassy Narrows First Nation, Obashkaanda-gaang First Nation, and Ojibway Nation of Saugeen, as a single collective party	Paloma Corrin & Whitney Van Belleghem (Legal Counsel)
Assembly of First Nations	Stuart Wuttke (Legal Counsel), Julie McGregor (Legal Counsel)
Assembly of First-Nations Quebec-Labrador	Wina Sioui (Legal Counsel)
British Columbia Civil Liberties Association	Michael Vonn (Legal Counsel), Meghan McDermott (Legal Counsel)
Canadian Association of Chiefs of Police (CACP)	Ashley Smith (Legal Counsel)
Directeur des poursuites criminelles et pénales (Québec)	Anny Bernier (Legal Counsel)
Eastern Door Indigenous Women's Association	Natalie D. Clifford (Legal Counsel)
Families for Justice	Suzan E. Fraser (Legal Counsel)
First Nations Police Governance Council	Michelle Brass (Legal Counsel)
Government of Alberta	Doreen Mueller (Legal Counsel)

III

APPEARANCES

Government of Canada	Anne McConville (Legal Counsel), Sarah Churchill-Joly (Legal Counsel), Tania Tooke (Paralegal), Jennifer Clarke (Paralegal)
Government of Manitoba	Heather Leonoff (Legal Counsel), Samuel Thomson (Legal Counsel)
Government of New Brunswick	Maya Hamou (Legal Counsel)
Government of Newfoundland and Labrador	Denise Spencer (Legal Counsel)
Government of Ontario	Katelyn Forget (Legal Counsel)
Government of Quebec	Marie-Paule Boucher (Legal Counsel)
Government of Saskatchewan	Barbara Mysko (Legal Counsel), Colleen Matthews (Legal Counsel)
Government of Yukon	Chantal Genier (Representative)
Independent First Nations (IFN)	Josephine de Whytell (Legal Counsel), Deanna Jones Keeshig (Representative)
Inuit Tapiriit Kanatami (ITK)	Elizabeth Zarpa (Legal Counsel)
Liard Aboriginal Women's Society	Leila Geggie Hurst (Representative), Ann Maje Raider (Representative)

IV

APPEARANCES

Manitoba Keewatinowi Okimakanak (MKO)	Jessica Barlow (Legal Counsel)
Mishkeegogamang First Nation	Whitney Van Belleghem (Legal Counsel), Paloma Corrin (Legal Counsel)
MMIWG Coalition Manitoba	Hilda Anderson Pyrz (Representative)
Native Women's Association of Canada	Virginia Lomax (Legal Counsel)
New Brunswick Aboriginal Peoples Council	Elizabeth Blaney (Representative), Chief Wendy Wetteland (Representative)
NunatuKavut Community Council	Roy Stewart (Legal Counsel)
Ontario Federation of Indigenous Friendship Centres	Niki Hashie (Representative)
Ontario Native Women's Association (ONWA)	Robert Edwards (Legal Counsel), Christina Comacchio (Legal Counsel)
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	Beth Symes (Legal Counsel)
Quebec Native Women / Femmes autochtones du Québec	Rainbow Miller (Legal Counsel)
Regina Treaty Status Indian Services	Erica Beaudin (Representative)

V

APPEARANCES

Saskatchewan Association of
Chiefs of Police

Katrina Swan (Legal Counsel)

Thunder Bay Police Services

Edward Marrocco (Legal
Counsel), Tiffany O'Hearn
Davis (Legal Counsel)

Treaty Alliance Northern
Ontario - Nishnawbe Aski
Nation/Grand Council Treaty #3

Krystyn Ordyniec (Legal
Counsel), Catherine Cheechoo
(Representative), Elysia
Petrona Reitberger (Legal
Counsel)

Vancouver Rape Relief and
Women's Shelter

Hilla Kerner (Representative),
Laurel McBride
(Representative)

Vancouver Sex Workers' Rights
Collective

Carly Teillet (Legal Counsel)

Winnipeg Police Service

Sheri Bell (Representative),
Kimberly D. Carswell (Legal
Counsel)

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Second chair: Thomas Barnett (Commission Counsel)

Witness: Deputy Commissioner Brenda Butterworth-Carr, Commanding Officer of the British Columbia RCMP ("E" Division)

Counsel: Anne McConville (Counsel for Government of Canada)

Witness: Capitaine Paul Charbonneau, Directeur par intérim, Autorité disciplinaire et services juridiques, Sûreté du Québec

Counsel: Bernard Jacob (Commission Counsel)

Witness: Chief Superintendent Mark Pritchard, Ontario Provincial Police

Counsel: Julian Roy (Counsel for Government of Ontario)

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, Jack Bernard, Joanne Bernard, Reta Blind, Terrance Bob, Barbara Dumont-Hill (Government of Canada), Trevor Ewack, Pamela Fillier, Fred Fillier, Louise Haulli, Norma Jacobs (Knowledge-keeper / NFAC), Rising S Kaysaywaysemat, Rodney Keewatin, Myrna Laplante (NFAC), Cheryl Littletent, Travis Lonethunder, Kathy Louis, Brent McArthur, Robert McArthur, Larry Oakes, Kimberly Okeeweehow, Darlene Osborne (NFAC), John Osborne, Doug PeeAce, Gladys Radek (NFAC), Leslie Spillet, Audrey Siegl, Laureen "Blu" Waters, Bernie Poitras Williams, Charlotte Wolfrey (NFAC)

Clerk: Bryana Bouchir

Registrar: Bryan Zandberg

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	Public transcript Part II Volume X Exhibit code: P02P02P0501	
	Panel III: "Investigative Policies & Practices"	
139	"Missing and unsolved Murdered Indigenous People: The Ontario Provincial Police Provincial Police Perspective" (23 pages) Witness: Chief Superintendent Mark Pritchard, Ontario Provincial Police Submitted by Whitney Van Belleghem, Counsel for Animakee Wa Zhing #37 First Nation, Eagle Lake First Nation, Asubpeeschoseewagong Netum Anishinabek (ANA) First Nation/Grassy Narrows First Nation, Obashkaanda-gaang First Nation, and Ojibway Nation of Saugeen, as a single collective party	194
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1 --- Upon commencing at 7:29 a.m.

2 **MR. VERN BELLEGARDE:** I want to thank the --
3 Cheryl and Larry for the pipe ceremony this morning, a very
4 beautiful ceremony as usual. I'd like to invite Mr. Roy to
5 Treaty 4.

6 (LAUGHTER)

7 **MR. VERN BELLEGARDE:** We live in a beautiful
8 country. The Creator has been good to us. I always say if
9 the Creator has given you another day, brought you through
10 the night, giving you a day, he's got something for you to
11 do today, so get it done.

12 I'm very pleased with how the proceedings
13 are going. My prayers this morning were continued success
14 with the Commissioners and the witnesses. As well, at this
15 point, I'd just like to thank the people that are here and
16 that do care about missing and murdered Indigenous women
17 and girls. Thank you for being here even as a support.

18 A few years ago, I and my cousin, I was
19 standing in a parking lot, and he called, "Vern, get over
20 here." So, I hustled over there. I don't very often wear
21 shorts. He said, "Oh, I thought you were riding a
22 chicken."

23 (LAUGHTER)

24 **MR. VERN BELLEGARDE:** But, I told him, "They
25 get me from Point A to Point B, and that's all that

1 matters.”

2 At this point, I'd just like to turn it over
3 to the moderator. Thank you very much. Have a great day.

4 **MS. CHRISTA BIG CANOE:** Good morning, Chief
5 Commissioner, Commissioners. Just for anyone who might be
6 tuning in, we are having the third panel, and we've had the
7 witnesses already do their examination in-chief. We were
8 in the process of cross-examination. And so, unless
9 there's any other direction from you, I would like to
10 continue calling cross-examination. Thank you.

11 The first party we're inviting up is Native
12 Women's Association of Canada. Ms. Virginia Lomax will
13 have 15-and-a-half minutes.

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

15 **MS. VIRGINIA LOMAX:** Good morning. I'd like
16 to thank Treaty 4 and the Métis Nation of Saskatchewan for
17 welcoming us to this territory today. I'd also like to
18 acknowledge the spirits who are with us today, particularly
19 those of our stolen sisters.

20 Chief Superintendent Pritchard, I'd like to
21 take you back to an example that you gave us yesterday.
22 You find a boat in the water, but not a person that you
23 knew to be in that boat. You testified that that person is
24 lost, but not missing; is that correct?

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No.

1 They would be a missing person when their boat's found, but
2 they aren't.

3 **MS. VIRGINIA LOMAX:** And so, when would that
4 distinction between lost, but not missing come in?

5 **CHIEF SUPERINTENDENT MARK PRITCHARD:** As
6 soon as the area to be searched has been eliminated as an
7 area of search, that would have changed the status from
8 lost to missing.

9 **MS. VIRGINIA LOMAX:** Are you familiar with
10 the term "tunnel vision"?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Very.

12 **MS. VIRGINIA LOMAX:** Would you agree that
13 tunnel vision is defined generally as focusing on an
14 investigation on the subjective or assumed -- on the
15 objective -- subjective, assumed or believed outcome rather
16 than following evidence to an objective conclusion?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

18 **MS. VIRGINIA LOMAX:** Would you agree with
19 the statement that tunnel vision can impact the integrity
20 of an investigation?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
22 There's been many, many examples of that, so absolutely.

23 **MS. VIRGINIA LOMAX:** Do you agree with the
24 statement that racist or sexist assumptions on the part of
25 officers can lead to tunnel vision?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

2 **MS. VIRGINIA LOMAX:** And, do you agree with
3 the statement that racist or sexist assumptions leading to
4 tunnel vision can lead to an improper investigation, and by
5 extension, no justice for families or victims?

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Well,
7 certainly, and that's why it's so important to have so many
8 different people bringing different skill sets and
9 different training and knowledge to make those decisions so
10 that doesn't happen. And, Justice Campbell clearly spoke
11 to that at the Campbell Inquiry, and the importance of
12 avoiding tunnel vision and having proper processes to
13 follow, investigative tasks and a multidisciplinary
14 approach to investigations to overcome those very issues.
15 I think those issues were all very much front and centre,
16 not only in Campbell, but in Oppal and a number of other
17 inquiries around the world where, as Justice Campbell said,
18 the same systemic issues affected just about every case of
19 a serial predator that he looked at, and that's why it's so
20 important to have those processes in place.

21 **MS. VIRGINIA LOMAX:** And so, in the scenario
22 that we've been discussing where there is a boat, but no
23 person, and your officers have searched the area, it's
24 possible that racist or sexist assumptions could lead
25 officers to conclude that a person is lost, but not

1 missing, when in fact they are missing or murdered?

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Well,
3 I could never say that that's impossible. Again, I go back
4 to the multiple people involved in that decision making,
5 and the, you know, very precise wording in the policy that
6 once that area is searched and the person's not found, they
7 are no longer lost. They are missing.

8 **MS. VIRGINIA LOMAX:** And so, you spoke to us
9 yesterday about what you referred to as a Code 0, and this
10 pertains to solely when a police officer's life is in
11 danger or they need backup, and that is the highest level
12 of emergency that the OPP can respond to; is that correct?

13 **CHIEF SUPERINTENDENT MARK PRITCHARD:** A life
14 threatening situation is the highest immediate response.
15 It doesn't have to be a police officer. It could be any
16 individual. So, Code 1 is the next most urgent, and
17 Priority 1's are, like, an immediate response versus lights
18 and sirens, I think, if that's the distinction I could make
19 of getting to the scene of going there immediately versus
20 driving there fast with your emergency lights and your
21 sirens blaring.

22 **MS. VIRGINIA LOMAX:** And so, if a civilian
23 Indigenous woman's life were in danger, would that be a
24 Code 1 or a Code 0?

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Any

1 life threatening situation is a Code 0.

2 **MS. VIRGINIA LOMAX:** And so, you testified
3 that the OPP offers 5-day Indigenous learning courses that
4 are mandatory for supervisors to take; is that correct?

5 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

6 **MS. VIRGINIA LOMAX:** And, are these
7 mandatory courses for any other officers?

8 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
9 Specialists, such as detectives, Emergency Response Team,
10 tactical officers. It's available ---

11 **MS. VIRGINIA LOMAX:** But, it wouldn't be
12 mandatory for a constable?

13 **CHIEF SUPERINTENDENT MARK PRITCHARD:** It's
14 available for constables, and many constables do take it as
15 part of their learning and development plan. And, as well
16 as ---

17 **MS. VIRGINIA LOMAX:** How often are the
18 supervisors ---

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'm
20 sorry, as well as civilian employees. They're -- it's
21 opened to not just sworn members, sworn officers, but to
22 civilians as well.

23 **MS. VIRGINIA LOMAX:** And so, how often are
24 supervisors required to retake this course?

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** It's

1 just a one-time course.

2 **MS. VIRGINIA LOMAX:** So, would you agree
3 with the statement that a 5-day Indigenous learning course
4 on its own does not provide officers with a fulsome
5 understanding of the nuances between Indigenous communities
6 the officers are meant to serve or the complex issues
7 facing many Indigenous people?

8 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Well,
9 certainly it's an introduction. You know, the full
10 understanding -- I mean, there's university courses for
11 that. It really is just an introduction to help try and
12 understand, you know, the vast and rich history, as well as
13 the challenges. There's a component to the training, now,
14 for our murdered and missing to help officers understand
15 that, residential schools -- so, yes, it's very much an
16 introductory.

17 **MS. VIRGINIA LOMAX:** Is the 5-day course
18 geared towards empathy building?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
20 Certainly.

21 **MS. VIRGINIA LOMAX:** And, are any courses
22 other than that, that would be mandatory for officers on
23 the ground, empathy building?

24 **CHIEF SUPERINTENDENT MARK PRITCHARD:** You
25 know, and the investigative courses, there's certainly that

1 component where there will be elements particularly on a
2 sexual assault or domestic violence where a survivor
3 presents to the class and talks about their experiences.
4 Justice Oppal spoke to that quite a bit in his Inquiry
5 about -- you know, that officers need empathy,
6 understanding in conducting these investigations.

7 **MS. VIRGINIA LOMAX:** And so, could you
8 clarify for me, it's so-called closed cases that are
9 destroyed after 10 years?

10 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No.
11 There's a records management system in place and it really
12 -- it depends on the nature of the investigations. Like,
13 if it's a theft, it's not going to be kept forever. Death
14 investigations, missing person, there's retention levels
15 that vary for those. To my knowledge, they're never
16 destroyed.

17 **MS. VIRGINIA LOMAX:** And, you've recommended
18 to this Inquiry that police services consider developing a
19 protocol for the creation of written communication plans
20 with families with respect to major investigations; is that
21 correct?

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
23 that's correct.

24 **MS. VIRGINIA LOMAX:** And so, considering the
25 epidemic of violence against Indigenous women and girls

1 that has brought us to this Inquiry and the severe harm
2 caused to families by a lack of effective communication
3 from police that we have heard a great deal about through
4 the course of this Inquiry, would you agree with me that
5 the time for considering this action is over and that the
6 time for action is now?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

8 Certainly, there's no doubt about that. And, over the last
9 little while, we met with -- we had 14 different FILU
10 meetings with 14 different families, and aside from the
11 evidence that the Inquiry has heard, you know, we heard
12 that loud and clear, that we need to step it up when it
13 comes to the continued communication with families. Quite
14 upsetting. You know, we heard from families that said they
15 haven't heard from the police over very long periods of
16 time, and they called to, you know, try and speak to an
17 officer and nobody called them back, and that's just
18 unacceptable. And, you know, I know our organization is
19 committed to making that change.

20 **MS. VIRGINIA LOMAX:** So, you testified
21 yesterday that there is no 24 hour waiting period to report
22 a person missing; is that correct?

23 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Very
24 correct.

25 **MS. VIRGINIA LOMAX:** So, would it surprise

1 you to hear that families of missing and murdered
2 Indigenous women and girls have been told by officers that
3 there is, in fact, a 24 hour waiting period for missing
4 persons report?

5 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'd be
6 very surprised to hear that, especially from -- if it were
7 an OPP officer. I think as -- you know, missing persons is
8 one of our 18 critical policies, there's an expectation
9 that they be familiar with those. I think any officer on
10 the OPP that doesn't realize how important of an issue this
11 is to the OPP, I think they've been on an extended vacation
12 on Mars or something because, you know, it's very
13 important. And, messaging from our Commissioner and senior
14 command has been very clear on this, the creation of our
15 team that was created before the Inquiry actually started
16 in anticipation of the Inquiry.

17 **MS. VIRGINIA LOMAX:** And so, if a family
18 member were to be told something like that, would you agree
19 that it's possible that they were told something like that
20 because of the concept of tunnel vision?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That's
22 certainly possible.

23 **MS. VIRGINIA LOMAX:** Would you consider an
24 officer making a statement like this to be a neglect of
25 their duty?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

2 Absolutely, without any question.

3 **MS. VIRGINIA LOMAX:** One of your other
4 recommendations is to take missing persons reports
5 regardless of jurisdiction; is that correct?

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That's
7 our policy and it's been our policy for a number of years
8 now, that regardless of where the person is missing, that
9 we would take the information and commence a report.

10 **MS. VIRGINIA LOMAX:** And, if an officer
11 refuses to take a missing persons report on the basis of
12 jurisdiction, would you consider that to be a neglect of
13 duty?

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes, I
15 would.

16 **MS. VIRGINIA LOMAX:** Yesterday, you
17 described how neglect of duty is dealt with. Is it fair to
18 say that dealing with situations of neglect of duty is
19 primarily an internal process?

20 **CHIEF SUPERINTENDENT MARK PRITCHARD:** In
21 Ontario, certainly not. There's strong civilian oversight
22 of policing in Ontario through the OIPRD. And, for more
23 serious incidents, where there's allegations of bodily harm
24 or sexual assault, they're investigated by the Special
25 Investigations Unit which is a civilian branch of the

1 Ministry of the Attorney General.

2 **MS. VIRGINIA LOMAX:** Thank you. Those are
3 my questions for you. My next questions are for Captain
4 Charbonneau. Yesterday, you testified that your officers
5 are wearing bracelets to show moral support for officers
6 who were terminated; is that correct?

7 **CAPTAIN PAUL CHARBONNEAU:** That's correct.

8 **MS. VIRGINIA LOMAX:** Were these officers
9 terminated due to the events in Val-d'Or?

10 **CAPTAIN PAUL CHARBONNEAU:** J'ai pas compris
11 la question.

12 **MS. VIRGINIA LOMAX:** The officers for whom
13 your other officers are showing moral support, the officers
14 who were terminated, were those officers terminated due to
15 the events that took place in Val-d'Or of violence against
16 Indigenous women and girls?

17 **CAPTAIN PAUL CHARBONNEAU:** Suite aux
18 évènements de Val-d'Or, y'a eu une enquête qui a été
19 confiée au Service de police de la ville de Montréal, et à
20 ce jour y'a pas eu de dépôt d'accusation pour ce policier.

21 **MS. VIRGINIA LOMAX:** And so, you testified
22 that these bracelets are not intended to show support for
23 the oppression of community experience from your officers,
24 but rather just support for the officers themselves; is
25 that correct?

1 **CAPTAIN PAUL CHARBONNEAU:** Ce que j'ai
2 mentionné hier lors de mon témoignage, c'est que ce
3 bracelet-là, les policiers le portent pour démontrer leur
4 support à l'ensemble du poste de Val-d'Or, pas seulement
5 les officiers, pas seulement les policiers que... sujets
6 d'allégations.

7 **MS. VIRGINIA LOMAX:** And so, you testified
8 that you wanted to convince officers of the reasons why
9 they should not wear bracelets because you wanted to have
10 long lasting effect; is that correct?

11 **CAPTAIN PAUL CHARBONNEAU:** Oui, c'est exact.

12 **MS. VIRGINIA LOMAX:** Wouldn't you agree that
13 the community's perception of violence, mistrust, bias and
14 uncaring attitudes from officers in their communities will
15 have long lasting negative effects on the communities your
16 officers serve and, by extension, community relations?

17 **CAPTAIN PAUL CHARBONNEAU:** En fait, oui. La
18 Sûreté du Québec est au courant de ce problème-là. Nous, ce
19 qu'on tente de faire, c'est de parler avec les policiers,
20 les sensibiliser, et, je répète, ce qui est important,
21 c'est la compréhension mutuelle, autant de la communauté
22 que des policiers, puis pour nous c'est important
23 qu'éventuellement le port de ce bracelet-là cesse.

24 **MS. VIRGINIA LOMAX:** So, would you agree
25 with me that harm may be caused to the community in the

1 time that you wait for the officers to stop wearing these
2 bracelets?

3 **CAPTAIN PAUL CHARBONNEAU:** Par contre, ce
4 que je veux ajouter, en effet, c'est que les polices du
5 PPCMA ne portent plus le bracelet, et ce qu'on tente de
6 faire, c'est que les gens, de les sensibiliser à cet
7 impact-là. Du même souffle, on fait plusieurs démarches
8 pour tenter de rebâtir les ponts entre la communauté puis
9 les policiers. Entre autres, c'est par la compréhension
10 mutuelle des motivations des policiers puis des motivations
11 de la communauté également. Ça va dans les deux sens.

12 **MS. VIRGINIA LOMAX:** My next ---

13 **CAPTAIN PAUL CHARBONNEAU:** Par ailleurs, y'a
14 des évènements...

15 Je vais juste...

16 Au début du mois de juin, y'a eu une
17 disparition dans la région de Val-d'Or. Les policiers ont
18 été impliqués, se sont impliqués avec la communauté, puis
19 la communauté a aidé les policiers entre autres en
20 fournissant du support, entre autres en aidant dans les
21 opérations de recherche, et malheureusement c'est une
22 recherche qui s'est pas terminée par trouver quelqu'un de
23 vivant, mais... et les policiers d'ailleurs ont été invités
24 aux funérailles et on a assisté aux funérailles.

25 Alors ça, c'est le genre... c'est le genre

1 d'action qui va aider à bâtir des ponts et à rétablir la
2 confiance.

3 **MS. VIRGINIA LOMAX:** But, you just agreed
4 with me that wearing the bracelets will continue to cause
5 long lasting harm; is that correct?

6 **CAPTAIN PAUL CHARBONNEAU:** Je pense que les
7 travaux des deux commissions en fait, la Commission Viens
8 et la Commission ici, la Commission fédérale, et le temps
9 vont atténuer beaucoup de choses en rapport avec cet
10 épisode spécifique là.

11 **MS. VIRGINIA LOMAX:** My next questions are
12 for Deputy Commissioner Butterworth-Carr.

13 **MS. CHRISTA BIG CANOE:** Sorry, Ms. Lomax,
14 you're out of time.

15 **MS. VIRGINIA LOMAX:** Thank you.

16 **MS. CHRISTA BIG CANOE:** The Commission would
17 like to invite up Aboriginal Legal Services, Ms. Emily Hill
18 has eight minutes.

19 **--- CROSS-EXAMINATION BY MS. EMILY HILL:**

20 **MS. EMILY HILL:** Good morning. I just have
21 a few questions this morning for Chief Superintendent
22 Pritchard. Just a few broad questions. In your testimony
23 yesterday, you talked about Sir Robert Peel, and I
24 understand generally his approach is called policing by
25 consent; is that right?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

2 **MS. EMILY HILL:** Built on the idea that
3 police can't do their job without the respect and trust of
4 the community?

5 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
6 Correct.

7 **MS. EMILY HILL:** And, that's relevant to
8 these proceedings, because when police actions undermine
9 the trust or respect of the community investigations into
10 missing and murdered women may suffer.

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
12 Absolutely. It's trust and relationship is at the -- is
13 paramount in being an effective police service.

14 **MS. EMILY HILL:** One mechanism to build
15 respect is a demonstration that police are subject to
16 effective oversight; correct?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
18 Correct.

19 **MS. EMILY HILL:** And that's because it seem
20 -- it's important that they be seen to be held accountable
21 if they break the community's rules.

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

23 **MS. EMILY HILL:** And in relation to an
24 investigation that an OPP member caused serious injury,
25 death or committed a sexual assault, the oversight agency

1 is the Special Investigation Unit or the SIU?

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

3 **MS. EMILY HILL:** And I'm correct in thinking
4 that all Ontario Police Services are under a legal
5 obligation to notify the SIU of incidents that fall within
6 that mandate?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That's
8 correct.

9 **MS. EMILY HILL:** I'd like to turn now to
10 some specific questions about your capacity as the lead for
11 the OPP inquiry team.

12 OPP polices in both rural and urban
13 environments.

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** And
15 First Nations.

16 **MS. EMILY HILL:** And so in some communities
17 that the OPP polices, Indigenous people make up a very
18 large percentage of the population, and in others they make
19 up a relatively small part of the population.

20 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That's
21 accurate.

22 **MS. EMILY HILL:** And so the investigations
23 that you are examining as the Inquiry lead involve these
24 types of different communities.

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

1 **MS. EMILY HILL:** Because Indigenous women
2 don't just face violence in their home communities;
3 correct?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
5 Correct.

6 **MS. EMILY HILL:** They may face violence in
7 larger centres that they may move to for school or work or
8 family reasons.

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
10 Correct.

11 **MS. EMILY HILL:** And that's -- it's also
12 important for police to be thinking about the fact that
13 Indigenous women don't just experience violence at the
14 hands of Indigenous men; right?

15 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
16 Absolutely.

17 **MS. EMILY HILL:** They may be facing threats
18 of violence from other sources and other people.

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** And I
20 would include the potential of human trafficking as a form
21 of violence.

22 **MS. EMILY HILL:** So there's a number of
23 places where violence against Indigenous women and girls
24 has to be considered in terms of police investigation.

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

1 Absolutely, yes.

2 **MS. EMILY HILL:** And yesterday and this
3 morning you've mentioned the Oppal and the Campbell
4 inquiries. And just to make sure everyone's aware, those
5 are inquiries that were held after situations where police
6 did not identify a serial predator, which involved a number
7 of attacks over a number of years.

8 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

9 **MS. EMILY HILL:** I'd like to now turn ask
10 you a few questions about the video we watched, about
11 Project Journey and Pikangikum, and that's to provide the
12 Commissioners with some context.

13 I think in your last comments in your direct
14 examination you said that this was an important project
15 because of the struggles that that community has faced.

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
17 project started after a coroner's investigation into the
18 large number of youth suicides in Pikangikum, and to get at
19 the root causes of what those were and, you know, a really
20 holistic approach to the issue from a number of angles.
21 Certainly policing is just one factor, and, you know, the
22 relationship that the police have with the community
23 impacts on so many levels. And, you know, that's a
24 community that the OPP has been, for lack of a better
25 words, marched out of on two occasions, you know, previous

1 to that project starting.

2 **MS. EMILY HILL:** I wanted to ask some
3 questions about what you just referred to, because I think
4 that part of the experience of that community is a very
5 fractured relationship with the OPP.

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
7 Historically, yes.

8 **MS. EMILY HILL:** Well, I'm going to suggest
9 that it's not that historic. That when you talk about
10 being marched out of the community that, in fact, happened
11 in 2009 and in 2010.

12 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
13 last one I'm aware of was 2009.

14 **MS. EMILY HILL:** If I suggested that there
15 was an incident where the entire OPP contingent was
16 escorted out of the community after an allegation of police
17 misconduct in 2010 ---

18 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That -
19 --

20 **MS. EMILY HILL:** --- would you disagree with
21 me?

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
23 can't disagree with that. I'm not familiar with the 2010
24 incident. So, no, I can't disagree with that.

25 **MS. EMILY HILL:** Are you aware of an

1 incident in 2012 where an OPP officer tasered a member of
2 the community in the face and that resulted in partial
3 blindness?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That
5 was actually a First Nations officer with the Pikangikum
6 Police. It wasn't an OPP officer.

7 **MS. EMILY HILL:** I think that incident is
8 the incident that gave rise to a large protest in 2015.
9 And that the one you're discussing, the tasering by a First
10 Nation constable, and there was a lot of community response
11 to that which resulted in a protest of 3 to 500 people at
12 the OPP contingent. Is that -- are we talking about the
13 same incident?

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
15 there was a large protest. One of the Elders that tried to
16 end it referred to it as a riot. And at that protest there
17 was many there that were supportive of the police.

18 **MS. EMILY HILL:** It's a very difficult
19 situation.

20 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Very
21 difficult and very fortunately it ended without the loss of
22 life.

23 **MS. EMILY HILL:** But I was wanting to ask
24 you about an incident in 2012 where an OPP officer tasered
25 an individual. This was investigated by the SIU in 2015.

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'm
2 sorry. I misunderstood your question. Yes, I do recall
3 that, yes.

4 **MS. EMILY HILL:** And so that incident in
5 2012 with the tasing to the face, that wasn't reported to
6 the SIU until the -- until 2015. And I understand it was
7 reported by a family member rather than by an OPP officer.

8 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No, it
9 was actually reported to the SIU by myself when I became
10 aware of it, when I was meeting with Chief and Council
11 after that 2015 incident. That was brought to my attention
12 and that is when we reported it to the SIU.

13 **MS. EMILY HILL:** So when it came to your
14 attention in 2015 it was reported to the SIU.

15 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
16 it was.

17 **MS. EMILY HILL:** And you learned that from a
18 community -- from meeting with Chief and Council?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** It was
20 in a meeting with Chief and Council over that other
21 incident. And I think it was the subject that was tasered,
22 I think it was his father that reported it to me.

23 **MS. EMILY HILL:** So between 2012 when the
24 incident occurred and 2015 when the incident came to your
25 attention it was not reported by the OPP to the SIU.

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'm
2 not sure the OPP was aware of the fact that there was an
3 injury sustained. Tasering do not have to be reported to
4 the SIU. What has to be reported to the SIU, there's a
5 broad number of incidents involving bodily harm, and that
6 was the first it came to our attention that that taser
7 incident resulted in bodily harm.

8 **MS. EMILY HILL:** In terms of thinking about
9 the relationship with the police, the fact that the OPP in
10 that community weren't aware that a tasering to the face
11 had caused that kind of injury after the -- you'd agree
12 with me that there might be some important communication --
13 misunderstandings or miscommunications if the police
14 weren't aware of the consequences of their actions until
15 three years later?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Many
17 tasering incidents don't require any hospitalization or
18 result in serious injuries, so unless they come to our
19 attention, we don't know about them.

20 **MS. EMILY HILL:** In terms of thinking about
21 the community work that we saw highlighted in the video,
22 that community work is important, but you'd also agree that
23 there's some other work that the OPP has to do in the
24 community of Pikangikum and to reveal trust with regard to
25 the longstanding concerns about police force and the

1 excessive use of force.

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
3 and that's part of why we -- I mean, myself, I've been
4 there many times and met with Chief and Council. Our
5 Commissioner and all our senior executive has actually been
6 to Pikangikum and met with Chief and Council. We have a
7 regular rotation of officers that are deployed to
8 Pikangikum every two weeks, which results in challenges.
9 So it's important that we keep that communication and the
10 lines of communication open with them. We wouldn't have
11 been able to show that video without the consent of Chief
12 and Council. So, you know, it's a very unique community
13 and our response to policing there has to be unique as
14 well.

15 **MS. EMILY HILL:** Thank you.

16 **MS CHRISTA BIG CANOE:** Thank you, Ms. Hill.

17 Next we'd like to invite up Regina Treaty
18 Status Indian Services Inc. Ms. Erica Beaudin will have
19 10-and-a-half minutes.

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

21 **MS. ERICA BEAUDIN:** Took me about nine
22 times, but I realized I should just step back.

23 So, good morning. Thank you to the Elders,
24 drummers, singers for their prayers and songs this past
25 week. As we are on the last day of these hearings, I thank

1 all visitors who shared our stunning lands, cultures,
2 languages, cultures and traditions. I truly hope you have
3 all felt the beauty of who we are as a people.

4 As a citizen of Treaty 4 I welcome all
5 visitors once again to our treaty area. My name is Erica
6 Beaudin and I'm the Executive Director of the Regina Treaty
7 Status Indian Services, for the record.

8 My first question is to Deputy Commissioner
9 Butterworth-Carr. Thank you for the very informed
10 presentation yesterday. It was very fact-based and that
11 was very appreciated.

12 In your opinion, do the policies and
13 procedures that are used by the RCMP sufficient in
14 investigating missing and murdered Indigenous women and
15 girls?

16 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
17 think that the policies that we have in place and the
18 structures that we have, there's a tremendous amount of
19 rigour around it. But I also think that, you know, as we
20 heard yesterday, and, you know, I'm glad that I have the
21 opportunity to talk about this.

22 You know, the one forum, in particular, you
23 know, I don't ever want to leave the commissioners or the
24 audience with the impression that, you know, a family
25 communication form is secretive. That's -- I thought about

1 that, it bothered me last night, and...

2 Because our relationships with our families
3 are so critical, and I think that, you know, when we have
4 input at all levels that's really important. And from my
5 perspective, you know, a little bit of competition with OPP
6 here, I really appreciated the fact that they actually have
7 a robust form, and you know, even those -- the one that I
8 was presenting in available in English and French.

9 The reality of it is -- it's ironic, because
10 I was saying to a colleague of mine three days prior that,
11 you know, we really need to be able to see all of ourselves
12 in the polices and stuff that we have because they are very
13 dry. And I think that, you know, as we continue to
14 evergreen them, because they need to be, they --
15 absolutely. You can't just create a policy and say, okay,
16 well we're all done, because that's not accurate. I think
17 that there is lots of opportunities to continue to consult,
18 and that's part of that.

19 **MS. ERICA BEAUDIN:** Thank you. My next
20 question is a little bit different. It's about search and
21 recovery, or search and rescue, pardon me.

22 I've been in probably about -- personally,
23 over a hundred missing persons cases. Some of them leading
24 to bodies and others return home alive. And as such, I've
25 been on several search and rescue recovery missions, both

1 in the urban as well as the rural and on reserve areas.
2 One of the searches that I've been on, actually lasted
3 three months. RCMP as well as city police were only about
4 one week of that -- those three months.

5 What role does search and rescue play when
6 an Indigenous woman or child goes missing? And then
7 secondly, could you very quickly explain how a search party
8 is triggered? Sorry. I know I uptalked that last part.

9 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
10 with search and rescue, when they come on side with us,
11 because when we're looking for lost or missing persons, you
12 know ,their role is to work with us and to continue to
13 search and then, you know -- and there's no real set time.
14 It's around the geographical area that's searched, you
15 know, the grid that's put into place, as well as a number
16 of other factors that will eventually determine whether or
17 not police continue to participate.

18 But I will say that, you know, in British
19 Columbia, specifically, I am very aware of, you know, the
20 leadership that we've come forward, and like months and
21 years after where it's when we're still looking for, you
22 know, our missing girls and hoping to be able to find them
23 that it's community-based and, you know, the leadership
24 that comes with it, and we work with them.

25 And -- you know, because at the end of the

1 day the important piece is to be able to find the person
2 that's missing, and that'll always be, you know, something
3 that we want to be able to, you know, achieve.

4 **MS. ERICA BEAUDIN:** Do you have experience
5 with Indigenous people in a community when a search is
6 called?

7 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes,
8 historically.

9 **MS. ERICA BEAUDIN:** Okay. Do you believe
10 that Indigenous people are the best searchers when a person
11 goes missing in their community, especially if that person
12 goes missing on their lands?

13 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
14 think all avenues of assistance is critical important, and
15 I know of many, you know, investigations where we've been
16 out searching, and we've had families with us, and -- you
17 know, as recently as the last number of months.

18 And I think of, you know, as an example, the
19 Canadian Rangers and other family members up in the
20 northern communities and, you know, the other communities
21 where it's so densely populated in terms of the organic
22 nature. So wooded, right, forested. And any person that
23 we can work with that's going to know the land well, that's
24 in our best interest to be working with community, and you
25 know, people that are familiar with the geographical areas.

1 **MS. ERICA BEAUDIN:** Okay. Do you believe
2 that federally funded Indigenous search and rescue teams
3 would assist and benefit not only the First Nations and
4 surrounding communities -- and that goes to -- back to what
5 you just said that community search much longer after the
6 RCMP and the municipal police forces have stopped the
7 search at that point?

8 So do you believe -- once again, I
9 apologize, I went a little bit off there -- that federally
10 funded Indigenous search and rescue teams would assist and
11 benefit not only the First Nations and surrounding
12 communities, but also the RCMP?

13 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So I
14 am familiar with some First Nations search and rescue, and
15 candidly, any support available for search and rescue is
16 critical.

17 **MS. ERICA BEAUDIN:** Thank you. Thank you.
18 My next question is to Captain Charbonneau.
19 And I realize I forgot my translator, but that's fine.
20 Commissioner Audette has taught me French in the last eight
21 weeks.

22 (LAUGHTER)

23 **MS. ERICA BEAUDIN:** Captain Charbonneau, do
24 you believe the Indigenous people are the first peoples of
25 this land and are the original inhabitants?

1 **CAPTAIN PAUL CHARBONNEAU:** Oui, tout à
2 fait.

3 **MS. ERICA BEAUDIN:** Then why would the SQ
4 teach in their Cultural Awareness course the Bering Strait
5 theory that we came over on a land bridge?

6 **CAPTAIN PAUL CHARBONNEAU:** Enfin, ça fait
7 longtemps qu'on ne fait plus ça, et au moment où ça s'est
8 fait, ça s'est fait par un membre des Premières Nations, et
9 y'avait un anthropologue et un membre des Premières Nations
10 lors de la première journée et c'était pour donner
11 l'exemple. En fait, quand j'ai parlé de ça, ce que je
12 faisais, c'est que je donnais l'exemple que la Sûreté
13 n'hésite jamais à se remettre en question et à se
14 moderniser, et c'est pour ça que la formation actuellement
15 ne parle pas du tout de ça.

16 **MS. ERICA BEAUDIN:** My apologies. As you
17 used it as an example, I thought that it was still being
18 taught.

19 My next question is would you be committed
20 to bringing back to the SQ office the recommendation to
21 work with an Indigenous post secondary institution to
22 create a true and effective cultural course?

23 **CAPTAIN PAUL CHARBONNEAU:** En fait, la
24 Sûreté demeure ouverte à toute suggestion et va analyser
25 toute suggestion pour voir à la faisabilité puis la mise en

1 opération de ceci. À la Sûreté, on est ouvert. L'idée
2 derrière tout ça en fait, c'est de rendre service aux
3 citoyens. Alors toute suggestion venant du public qui peut
4 améliorer le service aux citoyens, ça intéresse la Sûreté
5 du Québec.

6 **MS. ERICA BEAUDIN:** Okay. Thank you. My
7 next question, very quickly, is to all three parties.

8 Are you familiar with Bill S-215, which
9 addresses sentencing for violent offenses against
10 Aboriginal women?

11 **MS. CHRISTA BIG CANOE:** Just to any witness
12 that is going to answer.

13 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
14 might have the shortest answer. No, I'm not.

15 **MS. ERICA BEAUDIN:** Okay.

16 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I am,
17 but I'm struggling to recall all of it.

18 **MS. ERICA BEAUDIN:** Okay. I'm not going to
19 go into it. I just wanted to know if you're familiar with
20 it. Mr. Charbonneau?

21 **CAPTAIN PAUL CHARBONNEAU:** Je m'excuse,
22 j'ai pas compris la question. Vous parlez très rapidement.

23 **MS. ERICA BEAUDIN:** My apologies. Are you
24 familiar with Bill S-215, which addresses sentencing for
25 violent offenses against Aboriginal women?

1 **CAPTAINE PAUL CHARBONNEAU:** Non, je ne le
2 suis pas.

3 **MS. ERICA BEAUDIN:** Okay. A recommendation
4 that I have, and it's -- I realize it's for the
5 commissioners, but this is to the witnesses -- that all
6 officers become aware of this very important bill, and
7 perhaps look at how this could be an additional
8 consideration of how officers gather evidence when it comes
9 to Indigenous women.

10 And if that is possible, do you believe that
11 this will affect the way officers conduct an investigation?

12 **MS. CHRISTA BIG CANOE:** I'm not certain --
13 can we stop the time for a moment? I'm not certain, given
14 that they've all acknowledged that they don't know that
15 they can answer that. But as well as putting in a
16 recommendation, could I maybe suggest you rephrase it to
17 ask if they -- how they feel or would react to that so they
18 can answer the question.

19 **MS. ERICA BEAUDIN:** How would you react to
20 that? And emoticons are fine.

21 (LAUGHTER)

22 **MS. ERICA BEAUDIN:** That's fine. Thank you
23 all. Safe travels back to your home fires.

24 **MS. CHRISTA BIG CANOE:** Thank you.
25 Next, we would like to invite up Aboriginal Women's

1 Network. Ms. Faye Blaney will have ten-and-a-half minutes.

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

3 **MS. FAY BLANEY:** And today we also will have
4 MiKenze Jordan asking our questions.

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

6 **MS. FAY BLANEY:** She's the member of the
7 Aboriginal Women's Action Network as well. I'm very
8 pleased that she's coming forward to do this.

9 So I wanted to ask -- I'm sorry, I don't
10 know titles -- Butterworth-Carr, about accidental deaths or
11 suicides. I know the Commissioner said on the first day
12 that cold cases would continue to be reviewed. But I'm
13 wondering if there will be a review of the cases that are
14 deemed to be accidental deaths or suicides?

15 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** In
16 terms of the historical cases, they're continuously being
17 reviewed. With suicides and accidental deaths, again, that
18 determination is made by the coroner, or medical examiner,
19 or pathologist, and unless there's new information that
20 comes to light, based upon their determination, then they
21 are typically not reviewed.

22 **MS. FAY BLANEY:** Okay. Yeah, I have a
23 sister that died under mysterious circumstances, so it's a
24 big issue for me. So my next question, again to you Ms.
25 Butterworth-Carr, is related to what happened in the

1 Pickton massacre. As you know, in 1997 he seriously
2 stabbed a woman and she managed to escape. She was
3 handcuffed, and she managed to escape and reported to
4 police that he was attempting to murder her, and the police
5 thought that she wasn't a reliable witness because she was
6 a drug addict.

7 So I'm wondering, is it normal practice to
8 deem either alcoholics or drug addicts to be non-credible
9 or hostile witnesses?

10 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
11 when we're investigating or a report comes in, it's
12 expected that all, you know, RCMP members will thoroughly
13 investigate a complaint by whomever it is, whomever it
14 involves.

15 **--- CROSS-EXAMINATION BY MIKENZE JORDAN:**

16 **MS. MIKENZE JORDAN:** Sorry, I'm going to be
17 really nervous. So I just want to thank -- I just want to
18 say that I'm grateful to be here. I've been to all of
19 these hearings and I'm not legal counsel, but I speak for
20 the women that I work with, the ones the I support, the
21 ones that share their stories with me because they trust
22 me. They share their heartbreak with me. They share their
23 frustrations. They share their disappointment about the
24 interactions with the police and the services that are
25 supposed to be there to help them.

1 So many times, I've heard of stories where
2 we know that more could have been done -- that more
3 questions could have been asked. The families could have
4 been more informed. I think and a know of -- I want to ask
5 about the policy about when missing women are reported,
6 when can it go to the public?

7 I know of a story that a woman was reported
8 missing and it didn't go public. And we know, and we've
9 been told, and we've heard this many times, that the sooner
10 the investigations are known that and they're able to
11 collect material, and they're able to talk with more
12 people, and find out more information that the better the
13 results. And unfortunately, this did not end in the way
14 that we wanted.

15 And I just think that these women, that
16 these families, they need answers and it's hard to sit here
17 all the time and listen because I know, we know, that
18 there's been failures. And I think time is now, and we
19 know that, and this is my truth. This is the truth from
20 the women that I support. And these are the questions that
21 those women and girls can't answer for themselves. So I'm
22 here and I need to know that -- I need to know how you're
23 going to be accountable for their lives, for the lives that
24 I know that you can influence that these women will stay
25 alive, and that I don't want to hear more of these stories.

1 I don't think you do either and it's hard to
2 hear that -- all of these amazing things that you're doing.
3 I want you to take responsibility and be accountable for
4 the failures, because that's why we're here. I've heard
5 for many, many years that these women are being hurt and
6 they're disappearing, and yes, they're being murdered. So
7 we want to know, I want to know, what you're going to do.
8 I want to know that the public will know immediately that
9 these women are gone. I want to know that if I know I can
10 do something about it. So I'd like to know what your
11 policy is.

12 I also want to know what you're going to do
13 when you go home. Are you having meetings with the people
14 that you work with, the people that you're supposed to
15 train? I want to know that these relationship buildings
16 are actually going to happen. I want to know that not just
17 the new recruits are being taught about the cultural
18 awareness. I want to know that you are being reminded and
19 even taught that it's important to know those people. That
20 you can actually build those trust. That they'll share
21 their stories with you.

22 I want to know that you are interacting with
23 women's groups, because we know. The women trust us. They
24 come to us because they know they're not getting the
25 answers that they need. So I put that to you. Can you

1 please tell me?

2 (Applause)

3 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
4 the Commissioner made an apology to the families in
5 recognition of the things that we could be doing better as
6 a police agency. I joined the RCMP because my entire life
7 is about trying to make things better, to bring change and
8 awareness to our communities across this country. I had my
9 first son at 16 years old and grew up in a community very
10 similar to everyone else in this room, and for me it's a
11 lifelong calling. I've been in the organization for 30
12 years and every day I reach out and make commitments and
13 community and interact.

14 And with respect to the building of
15 relationships, they're critical for us, and you know,
16 through the course of my career that is something that I've
17 said to people that I've worked with every day. And I
18 think it's fully recognized that, you know, we still have
19 to continue building relationship. They're not easy.
20 We've heard from our communities across the country with
21 respect to you know, the fact that we've got such transient
22 employees coming in and out, so it's hard to trust, it's
23 hard to build relationships.

24 And in terms of accountability, the police
25 are accountable to families. I'm accountable in my

1 position as the Commanding officer of the province of
2 British Columbia. I'm accountable to the families and the
3 communities.

4 And in terms of, you know, working with
5 others from outside of cadets in the training, we talk
6 about this. I've worked from the time that I worked in my
7 first community through the course of my entire career in
8 bringing awareness to the challenges in our communities,
9 the socioeconomical issues that are impacting our
10 communities and I continue to do that to this day.

11 And you know, when I first came here I was
12 so nervous because I couldn't even remember to pronounce my
13 name properly, and I'm -- like, I say it all the time and
14 because of the, you know, the importance of these meetings,
15 and I'm so grateful to be here, and I genuinely appreciate
16 the stories that you're sharing. And prior to me coming
17 here, we also participated in the KAIROS blanket ceremony
18 and I did that with major crime investigators,
19 communications people, and serious crime because they are
20 the ones that are interacting with their families and they
21 are the ones that are responsible for furthering the
22 investigations. And, I'll keep doing that, and I'll keep
23 inviting opportunities to participate in our sweats.

24 The community of Esketemc, former Chief
25 Charlene Belleau, she facilitates that for us. We bring

1 RCMP personnel there. We ask, and try and work with all of
2 our communities, so recognizing specifically in British
3 Columbia that there's 200 First Nations. You know, we have
4 a population of RCMP personnel that they have the ability
5 to speak 100 different languages. I wish that was the case
6 for every one of our provinces and territories so there
7 were more of a reflection. You know, I heard about the
8 population, or the limited number of Inuit speakers, and we
9 need to do more. We need to continue to be a reflection of
10 the mosaic of people that we represent.

11 I'm accountable to you in the position that
12 I'm in, and I can tell you the people that I work with, we
13 genuinely want this to stop. My ultimate goal would be
14 that we would never investigate another one, ever.

15 **MS. CHRISTA BIG CANOE:** Thank you. Next, we
16 would like to invite up Eastern Door Indigenous Women's
17 Association. Ms. Natalie Clifford will have 10-and-a-half
18 minutes.

19 **--- CROSS-EXAMINATION BY MS. NATALIE CLIFFORD:**

20 **MS. NATALIE CLIFFORD:** Good morning. My
21 name is Natalie Clifford with The Eastern Door Indigenous
22 Women's Association, and I represent the interests of
23 Native Women's Associations in the four Atlantic provinces,
24 and we particularly are made up of Mi'gmaq and Maliseet.
25 So, while I appreciate that you can speak to the issues of

1 our region, I hope that some of my questions can get to
2 help better some of the things that we're doing there and
3 across the country.

4 So, my questions are particularly with
5 Deputy Commissioner Butterworth-Carr. I think in your
6 testimony you identified that one of the extra steps that
7 you encourage RCMP to do is acknowledge the role of
8 community support or individuals in the community for
9 families, specifically with respect to missing and murdered
10 Indigenous women. So, I think, though, we still have this
11 situation where the families themselves are the ones who
12 can be involved in the file and request a review of the
13 file; is that a fair characterization?

14 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

15 That is something that I had mentioned yesterday with
16 respect to that. I also balance that with that, you know,
17 in terms of some of the information in the file that we're
18 not able to share that based upon, you know, the integrity
19 and ensuring that it's contained within the team command.

20 **MS. NATALIE CLIFFORD:** And so, in that, sort
21 of, situation, the only person with the real -- the person
22 with the most access to the information in the file is the
23 family member?

24 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

25 No. So, with respect to our investigations, I had

1 mentioned yesterday with respect to the Major Case
2 Management principles, and the Command Triangle, and the
3 importance of the Team Commander, the primary investigator,
4 as well as the file coordinator and the information
5 contained within the investigation, it needs to remain
6 within the Team Command Triangle because of the integrity
7 of the investigation. We don't want to do anything that's
8 going to compromise the ability to successfully prosecute
9 it.

10 In terms of the updates with the families,
11 either the family liaison officer or the investigator will
12 provide as much information as they can. Obviously, we
13 always want to be able to have the family members come
14 forward and provide, you know, whatever information that
15 they may know.

16 In terms of requesting a view, I had
17 mentioned that that would be something that we would
18 refresh so that there was an understanding within the
19 family guides how they could do that, but it wouldn't be
20 insofar as an active investigation. It would be a request
21 to see whether or not it had been reviewed by a higher
22 level, as I was talking about the Special Projects Team or
23 the Office of Investigative Standards to ensure that the
24 investigation is constantly being monitored that -- as well
25 as when it would have been reviewed.

1 **MS. NATALIE CLIFFORD:** So, with respect to a
2 family asking for a review, this is -- I'm just trying to
3 get to the heart of whether -- I mean, I think in my
4 colleague's previous questioning, I think a fair
5 characterization of part of that and also the issue that
6 the women's organizations in my region faces that they are
7 often advocates for the victims and the families. And, in
8 some cases, families are not part of that.

9 And so, in a situation where somebody that
10 is helping victims in a family wants to request a review,
11 is that something that they can do on their own or do they
12 require a family member to be part of that process?

13 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
14 If the family member has identified a person and they have
15 appointed that person to be their liaison with the police
16 agency or with the RCMP, then that person has the
17 opportunity to come and talk to the investigator.

18 **MS. NATALIE CLIFFORD:** But, at the end of
19 the day, it's still incumbent on the family member to
20 indicate who they are okay with coming forward to the
21 investigator?

22 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
23 Yes, we have to make sure of that because of the
24 interaction with the family and respecting, you know, the
25 confidentiality or -- you know, we don't want to do

1 anything to compromise that.

2 **MS. NATALIE CLIFFORD:** Okay. I'm going to
3 just move on to the protocol with respect to human deaths.
4 At 1.1, and this is Exhibit 109, in case anybody wanted to
5 follow along, this is specifically in relation to British
6 Columbia, again I realize. But, at 1.1 we have, "All
7 reportable deaths occurring within the RCMP jurisdiction
8 will be treated as suspicious and will be investigated
9 thoroughly." And, if I'm correct, reportable deaths are
10 determined by the *Coroners Act* in British Columbia? Okay.

11 So, I looked at the *Coroners Act*, and
12 I -- is it true that with respect to a reportable death and
13 in determining whether something would give rise to
14 suspicious circumstances, again, we're relying on family
15 members or community members who have information about
16 deaths, and then for them to actually bring them forward
17 and report them?

18 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
19 So, with respect to this policy, as I was mentioning
20 yesterday, the -- all deaths are immediately treated as
21 suspicious until determined otherwise. And, with respect
22 to the coroners, medical examiners or pathologists, I mean,
23 ultimately, they're the ones who determine the cause of
24 death.

25 And so, through the course of the

1 investigation, you know, that -- like the family
2 involvement would be -- I'm sorry. Can you just repeat
3 that?

4 **MS. NATALIE CLIFFORD:** Maybe I can give you
5 a scenario. So, in a circumstance where a coroner has
6 determined that cause of death was due to a natural -- say,
7 a heart attack or a stroke. And then we have at Section
8 2.1.8 of the protocol, I can read it, "Do not draw
9 conclusions or conclude your investigation until sufficient
10 evidence is gathered to assist in determining the cause of
11 death," coupled with it sounds like the strength and weight
12 of a coroner's report about a natural cause, my question is
13 whether the first member on the scene to whom that
14 direction is given, if a coroner says it's a natural cause
15 of death, is that the end of discussion?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
17 So, the first person attending the scene, basically what
18 this is saying to them, again, is that you have to treat it
19 as suspicious initially until the coroner can -- coroner
20 determines otherwise. Ultimately, they are the ones that
21 have the ultimate decision and/or the medical examiner. I
22 mean, if there's obvious signs that it's not, then the
23 investigator would immediately notify, you know, a senior
24 supervisor, and then it would be investigated as a
25 benchmark offence.

1 **MS. NATALIE CLIFFORD:** Then, in that
2 scenario, if a family member or a community member came
3 forward to the investigator at that time, and the
4 conclusion of the coroner was a natural cause of death, is
5 the investigator compelled to investigate beyond that point
6 based on evidence from a family member that it's not a
7 natural cause?

8 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
9 If the family member has concerns with the cause of death
10 then, you know, they need to be able to convey that. And,
11 in terms of completely relying on the family member,
12 there's a whole examination that happens, as well as a
13 review of, you know, where the person was found and so
14 forth. And, in terms of -- like I said, if the family has
15 concerns, then that needs to be brought forward.

16 **MS. NATALIE CLIFFORD:** So, in the course of
17 investigating a death under this protocol, there is a
18 section specifically relating to deceased people who have a
19 criminal record; correct?

20 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
21 I'm sorry, can you repeat that? I was trying to read ---

22 **MS. NATALIE CLIFFORD:** In the protocol,
23 there is a section directing officers to the process for
24 conducting an investigation and, sort of, the process is
25 relevant to death, where the deceased had a criminal

1 record.

2 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

3 Yes. So, typically, in terms of the deceased, if there is
4 a criminal record, then there's an indication, you know,
5 provided that they are -- they are, in fact, deceased.

6 **MS. NATALIE CLIFFORD:** So, as part of the
7 protocol then, the officer would be conducting a search of
8 records every time a death is reported?

9 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
10 I'm sorry, I'm just trying to find this, so I can refresh
11 my memory.

12 **MS. NATALIE CLIFFORD:** I don't have the
13 specific section in front of me. I can try to pull it up.
14 I'm running out of time, but...

15 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
16 I want to answer fulsomely.

17 **MS. NATALIE CLIFFORD:** Okay. I guess the
18 reason I wanted to ask about this part, and I'll make it
19 very quick, is because I noted that there is a protocol for
20 dealing with deceased who have a criminal record. But,
21 absent from the protocol for dealing with these sudden
22 deaths, and specifically in relation to our Indigenous
23 communities, there isn't a section for dealing with or
24 identifying victims who also have been victims of
25 previously reported domestic assault and violence.

1 And, I wondered whether that could be a
2 recommendation to the Commission, as part of the protocol,
3 that an officer would surely investigate whether an
4 individual had been a victim of a previously reported
5 violence.

6 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

7 I have to say that I cannot recall all of what's in the
8 policy as it pertains to verifying the criminal records. I
9 would say that in terms of -- you know, if a person is
10 found deceased and there is, you know, evidence onsite that
11 it's investigated and that with respect to the follow up
12 with the coroner, if there's concerns with the family, then
13 that information needs to be conveyed. I would also say
14 that with respect to, you know, previous violence with the
15 person, then that's something that needs to be brought
16 forward as well.

17 **MS. NATALIE CLIFFORD:** Thank you.

18 **MS. CHRISTA BIG CANOE:** Thank you. Next, we
19 would like to call up Pauktuuit and the other Inuit
20 organizations that are also in connection with Pauktuuit,
21 Ms. Symes will have 13 minutes.

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

23 **MS. BETH SYMES:** Good morning. I wish to
24 acknowledge my colleagues, Micheal Vonn and Carly Teillet,
25 who for the last two panels have generously donated some of

1 their time to me.

2 My focus this morning is exclusively on the
3 prevention of murders of Inuit women and girls in Canada.
4 Yvonne Niego in Exhibit 50, her health survey showed that
5 52 percent of Inuit women report experiencing at least one
6 form of physical abuse as an adult. And, in Exhibit 42, in
7 Inuit in Nunavut, women experience violence at 10 times the
8 rate of women in Canada. This is beyond urgent. It's a
9 crisis. Deputy Commissioner, you said this must stop.
10 And, I want to now explore that.

11 The rates of reporting that we know are
12 underreporting. We know that it's underreporting. And, in
13 Inuit Nunangat, when violence happens, Inuit women have no
14 where to go. Less than 20 percent of the communities have
15 shelters or safe houses. And, we heard, Commissioners,
16 remember in Rankin Inlet, that when Sula Enuaraq and her
17 two daughters were murdered that week, she went twice to
18 the women shelter and was turned away because it was full.

19 Now, Deputy Commissioner and Chief
20 Superintendent, you both have policed and continue to
21 police in areas that are remote and isolated. Not exactly
22 the same as Inuit Nunangat, but remote isolated
23 communities, small communities. Would you agree with me
24 that in such communities there's enormous pressure on women
25 not to report?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

2 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

3 I think it's fairly evident that it's very challenging to
4 report in smaller communities. And, you know, when it
5 comes to personal violence, it's challenging to report
6 everywhere. But, particularly in isolated communities,
7 with a lack of infrastructure that's required, depending
8 upon the location, you know, whether it's transient homes
9 -- and we've heard from the various panels previously, you
10 know, often families are removed versus the offenders.
11 And, I think it's incredibly important to be able to have
12 infrastructure, where people can go and feel safe and be
13 supported to feel safe.

14 **MS. BETH SYMES:** So, I'm going to challenge
15 you now to do policing differently on this issue. I want
16 to begin by what we heard in Calgary, from Saskatchewan,
17 they did a forensic audit of all intimate partner deaths in
18 the province of Saskatchewan and released a report on May
19 25th, 2018. Bottom line, in almost every case, the murder
20 was a culmination of a series of escalating physical
21 assaults until finally the woman was killed, does that
22 surprise you?

23 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No,
24 that doesn't surprise me at all. I've read that often
25 times, I think it's the 19th or 20th time that a woman is a

1 victim of domestic violence before it's reported.

2 **MS. BETH SYMES:** And, do you know that it's
3 consistent within across the north, listening to Inuit
4 families, and they describe for their loved one that
5 violence escalated over time. They also said it wasn't a
6 secret. Everybody in the community knew. And, in some
7 cases the police intervened, and in other cases they
8 didn't.

9 And, we heard -- here's the challenge to
10 you. We heard in Yellowknife, we heard in Rankin Inlet, we
11 heard in Happy Valley-Goose Bay and we heard in Montreal,
12 we heard mothers, we heard fathers, we heard sisters, we
13 heard friends who had seen their daughter with a black eye,
14 with a broken bone, badly, badly beaten. And, that mother,
15 that sister, that neighbour, that friend had gone to the
16 RCMP and said, she was beaten. Help. She was beaten. Her
17 life is at risk. And, we also heard from these families
18 that the RCMP refused to take third person complaints.
19 And, in each of the cases I'm going to name this morning,
20 that woman was killed. That woman, and in some cases, her
21 daughters were killed.

22 Deputy Commissioner, you've got this third
23 person complaint process which I understand is that the
24 woman herself tells a third party in authority and that
25 that -- then the RCMP will act on it. Do I understand that

1 correctly?

2 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

3 When information is conveyed to the RCMP, then an
4 investigation is initiated. And we still would need to
5 talk to the person, you know, the woman that was abused.

6 **MS. BETH SYMES:** The test for investigating
7 a break and enter, as defined in the Supreme Court of
8 Canada in *R. v. Mann* in 2004, is whether or not the police
9 have reasonable grounds to investigate. It is, you agree
10 with me, a far lower standard than to arrest and certainly
11 a far lesser standard than to convict. Chief
12 Superintendent, do you agree with me?

13 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes, I
14 do. And we do have a process involving third party
15 complaints where we'll take the investigation and commence
16 an investigation. And certainly, if those reasonable
17 grounds do exist that an offence has been committed, I
18 don't see a reason why we wouldn't lay a charge.

19 **MS. BETH SYMES:** If our goal really is to
20 stop this, why has a complaint from a parent, sister or a
21 neighbour that Deidre, that Sula, that Joy, that Sylvia,
22 that Kimberly, all Inuit women, had been badly beaten by
23 her intimate partner not reasonable grounds for the RCMP to
24 have investigated?

25 And that is the evidence on the record that

1 family members in every one of these cases went to the RCMP
2 saying, "My daughter, my sister, my friend has a black eye,
3 has broken bones." And the police did nothing.

4 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

5 That would be a neglect of duty if they weren't
6 investigating or initiating an investigation. We've got
7 very strong policy as it pertains to our violence in
8 relationships. And they have to open a file and they have
9 to initiate the investigation.

10 **MS. BETH SYMES:** I can assure you that the
11 evidence from across Inuit Nunangat is exactly the
12 opposite. And I'm not talking about cases of 50 years ago.
13 I'm talking about recent cases in which escalating domestic
14 violence that ended in murder were not investigated by the
15 RCMP.

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

17 Then I'm going to suggest that we have a conversation so I
18 can acquire that information because they need to be
19 reviewed.

20 **MS. BETH SYMES:** Because would you agree
21 with me that the RCMP saying that unless Joy or Deidre or
22 Sylvia come forward and tell it personally to us, that
23 sends a very clear message to the woman and to the entire
24 community that violence is tolerated.

25 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

1 With respect to the third party reporting, when it's
2 brought to the attention of the police, then the police are
3 to take that information and they are to meet with the
4 individual that is a victim of violence in relationship.
5 That has to happen. If it does not happen, it is a neglect
6 of duty and there's an administrative process.

7 And over and above that, there's also
8 another investigation that would occur to ensure that the
9 file was opened and that a proper investigation was done.
10 And if it's not happening, then we need to be aware of it.
11 And you're telling me that, so I think it needs to be
12 followed up on.

13 **MS. BETH SYMES:** Deputy Superintendent, I'm
14 interested in stopping violence. You can manage your
15 police force as you see fit.

16 But the message isn't out there to police
17 officers in communities that violence reports from third
18 party must be investigated. I mean, why wouldn't the
19 police officer go to see the woman and see whether or not
20 she had a black eye, broken bones, et cetera?

21 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
22 I can't answer that for that area. What I'm hearing is new
23 to me right now. I'm just telling you what should be
24 happening and what will happen in terms of a review,
25 because I wholeheartedly agree with you. Every effort

1 should be made to thoroughly investigate and ensure that
2 our people in our communities, our women, have the ability
3 to come forward and feel safe and be protected.

4 And I think that, you know, as well, the
5 other things that should be, you know, available in our
6 communities, as I was mentioning previously, are places
7 where our women can go, where they can feel that they're
8 going to be safe and/or that, you know, if these offences
9 are happening, we know they're happening, when they do
10 happen, that we actually have the ability to ensure that,
11 you know, we are doing everything to stop it and in a
12 collective way, because I agree with you.

13 Women need to feel that they can come
14 forward or that, you know, the violence in their family
15 home stops. And I think that, you know, other family
16 members and all of us as a whole, you know, we have a
17 responsibility to stop it.

18 **MS. BETH SYMES:** Do you agree with me that
19 what has clearly been demonstrated is police practice of
20 refusing to take information, refusing to talk to the
21 woman, refusing to meet with the intimate partner, that
22 that's sexist? That's probably racist. And it certainly
23 is inconsistent with the Supreme Court of Canada's
24 decision, which was on a break and enter, a property
25 offence? If the Court said you could do this for a

1 property offence, when a woman and her children's lives are
2 at risk, isn't that even more compelling, Chief
3 Superintendent?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

5 Absolutely it is.

6 **MS. BETH SYMES:** Deputy Commissioner?

7 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

8 We need to do everything that we possibly can to stop the
9 violence in relationships.

10 **MS. BETH SYMES:** I'm going to end by saying
11 the lack of police intervention was not the cause, but was
12 one of the precipitating and a principle precipitating
13 event in the murder of Deidre in Rigolet, of Joy in Fort
14 Smith, of Sylvia in Iqualuit, of Kimberly in Nain, and of
15 Sula and her two daughters in Iqualuit. Thank you.

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

17 Next we would like to invite up the
18 Association of Native Child and Family Service Agencies
19 Ontario. Ms. Josephine de Whytell will have 10-and-a-half
20 minutes.

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

22 **MS. JOSEPHINE DE WHYTELL:** Thank you.

23 Before I begin, I would like to thank the
24 members of Treaty 4 for welcoming us to their territory and
25 for the hospitality that they've shown while we have been

1 here.

2 I'd also like to thank the
3 Commissioners, Commission counsel and staff, and I'd also
4 like to thank the Qu'liq, the pipe, the Elders who have
5 spoken with hope and forgiveness in their hearts, and all
6 of the people in this room who've worked really hard to ask
7 thoughtful questions.

8 On that note, my first set of questions
9 are for Deputy Commissioner Butterworth-Carr. Thank you
10 for your evidence to date.

11 Would you agree that of the missing
12 person reports that the RCMP receives youth make up a large
13 percentage?

14 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
15 I don't have that information readily available to me, so
16 I'm not able to confirm that.

17 **MS. JOSEPHINE DE WHYTELL:** Okay. We heard
18 evidence specifically from retired Chief Weighill that
19 reactionary funding to public safety issues is more
20 expensive than funding social infrastructure. Would you
21 agree with that?

22 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
23 You know what? I'm sorry. I'm going to -- can I ask you
24 to repeat the first question, because I think I
25 misunderstood what you were asking.

1 **MS. JOSEPHINE DE WHYTELL:** I was asking
2 whether or not you could agree that youth make up a large
3 percentage of the amount of missing.

4 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
5 Yes, what queued me to ask you to repeat that was when you
6 mentioned Chief Weighill. I would say that in terms of the
7 missing reports that most of our police are responding to
8 are youth related. And then, you know, they're
9 subsequently found. And he talked extensively from, you
10 know, our group homes and other locations like that, yes.
11 So, yes, I do confirm.

12 **MS. JOSEPHINE DE WHYTELL:** Thank you. Would
13 you agree that prevention of aggravating factors that lead
14 to violence against women and girls can be a viable
15 alternative to address safety issues if adequate resources
16 are available?

17 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
18 I think understanding specifically with respect to our --
19 as it pertains to the group homes as an example, I think
20 it's incredibly important to understand why they're running
21 away from there. I mean, ultimately, it would be fantastic
22 if they were never in group homes, but if we are, you know,
23 addressing those issues, it's, you know, really incredibly
24 important to understand the cause of it happening in the
25 first place.

1 **MS. JOSEPHINE de WHYTELL:** Would you agreed
2 that Indigenous youth are significantly at risk of being
3 involved in major crime?

4 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
5 would say that the trending that we're seeing in various
6 locations that our young people are, you know, engaged in
7 crime, absolutely. And I think of some of the initiatives
8 that are happening in various locations to help, especially
9 those that are involved in gangs and/or, you know, creating
10 -- involved in various crimes so that we can work with the
11 community as a whole to prevent that.

12 **MS. JOSEPHINE de WHYTELL:** Thank you. You
13 anticipated my next question as well. Would you agree that
14 part of the resolution of this problem lies with the child
15 welfare system, and not just the role of policing?

16 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
17 would say there's a number of factors with respect to our
18 youth, and I think, you know, from my perspective, whatever
19 we can do to provide solid infrastructure, preventative
20 initiatives and actively engaging with our young people,
21 you know, as a whole, as a community, as a society, then we
22 really need to be able to support them however that looks.

23 **MS. JOSEPHINE de WHYTELL:** Would you agree,
24 or is it fair to say that removal of Indigenous children
25 and youth from their families and communities increases

1 their vulnerability to be victims of major crime?

2 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
3 think that removing the -- our kids from their homes
4 absolutely causes them to be far more vulnerable.

5 **MS. JOSEPHINE de WHYTELL:** And would you
6 agree that this is also a factor with respect to youth
7 involvement in criminal gangs?

8 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
9 Sorry. Can you repeat that?

10 **MS. JOSEPHINE de WHYTELL:** Would you agree
11 that removal of Indigenous children from their families and
12 communities is also a factor with respect to youth
13 involvement in criminal gangs?

14 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
15 think we've seen our young people become involved in gangs
16 because they view that as a family unit and it's very
17 challenging them -- for them to get out of gangs because of
18 that and, you know, the processes that they go through to
19 even be involved in it. And I think that, you know, if we
20 focus on preventative initiatives and we continue to do
21 that as a whole, then it gives them more of a foundation
22 of, you know, success of coming out of the gangs.

23 **MS. JOSEPHINE de WHYTELL:** And -- so would
24 you agree then that strengthening the families would assist
25 in reducing gang involvement and related trafficking and

1 sexual exploitation of Indigenous women and girls and
2 2SLBTQAI individual?

3 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
4 think anything we can do to strengthen and work with our
5 families is going to be, you know, reducing the things that
6 we're seeing.

7 **MS. JOSEPHINE de WHYTELL:** And I'd suggest
8 that strengthening families would reduce criminal gangs no
9 matter what culture you're from; is that fair to say?

10 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
11 Absolutely. I think of the Lower Mainland as an example.

12 **MS. JOSEPHINE de WHYTELL:** So what is the
13 RCMP doing to respond to white nationalist gangs in rural
14 communities who are targeting Indigenous youth, women and
15 children, and would you agree this is a problem that needs
16 to be addressed?

17 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
18 Anything, any type of entity that's targeting any, you
19 know, vulnerable person or any person needs to be
20 addressed.

21 **MS. JOSEPHINE de WHYTELL:** Thank you.
22 My next set of questions are for Chief
23 Superintendent Pritchard.

24 We heard evidence from Retired Chief Clive
25 Weighill about Operation Runway, a pilot project that has

1 recently been extended, and it involved addressing foster
2 home runaways and the types of high risk that impacts these
3 youth. It even provides cellphones to those who enroll in
4 the program.

5 Would you support the adoption of a similar
6 strategy in Ontario?

7 **DEPUTY COMMISSIONER MARK PRITCHARD:** Yes.
8 That was the first I'd heard of it, but it sounded like an
9 excellent program.

10 **MS. JOSEPHINE de WHYTELL:** Thank you. You
11 mentioned specially trained civilian employees scan social
12 media looking for footprints of missing persons. Has this
13 made it easier to track youth that are lost rather than
14 missing?

15 **DEPUTY COMMISSIONER MARK PRITCHARD:** I'm
16 sorry, I don't know the answer to that. I know it's just
17 one of the tools we use. We deal with a great many missing
18 youths. In some communities overwhelmingly the number of
19 missing persons reports we take are from -- are of youths,
20 I'm sorry. Just in the Town of Kenora, we have between 500
21 and 800 missing youths every year that are reported to the
22 police. So it's just one of the tools that are available
23 to us.

24 **MS. JOSEPHINE de WHYTELL:** Would you support
25 increased Indigenous mental health services to liaise with

1 the OPP on these types of cases?

2 **DEPUTY COMMISSIONER MARK PRITCHARD:** Yes, I
3 would. There's a pilot project underway, actually, right
4 now in the Town of Kenora with mental health professionals
5 working with the OPP detachment there, and I think they've
6 seen tremendous results.

7 They've certainly seen a huge reduction in
8 the number of missing youths being reported, because
9 jointly they're addressing what -- the causes of why
10 they're running away and, you know, trying to address that
11 issue that's at the core of it to prevent them from running
12 away.

13 And ultimately, many of those kids will end
14 up in the justice system or as potential targets of human
15 trafficking. And that's just one other way of, you know,
16 attacking problems from a broad spectrum and bringing every
17 tool to the table as an analogy to address those issues.

18 **MS. JOSEPHINE de WHYTELL:** Would you agree
19 that more resources and infrastructure is required to fully
20 assist the interdisciplinary approach being implemented on
21 a larger scale?

22 **DEPUTY COMMISSIONER MARK PRITCHARD:**
23 Completely so.

24 **MS. JOSEPHINE de WHYTELL:** When we've talked
25 about missing persons, we've mainly been speaking about

1 youths and adults. But can you tell us if there's a
2 different or varied practice if the victim is a younger
3 child?

4 **DEPUTY COMMISSIONER MARK PRITCHARD:** I'm not
5 really sure I follow that. You mean like an amber alert
6 type of situation or like a child of tender years that
7 vanishes?

8 **MS. JOSEPHINE de WHYTELL:** Yes.

9 **DEPUTY COMMISSIONER MARK PRITCHARD:** Yes, I
10 think in general we're familiar with amber alerts, but the
11 response to a child of tender years that vanishes is -- I
12 guess the analogy I'd use would be stop the presses. You
13 know, every resource available gets involved. Also with
14 the use of -- you know, we have a number of protocols
15 across the province with the draws and the assistance of
16 civilian search and rescue units.

17 **MS. JOSEPHINE de WHYTELL:** The late
18 Dr. Patricia Monture, a Haudenosaunee professor at the U of
19 S in social work, shared with me after the passing of her
20 teenage daughter that she envisioned a way to celebrate
21 Indigenous youth by hosting award ceremonies and lifting
22 them up through dance and arts. Is this something that you
23 might consider in Project Journey in the future, and can
24 you see a benefit from this?

25 **DEPUTY COMMISSIONER MARK PRITCHARD:** There

1 is an arts and cultural component to Project Journey. So I
2 believe that is very beneficial. I think there's lots of
3 studies that have shown the reconnection with culture and
4 history has been very beneficial with youth.

5 **MS. JOSEPHINE de WHYTELL:** Thank you. In
6 the OPP Mandate and Organizational Chart, I'm afraid I
7 don't know what exhibit that is, but on page 4 of
8 Schedule B, there's reference to 5,800 uniformed officers
9 in the OPP. I'm wondering if you know how many of these
10 officers are Indigenous women?

11 **DEPUTY COMMISSIONER MARK PRITCHARD:** I don't
12 know that. I'm sorry.

13 **MS. JOSEPHINE de WHYTELL:** Fair enough.
14 Would you agree that recruiting Indigenous women to the OPP
15 or the field of policing generally would enhance the police
16 response to violence against women in First Nation
17 communities?

18 **DEPUTY COMMISSIONER MARK PRITCHARD:** Without
19 any doubt at all. Recruiting of Indigenous people has been
20 something we've been working very hard on. We've had very
21 limited success over the last few years. We need to
22 explore that.

23 I know one of the factors is there's many
24 other options in policing in Ontario and -- because there's
25 nine self-administered First Nations police services, plus

1 19 ONPA locations. So we're competing with those services
2 for our applicants, but it's certainly something that we're
3 alive to.

4 We hold job fairs and then don't necessarily
5 get applications, and we need to explore what the
6 disconnect is there of why we're actively recruiting but
7 not receiving the applications. And I don't know the
8 answer to that, and it's something that, you know, we need
9 to explore.

10 **MS. JOSEPHINE de WHYTELL:** Thank you very
11 much.

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

13 We would like to invite Vancouver Sex Worker
14 Rights Collective. Ms. Carly Teillet will have eight
15 minutes.

16 **--- CROSS-EXAMINATION BY MS. CARLY TEILLET:**

17 **MS. CARLY TEILLET:** Tawnshi, bonjour and
18 good morning. I'd like to start by thanking the nations of
19 Treaty 4 and my relatives of the Métis Nation for welcoming
20 us home to their territory. And I'd like to take a moment
21 to acknowledge the survivors, the families, the elders, the
22 sacred objects and the medicines that are here today to
23 help us do our work.

24 And so I want to start this morning by
25 directing my first question to Deputy

1 Commissioner Butterworth-Carr. And in your examination
2 yesterday and this morning, you discussed the tension
3 between sharing information with community and families and
4 holding back information to preserve the integrity of the
5 investigation. One of the concerns of my clients,
6 Indigenous, cis, trans women and two-spirited individuals
7 who were involved in sex work or trade is being outed to
8 their families and to their communities as sex workers.
9 And, being outed as a sex worker can have very real
10 negative impacts on them, and their children and their
11 families.

12 So, when an Indigenous sex worker reports
13 violence or is reported missing, is the information that
14 she's involved in sex work or trade disclosed to her family
15 or community?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
17 When a person is reported missing, as I was mentioning,
18 it's incredibly important to obtain as much information as
19 possible and, of course, it's also, you know, very
20 important to maintain the privacy of the individual. We
21 also need to be able to acquire as much information as
22 possible to further that investigation. With respect to
23 conveying whether the person is a sex trade worker, that
24 may come out through the course of the investigation, but I
25 think that it's incredibly important to be very respectful

1 to the person that is in fact missing.

2 **MS. CARLY TEILLET:** So, would you
3 potentially consider a default of non-disclosure of that
4 information unless it was determined necessary for the
5 investigation?

6 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
7 I would say that unless it is necessary that it's not
8 information that would be conveyed because it's private to
9 the individual.

10 **MS. CARLY TEILLET:** Wonderful. And, is that
11 indicated on your information gathering tools or your
12 forms?

13 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
14 With respect to the forms, it's, you know, as much
15 information as possible, and that also, you know, leads to
16 the assessment of the analysis and urgency. So, you know,
17 for vulnerable people that are in the sex trade, we want to
18 make sure that, you know, it's that they -- that those
19 investigations are immediately initiated because it places
20 them in a higher risk.

21 **MS. CARLY TEILLET:** Thank you. I'll turn
22 now to a question for Chief Superintendent Mark Pritchard.
23 When an officer responds to a conflict, is it possible that
24 the Indigenous woman at the scene could be in her
25 underwear, naked or partially naked?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

2 Certainly.

3 **MS. CARLY TEILLET:** And, that when the
4 officers arrive, that woman may already be in a public
5 space or have to be removed into a public space from a
6 room, building, dwelling or so on by an officer?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

8 Removed, as in arrested?

9 **MS. CARLY TEILLET:** Taken outside. Like, if
10 there's a conflict or something, she might have to go
11 outside or might already be outside?

12 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Well,
13 my expectation would be that the officer would ensure
14 privacy and protect that woman's dignity and not taking
15 them out in public not fully clothed.

16 **MS. CARLY TEILLET:** Wonderful. And so, I
17 can probably guess your answer to the next question, but
18 I'd like it on the record. You would agree that Indigenous
19 women, LGBTQ2S individuals who engage in sex work and trade
20 have the right to have their privacy and dignity respected
21 as a basic human right?

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

23 Completely so.

24 **MS. CARLY TEILLET:** Wonderful. So, I would
25 suggest to you that officers should be prepared to supply

1 sex workers with a blanket or a robe to wrap themselves in
2 while in police presence or provide alternative time for
3 the workers to dress; do you agree with that?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
5 And, when the circumstance is dictated, all our frontline
6 patrol vehicles are so equipped.

7 **MS. CARLY TEILLET:** Wonderful. And, is that
8 in your policy somewhere?

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'm
10 not sure if that's in the policy or if it's just a matter
11 of common sense that you wouldn't have somebody displayed
12 in public without protecting their dignity.

13 **MS. CARLY TEILLET:** Is that something we
14 could enshrine in policy?

15 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
16 don't see why not.

17 **MS. CARLY TEILLET:** Wonderful. Thank you.
18 So, my next question is that some of my clients are
19 Indigenous trans women or two-spirited individuals, and
20 they inform me that when they interact with police
21 officers, they're often referred to by the incorrect gender
22 or identity, and that this lack of respect for their
23 identity is another barrier for them in reporting and
24 communicating with police, and I would suggest to you that
25 this hampers police investigations. Would you be willing

1 to institute a policy where officers ask individuals how
2 they identify?

3 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
4 don't see why there would be a problem with that. I think
5 that's just part of diversity training for officers that
6 could be incorporated without much difficulty.

7 **MS. CARLY TEILLET:** Wonderful. So, along
8 this line, some Indigenous trans women and two-spirited
9 individuals, particularly those living in an urban centre,
10 have informed me that their true family, their chosen
11 family are people in that community. And so, when they go
12 missing, what efforts does the OPP make to inform that
13 family and not necessarily their biological family?

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** You
15 know, I'm not familiar with that situation occurring, so
16 I'm not sure I can answer that. I think that's a very
17 valid question as far as who the officers would be keeping
18 informed and also, at the same time, trying to respect the
19 person's privacy and actually -- you know, who those true
20 family members are -- in fact are and how they identify
21 themselves as being so.

22 **MS. CARLY TEILLET:** Wonderful. Thank you.
23 So, I'll ask my final question to Deputy Commissioner
24 Butterworth-Carr. So, to conclude, I'll present a scenario
25 to you, and I am sharing this here today because my clients

1 who are Indigenous sex workers can't be here, and they also
2 couldn't attend the statement gatherings in Richmond,
3 British Columbia. And, they couldn't attend because
4 sharing their truths publicly or even being seen to share
5 their truths publicly puts their lives in real danger, and
6 this is because they know men who kill Indigenous women.
7 Can you comment on how the RCMP can keep these women safe
8 if they share their truth with the police?

9 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

10 If they know individuals that are responsible for these
11 things, we would absolutely want to know that immediately,
12 and we would want to work with our most vulnerable people
13 and do that very respectfully so that we work with them.
14 And, you know, we would take in consideration a safety plan
15 if, you know, that is what they were -- if that's what's
16 required, and it sounds like that's something that would --
17 definitely is required and would need to be considered.
18 And, it's incredibly important that that information is
19 brought forward.

20 **MS. CARLY TEILLET:** I'm not sure how
21 comforting they'll find that, but thank you.

22 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

23 I understand.

24 **MS. CARLY TEILLET:** Those are my questions.

25 **MS. CHRISTA BIG CANOE:** Thank you. Chief

1 Commissioner, Commissioners, I know it seems early, but
2 because of our early start, this might be an opportune time
3 to take a break. I'm going to request a 15-minute break
4 and hope -- it's now 9:30. If we can start immediately
5 with the next party, Families for Justice, at 9:45, that
6 would be great.

7 **CHIEF COMMISSIONER MARION BULLER:** 9:45.

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

9 **MR. VERN BELLEGARDE:** Hello? Yes, excuse
10 me, just before you break, I have a young lady that was
11 going to do what we do in terms of helping. Is she here to
12 do the blanket? After the break? Okay. What it is, is we
13 have a drum, and a blanket goes around, and we collect for
14 people that need help. That's part of who we are as caring
15 and sharing. And, what we want to do is collect some funds
16 to help the people who require babysitting care and maybe
17 just to get here. So, that's what we'll do following the
18 break. Thank you very much. It'll be done at that time.
19 So, get your \$5, your \$2, loonies and toonies ready. The
20 blanket will be coming around at the dinner break.

21 --- Upon recessing at 9:34 a.m.

22 --- Upon resuming at 9:55 a.m.

23 **MS. SHELBY THOMAS:** Next, we will be hearing
24 from Families for Justice. Ms. Suzan Fraser has 15.5
25 minutes.

1 --- CROSS-EXAMINATION BY MS. SUZAN FRASER:

2 **MS. SUZAN FRASER:** Commissioners, a number
3 of the families in the Families for Justice group are here
4 today. And I know that one was getting smudged before
5 entering into the room, and I'd like to just pause until
6 the family members can come in, if I can go let those who
7 are available know. If you'd give me that indulgence, I'd
8 be grateful.

9 Thank you.

10 **CHIEF COMMISSIONER MARION BULLER:** Yeah,
11 we'll stop the clock.

12 (SHORT PAUSE)

13 **MS. SUSAN FRASER:** Thank you, Commissioners.
14 Families are coming into the room now.

15 I had understood that the clock did not
16 start until we completed our introductions. Is that still
17 the case.

18 (SHORT PAUSE)

19 **MS. SUSAN FRASER:** Thank you. So I
20 understand from my friend that that it is no longer the
21 rule that the clock stops after the introduction. So I am
22 going to take some time to introduce the members of our
23 group, starting with Max -- so I'm here, witnesses on behalf
24 of Families for Justice. And I thank Treaty 4 and the
25 Métis Nation for the welcome, and I'll forever think of Mr.

1 Bellegarde as "Chickenlegs".

2 I'm here for Families for Justice. It was
3 named -- it's a group of 20 families, and we named the
4 group because they are families who are seeking justice for
5 their loved ones who are missing or murdered.

6 Maxine Goforth is here today. She is the
7 mother of Kelly Nicole Allison Goforth, a Regina mother of
8 a baby boy who was murdered in Regina in 2013 at the age of
9 21.

10 Danielle Ewenin is the sister of Eleanor
11 Laney Theresa Ewenin, who was ejected from a vehicle and
12 died from exposure in the outskirts of Calgary in February
13 of 1982. No-one was ever charged in connection with that
14 death.

15 Bridget Tolley is a member of our group.
16 Her mother, Gladys Tolley, was an Algonquin great-
17 grandmother from Kitigan Zibi First Nation in Quebec. She
18 was struck and killed on October the 5th, 2001 by a Sûreté
19 du Québec police officer driving his cruiser while she was
20 walking along the highway, and for which no charges were
21 laid.

22 Stacey Adone (phonetic), a Haudenosaunee
23 woman living in Blackfoot Territory, Elwood Ashiwega
24 (phonetic), son of Shirley Caroline Ashiwasega (phonetic),
25 and the brother of Caroline Dawn Ashiwasega (phonetic).

1 Michelle Robinson, whose living mother,
2 Marianne Elliott; the parents of Bella Laboucan-McLean from
3 Sturgeon Lake, Cree Nation, who was 25 years old when she
4 fell 31 storeys to her death in the downtown Toronto
5 condominium on July 20th, 2013. She was a Cree woman who
6 had moved to the city from her home in northern Alberta in
7 2011 to study fashion design. The investigation remains
8 open but the police say there are no more leads to pursue.

9 Linda John, a grandmother, her daughter,
10 Helena Lynn Rivera of Six Nations, was murdered in 2011 at
11 the age of 25 in Buffalo, New York.

12 Judith Evelyn Anderson, sister of Shelley
13 May Anderson, who was last seen in the summer of 2009 in
14 Haileybury and Cobalt, both small towns in Ontario; she was
15 51 years old when she vanished.

16 The family of Pamela Holopainen, who was 22
17 years old when she was last seen in Timmins, Ontario in
18 December 2003. When she was reported missing by her family
19 at the police station, the police did not look for her, and
20 she was accused, in the course of the investigation, of
21 probably being out partying, and later of being a
22 prostitute. Her two young children were just two and five
23 months old when she disappeared.

24 Alaya McIvor is another member of our group,
25 the cousin of Roberta Dawn McIvor of Manitoba who was 32

1 years old when she was killed in Sandy Bay First National
2 near Portage la Prairie, Manitoba.

3 Marie Burke, whose daughter, Maggie Lee
4 Burke of Edmonton, Alberta, was 21 years old at the time of
5 disappearance. She was last seen leaving her residence in
6 Edmonton in December 9th, 2004. Maggie Burke was the first
7 murdered and missing Indigenous woman case publicized by
8 the RCMP in October 2015.

9 Denise General, a mother from the Cayuga
10 Nation Wolf Clan, Six Nations of the Grand River Territory,
11 the mother of Tashina Cheyenne Vaughn General, who was 21
12 years of age when she was murdered, along with her unborn
13 child, her body found on October 22th -- sorry; April 26th,
14 2008 at Six Nations.

15 The family of Sonya Nadine Mae Cywink, who
16 went missing from her London home in 1994 and who was found
17 dead at the Southwold Earthworks in Elgin County 24 years
18 ago.

19 Maggie Cywink, who's part of the Cywink
20 family is also part of the family of Melissa Nicholson, who
21 was murdered June 11th, 1991 in the Shawnigan Lake in
22 British Columbia at 17 years old.

23 Our group also includes Anita Ross, the
24 mother of Delaine Corrina Copenace, a 16-year-old girl who
25 went missing on February the 8th -- sorry; February the 28th,

1 2016, and was the subject of a highly publicized search.
2 Her body was recovered from Lake of the Woods, Kenora,
3 steps from the police station and an area that had been
4 searched many times.

5 Silas Blackned, the son of Rose-Ann
6 Blackned, who went missing November the 11th, 1991, who was
7 found frozen several days later in Val-d'Or, Quebec, She
8 left two boys, one a member of our group, Silas, who was
9 five at the time when his mother went missing, and his
10 brother who was two years of age. Still the family has
11 questions; why wasn't there justice done?

12 Our group also includes the family of Audrey
13 Anderson, originally from Allanwater Bridge, Ontario, who
14 was in Sioux Lookout at 19 years of age when she was
15 reportedly jumped out of a truck and was found dead at the
16 side of the road

17 Diane Bigeagle is a member of our group.
18 Her daughter, Danita Faith Bigeagle, was a mother of two
19 children, Cassidy and Talon. She was 22 years old when she
20 was first seen -- when she was last seen in Regina,
21 February the 11th, 2007.

22 Last, our group includes Charlotte Murray,
23 from KI First Nation, whose sister, Patricia Sturgeon, was
24 killed in Thunder Bay, Ontario.

25 So asking questions on behalf of a number of

1 families who have loved ones who are missing or murdered.

2 I want to start with you, Chief
3 Superintendent Pritchard; what is the number of missing
4 Indigenous women and girls right now in Ontario, and is
5 there anywhere to your knowledge where that number is
6 recorded?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:** In OPP
8 jurisdiction, there is nine open unsolved missing
9 Indigenous women.

10 **MS. SUZAN FRASER:** Yes. Okay. Deputy
11 Commissioner Butterworth-Carr, do you know the number of
12 Indigenous women and girls who are missing right now in
13 Canada?

14 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
15 No, I do not.

16 **MS. SUZAN FRASER:** Okay. And, Capitaine
17 Charbonneau, quel est le nombre de les femmes et les filles
18 autochtones qui sont disparues au Québec? Est-ce que tu le
19 sais?

20 **CAPITAINE PAUL CHARBONNEAU:** Non, je n'ai pas
21 de chiffres présentement.

22 **MS. SUZAN FRASER:** Okay. And, to your
23 knowledge, is there any systemic tracking of the numbers of
24 women and girls in -- or any attempt to consolidate the
25 information held by the various police forces across

1 Canada, Deputy Commissioner Butterworth-Carr, can you
2 answer that?

3 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

4 Yes. I know that there's been a lot of work historically
5 in acquiring all of those numbers from across all police
6 jurisdictions. And then there is an update with respect to
7 the most recent numbers and, I'm sorry, I just don't recall
8 for all of Canada.

9 **MS. SUZAN FRASER:** Okay. I understand that
10 the work plan of the Inquiry includes a forensic file
11 review to be undertaken. Has Ontario been asked to provide
12 files or had files summonsed for the purposes of the
13 National Inquiry's review, Chief Superintendent Pritchard,
14 do you know?

15 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes to
16 both those questions.

17 **MS. SUZAN FRASER:** Okay. So, you both
18 provided files and you've had files summonsed?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

20 **MS. SUZAN FRASER:** Okay. And, can you tell
21 us the numbers?

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
23 believe it was three cases. Although I think one was --
24 the summons was just withdrawn.

25 **MS. SUZAN FRASER:** Okay. So, those are

1 summonsed. And, how many have you provided that were not
2 summonsed?

3 **CHIEF SUPERINTENDENT MARK PRITCHARD:** We
4 only provided the ones we were asked for.

5 **MS. SUZAN FRASER:** Okay. And, Deputy
6 Commissioner, do you know whether the RCMP has been asked
7 to provide or has been -- or the Commissioners have
8 summonsed files for the purpose of this Inquiry?

9 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
10 We have provided files. We were requested to provide
11 files. And, I believe the number is around 10, but I'm not
12 completely positive, I can't recall exactly, but that's
13 what I believe it is, but we have provided files.

14 **MS. SUZAN FRASER:** And, Capitaine
15 Charbonneau, did you understand my question in English
16 about the number of files? Has Quebec been asked to
17 provide files, do you know?

18 **CAPTAIN PAUL CHARBONNEAU:** J'ai pas cette
19 information-là présentement.

20 **MS. SUZAN FRASER:** Merci beaucoup. Okay.

21 **UNIDENTIFIED SPEAKER:** Can you stop the
22 time, please?

23 **MS. CHRISTA BIG CANOE:** Sorry. Just so that
24 it's clear, in relation -- I do have an objection. I do --
25 it's not in relation to the way the question has been asked

1 of these parties, but the first question was whether or not
2 Ontario.

3 So, OPP is but one police service, and so
4 the police services can only answer that question in
5 relation to documents to them. So, I just wanted to place
6 that out there because a couple of other parties have also
7 asked me to make it clear that they can only answer for
8 their police services, not for government or other police
9 agencies that aren't up here. Thank you.

10 **MS. SUZAN FRASER:** That's fine. Chief
11 Superintendent Pritchard, it's clear that by appointing you
12 in December of 2017 to examine the question of missing and
13 murdered Indigenous women and girls, that the OPP was
14 determined to devote some significant resources to
15 examining its practices, is that fair?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
17 We'd already had the team in place for quite some time with
18 a senior case manager from our criminal investigations
19 branch leading it.

20 **MS. SUZAN FRASER:** Okay. So, there's two
21 senior officers assigned to the team?

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

23 **MS. SUZAN FRASER:** You and someone else?

24 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Senior
25 ranking and there's also other officers assigned to the

1 team that are very senior in terms of experience.

2 **MS. SUZAN FRASER:** Okay. And, I understood
3 from your evidence yesterday that your job was to examine
4 the policies and practices and to identify gaps, is that
5 fair?

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

7 **MS. SUZAN FRASER:** Okay. And so, in the
8 course of doing that work, did you look also to the files
9 involving missing and murdered Indigenous women and girls
10 to assess compliance with policy?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
12 we've had 14 FILU meetings with families in OPP cases so
13 far.

14 **MS. SUZAN FRASER:** You -- so you've had 14
15 FILU meetings, you've examined open and closed cases?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
17 that would be accurate.

18 **MS. SUZAN FRASER:** Okay. Have you provided
19 advice or reported to the Commissioner on the scope of your
20 work?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I've
22 reported to the Commissioner twice formally, and I've
23 reported to OPP executive council twice.

24 **MS. SUZAN FRASER:** OPP executive council?

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

1 **MS. SUZAN FRASER:** Okay. And, did you
2 report to -- when you reported twice formally to the
3 Commissioner, did you do that in writing, in the form of a
4 report or other kind of memo?

5 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

6 **MS. SUZAN FRASER:** Okay. And, is that memo
7 public?

8 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No.

9 **MS. SUZAN FRASER:** Okay. And, have you
10 provided that memo to this Inquiry?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No, I
12 have not.

13 **MS. SUZAN FRASER:** Okay. So, in the -- are
14 you able to speak to the contents of your report to the
15 Commissioner?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
17 report primarily focused on the recommendations that we've
18 presented yesterday that is part of our package, seeking
19 approval from the Commissioner on those 10 items. Also,
20 the issue primarily of relating to victims and our plan on
21 proceeding with how we want to address that issue moving
22 forward, as well as the creation of victim services
23 specialists with investigative teams that are non-police
24 officers.

25 **MS. SUZAN FRASER:** Right. I understand

1 that, that at right now, that is -- that there's only a
2 commitment to exploring the use of the victim specialist,
3 is that fair?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** It
5 goes beyond a commitment to explore, we're very committed
6 to moving forward on that and have a plan for doing so. We
7 have a victim response strategy within the OPP which I
8 believe is very robust, and an inspector has been assigned
9 to lead the victim support strategy, and that will be part
10 of the work that they're doing with full support of the
11 Commissioner and deputy commissioners.

12 **MS. SUZAN FRASER:** Just going back to the
13 report that you provided to the Commissioner and to the
14 executive council, is it fair to say that those reports
15 identified gaps in policing practices, where a practice did
16 not meet expectations of policy?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
18 don't think I used the word "gaps". I think I, more
19 accurately, made the suggestion that this is the areas that
20 have been identified by the Commission so far, it's been
21 the area that was identified -- as I said, we had a senior
22 Indigenous officer that's very experienced in death
23 investigation, talk with a number of families, sit in
24 circles. Again, the information that came back from the 14
25 FILU meetings on where we were at and, you know, listening

1 to those people, and listening to the Commission and
2 witnesses, family members from, really, one end of the
3 country to the other that have expressed similar concerns.

4 **MS. SUZAN FRASER:** Right. But, if you were
5 to -- you indicated in your evidence at the outset that
6 your job -- you were tasked with identifying gaps. And,
7 while you framed them differently, have you found occasions
8 where the policy -- the practice engaged by officers did
9 not meet the policy?

10 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No, I
11 didn't, but I did find where we need to update that policy.
12 Our current Missing Persons Policy dates back to 2011, and
13 there's been a number of changes since that time, including
14 in Ontario, the new Missing Persons Act, which hasn't been
15 proclaimed, but has received assent. Also, the standards
16 of the RCMP's National Missing Persons and Unidentified
17 Remains Unit that we signed on by way of a memorandum of
18 understanding to follow those practices, the creation of
19 the provincial centre.

20 So, those are all things that need to be
21 addressed in our policy that aren't currently there.
22 There's going to be a requirement for training for officers
23 for the new Missing Persons Act in Ontario, so they
24 understand that act, they know how to operationalize it and
25 how to use it in an investigation once it receives

1 proclamation from the government. And that's embedded in
2 the new -- I think it's called the *Safer Ontario Act*, which
3 also involves the *Police Services Act*. I think it's
4 commonly referred to as an Omnibus Bill.

5 Thank you.

6 **MS. SUSAN FRASER:** Thank you.

7 Commissioners, my time is up. I have more
8 questions and I want it to be noted that I have more
9 questions. I'm formally asking for your leave to continue
10 asking questions.

11 **CHIEF COMMISSIONER MARION BULLER:** We are
12 unanimously denying leave to continue questioning. Thank
13 you.

14 **MS. SUSAN FRASER:** Thank you. I'll make
15 sure that the families know that.

16 **MS. SHELBY THOMAS:** Next we'll be hearing
17 from Manitoba Keewatinowi Okimakanak. Ms. Jessica Barlow
18 has 7.5 minutes.

19 **--- CROSS-EXAMINATION BY MS. JESSICA BARLOW:**

20 **MS. JESSICA BARLOW:** Good morning. I would
21 like to start out by acknowledging the Elders and the
22 families, the survivors. I would also like to acknowledge
23 the sacred items in the room. I'd like to express
24 gratitude to the nations of Treaty 4 and the Métis Nation
25 of Saskatchewan for welcoming us here.

1 My name is Jessica Barlow and I'm legal
2 counsel on behalf of MKO. And today all of my questions
3 will be directed towards you, Deputy Commissioner
4 Butterworth-Carr, if I may.

5 And so I would like to begin today by
6 speaking to you about major case management. And so you
7 spoke in your testimony yesterday about major case
8 management and that it would include things like homicide
9 and missing persons; is that correct?

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

11 Yes.

12 **MS. JESSICA BARLOW:** And that these types of
13 cases are conducted and investigated using what you termed
14 a coordinated investigation team; is that also correct?

15 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

16 Yes.

17 **MS. JESSICA BARLOW:** And this would include
18 a command triangle that you spoke about yesterday?

19 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

20 Yes.

21 **MS. JESSICA BARLOW:** And this command
22 triangle would include members such as a team commander, a
23 primary investigator and a file coordinator; am I
24 understanding correctly?

25 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

1 Yes.

2 **MS. JESSICA BARLOW:** And each of these holds
3 different roles and responsibilities in a major case
4 investigation; is that correct?

5 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
6 Yes, it is.

7 **MS. JESSICA BARLOW:** And in your experience,
8 are the positions that I just mentioned held by RCMP
9 members posted in northern and remote First Nations
10 communities where they're conducting such investigations,
11 or are they posted elsewhere and then travel to these
12 communities?

13 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
14 Depending on the size of the community. If it's a smaller
15 community, then it will be done out of a larger centre.

16 **MS. JESSICA BARLOW:** Okay. And in practice,
17 how long or how often do these members attend these
18 communities?

19 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
20 It's completely dependent upon the investigation. So there
21 isn't a specific time. If it's, you know, an immediate
22 response, then they'll be there for the time they
23 absolutely need to to gather all the evidence and material
24 and they may return to the community on multiple occasions.
25 It's individually based.

1 **MS. JESSICA BARLOW:** Okay. Thank you. And
2 if I'm understanding their respective positions correctly,
3 the team commander has control over the major case
4 investigation and its resources; is that correct?

5 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
6 Yes.

7 **MS. JESSICA BARLOW:** And so these resources
8 would include things such as human resources, material
9 resources and financial resources?

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
11 Absolutely.

12 **MS. JESSICA BARLOW:** And for those who want
13 the pinpoint, it's Exhibit 101, Page 2, Section 2.2.2.1.

14 And in your experience, how are these
15 resources allocated, calculated and quantified for each of
16 the major case investigations?

17 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
18 Again, it's completely dependent upon the investigation
19 that they're responding to. It's not limited by financial
20 or human resources. It's -- you know, they front end load.
21 And what that means is they bring as many resources as they
22 absolutely need, all kinds of specialized units, and it
23 maintains through the course of that investigation. And
24 they'll scale it as required.

25 **MS. JESSICA BARLOW:** Okay. And in your

1 experience, are there any resourcing issues that have
2 occurred throughout the duration of investigation, and
3 specifically where cases have remained unsolved for a
4 period of time?

5 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

6 So with respect to the investigation, so as an example, if
7 a place like the Northwest Territories or Yukon was
8 struggling with resources, then the larger centres like
9 Alberta or my division, as an example, we would assist and
10 we would continue assisting until they were able to
11 maintain that investigation. And with respect to the
12 continuation of the investigation, investigators are
13 assigned. And, again, if there's a resource issues, they
14 have the ability to ask other divisions to assist.

15 **MS. JESSICA BARLOW:** Okay. And so who
16 determines the resources that get allocated?

17 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

18 So with the initial investigation, it is the team
19 commander. And if the team commander has to go outside of
20 a geographical location to acquire them, then he'll elevate
21 that to either the OAC, Major Crime, or to the Criminal
22 Operations Officer who'll ask from a neighbouring division.

23 **MS. JESSICA BARLOW:** Thank you. And would
24 you agree with me that the amount of resources, or the lack
25 thereof, can create a perception that someone -- a love

1 one's life is worth the amount of resources that have been
2 allocated to their file?

3 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

4 I can completely understand how that perception would be
5 prevalent. And from my perspective and my experience, I
6 would say that we add the resources that are required
7 because everyone's life is valuable.

8 **MS. JESSICA BARLOW:** Okay. And you answered
9 my follow-up question. And that's what the RCMP is doing
10 to address that issue?

11 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

12 Yes.

13 **MS. JESSICA BARLOW:** Okay. And so I have
14 limited time left, but I'd like to touch on primary
15 investigators in the command triangle. And if it's my
16 understanding correctly that they manage and control the
17 overall investigation process; is that correct?

18 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

19 Yes, they do.

20 **MS. JESSICA BARLOW:** And you testified that
21 these investigators manage cases, but they may not
22 necessarily perform all aspects of this investigation; is
23 that true?

24 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

25 They will certainly be the lead investigator and they may

1 have additional investigators, but they will have some
2 investigative capacity.

3 **MS. JESSICA BARLOW:** Thank you. And in your
4 overview, so that was at Exhibit 100 -- we don't need to
5 turn there, but for those that would like to pinpoint it's
6 on page 21. It states that there are instances where the
7 majority of the communication between family members and
8 RCMP is not with the lead investigator, but instead is
9 assigned to the family liaison. Is that true?

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
11 Yes, that absolutely can be true.

12 **MS. JESSICA BARLOW:** And so would you agree
13 with me that this structure, this command triangle and the
14 diversity in roles can be confusing to family members of
15 missing and murdered individuals that are seeking
16 information because of this complex structure?

17 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
18 It absolutely can be confusing and one of the reasons we
19 developed a hand guide. And either the investigator or the
20 family liaison person tries their best to sit and explain
21 to families, but I absolutely appreciate that it can be
22 very confusing.

23 **MS. JESSICA BARLOW:** And it can also be
24 confusing too when the investigator isn't present in the
25 community.

1 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

2 Absolutely.

3 **MS. JESSICA BARLOW:** Thank you. And a few
4 days ago we heard from Commissioner Lucki regarding limited
5 duration in isolated posts and we heard how this type of
6 structure can be a reactive approach as opposed to
7 preventative. And we also heard that, based on factors of
8 geography, this can exceptionally be the case -- or
9 especially could be the case, pardon me. And we also heard
10 that short duration posts can have a negative impact on
11 sharing information and also continuity in missing persons
12 or major crimes cases. And I'm wondering, what added
13 impact would under-resourcing play on compounding these
14 issues?

15 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

16 You know, certainly within our communities we know that
17 we're challenged right across the country in especially our
18 isolated and limited duration postings. And what the
19 Commissioner maybe didn't mention was the fact that we're
20 looking at all restructuring within our geographical areas
21 because we recognize how challenging it is for our local
22 communities not to have that relationship.

23 You know, with respect to my province, as an
24 example, you know, the transitions and the timing of them
25 coming in, we don't remove everybody from the community at

1 once, but we certainly know that there's delays in people
2 coming in, so we end up having to draw from other
3 resources.

4 My point is, we're looking at it broadly as
5 how we can restructure and be a lot more flexible and
6 adaptive to our communities.

7 **MS. JESSICA BARLOW:** And when can we expect
8 to see the results of this -- you looking at these
9 structures?

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
11 So I have had many conversations within my province with
12 the Ministry of Public Safety. And I know that it's going
13 to be put into the five-year plan that the Commissioner was
14 referencing, because right across this country we need to
15 do that.

16 **MS. JESSICA BARLOW:** Thank you. My time is
17 up. Good morning.

18 **MS. SHELBY THOMAS:** The next party we'll be
19 hearing from is Vancouver Rape Relief and Women's Shelter.
20 Ms. Hilla Kerner has 33 minutes.

21 **--- CROSS-EXAMINATION BY MS. HILLA KERNER:**

22 **MS. HILLA KERNER:** Thank you.

23 Hello. I would like first to thank to Awo
24 Taan Healing Lodge Society, the Calgary Women's Shelter,
25 the Institution for the Advancement of Aboriginal Women and

1 the Aboriginal Shelters of Ontario. They all outstanding
2 Indigenous groups who are doing remarkable work for women
3 and children who are fleeing violence and I'm honoured to
4 have them giving me their time.

5 Because I do have relatively significant
6 time. I will follow up with questions that my ally started
7 and did not have time to complete.

8 First, to my sister, MiKenzie Jordan's
9 question, her question, and the Aboriginal Women's Action
10 Network question was is there explicit policy about how
11 soon after a missing woman is reported there is -- the
12 police is issuing a public statement to the media
13 soliciting public knowledge? And it's for you, Deputy
14 Commissioner Brenda Carr.

15 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It
16 depends upon the circumstances. If it's deemed high risk,
17 then we want to immediately release information to the
18 public. If it's an amber alert, again, that's immediately
19 released. And each one is assessed based upon the
20 circumstances that we have. So there's no definitive time,
21 it's individually assessed.

22 **MS. HILLA KERNER:** I would like to suggest
23 that we're talking about Indigenous women who are
24 marginalized because of racism, male violence and poverty,
25 their life conditions are and should be categorized as high

1 risk, and immediately, as soon as the police is informed
2 that they are missing, a media advisory should be issued.

3 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
4 would suggest that in terms of the high risk, absolutely,
5 then you know, we want to make sure that the information is
6 conveyed as immediately as possible.

7 **MS. HILLA KERNER:** Okay. So I would like to
8 suggest that there will be explicit timeline attached to
9 this practice and that the policy will be available on the
10 "E" Division RCMP, British Columbia website so the public
11 and the families and the advocate are very aware and clear
12 what the policy is and can hold the police accountable.

13 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** We
14 can certainly convey that information with respect to high
15 risk, and then the immediacy of the public release.

16 **MS. HILLA KERNER:** Okay. I just want to
17 give you a heads up, particularly, Commissioner. A lot of
18 my questions will end up with the suggestion that the
19 policy will be available on the RCMP Division website.

20 My next question is for Captain Charbonneau.
21 I would like to follow up to confirm that you responded to
22 my ally from the Native Women's Association of Canada by
23 saying that none of the eight police officers from Val d'Or
24 who were accused of sexually assaulting Indigenous women
25 were charged. Did I understand that correctly?

1 **CAPITAINE PAUL CHARBONNEAU:** L'enquête dans
2 les allégations entourant Val d'Or a été confiée au Service
3 de police de la Ville de Montréal. À ma connaissance, il
4 n'y a pas eu de dépôt d'accusations suite à cette enquête-
5 là du Service de police de la Ville de Montréal.

6 **MS. HILLA KERNER:** And Captain, have you
7 ever investigated sexual assault cases?

8 **CAPITAINE PAUL CHARBONNEAU:** Oui, lorsque
9 j'étais enquêteur au poste de Saint-Boniface en Mauricie.

10 **MS. HILLA KERNER:** Okay. So I would like to
11 suggest, based on your experience and based on our
12 experience in the front line, that the fact that a man who
13 is accused of sexually assaulting women has not been
14 charged has nothing to do with the fact that the man did
15 not commit this crime against a woman?

16 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
17 exact.

18 **MS. HILLA KERNER:** Thank you.

19 The Institution for the Advancement of
20 Aboriginal Women who is giving us their time, also has a
21 question, and it's for you, Deputy Commissioner.

22 The Alberta Government, through the Standing
23 Committee on Families and Communities, conducted a review
24 of the *Missing Person Act*. In May 2018, the final
25 recommendations were released.

1 My ally's question is around jurisdiction.
2 In Alberta, they have First Nations, municipal and national
3 police who have responsibility to uphold the law and ensure
4 safety in their community. In regards to the *Missing*
5 *Person Act* of the province, for example, it is a provincial
6 act and then they have the RCMP National Policy on Missing
7 Persons, a tribal or municipal police force would also have
8 their own missing person policies.

9 Their exact question is who in British
10 Columbia has the final say on what goes into the policies,
11 and further, who has responsibility when policies are not
12 adhered to?

13 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

14 Within the Province of British Columbia, we have the B.C.
15 Missing Person Standards, which is through the Public
16 Safety branch, and it's formalized, and all of the policing
17 agencies adhere to it, including the RCMP.

18 **MS. HILLA KERNER:** Okay. So when there is a
19 lack of compliance with those policies, what's it takes --
20 the steps that one can take to demand that they will be
21 upheld?

22 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I'm
23 sorry? I'm not ---

24 **MS. HILLA KERNER:** When the -- when a policy
25 is not being practised, what can one do to ensure that it

1 will be upheld?

2 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
3 you have the opportunity to come to the policing agency
4 where the file is, or you can actually bring that to the
5 attention of Public Safety.

6 **MS. HILLA KERNER:** Okay. Thank you.

7 And now, to my own group. I am sure you're
8 familiar with the work in Vancouver. What is the RCMP
9 Division policy about male violence against women in
10 intimate relationships, what you would call domestic
11 violence?

12 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** We
13 follow the national policy with respect to violence in
14 relationships. I unfortunately don't have it in front of
15 me, but it's -- it can easily be made available.

16 **MS. HILLA KERNER:** Right. So I would like
17 it to be available. I also want to know if you remember if
18 there is a particular mention of advocates accompanying
19 women to deliver a statement, if there is elements about
20 the length of the investigation? And in particular, I'll
21 give you an example of what we're dealing with and I would
22 like to know what's the policy.

23 We, in our transition house, house
24 approximately 100 battered women and their children every
25 year. In 2015, we housed five Indigenous residents, all

1 charged by -- sorry -- all were investigated and
2 recommended charges by the RCMP for their attempt to self-
3 defence from abusive partner.

4 We advocated, and the Crown did not proceed
5 with charges, but I want to know what's the policy about
6 charging women who are attempting to defend themselves
7 against male violence in their intimate relationships?

8 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
9 would expect that an investigation was done completely with
10 the respect to the violence in relationship. When a person
11 responds, like a responding police officer, they're to
12 immediately assess that situation and then complete a full
13 investigation and then make a determination as to, you
14 know, who may be responsible for the assault.

15 **MS. HILLA KERNER:** So with all due respect,
16 I think that that's -- I would like to suggest that that's
17 an inadequate instruction and neglect of analysis of who
18 has power in the relationship, in particular, in our
19 society in general, the power relationship between men and
20 women, in this context, between men and Indigenous women
21 and how men exercise of power in the intimate relationship.

22 And I would like to suggest that the clear
23 explicit instruction to the sex of the -- or the gender of
24 the parties is crucial for a police officer to conduct
25 appropriate investigations that will lead to the charges of

1 the person in power in the situation, which is man.

2 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yeah,
3 I think that, you know, through the course of the
4 investigation all that information needs to be assessed, I
5 agree.

6 **MS. HILLA KERNER:** Okay. So I would like to
7 suggest that a clear explicit gendered policy will be
8 available for the public, for battered women and for their
9 advocates on your website.

10 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** We
11 have the Violence and Relationship Policy that is
12 available, and in terms of the response, like you said,
13 it's really important that a really good assessment is
14 completed in the first instance.

15 **MS. HILLA KERNER:** What is your policy about
16 sexual assault? In particular, collecting initial
17 statements where the woman is comfortable to do it,
18 including her own home, or a place that belongs to women's
19 groups? In particular, about allowing an advocate to be
20 sitting with her while she's giving the original statement
21 and video and audio statement and about the lengths of the
22 investigation?

23 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** With
24 respect to sexual assaults, again, our women, or victims,
25 whomever that may be, have the ability to bring a person

1 with them, because they're so traumatic and it's already
2 hard enough to be able to be able to come forward, and
3 that's very much recognized. So any support that's
4 available for whomever's bringing, you know, that type of a
5 complaint forward they're welcome.

6 **MS. HILLA KERNER:** Would you like -- show
7 that this policy is available on the website, instructing
8 RCMP officers to comply with women's request to have their
9 feminist advocates with them when they're giving the
10 statement?

11 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
12 There is policy that's available that are -- sorry, that we
13 have that does state that anyone coming forward for that
14 type or -- you know, anything in serious in nature, they
15 have the ability to bring whomever they want to to --
16 through the complaint process and providing a statement.

17 **MS. HILLA KERNER:** Deputy Commissioner, I
18 hope you will appreciate that I'm bringing it forward
19 because this policy has not been practised in our frontline
20 work and sister organizations. And, I think that if it's
21 publicly available on the website, it is easy to point it
22 out to the RCMP officers who are conducting the sexual
23 assault investigation, and it makes it much easier to press
24 and to comply with this policy.

25 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

1 If there are instances where that's happening, I would
2 welcome the opportunity to hear about it, because I can
3 assure you that people have to be very respectful when it
4 comes to those types, and I'm talking police agency. I
5 believe you. I'm not just speaking ---

6 **MS. HILLA KERNER:** No, I understand. I'm
7 not smiling because of that. I'm smiling because I believe
8 that my request is fairly simple. I would like it to be
9 available on the website for women who do not have an
10 advocate, for the general public. I think the transparency
11 -- I would like to suggest the transparency is the first
12 step for accountability of any institution.

13 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
14 I absolutely agree. I'm sorry.

15 **MS. HILLA KERNER:** Thank you. And, I wanted
16 to know what is the policy about how long should a sexual
17 assault investigation will take with RCMP forces? I just
18 -- it's a privilege to witness a conviction, a very, very
19 rare situation in Williams Lake. But, a woman and her
20 sister filed the complaint to the Williams Lake RCMP in
21 2007. Charges were only laid four years after. So, I hope
22 it's an extreme case, but I wanted to know if there is an
23 explicit policy instructing RCMP officers to conduct sexual
24 assault investigations in thorough manner in one way, but
25 also in a fast and diligent timely manner on the other way.

1 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

2 Sexual assaults are incredibly important. And, in fact,
3 they meet the benchmark offence, and there is supposed to
4 be immediate reporting. And, I am very disappointed to
5 hear that, you know, it took that long. I'm going to
6 follow-up on it, and I would say that it must -- you know,
7 unless there's extenuating circumstances, they're supposed
8 to be made a priority.

9 **MS. HILLA KERNER:** Thank you. That's
10 helpful. I wanted to know if you're aware that there are
11 cases that two RCMP forces need to coordinate the
12 investigation of sexual assault, because of the location of
13 the attack, and then the different location of the accused.
14 And, some RCMP units are refusing to conduct the interview
15 with the accused based on a request from the RCMP unit who
16 got the statement of the victim and the first demanding
17 that it will be a warrant or that the charge is approved
18 before the interview of the accused. Are you aware of
19 those cases?

20 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

21 No, I'm not familiar with those.

22 **MS. HILLA KERNER:** Okay. So, they will be
23 against practice and policy of the RCMP?

24 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

25 Regardless of where the offence happens, in RCMP

1 jurisdiction, they need to conduct a thorough
2 investigation. And, if there's a reach out to a
3 neighbouring community in the circumstances that you've
4 conveyed, again, they have a responsibility to make sure
5 that they're assisting the other RCMP detachment with any
6 follow-up tasks. And, again, recognizing how serious these
7 are, they have to be done appropriately.

8 **MS. HILLA KERNER:** Okay. Are you -- Deputy
9 Commissioner, are you familiar with the *Protection of*
10 *Communities and Exploited Persons Act*, also known as Bill
11 C-36?

12 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
13 Yes, I am.

14 **MS. HILLA KERNER:** Can you explain the
15 rationale of this law?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
17 In British Columbia, we actually have policies and
18 guidelines that was created through the BC's British
19 Columbia Association of Chiefs of Police. It also involved
20 the public safety branch within the Ministry that the
21 police agencies report to. Vancouver is a part of that, as
22 well as the RCMP. And, essentially the practices and
23 guidelines sets out the importance of making sure that
24 we're working and protecting our most vulnerable, our sex
25 trade workers, and that, you know, where we have the

1 ability, that we will lay charges against the individual
2 that are exploiting them.

3 **MS. HILLA KERNER:** Okay. Do you know how
4 many men charged in recent years since the law passed in
5 December 2014? How many men have been charged in British
6 Columbia for buying sex from women in the sex trade?

7 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
8 I don't know the total number. What I will say though, is
9 that certainly within RCMP jurisdiction, I am very familiar
10 of an investigation that we have ongoing where we had
11 recommended three charges against an individual, and the
12 Crown is reviewing it currently.

13 **MS. HILLA KERNER:** Okay. So, the number
14 that I have, the public number of 10 men charged, and all I
15 wanted to know is if the poor number of men who have been
16 charged is a result of a policy, priority or resources?

17 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
18 It's none of those. Essentially, it's the discussions that
19 I'm aware of with Crown are they're reticent to initiate
20 charges because they're worried and concerned about the
21 further victimization of our most vulnerable.

22 **MS. HILLA KERNER:** Okay. So, I have
23 witnessed a few cases that have been brought to the Supreme
24 Court of British Columbia that they were arrested and
25 charged, and sometime pleaded guilty and sometime were just

1 convicted. And, what the prosecutor had to work with is a
2 communication between the Johns and the pimp. They were
3 key evidence in terms of conviction of the pimp, and I
4 would like to suggest it's those kind of key evidence
5 completely eliminating the need to have a woman or a girl
6 in the sex trade testifying or giving evidence, and there
7 is enough independent evidence for the intention and the
8 action of men who were buying sex.

9 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

10 I would support anything that's going to reduce the further
11 victimization.

12 **MS. HILLA KERNER:** And, I would like to

13 suggest that, first and foremost, it will be to arrest
14 those who are committing the harm, the men.

15 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

16 Yes. And, certainly the pieces that we have available
17 facilitate that.

18 **MS. HILLA KERNER:** Okay. So, I would like

19 to follow another line of questioning that was brought up
20 earlier in the other panel. I'm sure you're familiar with
21 the bad date sheets that women in the sex trade are, in
22 very explicit details, putting forward. Their recount was
23 very dangerous John, and they're putting it on the record
24 to share with each other as a way to alert and try to
25 protect their fellow women?

1 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

2 Yes, I'm aware.

3 **MS. HILLA KERNER:** Okay. I would like to
4 suggest that it will be wise and useful for the RCMP in
5 British Columbia to use those bad date sheets as a third
6 party report, and conduct investigation that is protective
7 and respectful of the women in the sex trade, and diligent,
8 and serious in holding those men accountable and bring them
9 to justice.

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

11 In terms of the third party reporting, we absolutely
12 facilitate third party reporting. And, in terms of any
13 information that comes into our access that will further an
14 investigation to help protect our sex trade workers,
15 absolutely.

16 **MS. HILLA KERNER:** I would like to press
17 further and to suggest that the burden is on the police,
18 and not on the prostituted women to look for this
19 information. It's available. I know easily accessible in
20 the downtown City of Vancouver and some agencies that are
21 serving women in prostitution.

22 What I would like to suggest is that British
23 Columbia RCMP should be due diligent and proactive, and
24 will look for those sheets, and will follow those leads.
25 They are very instructive, descriptive leads because

1 they're based on the intention of the woman in the sex
2 trade to protect other women. So, they're giving
3 everything they can to provide a full explicit description,
4 which I believe has a lot to allow the RCMP to follow with
5 an investigation. They often will describe exactly how the
6 man look like, how old he is, his race, his vehicle, where
7 was he from. There are very useful leads in those bad date
8 sheets.

9 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

10 And, I'm aware based upon the Counter Exploitation Unit
11 that works with Swan. And, you know, certainly anything
12 that we can do to hold people accountable, then we would
13 absolutely do that.

14 **MS. HILLA KERNER:** Okay. So, I would like
15 to suggest that the most visible, explicit way to hold men
16 accountable is by charging them and bringing them to
17 justice. And, the number -- the low number of charges is
18 an indication that at the moment police is failing to do
19 so.

20 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

21 I know that there are other means of which we are
22 investigating and charging, but I agree the low number is
23 -- could drastically be improved.

24 **MS. HILLA KERNER:** Thank you very much. My
25 friend who brought this issue further was also hoping to

1 know how can you secure the safety and the protection of
2 women in the sex trade who do come forward -- who will dare
3 to come forward and tell about very dangerous men, sometime
4 men who killed other women. What kind of security and
5 guarantees do you have to offer to these women?

6 And, for my own work, I know that sometimes
7 the RCMP is calling on us to house women in our transition
8 house. Independent women's groups is the way to protect
9 women instead of finding way that the police will protect
10 them. So, I'm wondering what is in place to protect women
11 from the sex trade who has knowledge about very violent men
12 and will be willing to come forward, but needs some serious
13 assurance that they will be protected?

14 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

15 Yes, I understood that, in terms of the response, it
16 probably wasn't as fulsome as it could have been. And,
17 what I was trying to convey is that every person that comes
18 forward, there is an individual assessment in terms of
19 their risk and, you know, retribution that they may face
20 based upon bringing information forward, and based upon
21 that risk assessment that a safety plan is put into place.
22 And, you're accurate in terms of asking about transition
23 houses and other places that we can utilize within our
24 communities, because I think we recognize that we're
25 challenged in our communities with not having enough safe

1 places to facilitate that safety.

2 **MS. HILLA KERNER:** I would like to suggest
3 that transition house is a direct action towards the
4 women's movement that cannot replace a commitment of the
5 state to uphold its responsibility of women's safety and
6 security. And, if needed, sometime the police should have
7 an officer near the woman's door to protect her and not
8 rely on grassroots organization who are doing our work
9 intentionally and willingly, but it cannot replace the
10 state and the province upholding their responsibility.

11 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
12 Yes, I wasn't at all suggesting that any policing agency
13 would abdicate that responsibility at all. Public safety
14 is a primary concern. It's just -- where I should have
15 been more explicit is that we need more support for safety
16 as a whole and not to, you know, utilize the good work that
17 you're doing.

18 **MS. HILLA KERNER:** Yes, I want to suggest
19 that one very simple way is to put an officer near the
20 woman's house.

21 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
22 Again, it's completely dependent on the circumstances
23 because of the resources that we have in place.

24 **MS. HILLA KERNER:** Okay. I'm glad you
25 brought up the issue of resources, I'll get into it in a

1 minute. I asked Commissioner Lucki, and I would like to
2 ask you as well, I would like to suggest that it's going to
3 be very useful for accountability to have transparent
4 information in each RCMP unit in the province, to have it
5 available to the public, how many complaints they receive
6 from women on male violence, rape, sexual assault,
7 prostitution, how long investigation took and how many
8 resulted in charges, which was to say how many men are held
9 accountable. And, I'll hope -- I would like to suggest
10 that it will be a very good step that could be fairly
11 implemented easily.

12 We know that the different unit is providing
13 this information for Stat Canada, so the data is collected,
14 it's just not available for public scrutiny.

15 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

16 And, that's currently the mechanism that we have in place,
17 is all that information is put into the Canadian Juristat
18 and Stats Canada.

19 **MS. HILLA KERNER:** So, I would like to ask
20 that -- I would like to suggest that the problem with
21 having this as the only source of information is that
22 Canada Stat is delivering its information on the national
23 level, and there is no way to separate, and to measure and
24 to evaluate the particular work of the local police unit,
25 and it will be really important for us to be able to do

1 that for accountability reason.

2 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

3 And, from my memory, I believe that the Commissioner
4 indicated that there would be follow up on your request.

5 **MS. HILLA KERNER:** Great. And, now I'm
6 going to have you -- I want to suggest that I will have
7 that commitment from you as well.

8 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

9 If she said it's going to happen, it's going to happen.

10 **MS. HILLA KERNER:** Good.

11 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

12 Good.

13 **MS. HILLA KERNER:** Speaking on resources, I
14 wanted to know, do you know how many people were arrested
15 by Burnaby RCMP for protesting against Kinder Morgan?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

17 I don't have those recent numbers, no.

18 **MS. HILLA KERNER:** Okay. Well, my source is
19 saying 202. Would that sound fair, assumption?

20 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

21 It may very well be, but I can't confirm that. I don't
22 have the recent update.

23 **MS. HILLA KERNER:** Okay. Do you know what
24 these people are protesting for or against?

25 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

1 Yes.

2 **MS. HILLA KERNER:** Do you mind sharing with
3 me?

4 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
5 It's the construction of the Kinder Morgan pipeline.

6 **MS. HILLA KERNER:** And, why are they
7 objecting it?

8 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
9 The concern is with respect to the environment.

10 **MS. HILLA KERNER:** Right. So, I would like
11 to suggest that the RCMP will have much more resources
12 available to hold men accountable about the crimes against
13 women, which are not just crimes against individual women,
14 but keeping us all women as a class oppressed, and in
15 particular when it comes to Indigenous women. So, I would
16 like to suggest that it would be much better utilization of
17 RCMP resources if they're not putting effort in arresting
18 people, protestors, men and women, for protecting the
19 environment and protesting against capitalist destruction.

20 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
21 Well, currently our mandate is to ensure that we are doing
22 both and -- but rest assured that resources are absolutely
23 available to pursue any -- well, to ensure that the public
24 is safe.

25 **MS. HILLA KERNER:** Okay. Well, do you know

1 how many women have been investigated in British Columbia
2 in the past year for theft under \$5,000.00?

3 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

4 No, I don't have that number off the top of my head.

5 **MS. HILLA KERNER:** Okay. Well, I don't have
6 it either because it's not accessible. And, I was hoping
7 that the RCMP British Columbia unit will provide, also,
8 those kind of information on your website, so the public
9 and women's advocate can see where your resources are going
10 to. Because at the end of the day, it's a question of
11 priorities and I would like to argue that there is quite a
12 lot of effort -- I would like to suggest there is quite a
13 lot of effort going to criminalization of women for poverty
14 crime, criminalization of people in general for poverty
15 crime. I give an example of criminalization of women for
16 self defence, criminalization of people who are protesting
17 against environmental destruction, and very, very little
18 effort going to criminalization of men who commit sexual
19 assault, wife battering, and as you agreed with me, buying
20 women in prostitution.

21 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

22 I would say that in all instances that it comes to our
23 attention, then those investigations are occurring and
24 they're actively pursued. I don't know the amount of theft
25 under as I was mentioning, but I can say that when it comes

1 to such types of offences, they are a priority and they
2 need to continue to be a priority so that, you know, we're
3 holding people accountable.

4 **MS. HILLA KERNER:** Okay. Going back to
5 Captain Charbonneau. So, I would like to confirm that I
6 understood your answer yesterday to Commissioner Counsel,
7 and I think you repeated it today, that the SQ decided not
8 to prohibit officers from wearing bracelets of solidarity,
9 a bracelet with eight stars, that you choose to convince
10 officer that this is a mistake, but not to prohibit it or
11 ban them from wearing those bracelets?

12 **CAPTAINE PAUL CHARBONNEAU:** C'est exact,
13 c'est ce que j'ai mentionné. Nous préférons convaincre que
14 contraindre pour le moment.

15 **MS. HILLA KERNER:** Okay. I read on the SQ
16 website in English, so I would like to confirm that I got
17 it right, that part of your mission is preserving life,
18 safety and fundamental human rights. Did I get this right?

19 **CAPTAINE PAUL CHARBONNEAU:** That is correct.

20 **MS. HILLA KERNER:** Do you agree that police
21 officer who commit sexual assault against women betraying
22 this commitment and violates the life, safety and the
23 fundamental human rights of women?

24 **CAPTAINE PAUL CHARBONNEAU:** En fait, oui, si
25 c'est avéré et oui, en effet.

1 **MS. HILLA KERNER:** I would like to suggest
2 that police officers were expressly -- directly with police
3 officers who are accused with sexually assaulting
4 Indigenous women are exhibiting misogynistic and racist
5 attitudes towards Indigenous women. Would you agree with
6 that?

7 **CAPTAIN PAUL CHARBONNEAU:** Oui.

8 **MS. HILLA KERNER:** I would like to suggest
9 that police officer who is racist and misogynist should be
10 dismissed and should not be allowed to serve at any police
11 force who aim and claim to protect women.

12 **CAPTAIN PAUL CHARBONNEAU:** J'ajouterais,
13 après avoir passé à travers le mécanisme prévu par la Loi,
14 oui.

15 **MS. HILLA KERNER:** I would like to suggest
16 that expressing solidarity with police officers who are
17 accused with sexual violence against Indigenous women, as a
18 reply, that those who express solidarity do not believe the
19 women, which is an expression of racism and misogyny. Or
20 they do believe that the crime happened and they're just
21 not -- the women are not worth it enough to have the men
22 who committed those crimes accountable.

23 And I would like to suggest that it's better
24 for the police of the province of Quebec to create a strict
25 explicit policy that are not allow men who hold this vision

1 to be part of the force. And I think when a man wears this
2 bracelet, you have the evidence in front of you.

3 **CAPTAINE PAUL CHARBONNEAU:** En fait, ce que
4 j'ai mentionné hier, et là, ça... il semble y avoir une
5 incompréhension là sur ce que j'ai dit, je sais pas si
6 c'est dans la traduction ou... mais les policiers qui portent
7 présentement un bracelet, c'est pas tant un signe de
8 support envers des actions qui ont été alléguées, qui sont
9 de nature criminelle - je le répète, des agressions
10 sexuelles, c'est criminel -, mais c'est plutôt un support à
11 tous les policiers du poste de Val-d'Or qui ne... entre
12 autres, ceux qui n'en font pas partie..

13 **MS. HILLA KERNER:** As opposed -- sorry. On
14 the bracelet have the image of eight stars?

15 **CAPTAINE PAUL CHARBONNEAU:** Ben, en
16 terminant, moi, ce que j'ai dit hier, j'étais pas au
17 courant que y'avait huit étoiles. C'est bien possible. Par
18 contre, ce qu'on sait, c'est qu'à travers tout le Québec,
19 ceux qui portent ce bracelet-là, l'idée derrière ça, pour
20 avoir parlé entre autres à certains, l'idée, c'est de
21 supporter tous les policiers du poste de Val-d'Or qui
22 vivent des conséquences de ce qu'on appellera « la crise de
23 Val-d'Or ». Y'a plus que huit policiers au poste de Val-
24 d'Or et tous les policiers du poste de Val-d'Or, tous, en
25 subissent les conséquences.

1 **MS. HILLA KERNER:** As they should.

2 I would like to thank the Commissioners and
3 I would also like to acknowledge the support that I got
4 through all this process from the Commission of counsel and
5 from my friends who are lawyers and equipped me to conduct
6 this cross-examination.

7 Thank you.

8 **MS. SHELBY THOMAS:** The next party to ask
9 questions is Independent First Nations, Ms. Josephine de
10 Whytell, will have 10.5 minutes.

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

12 **MS. JOSEOHINE DE WHYTELL:** Thank you very
13 much. My first questions on behalf of IFN are for Deputy
14 Commissioner Butterworth-Carr.

15 In the RCMP's national missing persons
16 strategy 2014, which has been made an exhibit in these
17 proceedings, it lists three issues that I quote
18 "complicate" investigations of missing persons reports.
19 And these are Canadian geography, cultural diversity, and
20 multiple police jurisdictions. So if First Nation, Inuit,
21 and Metis communities had the resources to investigate
22 their own missing persons at the same standard as the RCMP,
23 the OPP or the Security de Quebec, the issues of geography,
24 cultural diversity and multiple police jurisdictions could
25 be significantly reduced. Would you agree with that?

1 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yeah.
2 Shared responsibility is critical among police agencies and
3 in terms of our self-administered First Nation police -- or
4 our Indigenous policing, we fully support.

5 **MS. JOSEPHINE DE WHYTELL:** Thank you. Do
6 you see technology playing a role in enabling capacity to
7 be increased in smaller communities and more localized
8 regional police detachments?

9 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
10 Certainly. Our experience in RCMP jurisdictions technology
11 can be very challenging.

12 **MS. JOSEPHINE DE WHYTELL:** Can you estimate
13 for us, given your knowledge of the resources under your
14 command, and the operations at the RCMP, how many
15 detachments and offices would be reasonably required to
16 enable efficient localized missing persons investigations,
17 specific to each -- let's say tribal council region?

18 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I'm
19 sorry. I'm not sure I understand your question. Like, I
20 know we've got 144 detachments and then we've got a
21 multitude of community tripartite agreement -- detachments
22 in the province of British Columbia. If there was a
23 missing person and high risk, and -- well any missing
24 person, we have dedicated units and we would mobilize from
25 anywhere to ensure that they were thoroughly investigated.

1 **MS. JOSEPHINE DE WHYTELL:** Okay. Would you
2 recommend that capacity be built in First Nation communities
3 to enable them to effectively manage major crimes within
4 their territories, using their languages and in keeping
5 with their cultural principles?

6 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** If
7 you're asking about support for self-administered police
8 service, they fully have my support.

9 **MS. JOSEPHINE DE WHYTELL:** And so, with
10 respect to the self-administered policing and other aspects
11 of First Nation policing program, would you agree that
12 resources is a serious problem? And I'm wondering if you'd
13 agree and add your voice to the recommendation we heard
14 yesterday morning that the First Nation Police program
15 should be more than just a program?

16 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
17 wholeheartedly support that. I've had -- the last 20, 25
18 years -- well, since the First Nation Policing Policy came
19 into existence, of experience and it's a very antiquated
20 policy and it's something that I think that genuinely needs
21 to be updated, as well as resourced properly and recognized
22 more than a program.

23 **MS. JOSEPHINE DE WHYTELL:** Thank you. Now,
24 we heard evidence, and I believe it was from you, that
25 there is a specialized Indigenous component to how the RCMP

1 deals with investigations involving Indigenous People, or
2 certain steps I think you said, that the police are
3 required to take. Is that correct?

4 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes,
5 it is.

6 **MS. JOSEPHINE DE WHYTELL:** And also, you
7 spoke about the RCMP victim services, and I understand that
8 community based victim services are often lacking in
9 resources, or non-existent in certain communities; is that
10 correct?

11 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes,
12 it is.

13 **MS. JOSEPHINE DE WHYTELL:** Call to action 40
14 from the Truth and Reconciliation Commission called for the
15 creation of Aboriginal specific victim's programs and
16 services with appropriate evaluation mechanisms. Would you
17 agree this should be implemented?

18 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
19 Absolutely.

20 **MS. JOSEPHINE DE WHYTELL:** Given the
21 Constitutional responsibility under Section 91.24 of the
22 *Constitution Act* for -- and I hate to use this terminology,
23 but Indians and land reserve Indians, would you agree with
24 me that the Federal Government has a responsibility to
25 legislate for First Nation policing?

1 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Our
2 communities have the right to ensure that we've got the
3 proper resources in place to benefit policing and service
4 delivery, yes.

5 **MS. JOSEPHINE DE WHYTELL:** That's an
6 inherent right, would you agree?

7 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
8 Absolutely, I agree with that.

9 **MS. JOSEPHINE DE WHYTELL:** We've heard
10 evidence about the function of victim's services, and
11 earlier this week we had evidence that Inuk women resist
12 considering themselves as victims. I would suggest this is
13 common among a lot of survivors of physical and sexual
14 violence. Has the RCMP considered the negative impact of
15 the word victim on these types of services with respect to
16 how they're accessed and how successful they are?

17 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes.
18 It's certainly been a conversation. There's been
19 consultation through that, you know, and personally, you
20 know, I -- like I consider myself a warrior, not a
21 survivor, not a victim, a warrior.

22 **MS. JOSEPHINE DE WHYTELL:** Thank you. With
23 respect to trafficking, you spoke about the use of
24 technology in finding missing persons. Can you advise how
25 technology is being used to target online trafficking

1 adverts and whether the RCMP has the capacity to keep up
2 with this growing trend?

3 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Very
4 familiar with the type of things that are happening cyber-
5 wise. I can certainly say that probably -- well, certainly
6 from the RCMP perspective, we would definitely require more
7 resources and specialized skillset to be really responsive
8 to it. Are we responding? Yes. But resources could be
9 benefitted.

10 **MS. JOSEPHINE DE WHYTELL:** And would you
11 agree that First Nation self-administered police services
12 would benefit from those resources as well?

13 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
14 Absolutely.

15 **MS. JOSEPHINE DE WHYTELL:** Thank you.

16 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** My
17 next set of questions are for Chief Superintendent
18 Pritchard.

19 Whether increased efforts towards diversity
20 between races, I would suggest to you that we often see
21 large packets of resistance from white people who feel
22 underserved by society, leading to they type of all lives
23 matter debate, and often more discrimination. With the
24 focus of much of your current work on crimes that mainly
25 affect women, have you see resistance from men who also

1 underserved by the criminal justice system? And is the OPP
2 working on any projects or program in consultation with
3 First Nation communities to uplift Indigenous men and
4 ensure that they're part of the solution to resolving
5 violence against women?

6 **CHIEF SUPERINTENDENT PRITCHARD:** Yes.
7 I think one of our most successful programs in terms of
8 diversion. It's called nee-gan moose walk (phonetic),
9 which I don't speak Ojibwe, but I understand it's commonly
10 translated to mean walking forward. And, part of that
11 program, which was developed by Indigenous people,
12 Indigenous elders, specifically speaks to young men, and
13 teaching them what a respectful relationship is, following
14 that path of guidance to get them on a good path in life,
15 and to respect women, what a healthy sexual relationship
16 might be, and the cultural components that are associated
17 to that. And, that in that program specifically speaks to
18 young teenage boys that -- and that is a diversion program,
19 pre-charge and post-charge potentially diversion program.

20 **MS. JOSEPHINE DE WHYTELL:** Thank you.
21 And, how widely accessible is that program to First Nation
22 communities across Ontario?

23 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
24 Well, I would love to see it expanded. It's currently in
25 the northeast area of Ontario and the east region and the

1 west region, about four, maybe five weeks per year in the
2 summer during the break. It's a program that's had
3 fantastic results. It would be wonderful to see it
4 expanded. And, again, you know, it's not just a police
5 program. The youth come to it being referred to by
6 officers or by courts, by community leaders and by elders.
7 I have attended the camp a number of times myself, and the
8 results are truly amazing.

9 **MS. JOSEPHINE DE WHYTELL:** And so,
10 would you support more resources being put towards those
11 programs being expended?

12 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
13 Absolutely.

14 **MS. JOSEPHINE DE WHYTELL:** Thank you.
15 Are you aware of the interdisciplinary hub approach in
16 place in Saskatchewan that brings parties together to
17 address community policing issues? And, does the OPP have
18 anything similar to this right now?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
20 I'm very familiar with it. We call it, in Ontario,
21 situation tables, and we have an OPP jurisdiction. We
22 currently have 56 situation tables throughout the province.
23 Again, some with great success, some with limited success.
24 They first started in an OPP area in Kenora, so they're a
25 little bit more advanced there just through experience. I

1 believe the situation table in Kenora has more than a dozen
2 agencies represented, including the Kenora Chiefs
3 Association.

4 **MS. JOSEPHINE DE WHYTELL:** Thank you.
5 You mentioned about how it's important to build strengths
6 in community to also prevent major crime. So, in May 2018,
7 a historic agreement was reach beyond Ontario and Ontario
8 First Nations in respect of sharing resource and revenues
9 from forestry and mining, resetting the nation to nation
10 relationship according to commentators. Would you agree
11 that reconciliatory efforts intended to eliminate the
12 legacy of colonial economic disadvantage suffered by
13 Ontario First Nations will continue to reduce the
14 aggravating factors that lead to Indigenous women and
15 girls, and 2SLGBTQAI individuals being victims of crime?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
17 I'm not sure I understand your question from a police
18 perspective. I apologize for that.

19 **MS. JOSEPHINE DE WHYTELL:** And, that's
20 fair enough. I'll move on. With respect to discipline,
21 you answered questions regarding the misnomer of the 24-
22 hour reporting requirements for missing and murdered women.
23 However, my client also understands that members of the
24 Indigenous community have been in fact told by police that
25 there is a 24-hour requirement.

1 In the case of a police officer who
2 receives a missing persons report while they are up and
3 about in the course of their duties or at the detachment,
4 and they're extremely busy with other duties, as is often
5 the case, if they were to delay the reporting by suggesting
6 to the family to come back in 24 hours, how would the
7 supervisor or other higher ups find out about this non-
8 compliance to be able to discipline that officer?

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

10 That's a very valid question, and the officer would totally
11 be in neglect of their duties in doing so. I think in our
12 detachments, we have mostly larger detachments which I
13 think helps prevent that situation from happening. But,
14 you know, I'm also aware of the misinformation or
15 misunderstanding that many First Nations people have and
16 many First Nations communities have over the reporting of
17 missing people and what's involved in that.

18 Over the last year-and-a-half, we did
19 two Missing Persons Awareness Days in First Nations
20 communities in Northwestern Ontario, and received
21 tremendous feedback from the communities and support, and a
22 request to continue that. So, through a grant process, we
23 have nine more of those Missing Persons Awareness Days in
24 First Nations pending over the next year or so that
25 involves -- we call that a Missing Persons Awareness Day,

1 but it's really two days, because we do a day of
2 consultation with the community asking for their input in
3 the development and what their specific needs are and what
4 they want to hear about. And then following that, once the
5 plan's put together, the actual delivery of it.

6 And, at those days, there is the
7 opportunity for community members to speak to officers if
8 they want to report somebody missing, or have a
9 misunderstanding of perhaps somebody that's gone missing
10 and days gone by, but have never been reported. And,
11 that's certainly something we've experienced in Ontario
12 where we have had deceased people in a morgue that are
13 unidentified, and then, you know, through our resolve
14 initiative have determined that they were in fact missing
15 from somewhere, but not reported.

16 **MS. JOSEPHINE DE WHYTELL:** Thank you.
17 I'm out of time.

18 **MS. CHRISTA BIG CANOE:** Thank you, Ms.
19 De Whytell. Chief Commissioner and Commissioners, at this
20 point, I would kindly like to request a 10-minute
21 adjournment. But, I'm going to ask that the parties with
22 standing please ensure that at least one representative can
23 make their way to the Oak Room, and we can come back in 10
24 minutes, so at maybe 11:20?

25 **CHIEF COMMISSIONER MARION BULLER:**

1 Certainly, 11:20.

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

3 --- Upon recessing at 11:12 a.m.

4 --- Upon resuming at 11:30 a.m.

5 **--- QUESTIONS BY COMMISSIONER MICHÈLE AUDETTE:**

6 **COMMISSAIRE MICHÈLE AUDETTE:** Merci
7 beaucoup, Maitre Thomas, et avant de commencer, je veux
8 dire un gros, gros merci à tous les hommes et les femmes
9 des parties intéressées d'avoir accepté que je prenne
10 quelques minutes.

11 Alors, je vais commencer, maintenant
12 que je parle en français, avec vous, Monsieur Charbonneau.
13 Un gros merci d'avoir accepté de venir ici et d'avoir pris
14 le temps de répondre aux questions des parties intéressées,
15 et beaucoup ont tourné autour du bracelet, alors c'est une
16 question de perception, on s'entend. La perception peut
17 être vue de l'autre côté comme un geste qui va diviser,
18 alors j'ai confiance que vous allez trouver des solutions
19 pour avoir plutôt une approche rassembleuse que de
20 maintenir cette division qui existe. Elle est là. Mais j'ai
21 confiance.

22 En vertu de vos... de votre politique de
23 gestion sur les fugues et disparitions/enlèvements, que
24 considérez-vous comme étant une communication régulière
25 avec les familles?

1 **CAPITAINE PAUL CHARBONNEAU:** En fait,
2 Madame la commissaire, je vous dirais, à chaque fois que
3 y'a un fait nouveau dans l'enquête, il est important
4 d'avoir une communication dans les plus brefs délais, ceci
5 en autant que faire que cette information ne viendrait pas
6 gêner l'enquête.

7 Toutefois, si y'a pas de faits nouveaux
8 dans un délai à plus ou moins... il doit y avoir des
9 communications quand... je vous dirais là, je suis d'avis
10 qu'on doit communiquer avec les familles si y'a pas de
11 faits nouveaux et que ça fait un certain temps que y'a pas
12 eu de communication. Les communications doivent être
13 régulières.

14 **COMMISSAIRE MICHÈLE AUDETTE:** Dans les
15 audiences qu'on a entendues en privé ou en public,
16 certaines ont mentionné à travers le Canada et au Québec
17 aussi que on ne reçoit pas de communications régulières.
18 C'est quoi les recours pour les familles dans ces cas-là?

19 **CAPITAINE PAUL CHARBONNEAU:** En fait, la
20 Sûreté du Québec encourage fortement les familles à
21 communiquer avec leur poste et de demander à avoir une
22 communication si elles estiment que la communication n'a
23 pas été assez régulière ou assez... à des intervalles
24 qu'elles jugent opportun.

25 **COMMISSAIRE MICHÈLE AUDETTE:** Mais si

1 y'a pas de réponse, c'est ça ma question, quels sont leurs
2 recours?

3 **CAPITAINE PAUL CHARBONNEAU:** Oui, mais
4 j'ajouterais en fait, si... à ce moment-là, si y'a pas de
5 réponse, y'a possibilité de le faire par la voie
6 hiérarchique, soit d'appeler au Bureau de la région,
7 interpeler le commandant de région si y'a pas de réponse
8 immédiatement au poste après avoir parlé au poste, après
9 avoir parlé au chef de poste, ben, on peut se rendre au
10 commandant de région. Une chose est claire : c'est très
11 important pour la Sûreté du Québec que les familles soient
12 informées en temps opportun et lorsque y'a des changements.
13 Pour nous, c'est très important.

14 **COMMISSAIRE MICHÈLE AUDETTE:** Merci
15 beaucoup. Merci pour tout ça et dans l'espoir que mes
16 collègues continueront leurs questions auprès de vous.

17 Maintenant je vais poser mes questions au
18 Chef Surintendant, M. Mark Pritchard. Encore une fois,
19 vous aussi, un gros merci de votre passage ici au sein de
20 l'Enquête nationale. Comme tout le monde, vous faites
21 partie d'un chapitre important dans lequel les femmes et
22 les jeunes filles autochtones ont longtemps décrié la
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5 Pourriez-vous me décrire l'envergure du projet, combien ç'a
6 coûté, le temps que ç'a pris et la durée pour faire tout
7 ça? Puis est-ce que ce projet-là a été mis en œuvre avec
8 d'autres communautés? Parce que je crois comprendre que
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10 et une communauté aussi importante métisse et le peuple
11 Inuit.

12 Est-ce qu'il y a des projets avec ces
13 groupes bien distincts?

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
15 project started after a coroner's investigation, I don't
16 recall if I said that, into a rash of youth suicides in
17 Pikangikum, and that was the genesis for the project.
18 There was a \$5 million contribution agreement from Public
19 Safety Canada for a period of five years, that period
20 expires this August. They're exploring a number of other
21 funding possibilities. Public Safety Canada is unable to
22 continue funding that project because of some treasury
23 board rules which I can't tell you what they are because I
24 don't understand them. So, they are exploring other
25 funding opportunities.

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2 million dollars a year, and that money flowed through the
3 OPP. We administered throughout -- that money with the --
4 hopefully what is project Journey 2 funding. We're trying
5 to have the money flow through the community -- one of the
6 community authorities so we're not the controllers of the
7 purse strings, so to speak.

8 There is another project called Project
9 Sunset, which is very similar to Journey, that is further
10 west in Ontario, near the Manitoba border, it covers a
11 number of Treaty 3 police communities. That project is in
12 conjunction with the Treaty 3 police and the Dryden police.
13 It covers a number of First Nations that are road access,
14 including Fort Frances, Dryden, Sioux Lookout and Kenora.
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16 contribution agreement from Public Safety Canada.

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18 "I". We, the OPP, have had interest from Nishnawbe Aski
19 Nation, they would like to see projects similar to that in
20 their communities. And, the grand chiefs of Treaty 3 are
21 in the process of writing a proposal of their own to Public
22 Safety Canada to fund a project for a number of their other
23 communities that are similar to that.

24 **COMMISSAIRE MICHÈLE AUDETTE:** Croyez-vous
25 que... et c'est ma dernière question pour vous... croyez-

1 vous que le reste de toutes, toutes, toutes les communautés
2 métisses, Premières Nations et la communauté inuit méritent
3 un projet comme celui-ci, et ce sur une longue période?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** They
5 very much deserve this type of a project. Kind of like the
6 self-administered policing, it shouldn't be a program, it
7 should be just an entity that exists.

8 The community certainly deserve it. These
9 kids that are involved in the projects are potentially the
10 next generation of missing and murdered, and if we can play
11 a role in those children not ending up missing and
12 murdered, or drug addicted or incarcerated -- if you think
13 of the turn of \$5 million, a million dollars a year, and
14 you compare that to the amount of money that's spent
15 incarcerating youth, it pales in comparison.

16 I was watching the news here in the hotel
17 the other night, on Sunday night, and there was a story
18 about the vast overrepresentation of Indigenous youth
19 incarcerated in the Saskatchewan youth system. And, I
20 don't remember the exact number, but it was over 90
21 percent. And, I think the statistic for incarcerating
22 youth is somewhere around \$500.00 a day per child.

23 So, if as a society can rethink that and
24 spend a little bit of money to keep them out of that system
25 in the first place -- and we all know that a lot of times

1 when youth end up in the legal system, they end up staying
2 there for a long time, and sometimes that becomes
3 intergenerational. So, the upfront investment -- and as
4 Justice Sinclair said in the Truth and Reconciliation
5 Report, that the youth are the medicine and I think that's
6 very much the line that we need to go down, and that
7 policing is just a part of that, but an important part of
8 it.

9 **COMMISSIONER MICHÈLE AUDETTE:** You opened
10 the door. You agree that if the child is living in
11 poverty, it's because the mom is also affected by the
12 poverty? Do you agree with that?

13 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

14 **COMMISSIONER MICHÈLE AUDETTE:** Yes. So, I
15 want to say thank you. A double thank you for your -- no,
16 no. In English. Thank you for answering my question and
17 giving me more question for the treasury, for the federal
18 government. I'll ask the question ---

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Thank
20 you.

21 **COMMISSIONER MICHÈLE AUDETTE:** --- why.

22 **MR. JULIAN ROY:** Commissioner Audette, there
23 is some additional information in the overview document at
24 page 41 through 43 on -- that might answer some of your
25 questions as well.

1 **COMMISSAIRE MICHÈLE AUDETTE:** Merci
2 beaucoup.

3 Merci beaucoup, Madame Butterworth-Carr.
4 Comme j'ai dit à vos collègues, les femmes qui travaillent
5 dans un milieu... à une certaine époque on disait « non
6 traditionnel » parce qu'il n'y avait pas beaucoup de femmes
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1 No, we absolutely did. And, on the heels of that, the
2 civilian review and complaints commission also authored a
3 full investigation and they came out with recommendations,
4 and we've implemented those as well. So, absolutely.

5 **COMMISSAIRE MICHÈLE AUDETTE:** Parfait.

6 Merci beaucoup.

7 Serait-il possible de nous faire part de ce
8 plan d'action avec les recommandations?

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10 Absolutely.

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15 privilège de marcher avec quelques familles, avec Madame
16 Gladys Raddick (phon.) et sa famille sur l'Autoroute des
17 larmes, difficile mais important, et ma question à cette
18 époque - et je vous la réserve aujourd'hui : combien de
19 policiers de la GRC travaillent actuellement à temps plein
20 sur les cas liés du Highway of Tears E-PANA?

21 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I

22 would have to follow up to provide the exact. I have a
23 number "8" in my head but I need to confirm that for you
24 for sure.

25 **COMMISSAIRE MICHÈLE AUDETTE:** Merci beaucoup.

1 Et ma dernière question pour vous : qui spécifiquement, les
2 femmes... pardon, les membres des familles des victimes
3 peuvent contacter afin de partager de l'information liée au
4 Highway of Tears?

5 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** They
6 can contact the investigator and I can supply that name.

7 **COMMISSAIRE MICHÈLE AUDETTE:** Et si y'a pas
8 de réponse, si ça bouge pas, est-ce que y'a un autre
9 endroit plus haut où les femmes et les familles peuvent
10 appeler? Qui? <Rires>

11 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** They
12 can call me.

13 **COMMISSIONER MICHÈLE AUDETTE:** You can call
14 her.

15 Well, I have to say again, thank you so
16 much. Thank you very much. And we will go to Vancouver; I
17 don't know when or maybe in B.C. and hopefully we'll meet
18 again. Thank you.

19 Thank you, party with standing. Merci
20 beaucoup aux gens des parties intéressées.

21 (APPLAUSE)

22 **MS. SHELBY THOMAS:** Chief Commissioner and
23 Commissioners, could we call one more party before we break
24 for lunch? It is 11:45.

25 The next party to ask questions is Liard

1 Aboriginal Women's Society, and Ms. Leila Geggie-Hurst will
2 have 8.5 minutes.

3 **MS. LEILA GEGGIE-HURST:** Thank you again to
4 the peoples of the Treaty 4 and the Métis Nation.

5 To Elders, Commissioners, above all to the
6 families and survivors, I thank you for your resilience and
7 your courage.

8 **--- CROSS-EXAMINATION BY MS. LEILA GEGGIE-HURST:**

9 **MS. LEILA GEGGIE-HURST:** Deputy Commissioner
10 Butterworth-Carr, I'd like to direct my questions to you,
11 but first I'd like to echo the comments of Commissioner
12 Audette in saying how meaningful it's been for many Yukon
13 women to see you in your position. We see how much you
14 care about the work that you do and we thank you for that.

15 I'd like to pick up on a thread started by
16 my colleague at Vancouver Rape Relief and ask you whether
17 it's common procedure for an RCMP officer accused of
18 sexualized violence or other misconduct to be placed on
19 paid administrative leave while that issue is being
20 investigated?

21 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
22 through our administrative process we have the ability to
23 immediately suspend, based upon the allegations and the
24 information that we have available, and I can speak very
25 candidly to this as a Conduct Authority. And in those

1 instances we would then consult with our Conduct Advisor
2 Authorities nationally, which are legally trained, and
3 based upon those circumstances we would look to go to a
4 suspension without pay and allowances. And then again
5 based upon the information available, we'd be moving -- I
6 would be moving towards a Conduct Board for dismissal.

7 **MS. LEILA GEGGIE-HURST:** And so would you
8 say that the decision of whether or not someone is placed
9 on paid or suspended administrative leave is a
10 discretionary exercise by the people within the RCMP
11 investigating that situation?

12 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It's
13 not discretionary. It's ultimately based upon the facts
14 that are available. And, you know, I'm very familiar with
15 the number of ones that I have pushed through. And if it's
16 there, it's been taken very seriously; it's a no-go zone.

17 **MS. LEILA GEGGIE-HURST:** What about in
18 situations where an officer is investigated and found to be
19 not guilty of the offences?

20 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Do
21 you mean statutorily?

22 **MS. LEILA GEGGIE-HURST:** To start off with,
23 let's say statutorily of *Criminal Code* offences, not
24 guilty.

25 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

1 Again, based upon the circumstances, administratively we
2 still have the ability to move for dismissal through a
3 Board.

4 **MS. LEILA GEGGIE-HURST:** In your experience,
5 does that happen regularly? Can you speak to that?

6 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
7 can't tell you how many have happened nationally but I'm
8 certainly aware of ones.

9 **MS. LEILA GEGGIE-HURST:** Are you aware of
10 situations where someone has been found not guilty but has
11 not been dismissed, has continued with the Force?

12 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Not
13 off the top of my head, no.

14 **MS. LEILA GEGGIE-HURST:** Okay. If such a
15 situation were to occur, would you agree that a finding of
16 not guilt is different from a finding of innocence?

17 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Well,
18 it's based upon the justice process, yes.

19 **MS. LEILA GEGGIE-HURST:** Would you agree
20 that such situations could still be very damaging to the
21 trust of survivors of violence and to the community in
22 which these alleged offences occur?

23 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
24 Absolutely it's damaging. It's damaging to the
25 organization as well.

1 **MS. LEILA GEGGIE-HURST:** Do you believe that
2 there are additional things that the RCMP can do to
3 strengthen their response to situations of alleged but not
4 substantiated criminal or non-criminal misconduct?

5 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
6 think our current legislation provides that for Conduct
7 Authorities. And, you know, based upon my experience as a
8 commanding officer, for the three years that I was here and
9 then of course for the year and a half that I've been in
10 place, I'm pretty confident with our legislation that we
11 have available to us.

12 **MS. LEILA GEGGIE-HURST:** Chief
13 Superintendent Pritchard affirmed for us yesterday that
14 where there are exercises of discretion or a subjective
15 judgment of facts, there's a risk that racism or
16 stereotyping will impact the decisions that are made. Do
17 you think it's possible that discretionary applications of
18 discipline or -- I won't use the word "discretionary" but
19 situations where people within the RCMP are looking at the
20 facts of a case and making a decision on the appropriate
21 outcome, is it possible that those disciplinary decisions
22 could be compromised by racist or sexist stereotyping?

23 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** The
24 current discipline system does not allow for that. There's
25 so many levels of governance with respect to the

1 circumstance, the investigation itself and, you know, the
2 standardization of it. And plus we've got, like I said,
3 legally trained lawyers that are providing advice at
4 various levels to any of the Conduct Authorities.

5 **MS. LEILA GEGGIE-HURST:** We heard yesterday
6 also from Chief Superintendent Pritchard that up until
7 recently the OPP thought that they were doing very well in
8 developing trusting relationships, and on the release of
9 the interim report by the Commission, they learned that
10 this wasn't the perception of the communities that they
11 were working in and they're now working to improve those
12 relationships.

13 Do you think it's possible that a similar
14 disconnect exists between the RCMP and the communities that
15 they serve?

16 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Well,
17 I think we know it's possible and I think we know that it
18 does happen, you know, and, that's for a variety of reasons
19 and it's an area which I know, very candidly, we need to
20 continue to improve upon, absolutely.

21 **MS. LEILA GEGGIE-HURST:** In my last minutes
22 I'd like to switch quickly -- and hopefully not too
23 abruptly for you -- on some questions on language used when
24 police are responding to violence.

25 In your experience when officers are

1 investigating an adult's use of sexualized violence against
2 a child, do you ever see officers using terms like, "the
3 accused had sex with a child," or, "had oral sex"?

4 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

5 Officers that are highly trained in child investigations
6 are very mindful in terms of the language that is utilized
7 because there are babies and they need to make sure that we
8 are very respectful.

9 **MS. LEILA GEGGIE-HURST:** And, I apologize, I
10 understand this is complicated, difficult subject matter
11 but would you agree that using language that -- sexually-
12 based language that characterizes these horrific acts as
13 acts of sex instead of acts of assault or violence would be
14 inappropriate or even harmful?

15 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

16 Absolutely. They're -- yeah.

17 **MS. LEILA GEGGIE-HURST:** Thank you.

18 Would you agree that child protection has a
19 direct correlation to the problems of missing and murdered
20 Indigenous women and girls, particularly as in the Yukon
21 when 90 percent of the children in care are Indigenous?

22 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I'm
23 sorry; can you repeat that?

24 **MS. LEILA GEGGIE-HURST:** Would you agree
25 that child protection and the role of family and Children's

1 Services in various different jurisdictions plays a very
2 important role in understanding missing and murdered
3 Indigenous women and girls?

4 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes.

5 **MS. LEILA GEGGIE-HURST:** This may be
6 overstepping but would you recommend to the Commission that
7 they further investigate the role of child protection in
8 understanding missing and murdered Indigenous women and
9 girls?

10 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
11 think anything that's going to help any agency to
12 understand and be better at serving, you know, our
13 communities is something that should happen.

14 **MS. LEILA GEGGIE-HURST:** Thank you very
15 much. Those are my questions, and I thank the rest of the
16 panellists for their time.

17 **MS. SHELBY THOMAS:** Chief Commissioner and
18 Commissioner, could we take a 45 c'est possible?

19 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
20 possible.

21 **Me BERNARD JACOB:** O.k. Donc, dans ce
22 contexte-là, que fait la Sûreté du... comment c'est perçu
23 par les communautés? Est-ce que vous avez suivi la
24 Commission Viens, qui a eu des reportages? Comment c'est
25 perçu par la communauté ce port de bracelet là?

1 **CAPITAINE PAUL CHARBONNEAU:** En fait, oui,
2 parce que j'ai suivi la Commission, mais j'ai aussi eu des
3 communications avec certains membres du personnel de la
4 Commission. En fait, on parle de perception, Mesdames les
5 commissaires, Monsieur le commissaire. J'aimerais vous
6 entretenir là-dessus un petit peu.

7 Comment c'est perçu par les communautés?
8 C'est clair que c'est vu comme un affront pour eux, pour
9 les communautés. Spécifiquement dans la région de Val
10 d'Or, c'est perçu comme étant un support aux policiers qui
11 ont été suspendus, qui ont été, dans le fond, impliqués
12 dans des allégations. Ça c'est la façon que c'est perçu.
13 Ça leur cause un traumatisme, en fait. Quand ils voient un
14 policier arriver avec ça sur l'uniforme, pour eux c'est un
15 rappel évident des événements de 2015.

16 **Me BERNARD JACOB:** Alors, pourquoi la Sûreté
17 du Québec n'interdit pas à ses membres subalternes de
18 porter ledit bracelet?

19 **CAPITAINE PAUL CHARBONNEAU:** En fait, la
20 Sûreté, on a fait des interventions. Ce qui est important
21 de comprendre c'est, dans un premier temps, on a tenté de
22 sensibiliser le personnel sur l'impact que le port de ce
23 bracelet-là pouvait avoir sur la communauté.

24 Puis en même temps, j'aimerais attirer votre
25 attention que la communauté le perçoit de cette façon-là,

1 mais pour les policiers, le port de ce... c'est parce que
2 le bracelet n'est pas seulement porté que dans la région de
3 Val d'Or. Je dirais qu'il est porté pas mal partout à
4 travers la province. J'ai personnellement vu des policiers
5 circuler dans certaines unités bien loin de Val d'Or
6 arborant ce bracelet-là, soit au poignet, soit sur leur
7 veste. Pour les policiers, le port de ce bracelet-là ne
8 signifie en aucun cas... en aucun cas... un cautionné des
9 allégations. C'est plutôt en support de tout le poste de
10 Val d'Or qui a à subir les contrecoups des événements de
11 Val d'Or, parce que suite à ces événements-là, vous
12 comprendrez qu'à l'intérieur même du poste, ç'a été
13 difficile pour le morale des policiers.

14 **Me BERNARD JACOB:** Mais dans ce contexte-là,
15 est-ce que vous avez mis en poste un poste particulier à
16 Val d'Or qui s'appelle le CP...

17 **CAPITAINE PAUL CHARBONNEAU:** Le PPCMA.

18 **Me BERNARD JACOB:** Mais là, vous savez qu'il
19 y a des policiers du PPCMA qui sont supposés se rapprocher
20 de la communauté qui portent ce bracelet-là?

21 **CAPITAINE PAUL CHARBONNEAU:** En fait,
22 présentement, il n'y a plus de policiers au PPCMA qui
23 portent ce bracelet-là.

24 **Me BERNARD JACOB:** Mais il y en a déjà eus?

25 **CAPITAINE PAUL CHARBONNEAU:** Il y en a déjà

1 eus. D'ailleurs, je crois qu'on peut en apercevoir dans la
2 vidéo promotionnelle de la Sûreté du Québec. Il y a eu
3 deux vidéos. Je crois qu'il y en a une qui sera déposée en
4 preuve, Mesdames les commissaires, Monsieur le commissaire.
5 Il y a une première vidéo qui a été faite à l'époque du
6 projet pilote et il y a une deuxième vidéo qui est plus
7 récent. En fait, les deux vidéos sont disponibles sur
8 YouTube. Si on tape PPCMA, on va trouver les deux vidéos
9 de la Sûreté du Québec sur YouTube.

10 Comme je disais, pour terminer là-dessus,
11 sur le port du bracelet par les policiers, c'est plus un
12 mouvement de solidarité envers les policiers qui ont eu à
13 vivre les contrecoups de cet événement-là. Ce n'est pas
14 seulement que quelques policiers qui étaient visés par les
15 allégations.

16 **Me BERNARD JACOB:** Mais la question c'est
17 pourquoi la Sûreté du Québec ne donne pas d'ordre à ses
18 membres de cesser de porter ce signe qui peut être
19 considéré comme offensant dans la communauté visée?

20 **CAPITAINE PAUL CHARBONNEAU:** En termes
21 clairs, nous préférons beaucoup mieux convaincre que
22 contraindre.

23 Les travaux en cours dans les deux
24 commissions et l'effet du temps aidant, j'ai bon espoir que
25 finalement le port de ce bracelet-là va s'estomper avec le

1 temps.

2 **Me BERNARD JACOB:** Donc, je comprends que
3 l'état-major de la Sûreté du Québec a fait le choix
4 politique de ne pas ordonner à ses membres de cesser de
5 porter ce signe... je l'ai qualifié d'ostentatoire, mais
6 c'est typiquement québécois, de ce signe qui porte atteinte
7 aux gens des communautés?

8 **CAPITAINE PAUL CHARBONNEAU:** En fait, je ne
9 veux pas me substituer à l'état-major, mais moi, ce que
10 j'en comprends c'est que si on convainc les gens d'une
11 chose, l'effet va être beaucoup plus durable que si on
12 tente de le contraindre. Ça c'est dans un premier temps.

13 Et lorsqu'on prend conscience d'une chose,
14 que ce soit de parts et d'autres, ça aide à la
15 compréhension. On est conscient qu'il y a un enjeu de
16 confiance actuellement et que le port de ce bracelet-là est
17 un facteur dans cet enjeu-là.

18 **Me BERNARD JACOB:** Donc, je comprends que
19 c'est un facteur qui vise à miner la... qui a pour effet de
20 miner la confiance.

21 **MS. CHRISTA BIG CANOE:** Sorry, I apologize.
22 You just need to give an opportunity for translation to
23 catch up. And then if it can catch up, then when you're
24 ready, we'll start the time again.

25 **COMMISSAIRE MICHÈLE AUDETTE:** S'il n'y a pas

1 une pause entre chaque...

2 **MS. CHRISTA BIG CANOE:** No worries.

3 **Me BERNARD JACOB:** Désolé.

4 **MS. CHRISTA BIG CANOE:** So we're going to
5 let the translator, if they're able to translate, and then
6 we'll start the time so that the time isn't delayed based
7 on the translation, please.

8 Would you like them to repeat?

9 **Me BERNARD JACOB:** Ça va? Je peux rouler?

10 **THE INTERPRETER:** Repeat the last...

11 **Me BERNARD JACOB:** The last question?

12 Je comprends que c'est un signe qui peut
13 avoir pour effet d'atteindre la confiance, de miner la
14 confiance entre la communauté et la Sûreté du Québec.
15 C'est ce que j'ai compris de votre témoignage.

16 **CAPITAINE PAUL CHARBONNEAU:** C'est exact.

17 **Me BERNARD JACOB:** Dans ce contexte-là, je
18 comprends, qu'est-ce que la Sûreté du Québec a fait pour
19 convaincre ses policiers de cesser, parce que vous dites
20 que vous avez décidé de ne pas donner d'ordre, et quel
21 moyen avez-vous pris pour que cesse le port de ce bracelet,
22 de convaincre le port de ce bracelet? Et je vais vous le
23 dire de façon transparente, comment se fait-il que quelque
24 chose qui était spécifique à Val d'Or s'est étendu à, selon
25 votre témoignage, à peu près l'ensemble du Québec? Il n'y

1 a pas un problème là quant au message envoyé aux
2 communautés des Premières nations et des Inuits?

3 **CAPITAINE PAUL CHARBONNEAU:** En fait, je
4 vous reviendrais au niveau de la perception. Pour les
5 policiers, il ne s'agit pas de cautionner des gestes ou
6 d'être contre une communauté, loin de là. Il s'agit pour
7 l'ensemble des policiers de démontrer leur support face
8 à... par rapport à des collègues qui vivent des moments
9 difficiles.

10 D'ailleurs, il n'y a pas que le fameux
11 bracelet rouge 144 qu'on peut voir à l'occasion sur les
12 uniformes. On peut voir d'ailleurs, je pense que c'est
13 *thin blue line*. Il y a aussi un bracelet *thin blue line*
14 qui a commencé à faire son apparition et d'ailleurs pas
15 seulement à la Sûreté du Québec. Ça c'est en support de
16 certains policiers qui font peut-être face à la justice.
17 C'est pour démontrer un certain support moral sur des
18 épreuves que certaines peuvent vivre. Ce n'est pas un
19 *statement*... pardonnez l'anglicisme... contre une
20 communauté.

21 **Me BERNARD JACOB:** Mais encore une fois,
22 Monsieur Charbonneau, je vais donner l'exemple de... moi,
23 hier, il y a une membre d'une famille qui m'a fait un
24 commentaire sur ce que je faisais en avant avec mon
25 téléphone cellulaire. J'ai compris le message. Je me suis

1 excusé et j'ai cessé d'avoir ce comportement fautif.

2 Pourquoi ne pas expliquer aux policiers que
3 leur comportement n'est pas acceptable et qu'ils souhaitent
4 que vous cessiez de l'utiliser? On fait affaire à leur
5 bonne foi, à la nécessité de rétablir des ponts avec les
6 communautés autochtones. Alors pourquoi ne pas tenter de
7 les convaincre? Ce que vous me dites c'est que vous n'avez
8 rien fait?

9 **CAPITAINE PAUL CHARBONNEAU:** Non, ce n'est
10 pas ce que j'ai dit. Ce que je dis, et je le répète, nous
11 préférons convaincre que contraindre.

12 **Me BERNARD JACOB:** Alors qu'avez-vous fait
13 pour les convaincre?

14 **CAPITAINE PAUL CHARBONNEAU:** Il y a eu
15 plusieurs rencontres qui ont été effectuées envers le
16 personnel qui porte ce... et d'ailleurs, il y a du
17 personnel qui ont cessé de le porter. Il a toutefois
18 encore du personnel qui le porte. Alors, nous multiplions
19 les rencontres en ce sens, le but de sensibiliser les
20 policiers sur l'effet que ce signe sur l'uniforme peut
21 avoir sur la communauté. Le but c'est de les sensibiliser,
22 de leur faire comprendre. Et puis on veut les convaincre
23 et non les contraindre pour que l'effet soit beaucoup plus
24 durable.

25 **Me BERNARD JACOB:** Alors, on va passer à un

1 autre aspect.

2 Vous êtes ici en regard... parce que vous
3 avez reçu un subpoena émis par la Commission, c'est bien
4 ça?

5 **CAPITAINE PAUL CHARBONNEAU:** C'est exact.

6 **Me BERNARD JACOB:** Je vais à l'onglet C.

7 **CAPITAINE PAUL CHARBONNEAU:** En fait,
8 j'aimerais, si c'est possible, ajouter quelque chose sur le
9 fait d'être ici sous assignation par subpoena. La Sûreté
10 du Québec doit collaborer sans aucune retenue avec la
11 Commission, avec l'Enquête nationale sur les femmes et les
12 filles autochtones disparues ou assassinées. Également,
13 nous allons collaborer sans retenue avec la Commission sur
14 les relations entre certains services publics et les
15 autochtones, la Commission Viens au Québec.

16 La raison qu'on est venu sous assignation,
17 c'est de commune pratique. Je suis membre du Comité de
18 discipline, je pourrais vous réciter le... mais je connais
19 certains articles, oui, effectivement, mais je connais pas
20 les... je le connais par cœur.

21 **Me RAINBOW MILLER:** Oui, je comprends, mais
22 vous appliquez régulièrement ce règlement, donc vous le
23 connaissez de manière générale.

24 **CAPITAINE PAUL CHARBONNEAU:** En fait, oui,
25 moi, je l'applique lorsque c'est devant une audience

1 disciplinaire parce que le processus disciplinaire à la
2 Sûreté du Québec est relativement complexe, y'a des
3 officiers désignés en première ligne, et ensuite lorsque
4 y'a un dépôt d'accusation disciplinaire, une citation
5 devant un comité, c'est à ce moment-là que moi j'entre...
6 j'entre en fonction comme membre du comité.

7 **Me RAINBOW MILLER:** OK. Est-ce que vous, en
8 tant que... dans le Comité de discipline, vous pouvez
9 appliquer tous les articles de ce règlement-là?

10 **CAPITAINE PAUL CHARBONNEAU:** Oui, tous les
11 articles du Règlement de discipline des membres...

12 **Me RAINBOW MILLER:** OK.

13 **CAPITAINE PAUL CHARBONNEAU:** ...de la Sûreté du
14 Québec qui s'applique à tous les policiers...

15 **Me RAINBOW MILLER:** OK.

16 **CAPITAINE PAUL CHARBONNEAU:** ...qu'ils soient
17 patrouilleurs ou officiers.

18 **Me RAINBOW MILLER:** Donc, ce n'est pas
19 simplement des règlements qui traitent, mettons, des heures
20 ou des congés, y'a vraiment des questions qui relèvent
21 vraiment... comme discipline, déontologie là, si je comprends
22 bien.

23 **CAPITAINE PAUL CHARBONNEAU:** En fait, y'a pas
24 de déontologie dans ce Code de discipline là comme tel
25 parce que la déontologie, je le rappelle, c'est le

1 commissaire à la Déontologie policière du Québec qui gère
2 le Code de déontologie policière du Québec. Dans le
3 Règlement sur la discipline, effectivement y'a entre autres
4 des articles là, je vais en nommer un : par exemple, ne pas
5 avoir obtempéré à un ordre d'un supérieur, ne pas avoir
6 obtempéré à une directive écrite, ne pas... y'a ce genre de
7 choses là, s'être absenté sans motif valable du travail.

8 **Me RAINBOW MILLER:** Mm-mm.

9 **CAPITAINE PAUL CHARBONNEAU:** Y'a des articles
10 comme ça effectivement.

11 **Me RAINBOW MILLER:** Em... n'est-il pas vrai que
12 ce Règlement traite de l'obligation d'un policier de la SQ
13 de ne pas abuser de son autorité?

14 **CAPITAINE PAUL CHARBONNEAU:** C'est exact.

15 **Me RAINBOW MILLER:** N'est-il pas vrai que ce
16 Règlement traite de l'obligation d'un policier de la SQ de
17 ne pas recourir à une force plus grande que nécessaire pour
18 accomplir ce qui lui est permis de faire?

19 **CAPITAINE PAUL CHARBONNEAU:** C'est exact.
20 D'ailleurs, je pense que vous en citez le libellé exact.

21 **Me RAINBOW MILLER:** N'est-il pas vrai que ce
22 Règlement traite de l'obligation d'un policier de la SQ de
23 ne pas être négligent dans la garde des personnes placées
24 sous sa garde?

25 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est

1 exact. Y'a un règlement du... y'a un article du Règlement qui
2 codifie ça.

3 **Me RAINBOW MILLER:** Et n'est-il pas exact que
4 ce Règlement traite de l'obligation d'accomplir ses tâches
5 consciemment sans être négligent?

6 **CAPITAINE PAUL CHARBONNEAU:** Oui, de mémoire,
7 c'est exact. Là, j'ai pas le libellé exact.

8 **Me RAINBOW MILLER:** Donc, le Comité peut être
9 saisi de contraventions au Règlement disciplinaire autres
10 que des questions de prise de congé ou de retard, comme,
11 par exemple, vous avez répondu hier qu'un acte d'abus qui
12 serait une infraction criminelle pourrait être une
13 infraction par exemple d'entacher l'honneur de la Sûreté du
14 Québec qui pourrait être entendu devant le Comité de
15 discipline.

16 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
17 exact.

18 **Me RAINBOW MILLER:** OK. Et vous avez répondu
19 hier aussi que si le recours à la déon...

20 **MR. THOMAS BARNETT:** Sorry. Could just slow
21 down a little bit, our translators are having a hard time.

22 **Me RAINBOW MILLER:** I'm sorry.

23 **MR. THOMAS BARNETT:** Thank you.

24 **Me RAINBOW MILLER:** I' just trying to through
25 all my questions.

1 Vous avez répondu hier que, si par exemple
2 le recours... parce que vous avez expliqué que y'a plusieurs
3 recours, y'a le recours en déontologie, puis quand c'est un
4 acte criminel, y'a un autre recours, et vous avez expliqué
5 que si ces recours-là par exemple ne seraient pas
6 concluants, après ces options, y'a le Comité de discipline.
7 N'est-ce pas exact?

8 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
9 exact. Je pourrais préciser par contre, le processus normal
10 là, disons, prenons un cas hypothétique où un policier
11 commet une infraction criminelle, exemple l'alcool au
12 volant, alors y'a un processus criminel qui commence. À la
13 fin de tout ce processus criminel là, si, disons, prenons
14 le cas d'un acquittement là et le processus criminel est
15 fini, les délais d'appel sont faits, de toute évidence,
16 dans un cas particulier comme celui-là, la déontologie
17 policière ne s'appliquerait pas. Si elle s'appliquerait,
18 ça, ça passerait en premier, et après ça vient au Comité de
19 discipline à la toute fin de ce processus-là parce que le
20 Comité de discipline ne peut pas... ne fait pas de façon...
21 entendre des audiences concurremment avec une autre
22 instance.

23 **Me RAINBOW MILLER:** OK. Donc ça, ça répond un
24 peu à mon autre question. Ben, en fait, non, ç'a pas
25 répondu.

1 De quelle manière est-ce que le Comité peut
2 être saisi? Est-ce qu'il faut qu'il ait une plainte
3 officielle ou est-ce que un dossier comme vous venez
4 d'expliquer peut être transféré automatiquement au Comité
5 de discipline?

6 **CAPITAINE PAUL CHARBONNEAU:** En fait, c'est
7 une excellente question. Je vous remercie de l'opportunité
8 de préciser le fonctionnement du Comité de discipline. Le
9 Comité de discipline est un peu comme un tribunal - ça,
10 c'est ce que je mentionnais hier. La façon que ça
11 fonctionne, c'est que la Direction des normes
12 professionnelles à la Sûreté du Québec agit un peu comme le
13 Procureur de la Couronne dans une cause criminelle. Or, ils
14 vont des accusations au Comité de discipline qui est un
15 organisme indépendant. La Direction des normes
16 professionnelles et le Comité de discipline, c'est
17 complètement indépendant un de l'autre, y'a pas de lien. Un
18 peu comme le Procureur des poursuites criminelles et
19 pénales et un juge là dans la Cour.

20 Alors, un coup que ça c'est fait, là, y'a
21 audience. Et là, à ce moment-là, on est... le Comité de
22 discipline entend la preuve lors de l'audience. Donc, le
23 Comité de discipline n'est pas au courant de ce qui s'en
24 vient avant de recevoir l'assignation à comparaître là, la
25 citation disciplinaire là - le terme exact, c'est la

1 « citation disciplinaire » -, donc on n'est pas au courant
2 avant que ce document soit déposé devant nous.

3 **Me RAINBOW MILLER:** Parce que j'ai vu dans la
4 Loi, y'a une prescription de deux ans pour porter plainte.
5 Est-ce que ça, ça s'applique aux Normes professionnelles
6 lorsqu'ils vous transfèrent un dossier?

7 **CAPITAINE PAUL CHARBONNEAU:** Y'a pas
8 d'application. Puis là, j'y vas de mémoire là, mais y'a pas
9 d'application à ce niveau-là pour le Règlement de
10 discipline des membres de la Sûreté du Québec là.

11 **Me RAINBOW MILLER:** Donc, si, par exemple,
12 y'a un recours qui a été fait au Criminel qui est non
13 concluant, et, par exemple en déontologie, ben, souvent,
14 bon, étant donné que la prescription, c'est d'un an, c'est
15 déjà prescrit, est-ce que à ce moment-là le Comité pourrait
16 être saisi par les Normes professionnelles?

17 **CAPITAINE PAUL CHARBONNEAU:** Oui, je
18 comprends votre question là. Si je la saisis bien, au
19 niveau du commissaire à la Déontologie policière, je peux
20 pas répondre pour les délais de prescription.

21 **Me RAINBOW MILLER:** Mm-mm.

22 **CAPITAINE PAUL CHARBONNEAU:** Mais lorsque
23 tout le processus est terminé au niveau de l'enquête
24 disciplinaire, de la plainte disciplinaire et de la
25 citation au Comité de discipline, le cas échéant, ça, y'a

1 pas... y'a pas cette problématique-là.

2 **Me RAINBOW MILLER:** OK. Et à la suite là des
3 dossiers de Val-d'Or où y'a pas eu... bon, y'a eu certaines
4 accusations là, je... et certaines autres, non, que le DCP a
5 décidé que, au niveau du fardeau de la preuve par exemple,
6 ça rencontrait pas ou c'est une question déontologique ou
7 disciplinaire, est-ce que vous, vous avez reçu des normes
8 professionnelles une demande d'enquête ou une demande
9 d'entendre ce dossier-là devant le Comité de discipline?

10 **CAPITAINE PAUL CHARBONNEAU:** Vous
11 comprendrez, avec tout le respect...

12 **MR. THOMAS BARNETT:** Sorry, if we could just
13 ---

14 **CAPITAINE PAUL CHARBONNEAU:** ...que je ne peux
15 pas infirmer ni confirmer cette information.

16 **MR. THOMAS BARNETT:** Sorry. I believe we have
17 an objection. If we could stop the clock.

18 **Me RAINBOW MILLER:** Sorry.

19 **Mme MARIE-PAUL BOUCHER:** Mesdames et Monsieur
20 les commissaires, il s'agit présentement de dossiers qui
21 sont présentement en cours. Les dossiers d'enquête sur le
22 SPVM sont encore actifs, y'a certains dossiers dont y'a eu
23 deux phases, Val-d'Or I et Val-d'Or II qu'on les appelle
24 communément, et pour ce qui est de Val-d'Or II, c'est
25 encore en cours. Donc, la question est un petit peu, em...

1 est un petit peu posée d'avance et M. Charbonneau ne pourra
2 pas répondre à ça étant donné qu'ils ne sont... on n'est pas...
3 on connaît pas encore le résultat de la phase II de
4 l'enquête au niveau de Val-d'Or II, et que certains
5 dossiers sont au DPCP et qui vont finir par revenir à la
6 Sûreté du Québec, mais on n'a pas de connaissance
7 personnelle de ces dossiers-là étant donné qu'ils ne sont
8 pas traités au niveau de la SQ parce que y'a des enquêtes
9 indépendantes qui ont été effectuées.

10 **MR. THOMAS BARNETT:** Commissioners, I just
11 wonder if we should ask the witness to leave the room until
12 this is ---

13 **CHIEF COMMISSIONER MARION BULLER:** Well, no
14 need. Thank you.

15 The question as framed is clearly beyond
16 this witness's knowledge, as I understand the question. So
17 the objection is upheld.

18 Your next question, please.

19 **MS. RAINBOW MILLER:** Well, I didn't imply.
20 Because some information she gave is not accurate.

21 **CHIEF COMMISSIONER MARION BULLER:** You have
22 my ruling.

23 **MS. RAINBOW MILLER:** Okay.

24 Monsieur Capitaine Charbonneau, je vais vous
25 poser d'autres questions. Maintenant, c'est plus sous le

1 chapeau là de directeur des Services juridiques.

2 En tant que directeur des Services
3 juridiques, est-ce que vous connaissez les obligations en
4 vertu de la *Loi sur la police* d'un policier qui doit
5 dénoncer s'il voit un confrère qui fait un acte contraire à
6 la déontologie ou qui pourrait constituer un acte criminel?

7 **CAPITAINE PAUL CHARBONNEAU:** Oui, tout à
8 fait. En fait, ce n'est pas parce que je suis directeur des
9 Services juridiques, tous les policiers au Québec, tous les
10 membres de la Sûreté du Québec sont sensibilisés à ces
11 articles-là, spécifiquement dans le but de les encourager à
12 faire les dénonciations, le cas échéant, s'ils observent
13 des comportements.

14 **Me RAINBOW MILLER:** N'est-il pas vrai que
15 cette obligation des policiers ne se retrouve pas dans les
16 règles de discipline de la SQ?

17 **CAPITAINE PAUL CHARBONNEAU:** Je pourrais pas
18 le confirmer ou l'infirmer. Toutefois, la *Loi sur la*
19 *police* a préséance sur le règlement de la discipline des
20 membres de la Sûreté du Québec. Et je le répète, tous les
21 policiers de la Sûreté du Québec sont sensibilisés à
22 l'existence de ses obligations légales dans le but
23 d'encourager, entre autres, la dénonciation lorsqu'ils
24 observent des comportements, le cas échéant.

25 **Me RAINBOW MILLER:** Est-il exact que cette

1 obligation, comme vous dites, elle est dans la *Loi sur la*
2 *police*, mais elle n'est pas dans les règlements sur la
3 discipline? N'est-il pas exact qu'elle n'est pas aussi
4 dans les règles de déontologie?

5 **CAPITAINE PAUL CHARBONNEAU:** Je pourrais
6 pas, respectueusement, vous répondre pour les règles de
7 déontologie. Par contre, dans le Règlement sur la
8 discipline il y a un article... je ne sais pas le numéro de
9 l'article par cœur, mais qui vient dire qu'on doit
10 respecter les lois au Québec.

11 **Me RAINBOW MILLER:** M'hm.

12 **CAPITAINE PAUL CHARBONNEAU:** Alors, par
13 analogie, si on ne respecte pas la *Loi sur la police* au
14 Québec, on pourrait être contraints de faire face au Comité
15 de discipline en vertu de notre règlement qui spécifie
16 qu'on doit respecter les lois au Québec.

17 **Me RAINBOW MILLER:** Donc, si je comprends
18 bien, s'il y aurait un manquement à cette obligation-là, le
19 Comité de discipline pourrait en entendre de cette
20 obligation-là des policiers?

21 **CAPITAINE PAUL CHARBONNEAU:** En fait, oui,
22 il y aurait deux avenues possibles. Il y aurait la
23 possibilité d'appliquer la *Loi sur la police* qui prévoit
24 des sanctions s'il n'y a pas respect de cette loi-là et on
25 pourrait appliquer, effectivement, le Code de discipline

1 par la suite.

2 **Me RAINBOW MILLER:** O.k. Savez-vous s'il y
3 a des statistiques qui existent en relation avec cette
4 obligation particulière-là de dénoncer son confrère
5 lorsqu'il voit un acte dérogatoire?

6 **CAPITAINE PAUL CHARBONNEAU:** Non, je n'ai
7 pas ces statistiques-là.

8 **Me RAINBOW MILLER:** Savez-vous si, à la
9 Direction des normes professionnelles, ils ont un mécanisme
10 pour s'assurer que cette obligation-là soit respectée et,
11 en anglais, *enforced*?

12 **CAPITAINE PAUL CHARBONNEAU:** Oui. En fait,
13 je vais préciser ma précédente question. Non seulement je
14 ne sais pas si on a des statistiques à ce niveau-là, pour
15 ce qui est de la Direction des normes professionnelles à la
16 Sûreté du Québec, il y a un mécanisme de prévention, parce
17 que la Direction des normes professionnelles ne fait pas
18 que des enquêtes disciplinaires et/ou déontologiques et/ou
19 criminelles contre les... par rapport à les policiers.
20 Elle fait aussi de la prévention, des fiches de prévention
21 qui sont distribuées dans les postes pour que les
22 superviseurs de relève, entre autres, en discutent avec
23 leurs policiers. On s'assure que tous les policiers soient
24 au courant de ces obligations-là, de l'importance de le
25 faire et des conséquences possibles s'ils ne le respectent

1 pas.

2 **Me RAINBOW MILLER:** Est-ce que ça ne serait
3 pas une bonne idée qu'il y ait des statistiques pour
4 s'assurer que ce mécanisme qui est prévu dans la loi soit
5 respecté?

6 **CAPITAINE PAUL CHARBONNEAU:** En fait, oui,
7 je pense que ça pourrait nous fournir des informations
8 quant à l'application de cette politique-là.

9 **Me RAINBOW MILLER:** J'ai une couple de
10 dernières petites questions. Lorsqu'un policier quitte ses
11 fonctions, n'est-il pas vrai qu'il doit remettre son
12 uniforme?

13 **CAPITAINE PAUL CHARBONNEAU:** En fait, il y a
14 une certaine série d'équipement qu'il doit remettre, entre
15 autres, vous comprendrez, l'arme de service et ses
16 documents d'autorité. Il remet plusieurs pièces
17 d'uniforme, mais pour des raisons pratiques, on ne récupère
18 pas tous les uniformes, parce qu'un uniforme... une paire
19 de pantalons, exemple, qui a été très usée et tout ça, on
20 ne le récupère pas.

21 **Me RAINBOW MILLER:** Est-ce que l'uniforme
22 appartient à l'employeur?

23 **CAPITAINE PAUL CHARBONNEAU:** Je vous dirais
24 que oui, mais je peux pas vous l'assurer à 100 pourcent.
25 J'ai pas connaissance de ça.

1 **Me RAINBOW MILLER:** Donc, n'est-il pas vrai
2 que selon la *Loi sur la police*, un policier ne peut pas
3 décider de mettre ce qu'il veut sur son uniforme?

4 **CAPITAINE PAUL CHARBONNEAU:** En fait, je
5 sais pas si c'est sur la *Loi sur la police* ou un règlement.
6 Je pense que ç'a peut-être été inclus dans la *Loi sur la*
7 *police*, mais je vous dirais que le policier doit porter
8 complètement son uniforme. Ça c'est une chose.

9 Par contre, il y a une certaine latitude sur
10 certaines autres choses. Par exemple, je vais aller à une
11 cérémonie de la Fête du Canada ce weekend. Je vais porter
12 le drapeau canadien sur mon uniforme, qui n'est pas une
13 pièce d'équipement, mais dans les circonstances...

14 On fait une marche pour le cancer du sein,
15 on porte le ruban rose, ce genre de chose-là.

16 On voit souvent nos officiers, lorsqu'ils se
17 déplacement, porter l'épinglette de la MRC du poste où ils
18 font leur service.

19 **Me RAINBOW MILLER:** Est-ce que votre
20 employeur pourrait décider que certaines choses sur votre
21 uniforme, il n'est pas d'accord avec ce qu'il y a sur votre
22 uniforme?

23 **CAPITAINE PAUL CHARBONNEAU:** Oui, tout à
24 fait. Ça serait un facteur important à considérer lors des
25 décisions futures.

1 **Me RAINBOW MILLER:** Donc, est-ce que
2 l'employeur pourrait décider que le 144 qui est porté sur
3 les uniformes ne seraient pas conformes à leurs valeurs en
4 tant que SQ, en tant que représentants de l'état et de la
5 sécurité publique?

6 **MR. THOMAS BARNETT:** Sorry, counsel, I
7 believe you're over your time now. Thank you, counsel. If
8 we could call the Treaty Alliance of Northern Ontario,
9 Nishnawbe Aski Nation, Grand Council Treaty 3, counsel
10 Krystyn Ordyniec, you have 14.5 minutes.

11 **--- CROSS-EXAMINATION BY MS. KRISTYN ORDYNIC:**

12 **MS. KRISTYN ORDYNIC:** Good afternoon, Chief
13 Commissioner and Commissioners. I'm going to start,
14 actually, with an apology. I was told also, when I was
15 speaking a few days ago, I referenced -- we were on
16 traditional territory of Treaty 3 as well. So, I would
17 like to correct that and I sincerely apologize for that.

18 My questions will be mainly focused to Chief
19 Superintendent Mark Pritchard. Thank you, first of all,
20 for the work that you do and for being accessible to our
21 leadership. So, I thank you for that.

22 We heard testimony over the last few days
23 from Mr. Charbonneau about the bracelets that the officers
24 were wearing. What would the OPP do in a situation like
25 this?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That
2 happened once before and the Commissioner issued a
3 directive prohibiting wearing of -- it was a pin at the
4 time on the uniform.

5 **MS. KRISTYN ORDYNIEC:** And, that was
6 immediate?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

8 **MS. KRISTYN ORDYNIEC:** Thank you. You spoke
9 of the coroner's report into the situation in Pikangikum,
10 and to say the least, it wasn't a positive report. We --
11 there's things like lack of integrated health care,
12 education, absent infrastructure, lack of running water, et
13 cetera

14 In your view, does this affect the levels of
15 violence in the community and the ability of the OPP to
16 provide appropriate policing services in those communities?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

18 **MS. KRISTYN ORDYNIEC:** Thank you. So, would
19 you agree that to make communities safer and to address the
20 causes of violence in these communities, the socio-
21 determinants must be addressed without further delay?

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

23 **MS. KRISTYN ORDYNIEC:** Thank you. Yesterday
24 and over the last few days, we've heard recommendations
25 that victim service delivery in communities to support and

1 enhance the government services available so that there's a
2 choice for women. Do you support recommendations such as
3 Detective Constable Morrison's and others that are First
4 Nation based, and how can the -- and if so, how can the OPP
5 support funding?

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
7 support that very much. Back when I was a homicide
8 investigator, it seemed the more remote -- the smaller the
9 community, the less services that were available, and you
10 don't realize how important those services are until I
11 guess either you're involved in one of those occurrences.
12 Even as an officer, they're very helpful. So, there very
13 much is a need for them, like many other matters in small
14 remote First Nations communities, they're very limited
15 right now.

16 **MS. KRISTYN ORDYNIEC:** So, you would support
17 these organizations and helping them seek funding? One of
18 the things we heard, it's very difficult for an
19 underserviced organization is to actually seek that funding
20 themselves.

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
22 And, you know, the situation right now with many of the
23 self-administered police services, they're lucky if on a
24 day-to-day basis they have officers to put in their patrol
25 cars to answer calls for a service, and these things we

1 talk about in, like, officers assigned to projects like
2 Journey or Sunset, or the job that Alana Morrison. They're
3 not necessarily funded for those positions. And, if you
4 don't have an officer to put in a patrol car to answer
5 calls for a service, you can't have that officer doing
6 programming that's going to be preventing crime.

7 **MS. KRISTYN ORDYNIEC:** Thank you. If an
8 individual has experienced violence in the community, are
9 there safe houses in each of the communities of NAN and
10 Treaty 3?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'm
12 sorry, I'm not aware of that.

13 **MS. KRISTYN ORDYNIEC:** Okay. If I told you
14 that they weren't, would you agree that safe houses in
15 communities would support women in crisis?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
17 Certainly. I think that not having a place to go of safety
18 is an underlying factor in underreporting.

19 **MS. KRISTYN ORDYNIEC:** Thank you. I'm going
20 to turn to communication. On page 17 of the Major Case
21 Management Manual. Mr. Roy, maybe you can remind me of the
22 Exhibit No. I'm sorry, I don't know.

23 **MR. JULIAN ROY:** This is the Major Case
24 Management? So, I don't have the Exhibit No., I do have
25 the tab number, it's 4.

1 **COMMISSIONER QAJAQ ROBINSON:** Exhibit 133.

2 **MS. KRISTYN ORDYNIEC:** Thank you. Exhibit
3 133. Thank you. Exhibit 133, Commissioner Robinson. Thank
4 you. Specifically, Letter J, do you see that? In every
5 case, Major Case Management is to "ensure adherence to
6 prescribed reporting and communication procedures"?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

8 **MS. KRISTYN ORDYNIEC:** Thank you. Are these
9 prescribed reporting and communications different in a
10 community as opposed to an urban centre?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** No,
12 except that currently under the *Police Services Act*, First
13 Nations self-administered or OFNPA locations are not police
14 services, so this regulation currently does not apply to
15 them.

16 **MS. KRISTYN ORDYNIEC:** So, if the OPP
17 attended in that community for a major incident, would it
18 apply then?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

20 **MS. KRISTYN ORDYNIEC:** Okay. So, it's not
21 -- it would be the same as if they responded in an urban
22 centre?

23 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
24 that's correct.

25 **MS. KRISTYN ORDYNIEC:** Okay. So, do you

1 think that given the difference in policing in a community,
2 maybe that should be looked at as a different communication
3 standard?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
5 and I understand that once the new *Police Services Act* in
6 Ontario is proclaimed, that the self-administered services
7 will have the ability to opt in.

8 **MS. KRISTYN ORDYNIEC:** Thank you. Your
9 recommendation to suggest that you -- that police services
10 consider developing a protocol for written communication
11 plans with families, we heard that, and you agree with
12 that, obviously. It was your recommendation; correct?

13 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

14 **MS. KRISTYN ORDYNIEC:** Yes. So, in your
15 testimony, you said that you would recommend that the plan
16 serve as a contract between police and families, and
17 meeting with family members for feedback and the creation
18 of the plan would be beneficial; is that accurate?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Like a
20 contract. It's not actually like a contract.

21 **MS. KRISTYN ORDYNIEC:** Sure.

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** But,
23 yes, like an agreement.

24 **MS. KRISTYN ORDYNIEC:** I understand.

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

1 Importantly that, you know, it's developed with the family
2 and can be changed, and that can be very complicated, as
3 I'm sure you'll understand, depending on the nature of the
4 incident, divided families. Sometimes in a familial
5 violent situation or a homicide, the families get very
6 divided, and communication can be a challenge. So, I think
7 that that written plan would help everybody understand what
8 exactly it is.

9 **MS. KRISTYN ORDYNIAC:** Sure. And, actually,
10 that goes into my next question. You would agree in a
11 small community, it's not only the family that's affected,
12 and obviously the family is affected, but also the entirety
13 of the community where it's small?

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Very
15 much so, yes.

16 **MS. KRISTYN ORDYNIAC:** So, do you think that
17 these written communication plans should also ensure that
18 the community is kept informed to the extent that it can?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
20 think that's very important. And, you know, if I could use
21 this analogy, our headquarters building is in Orillia, if
22 there's a homicide in the Town of Orillia, the last thing
23 the case manager would have on mind is going down to city
24 hall and meeting with the mayor and counsel; right? But,
25 in a First Nations community, as soon as it's practical,

1 the case manager should be establishing those lines of
2 community -- or, of communication with chief and counsel
3 because the role is completely different a mayor.

4 And, especially in the north, from my
5 experience, anyhow, if I can refer to that, chief and
6 counsel plays a huge role, and they're -- they carry a
7 heavy burden. They can open up a lot of doors, and that
8 simple show of respect to them and their roles can be very
9 beneficial to the investigation and to healing. And,
10 paying a respect to traditional local practices is also
11 very important for officers to understand. And, there's
12 133 First Nations in Ontario, and every one of them is
13 different from the others, so those traditions and
14 practices can be very unique. Even amongst communities
15 they're very close together, geographically.

16 **MS. KRISTYN ORDYNIAC:** Thank you very much
17 for that. I would like to turn, in my limited time, to
18 Project Journey, and I had a lot of questions, but I will
19 keep it to -- Ms. Hill with Aboriginal Legal Services
20 mentioned the OPP's historic relationship with Pikangikum.

21 How has -- obviously things have changed.
22 Maybe it's not perfect, but things have changed. How have
23 -- how did you begin to rebuild the relationship with that
24 community?

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Very

1 slowly. And, I think it's really built -- it's been built
2 on through the community's observations of the interactions
3 with the police and the role of the police have played in
4 that project, and seeing those interactions.

5 **MS. KRYSZTYN ORDYNIEC:** You mentioned the
6 word "slow", trust takes time to build and rebuild, and
7 it's ongoing. Now, one of the things that the
8 Commissioners have mentioned throughout this process is
9 that the government likes to see measurable results when
10 they decide to give money to a program, and I'm wondering,
11 my first question is, has this project been evaluated?
12 And, if so, do the measurables take into consideration that
13 some of that trust can't be measured in numbers?

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
15 project is currently undergoing an evaluation. A company
16 called Malatest is doing it. And, I totally agree, there's
17 many things that can't be measured in terms of our
18 traditional metrics that we use of counting, and numbers,
19 and graphs. Many of the issues that will -- are anecdotal.
20 I think also you can't measure the success of a project
21 like that in quarterly reports or year-end reports.

22 I was contacted a few weeks ago by a police
23 leader from New Zealand inquiring about Project Journey,
24 and she told me that it's -- from her research, it was the
25 only project of its type in the world. So, measuring it I

1 think is going to be a moving process of how to figure out
2 exactly how to measure it, because it's new.

3 **MS. KRYSZTYN ORDYNIEC:** Right. And so, you
4 said that you don't have the purse strings, the Treasury
5 has the purse strings, so what does this Commission have to
6 recommend in order for something like Project Journey to
7 continue? Because, in Pikangikum, it's going to end.
8 Funding is going in August of this year.

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
10 And, like I said, I don't understand the rules of the
11 Treasury Board and why they can't continue to fund it, so
12 that will be an excellent recommendation. I have no idea
13 or no concept of how their rules work or the process,
14 and...

15 **MS. KRYSZTYN ORDYNIEC:** Okay. Thank you.
16 How has this program, and I will also reference Project
17 Sunset, which you did in Treaty 3, and I will not have a
18 great opportunity to speak on it, but it is also providing
19 excellent relationship building in those communities. How
20 have these programs supported capacity building at the
21 community level so that eventually the delivery can be in
22 the community?

23 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
24 building of capacity I think has been really significant.
25 Even things like the Summer Job Programs for youth where

1 the youth and Project Journey, they have built a boardwalk,
2 they have built a community pavilion, they have built a
3 stage, they have built a bike path, so they're learning
4 skills right from the planning, ordering of the materials
5 that are needed. And then some of the jobs that have been
6 associated to support those projects, the employment
7 projects, I think have been really significant.

8 And, I understand that part of the reason
9 that the money was flowing through the OPP was a capacity
10 issue within the community of managing those funds, and I
11 don't clearly understand that, but I know we're at the
12 stage now where they're confident that the capacity is
13 there. So, you know, should we be fortunate enough to
14 secure the funds to continue it, the plan is that the
15 funding would flow through the community and not through
16 the police.

17 **MS. KRYSZTYN ORDYNIEC:** Thank you. And,
18 obviously we've heard that you support Project Journey and
19 Project Sunset, NAN supports and Grand Council Treaty 3
20 supports these types of programming. So, would you
21 specifically agree that these programs should be extended
22 across these communities and not just in the ones, perhaps,
23 that are directly policed by the OPP?

24 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
25 certainly. And, along with that, there would need to be

1 the -- not only the funding for the project, but the
2 capacity of -- if they were coordinated by police, whether
3 it be NAPS or Treaty 3, they would need the mechanisms to
4 support that, which is the officers that, you know, can be
5 assigned and dedicated to it. And you can't have a
6 community event planned for 7:00 on Friday night and then
7 well the officer's not available because they had to
8 respond to a break and enter. You know, that officer has
9 to be dedicated, otherwise you're frequently going to be
10 letting down a whole pile of the participants in the
11 project because you're not there because you're out doing
12 some other police duty. And I think that position being
13 solely dedicated to that project is really crucial.

14 **MS. KRISTYN ORDYNIAC:** Thank you. And I'm
15 out of time, but I hope we continue these conversations.

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Thank
17 you.

18 **MR. THOMAS BARNETT:** Thank you, counsel.

19 **MS. CHRISTA BIG CANOE:** Chief Commissioner
20 and Commissioners, during one of the other parties'
21 testimony, Commission counsel had asked the counsel to
22 stop. Sorry, I'm back here, sorry.

23 So Commission counsel wanted to make a
24 request, but we'll take your direction on it. Because it's
25 been brought to our attention that when other parties have

1 the opportunity to ask the question to the end of their
2 time, that the witness has been directed to answer the
3 question, and this didn't happen.

4 So with the direction of the commissioners,
5 we request to recall Quebec Native Woman's Association with
6 the strict caveat that they just get to ask their last
7 question, again, so that the witness can answer it.
8 Because they had completed their question in the time
9 allowed.

10 **CHIEF COMMISSIONER MARION BULLER:** Okay.
11 Certainly, yes.

12 **MS. CHRISTA BIG CANOE:** Please. And on that
13 basis, we would request that Rainbow Miller be able to come
14 up. And I know you may not remember your exact wording,
15 but if you could just pose the last question.

16 And I'm not asking to put the clock on
17 because she had already asked the question in the time, and
18 the witness would then be able to reply. And this is the
19 process that we have taken for all in this week to have the
20 opportunity to have the question answered.

21 **--- CROSS-EXAMINATION BY MS. RAINBOW MILLER:**

22 **MS. RAINBOW MILLER:** Thank you
23 Commissioners.

24 I believe the last question... je crois que la
25 dernière question que j'ai demandée, c'est :

1 Pourquoi en tant qu'employeur vous
2 permettiez que les policiers gardent sur leur uniforme le
3 bracelet 144?

4 **CAPITAINE PAUL CHARBONNEAU:** En fait, il
5 s'agit d'une situation où c'est complexe, les interventions
6 qui ont à être faites, parce qu'on a fait plusieurs
7 interventions là, je mentionnais d'emblée que nous tentons
8 de convaincre au lieu de contraindre. L'arrivée...
9 l'inclusion à l'intérieur de la *Loi sur la police* des
10 dispositions que vous avez mentionnées précédemment vont
11 agir comme levier pour nous.

12 Je ferais une analogie avec le rapport
13 Gilbert, rapport qui a été déposé suite à la crise d'Oka où
14 il est clairement indiqué que lorsqu'on veut faire une
15 intervention quelconque, il faut soupeser toutes les
16 conséquences, et si les conséquences d'une intervention
17 peuvent devenir une plus grande problématique à la non-
18 intervention, c'est également un facteur que nous devons
19 prendre en considération. Mais, certainement avec toutes
20 les discussions qui ont entouré ici, on a pris beaucoup de
21 temps sur le bracelet, beaucoup, beaucoup de temps sur le
22 bracelet, et je pense que ça va être un facteur à
23 considérer pour le futur pour nous, parce que nous aurions
24 aimé passer plus de temps sur certains autres aspects de la
25 desserte policière que la Sûreté du Québec offre à la

1 population du Québec et aux Autochtones.

2 **MS. RAINBOW MILLER:** Thank you.

3 **MS. CHRISTA BIG CANOE:** Thank you, counsel.

4 Mr. Barnett, if you could invite the next
5 counsel up, that'd be great.

6 **MR. THOMAS BARNETT:** Thank you, counsel.

7 And next, if we could call up Animakee Wa
8 Zhing #37, Grassy Narrows Asubpeeschoseewagong First
9 Nation, Eagle Lake First Nation, Ojibwe Nation of Saugeen,
10 represented by Counsel Whitney van Belleghem. You have
11 18 minutes.

12 **--- CROSS-EXAMINATION BY MS. WHITNEY VAN BELLEGHEM:**

13 **MS. WHITNEY VAN BELLEGHEM:** Good afternoon.
14 My questions today are for Chief Superintendent Mark
15 Pritchard.

16 Due to proximity and resourcing, it's my
17 understanding that the OPP often interacts with other
18 police services, such as NAPS and Treaty 3 Police Service.
19 The OPP is to provide assistance to these police services.
20 Is that correct?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

22 **MS. WHITNEY VAN BELLEGHEM:** And would you
23 agree that the OPP frequently provides this support in
24 investigations that are -- involving serious incidents,
25 such as homicides and missing persons?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
2 Continually.

3 **MS. WHITNEY VAN BELLEGHEM:** So it's
4 possible, then, that more than one police service could be
5 working on an investigation into a missing person? For
6 example, Treaty 3 Police Service could be working on the
7 same investigation as the OPP?

8 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes,
9 under the same investigation, though not in isolation of
10 each other. There would be one case manager conduct --
11 overseeing the investigation.

12 **MS. WHITNEY VAN BELLEGHEM:** Can you please
13 explain what written protocols or policies are in place to
14 ensure that the responsibilities between various police
15 services when such a situation arises clearly are set out
16 in the investigation of a missing person?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
18 There's a memorandum of understanding between the OPP and
19 the Nishnawbe-Aski Police. I'm not aware of any others.
20 The Major Case Management Manual would call
21 for a criteria offence and the offences that you just
22 mentioned are criteria offences, that they would be
23 investigated with one person clearly in charge. The manual
24 also stipulates for multi-jurisdictional investigations,
25 where there's a major case that's been linked in two

1 different jurisdictions, again, that there is one case
2 manager in charge of both of those investigations.

3 That case manager can be from either one of
4 the police agencies or a third police agency, and that's
5 coordinated through the Major Case Management Office under
6 the Ministry of Community Safety and Correctional Services.
7 There's a specific function within that office called the
8 Serial Predator Crime Coordinator, and they are to meet
9 with the police forces or police services involved and make
10 sure that a multi-jurisdictional case manager is assigned.
11 And those officers come from a list that's been approved by
12 the Executive Committee of the Major Case Management Unit.

13 **MS. WHITNEY VAN BELLEGHEM:** But to be clear,
14 there is no written policy that governs who exactly takes
15 charge in which situations, how the information is
16 transferred if OPP, for example, is taking over the
17 investigation from another police service that has already
18 commenced the investigation?

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Well,
20 if we're going into -- we don't -- first of all, we don't
21 take it over. We will case manage it, and we'll provide
22 staff, but it still becomes an investigation of the police
23 service of jurisdiction.

24 I think that's complicated by the First
25 Nations Policing Program, which says that First Nations

1 policing, at least in Ontario, is an enhancement to the
2 police service of jurisdiction. So under section 19 of the
3 *Police Services Act*, the OPP is the police service of
4 jurisdiction for all areas of Ontario that don't have a
5 municipal or regional police service.

6 However, that's not the way it works. The
7 OPP recognizes the self-administered police services as the
8 police services of jurisdiction, regardless of how the
9 federal program is -- the language of the federal program
10 is written.

11 The way its enacted through working together
12 and positive relationships with those nine police chiefs
13 and regular meetings with the Commissioner of the OPP,
14 that's how it's enacted, that we consider them to be the
15 police service of jurisdiction.

16 But I think it's very important to note that
17 we don't go in and take over an investigation, and we go
18 there by invitation when they ask us to come in and case
19 manage. I think that's a very important distinction from
20 taking over.

21 **MS. WHITNEY VAN BELLEGHEM:** Certainly.
22 Would you agree, though, that having -- you indicated that
23 you think that there is a memorandum of understanding
24 between NAPS, but you weren't certain in the case of, for
25 example, Treaty 3 Police Service. Do you think that having

1 a formal written policy or a memorandum of understanding
2 could ensure consistency in responses and the equality of
3 treatment of individual missing persons cases?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** You
5 know, I've interacted many times with Chief Napish of the
6 Treaty 3 Police and he hasn't brought up the need for that.
7 But certainly, if he brought that forward, we'd have no
8 issue whatsoever in developing an MOU with Treaty 3.

9 **MS. WHITNEY VAN BELLEGHEM:** Thank you.
10 Obviously, there are procedures in place for communication
11 between the various police services, but what can the OPP
12 do to improve communications between NAPS and Treaty 3
13 Police Services, as well as the independent First Nation
14 police services?

15 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
16 think in the context of a major case, is that your
17 question, how we can improve that?

18 **MS. WHITNEY VAN BELLEGHEM:** Yes. And,
19 generally, just, sort of, foster that ongoing relationship
20 as well.

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
22 think it's really important to the extent -- again, this
23 comes down to an issue of resources. But, if, say, we're
24 doing an investigation in Treaty 3's communities, if they
25 are able to have officers assigned to work with our

1 investigators on those cases, that's usually beneficial.
2 It helps with the information flow not only between the
3 police, but from the community, because they're going to be
4 officers that are known to the community members because
5 that's where they police. So, that is usually beneficial
6 on the flow of communication in all kinds of ways.

7 **MS. WHITNEY VAN BELLEGHEM:** Thank you.

8 **CHIEF SUPERINTENDENT MARK PRITCHARD:** We --
9 I had mentioned earlier about our missing persons awareness
10 days, those all involve, actually, self-administered or
11 OFNPA communities. They kicked off in Treaty 3 with great
12 success, you know, because of the proactive work of Treaty
13 3, not only in the area of missing persons awareness, but
14 very much because of the issue of human trafficking.

15 Human trafficking is recently added as a
16 criteria offence to the Major Case Management Manual.
17 Treaty 3 police are doing a lot of work with their
18 communities about human trafficking and we're working very
19 collaboratively with them on that very important issue.

20 **MS. WHITNEY VAN BELLEGHEM:** I'd like to turn
21 to Schedule M of your documents. I'm not sure that it was
22 added as an exhibit, that's the Missing and Unsolved
23 Murdered Indigenous Peoples document, the Ontario
24 Provincial Police perspective.

25 **MR. JULIAN ROY:** That would be Tab 11, Chief

1 Commissioner. Sorry, Tab 11, Chief Commissioner and
2 Commissioners.

3 **MS. WHITNEY VAN BELLEGHEM:** Do you have any
4 objections to this being added as an exhibit?

5 **MR. JULIAN ROY:** None whatsoever.

6 **MS. WHITNEY VAN BELLEGHEM:** Can we please
7 mark this as the next exhibit?

8 **CHIEF COMMISSIONER MARION BULLER:** Yes, the
9 Missing and Unsolved Murdered Indigenous People document
10 found at Tab 11 of Ontario Provincial Police document book
11 is 139, please.

12 **--- EXHIBIT 139:**

13 "Missing and unsolved Murdered
14 Indigenous People: The Ontario
15 Provincial Police Provincial Police
16 Perspective" (23 pages)
17 Witness: Chief Superintendent Mark
18 Pritchard, Ontario Provincial Police
19 Submitted by Whitney Van Belleghem,
20 Counsel for Animakee Wa Zhing #37 First
21 Nation, Eagle Lake First Nation,
22 Asubpeeschoseewagong Netum Anishinabek
23 (ANA) First Nation/Grassy Narrows First
24 Nation, Obashkaanda-gaang First Nation,
25 and Ojibway Nation of Saugeen, as a

1 single collective party.

2 **MS. WHITNEY VAN BELLEGHEM:** If you look in
3 this document, where there is a breakdown of all of the
4 individuals who are listed as missing and unsolved cases,
5 the statistics in this document suggest that the majority
6 of Indigenous women and girls who go missing are between
7 the ages of 13 and 50. In your experience, is that an
8 accurate characterization?

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
10 can't speak to that from my experience, but there was a lot
11 of effort that was put into this document, and if that's
12 what it's stating, I would adopt that.

13 **MS. WHITNEY VAN BELLEGHEM:** Thank you.
14 Yesterday, you indicated that the OPP is in the process of
15 updating its forms to prioritize any missing Indigenous
16 person as urgent.

17 In Exhibit 130, which is the evaluating of
18 the search urgency. If you look to the first
19 consideration, you'll note that the factor to assessing
20 search urgency there is age, and that people older than 12
21 and younger than 65 are rated as the lowest priority of all
22 of the age groups. Given the knowledge that the majority
23 of missing Indigenous people are outside of this age range,
24 would you recommend that missing Indigenous people between
25 the ages of 13 and 64 are treated with as much urgency as

1 missing persons outside that range?

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That's
3 an excellent suggestion and I thank you for it.

4 **MS. WHITNEY VAN BELLEGHEM:** So, then, you
5 would recommend that the document be amended to account for
6 that?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:** As I
8 testified, we're currently in the process of updating that
9 document, so I will include that as a recommendation for
10 the officers that are in that process of taking that into
11 consideration.

12 **MS. WHITNEY VAN BELLEGHEM:** Thank you.
13 Along with the same form, you indicated that one of the
14 responsibilities of the first uniformed member attending
15 the scene is to use this form to assess urgency; is that
16 correct?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

18 **MS. WHITNEY VAN BELLEGHEM:** On this form,
19 there is no rating regarding a missing persons personal
20 background or activities; correct?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Not in
22 this particular form.

23 **MS. WHITNEY VAN BELLEGHEM:** You indicated
24 that the purpose of policies and forms is to create
25 restrictions and eliminate opportunities for personal

1 discretion to enter into the equation, which could also in
2 turn allow bias to enter. However, the form does indicate
3 that unlisted factors can also be considered.

4 Would you agree that police officers may
5 take into account their prior knowledge of a person who is
6 reported missing? For example, the fact that they were a
7 known partier when determining or verifying whether or not
8 they are missing, or lost or in determining the urgency

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

10 And, I'd add, you know, in that determination, when we're
11 talking about that situation or, you know, a known runaway
12 that runs away all the time, to me, that increases the
13 urgency because those are the kids that are going to fall
14 victims to human trafficking, drugs, alcohol and all kinds
15 of other horrible things that can happen to them out in the
16 world. So, you know -- and that's part of the reason why
17 we have the situation tables and the very effective one
18 that's working in Kenora which has reduced, year over year,
19 by several hundred the number of reported youths running
20 away.

21 So, looking at those underlying causes is
22 equally as important in making that assessment and
23 preventing that youth from ending up in that trap of being
24 vulnerable to a human trafficker, or drug addiction or
25 being plied with alcohol for sexual favours. Those are all

1 things that we've come across in Kenora with that
2 collaborative approach. Interviewing -- having specially
3 trained officers, along with a social worker interviewing
4 them when they come back, figuring out why they've run away
5 and, very importantly, where they're going to, because
6 where they're going to can frequently be the places where
7 bad things happen.

8 **MS. WHITNEY VAN BELLEGHEM:** Aside from these
9 comprehensive and restrictive policies and forms, what
10 steps is the OPP taking to remove first responders
11 discretion when assessing a missing persons report that
12 could allow bias to seep in?

13 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Well,
14 I think like I testified to, we have a number of people
15 that are involved in the decision making process. So, one
16 person isn't out there on their own making a bad decision,
17 the Indigenous awareness training, the involvement on
18 supervisors on multiple levels. And, again, you know,
19 valuing diversity and sound judgment are manners in which
20 we use to measure an officer's suitability for a promotion.

21 **MS. WHITNEY VAN BELLEGHEM:** During your
22 direct examination, you spoke about the importance of
23 mobilizing a quick response to missing persons. What
24 barriers might delay the OPP's ability to provide resources
25 and support where a missing persons report is initiated in

1 the jurisdiction of another police service?

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
3 think the only barrier that exists is commonly weather and
4 distance. If we can get there because of poor weather, I
5 think because of the really strong relationship we have
6 with the nine self-administered chiefs, personally -- and I
7 hope I'm not naïve, but I don't see any barriers there that
8 exist in the deployment of resources and equipment.

9 **MS. WHITNEY VAN BELLEGHEM:** We've heard
10 throughout the hearing that while positive steps are being
11 taken, there is still work to be done in improving the
12 relationship between police and the communities they serve.
13 Would you agree that there is a reluctance for Indigenous
14 peoples to get involved in police investigations because
15 they don't want to get in trouble and fear of being
16 ostracized by their community?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
18 can't generalize that, but I think certainly there is a
19 common theme there, that that's very possible. I mean,
20 there's a long history, a lot of valid reasons for
21 Indigenous people not to trust the police, and that's why
22 it's so important for us to make every effort we can to
23 break through those barriers.

24 I think there's also socio-economic issues
25 that come into play. The smaller the community, the fear

1 of being removed from the community, the bail system --
2 often, the offender has to be removed from the community
3 for a bail hearing and -- you know, there's many, many
4 cases where those people end up living faraway from their
5 homes without the proper supports that they need, and they
6 themselves suffering from acute addictions with no support,
7 and just end up spiralling downward and getting further
8 involved in the justice system and more trouble.

9 **MS. WHITNEY VAN BELLEGHEM:** We heard
10 evidence earlier this week that Indigenous peoples,
11 especially elders, can have difficulty communicating with
12 officers due to language barriers. Would you agree that
13 language reading or written barriers could prevent some
14 Indigenous people from voicing their concerns about the
15 police services they receive?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

17 **MS. WHITNEY VAN BELLEGHEM:** Would it be
18 accurate to say that the online complaint process that you
19 mentioned in your evidence, the Office of the Independent
20 Police Review Director, that it's offered only in English?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I've
22 never actually been on their website because I've never
23 made a complaint, so I'm not aware of that. I think most
24 Ontario government services are English and French, but I
25 stand to be corrected on that if I'm wrong.

1 **MS. WHITNEY VAN BELLEGHEM:** Would you agree
2 that a more accessible and culturally appropriate complaint
3 process whereby Indigenous people could tender their
4 complaints in their own language would be -- would foster a
5 more positive relationship between the OPP and the
6 communities it serves?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes, I
8 would go a step further too and say that that's going to be
9 an important factor with the self-administered services
10 once -- if they choose to opt into the *Police Services Act*
11 because then they become a police service and they're
12 subject to the same civilian oversight as the OPP.

13 **MS. WHITNEY VAN BELLEGHEM:** Yesterday you
14 provided information, and again today during your cross-
15 examination, about how the OPP is attempting to mend
16 relationships between the police and the communities they
17 serve through programs such as Project Journey. But what
18 steps is the OPP taking to reduce complaints, specifically
19 complaints about officers neglecting their duties during
20 investigations?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** From
22 Indigenous people?

23 **MS. WHITNEY VAN BELLEGHEM:** That's correct.

24 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
25 actually looked into that last night. And over the last

1 three years I found five complaints over a three-year
2 period of Indigenous people complaining about OPP officers
3 being neglectful of their duties. One's too many, but five
4 over a three-year period that involves thousands and
5 thousands of interactions is a relatively low number. And
6 all of those incidents are investigated, either by the
7 OIPRD or the OPP and the officers are held to account to
8 their actions.

9 **MS. WHITNEY VAN BELLEGHEM:** Thank you. I
10 believe that's all my time for today.

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

12 Next we would like to invite up the
13 Government of Quebec. Maître Boucher will have 10-and-a-
14 half minutes.

15 **--- CROSS-EXAMINATION BY MS. MARIE-PAUL BOUCHER**

16 **Me MARIE-PAUL BOUCHER:** Bonjour. You're
17 going to need to put your headset on.

18 Donc, bonjour tout le monde, Mesdames les
19 commissaires, Monsieur le commissaire. J'aurais quelques
20 questions pour le Capitaine Charbonneau.

21 Mais préalablement, je voudrais juste
22 souligner à la Commission qu'il semblerait que, avec tout
23 le respect pour les traducteurs, que hier il y aurait peut-
24 être eu certains termes inexacts qui auraient peut-être été
25 utilisés qui pourraient avoir rendu le témoignage du

1 Capitaine Charbonneau plus difficile à saisir ou à
2 comprendre juste aux vues des questions qui lui ont été
3 posées aujourd'hui.

4 Donc, je suggérerais à la Commission et aux
5 parties de peut-être relire la traduction français ou de se
6 faire un petit peu aider pour ça pour juste être sûr
7 d'avoir bien compris les nuances de son témoignage.

8 **MS. CHRISTA BIG CANOE:** Sorry, can we stop
9 the time now, please? Is this part of cross-examination or
10 are you raising a motion, making an objection?

11 **MS. MARIE-PAUL BOUCHER:** It's not a motion,
12 just a statement just to tell that we ---

13 **MS. CHRISTA BIG CANOE:** Yeah.

14 **MS. MARIE-PAUL BOUCHER:** --- from the
15 questions that we heard today, I'm just proposing that you
16 look into the notes ---

17 **MS. CHRISTA BIG CANOE:** Right. So ---

18 **MS. MARIE-PAUL BOUCHER:** --- because there
19 were, like, questions raised.

20 **MS. CHRISTA BIG CANOE:** Okay. So ---

21 **MS. MARIE-PAUL BOUCHER:** It's not a motion.

22 **MS. CHRISTA BIG CANOE:** Within the -- you're
23 asking the Commission for leave to do that, to look at
24 notes?

25 **MS. MARIE-PAUL BOUCHER:** And the parties

1 too, just to make sure that they really understood what was
2 said yesterday, because it was difficult for some parties
3 and there were some question raised today and the question
4 I think were asked because they were misled from the
5 translation on some term of the translation, or maybe it
6 was too fast.

7 **MS. CHRISTA BIG CANOE:** Right.

8 **MS. MARIE-PAUL BOUCHER:** It's just ---

9 **MS. CHRISTA BIG CANOE:** So again though,
10 this is still part of a proceeding.

11 **MS. MARIE-PAUL BOUCHER:** Yeah.

12 **MS. CHRISTA BIG CANOE:** And for the purposes
13 of today ---

14 **MS. MARIE-PAUL BOUCHER:** Yeah.

15 **MS. CHRISTA BIG CANOE:** --- if -- I'm not
16 saying you can't do it, what I'm suggesting though is what
17 that normally would require is a brief motion and request
18 to the Commissioners, because you are making a position
19 that you disagree with our -- and I know you're doing it
20 very respectfully, so please let me finish. I understand
21 you're doing it very respectfully and that you're
22 recognizing, but you're -- it's a large -- you're talking
23 about now days' worth of translation. And so this wouldn't
24 fall normally under cross. This would normally look like
25 just a request to leave to have the Commissioners --

1 essentially, what you've already said. But so that it's
2 clear, it's not a cross-examination issue ---

3 **MS. MARIE-PAUL BOUCHER:** No, it's not a
4 cross ---

5 **MS. CHRISTA BIG CANOE:** --- right?

6 **MS. MARIE-PAUL BOUCHER:** No, no, no. It's
7 just that in French it's fine, but the translation that we
8 may have heard in your ear were, like, not, like, perfect,
9 like, term used. It's only just so people know; okay?

10 **MS. CHRISTA BIG CANOE:** So ---

11 **MS. MARIE-PAUL BOUCHER:** So now I'm going to
12 begin with my questions.

13 **MS. CHRISTA BIG CANOE:** Actually, you're
14 going to wait one moment, please, because that would
15 normally be on a motion base.

16 **MS. MARIE-PAUL BOUCHER:** A motion?

17 **MS. CHRISTA BIG CANOE:** Yeah.

18 **MS. MARIE-PAUL BOUCHER:** Oh, sorry. May --
19 but can you?

20 **MS. CHRISTA BIG CANOE:** So and I don't think
21 we're going to resolve this quickly today. This seems like
22 a more formal request. I know it's difficult because you
23 were listening in first language on the floor ---

24 **MS. MARIE-PAUL BOUCHER:** Yeah.

25 **MS. CHRISTA BIG CANOE:** --- and not through

1 a headset. It's a fairly large request and I think it's
2 something that would have to be looked at a little more
3 into.

4 So I'm not sure if -- part of the purpose is
5 so that when you ask your questions, if you're asking the
6 witness to explain what they meant or if this is just a
7 comment up front.

8 **MS. MARIE-PAUL BOUCHER:** A comment up front.

9 **MS. CHRISTA BIG CANOE:** Okay.

10 **MS. MARIE-PAUL BOUCHER:** Just ---

11 **MS. CHRISTA BIG CANOE:** So on that basis,
12 it's going to be Commission Counsel's position to the
13 Commissioners, I don't think this is an issue that's going
14 to resolve today. I think it's going to take a little more
15 input, given that counsel making the submissions wasn't
16 actually listening to, so therefore doesn't know, what was
17 said in interpretation, but that it's an issue you flagged
18 that we do ---

19 **MS. MARIE-PAUL BOUCHER:** Yes.

20 **MS. CHRISTA BIG CANOE:** --- need to look at.

21 **MS. MARIE-PAUL BOUCHER:** Yeah.

22 **MS. CHRISTA BIG CANOE:** And probably
23 requires follow up outside of this particular hearing. I
24 will undertake to have follow up with you and we can
25 include the appropriate -- or maybe have a full email to

1 the counsel present that were on the notice of appearance
2 following. And I would undertake to do that within a week
3 of today.

4 **MS. MARIE-PAUL BOUCHER:** Thank you.

5 **MS. CHRISTA BIG CANOE:** So and it was
6 correspondence. Obviously, that's not the resolution.
7 That's the first step. And then on that basis I would ask
8 that you continue with just the cross-examination.

9 **MS MARIE-PAUL BOUCHER:** Thank you.

10 *Donc, Monsieur le capitaine Charbonneau,*
11 *hier, en interrogatoire et aussi, je crois, en contre-*
12 *interrogatoire, il y a été question du poste de police*
13 *communautaire mixte autochtone, communément appelé le*
14 *PPCMA. C'est bien exact?*

15 **CAPITAINE PAUL CHARBONNEAU:** *Oui, c'est*
16 *exact.*

17 **Me MARIE-PAUL BOUCHER:** *Vous avez aussi*
18 *mentionné, hier, dans votre interrogatoire-en-chef qu'il y*
19 *avait un vidéo relié au PPCMA?*

20 **CAPITAINE PAUL CHARBONNEAU:** *Oui, c'est*
21 *exact. Il y a un vidéo qui a été... en fait, je crois*
22 *qu'il y en a deux qui sont disponibles sur YouTube. Il y*
23 *en a un qu'on a voulu déposer en preuve.*

24 **Me MARIE-PAUL BOUCHER:** *Donc, Madame la*
25 *commissaire en chef, je vous demanderais si ce serait*

1 possible d'avoir une cote et de pouvoir déposer ce vidéo en
2 preuve?

3 **CHIEF COMMISSIONER MARION BULLER:** Yeah, I
4 just -- I want to have these videos as part of our record.
5 I'm not clear on how we would mark a YouTube video as an
6 exhibit. Maybe somebody can help me with this?

7 **MS. CHRISTA BIG CANOE:** Do you want to stop
8 the time for a minute?

9 **CHIEF COMMISSIONER MARION BULLER:** Can we
10 stop the clock? Yeah.

11 **MS. MARIE-PAUL BOUCHER:** You can see it on
12 YouTube, but we did give it to the Commission.

13 **CHIEF COMMISSIONER MARION BULLER:** Yeah.

14 **MS. MARIE-PAUL BOUCHER:** We gave a copy of
15 it. So the Commission ---

16 **CHIEF COMMISSIONER MARION BULLER:** Okay.

17 **MS. MARIE-PAUL BOUCHER:** --- has got one.
18 But you can find it by yourself on YouTube too.

19 **CHIEF COMMISSIONER MARION BULLER:** Yes.

20 **MS. MARIE-PAUL BOUCHER:** But we gave a copy
21 to the Commission.

22 **MS CHRISTA BIG CANOE:** A digital copy, yeah.

23 **MS. MARIE-PAUL BOUCHER:** Yeah.

24 **MS. CHRISTA BIG CANOE:** The one digital
25 copy. Yeah, we received one digital copy. And I was

1 looking back at the head of AV who was nodding to me that,
2 yes, we have it in a digital copy.

3 **CHIEF COMMISSIONER MARION BULLER:** Okay.

4 **MS. CHRISTA BIG CANOE:** But I just want to
5 be clear we received one video.

6 **MS. MARIE-PAUL BOUCHER:** Yeah, one video.
7 That's correct.

8 **MS. CHRISTA BIG CANOE:** One video, yeah.

9 **MS. MARIE-PAUL BOUCHER:** Yeah.

10 **CHIEF COMMISSIONER MARION BULLER:** Okay.

11 Then the -- pardon me. I don't know the proper
12 terminology. Is it a CD or a -- what is it?

13 **MS. CHRISTA BIG CANOE:** A USB?

14 **MS. MARIE-PAUL BOUCHER:** It wasn't on USB.
15 It's a MP4.

16 **MS. CHRISTA BIG CANOE:** So it will be -- for
17 the purposes of ours and for the Registrar, it's a
18 QuickTime file that we will be able to produce to you.

19 **MS. MARIE-PAUL BOUCHER:** Yeah.

20 **MS. CHRISTA BIG CANOE:** Yes? Yes.

21 **CHIEF COMMISSIONER MARION BULLER:** Then I
22 think the proper way of doing this -- I'm sorry, it's new
23 to me -- is the QuickTime video of the PPCMA ---

24 **MS. MARIE-PAUL BOUCHER:** Yes.

25 **CHIEF COMMISSIONER MARION BULLER:** --- will

1 be Exhibit 140.

2 **--- EXHIBIT 140:**

3 Sûreté du Québec video «Mamowi
4 (Ensemble)» MP4 format, 31.8 MB (5
5 minutes 53 seconds)
6 Witness: Capitaine Paul Charbonneau,
7 Directeur par intérim, Autorité
8 disciplinaire et services juridiques,
9 Sûreté du Québec
10 Submitted by: Marie-Paule Boucher,
11 Counsel for Government of Quebec

12 **Me MARIE-PAUL BOUCHER:** Donc, Capitaine
13 Charbonneau...

14 **MS. CHRISTA BIG CANOE:** So, please start the
15 time again?

16 **MS. MARIE-PAUL BOUCHER:** Oh, sorry.
17 Capitaine Charbonneau, je comprends que une
18 image vaut mille mots, vous souhaitez qu'on projette ce
19 vidéo aujourd'hui?

20 **CAPITAINE PAUL CHARBONNEAU:** Oui, en fait,
21 j'aurais aimé qu'on présente le vidéo, qui démontre bien la
22 philosophie de police de proximité de la Sûreté du Québec
23 et ses cinq fondements.

24 **Me MARIE-PAUL BOUCHER:** Donc, Monsieur le
25 technicien, si c'est possible de partir le vidéo, s'il vous

1 plaît?

2 **CHIEF COMMISSIONER MARION BULLER:** What is
3 the duration of the video, please?

4 **MS. MARIE-PAUL BOUCHER:** I think it's around
5 nine minutes so.

6 **MS. CHRISTA BIG CANOE:** Six minutes
7 Yes.

8 **MR. CAPITAINE PAUL CHARBONNEAU:** Si je peux
9 me permettre un commentaire, ce vidéo-là a été produit lors
10 du projet pilote, donc au début du PPCMA.

11 **(VIDEO PRESENTATION/PRÉSENTATION VIDÉO)**

12 **Me MARIE-PAULE BOUCHER:** Donc, Capitaine
13 Charbonneau, est-ce que vous avez des commentaires
14 additionnels à rajouter sur ce sujet?

15 **CAPITAINE PAUL CHARBONNEAU:** Oui, Madame la
16 commissaire, en regarde du PPCMA, ce projet-là... parce que
17 j'ai entendu entre autres dans le témoignage de M. Jean
18 Vicaire cette semaine - que d'ailleurs a servi avec
19 distinction la Sûreté du Québec -, il voulait être sûr
20 qu'on ne crée pas deux entités avant... en fait, c'est pas ce
21 qui se passe.

22 Le PPCMA, c'est le service de seconde ligne.
23 À Val-d'Or, dans la région de Val-d'Or, le service de
24 première ligne demeure le poste de la MRC de la Vallée-de-
25 L'Or, et lorsque certaines interventions nécessitent plus

1 de temps ou des services particuliers, une implication
2 particulière de la part de la police, ben, pour être
3 capable de le faire et de prendre le temps de le faire,
4 nous avons cette équipe dédiée là qui est en seconde ligne.

5 Alors, le PPCMA, c'est pas quelque chose qui
6 est différent et à part du poste de Val-d'Or, c'est un
7 service complémentaire, puis on avait identifié des
8 besoins, entre autres le problème de l'itinérance. C'est
9 d'ailleurs une philosophie de travail qui s'appelle
10 « EMIPIC » - Équipe mixte d'intervention policière,
11 intervenants communautaires et policiers. Cette façon de
12 travailler là va être transposée vers un projet à Sept-Îles
13 qui sera pas tout à fait pareil comme le PPCMA, et nous
14 avons appris du fait qu'au PPCMA, nous avons annoncé le
15 projet avant d'impliquer les communautés et c'est pas de
16 cette façon-là qu'on fait à Sept-Îles. Les communautés à
17 Sept-Îles, entre autres Uashat-Mak Mani-Utenam, ils sont
18 impliqués dès le départ, et c'est en primeur que je vous
19 annonce, parce qu'on l'a pas annoncé encore, que ce projet-
20 là s'en vient. Merci.

21 **Me MARIE-PAUL BOUCHER:** Est-ce que vous
22 pourriez nous expliquer la composition du poste de police
23 mixte pour que ce soit un petit peu plus détaillé en fait.

24 **CAPITAINE PAUL CHARBONNEAU:** Oui. En fait, et
25 c'est un engagement que j'avais pris hier ou ce matin là,

1 je me rappelle pas, la composition, y'a... en fait, y'a un
2 chef de poste et son adjointe - l'adjointe qui est une
3 Autochtone, Mme Sally Rankin de Pikogan -, y'a 16 policiers
4 au total, sur les 16 policiers, y'a 10 allochtones,
5 6 métis, et nous avons une infirmière qui est une
6 allochtone, nous avons des intervenants communautaires,
7 y'en a 3 - c'est des allochtones -, et nous avons l'agente
8 de bureau, la réceptionniste, qui est une Autochtone.
9 Alors, ce qui fait que l'effectif actuellement au PPCMA,
10 c'est 23 personnes dont 8 autochtones ou métis.

11 **Mme MARIE-PAUL BOUCHER:** Je n'ai plus de
12 temps. Merci beaucoup.

13 **MS. CHRISTA BIG CANOE:** Thank you. I will
14 introduce you. Ms. Fanny Wylde is Commission Counsel.
15 Commission Counsel does get to cross any witnesses in which
16 they did not lead the evidence. And, in this case, Ms.
17 Wylde will have 10-and-a-half minutes like all of the
18 parties did for the standard time.

19 **--- CROSS-EXAMINATION BY MS. FANNY WYLDE:**

20 **MS. FANNY WYLDE:** Thank you. Good
21 afternoon. I have a question about the bracelets worn by
22 the SQ officers in Québec, but my question will be directed
23 to Chief Superintendent Mark Pritchard. I understand that
24 a similar sign of support where officers occurred in
25 Ontario where officers were wearing something known as the

1 Candean Pen (phonetic); am I correct?

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

3 **MS. FANNY WYLDE:** Why were they wearing it
4 and what were the lessons the OPP learned from these
5 events?

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Why
7 they were wearing it, I think -- I don't think I can answer
8 that. I know I certainly never wore one. I guess it would
9 have been an individual choice. It was very short lived
10 because Commissioner Boniface in the day issued an order
11 immediately prohibiting the wearing of the pin on duty and
12 on uniform. So, it not only applied to officers in
13 uniform, but it applied to officers in plain clothes.

14 **MS. FANNY WYLDE:** What would you or the OPP
15 do if there were OPP officers wearing bracelets, pins or
16 any symbol on their uniforms during duty that supported
17 other officers that were being investigated or there were
18 allegations of misconduct, harm or sexual violence against
19 Indigenous women or girls?

20 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
21 don't have any doubt that the Commissioner today,
22 Commissioner Hawkes, would issue a similar order. There's
23 already a policy in place of not wearing things on your
24 uniform that aren't part of your uniform. I think the very
25 meaning of uniform is that they're all the same.

1 So, as my current understanding of our
2 current policy is you wear your uniform and there is no
3 additions. You're allowed to wear a watch, you're -- a
4 wedding ring or limited jewellery, things like that, but
5 you can't pick and choose what you want to wear when you're
6 in uniform.

7 **MS. FANNY WYLDE:** Thank you. We heard you
8 speak to the importance of good communications with
9 families of a missing or murdered person. You also
10 acknowledged the need to always improve. During testimony
11 in Edmonton, at our community hearings, one witness, Mr.
12 Paul Tikeroo (phonetic), made a particular recommendation
13 about communications with families. Chief Commissioner and
14 Commissioners, we have an excerpt of the testimony that the
15 witness' counsel has consented to be put before the
16 witness. You have had the chance to read this excerpt?

17 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

18 **MS. FANNY WYLDE:** Standing parties has also
19 received copies electronically. If I can draw your
20 attention to the excerpt and specifically to pages 46 and
21 47, specific recommendation about using forms regarding
22 missing persons. Precisely, Mr. Tikeroo discusses
23 accountability between families and police. He suggests
24 that families also should have copies of forms and have a
25 form that both police and families sign and have copies of

1 the -- on the timeline of communication. You have read
2 this?

3 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

4 **MS. FANNY WYLDE:** Do you think this is a
5 good idea that could be incorporated into your
6 communication process?

7 **CHIEF SUPERINTENDENT MARK PRITCHARD:** As
8 it's in the early days, but as we've discussed it, there
9 would be a copy provided to the family so the family has a
10 record, as well as the police, on what the communication
11 plan is. It would also provide the families with the
12 contact number or contact numbers for the officer, so
13 there's no having to try and find the number.

14 And, I think asking the family to sign it,
15 my inclination at this point would be that would be an
16 option for them. I certainly wouldn't want to have them
17 feel they're forced in a situation where they have to sign
18 a document.

19 **MS. FANNY WYLDE:** Okay. So, that leads to
20 my next question. Would you suggest that in the form, it
21 could be a place that includes a place to say -- that
22 mentions, refuse to sign -- in this example, a refusal to
23 provide information at family's request. Do you think it's
24 also a good idea?

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** For

1 the signature? I'm sorry ---

2 **MS. FANNY WYLDE:** Well, on page 49, Mr.
3 Tikeroo suggest that the form includes a place for refuse
4 to sign. Do you think that's also a good idea?

5 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
6 don't know if "refused" would be the word I would choose.
7 If they decline, they don't wish to sign -- and I don't
8 think there would be an issue if they didn't wish to sign a
9 police document.

10 **MS. FANNY WYLDE:** Thank you. My next
11 questions will be to Commissioner Brenda Butterworth-Carr.
12 About the form at Exhibit 105, I believe the title was the
13 Complainant Family Communication Schedule. When was this
14 form created?

15 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
16 The date is on the bottom left-hand corner, when it would
17 have been revised. So, June 2018.

18 **MS. FANNY WYLDE:** Okay. So, was it revised
19 on June 2018 or created on June 2018?

20 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
21 I'll have to follow up with that, because I apologize, I'm
22 not sure.

23 **MS. FANNY WYLDE:** Okay. And, one last
24 question about the remains being handled with dignity. I
25 believe you mentioned that there was a policy regarding

1 that; correct?

2 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

3 Yes, the Human Death Policy?

4 **MS. FANNY WYLDE:** Yes. Okay. How do you
5 ensure that this policy is being followed?

6 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

7 So, part of what occurs with this is supervisors, they have
8 to be familiar with this. And so, in -- especially within
9 -- well, all of our investigations, that they need to
10 acknowledge and that -- in terms of ensuring that it's
11 captured within the actual investigation and they have to
12 document it.

13 **MS. FANNY WYLDE:** Okay. And, also, I'm not
14 sure, but I think you mentioned that usually there is
15 meetings twice a year with families; am I correct?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

17 No, what I was referencing is my involvement with ---

18 **MS. FANNY WYLDE:** Okay.

19 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

20 --- families. And, the family schedule or the commitment
21 from the RCMP and the investigators is to meet with
22 families as per their request.

23 **MS. FANNY WYLDE:** Okay. Thank you.

24 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

25 All I was referencing is what I did.

1 **MS. FANNY WYLDE:** Okay. So, that covers all
2 of my questions. Going last, all of the questions were
3 covered by other standing parties. Thank you.

4 **MS. CHRISTA BIG CANOE:** Thank you, Ms.
5 Wylde. At this point, I will suggest that we potentially
6 take a short break because we are now complete the cross-
7 examination of the witnesses, but I know that the
8 Commissioners will have question ---

9 **CHIEF COMMISSIONER MARION BULLER:** No, re-
10 examination.

11 **MS. CHRISTA BIG CANOE:** Sorry, re-
12 examination. Thank you. Did you -- I forgot the re-
13 examination. Would you like us to do the re-examination
14 before or after a break?

15 **MR. JULIAN ROY:** Could I ask for your
16 indulgence to consult people smarter than me to make the
17 decision on whether to re-examine? It shouldn't be hard to
18 find someone like that.

19 **CHIEF COMMISSIONER MARION BULLER:** Okay.
20 Yes. I think it's pretty unanimous. Let's take the break
21 first.

22 **MS. CHRISTA BIG CANOE:** Thank you. 15
23 minutes, please.

24 **CHIEF COMMISSIONER MARION BULLER:** 15, yes.
25 Thanks.

1 --- Upon recessing at 2:12 p.m.

2 --- Upon resuming at 2:32 p.m.

3 **MS. CHRISTA BIG CANOE:** Chief Commissioner,
4 Commissioners, the counsel that will be doing the re-
5 examination -- re-examination assigned time is always 20
6 minutes. In this case, we've been advised by Mr. Roy that
7 there will be no need for re-examination on his part,
8 therefore the other two counsel will each have 10 minutes,
9 and I will ask Ms. Anne McConville to start.

10 **--- RE-EXAMINATION BY MS. ANNE MCCONVILLE:**

11 **MS. ANNE MCCONVILLE:** Thank you, Chief
12 Commissioner, Commissioners. I don't have specific
13 questions for Deputy Commissioner Butterworth-Carr, but as
14 with witnesses on previous panels, I would like to give her
15 the opportunity to say anything in addition arising out of
16 the cross-examination that she hasn't had a chance to say.

17 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
18 I just want to begin by saying thank you for the
19 opportunity to be here and to hear from the families and
20 the stories that they've shared with us and through the
21 course of the Inquiry to date.

22 And, I remain optimistic with the future for
23 a number of reasons. The first being that, you know, I've
24 been in the RCMP for 30 years and I've seen evolution, and
25 I genuinely believe -- you know, with the men and -- the

1 employees, the men and women, and all the employees that I
2 work with, they genuinely want to make a difference. They
3 want to work with our families, they want to work in our
4 communities. You know, have we a number of areas to
5 improve on? Absolutely. There is a full acknowledgment of
6 that. But, I know with the people that I work with, we're
7 going to continue to do that and investigate the files that
8 need to be investigated, you know, work with our
9 communities so that we can become more culturally
10 reflective of the diversity that we have across this
11 country.

12 And, where we need to, I would really
13 appreciate the opportunity to reconcile some of the wrongs
14 and make them right. And, I think, you know, as we
15 continue moving forward, it's a shared responsibility, you
16 know, our community safeties, and I really genuinely
17 believe that, you know, we need everyone at the table.
18 Policing and the RCMP is one aspect of that, and I think of
19 all the isolated or limited duration communities that we're
20 in, and even, you know, our larger centres, we can't do it
21 alone. And we really need to be able to address the socio-
22 economic issues that are happening in our communities. We
23 need absolutely everybody working with us. And we need our
24 own communities.

25 You know, I think, as I was mentioning

1 before, I come from a self-government First Nation. We
2 teach our kids our language. We even do that in the public
3 school. And we, you know, we look after our own lands, you
4 know, the harvesting and conservation and so many things.
5 We have the ability to do that. We need to be able to do
6 that, but we need the support to do it successfully.

7 And, you know, when I think about the over-
8 population of our people in correctional facilities, they
9 don't belong there. They -- we need to be able to, instead
10 of constantly be reacting, be preventative and work with
11 our communities holistically to prevent that.

12 And I just again want to say thank you very
13 much for the opportunity and to be here on behalf of the
14 RCMP. And to the families, thank you so much for sharing
15 everything that you have. Masi-cho (phonetic).

16 **MS. CHRISTA BIG CANOE:** And you have nothing
17 else to add, Ms. McConville?

18 **MS. ANNE McCONVILLE:** No.

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

20 You can stop this time, please, Mr.
21 Registrar, and reset it for 10 minutes so that Maître Jacob
22 has the opportunity for 10 minutes to do his re-examination
23 of Capitaine Charbonneau.

24 **--- RÉ-INTERROGATOIRE PAR Me BERNARD JACOB:**

25 **Me BERNARD JACOB:** Alors, j'invite tous les

1 gens à prendre leurs *earphones* et je vais essayer de parler
2 tranquillement pour la traduction.

3 D'entrée de jeu, Capitaine Charbonneau,
4 j'aimerais savoir, la vidéo que ma consœur, Me Boucher,
5 vous a montrée à l'assemblée, elle a été faite dans quel
6 objectif?

7 **CAPITAINE PAUL CHARBONNEAU:** L'objectif
8 principal de cette vidéo-là était de présenter le projet à
9 l'ensemble des officiers-cadres de la Sûreté du Québec. La
10 première fois qu'elle a été visionnée c'est lors d'une
11 réunion. Une fois par année, tous les officiers-cadres de
12 la Sûreté du Québec se réunissent et la vidéo a été
13 présentée à ce moment-là aux 400 officiers-cadres présents.

14 **Me BERNARD JACOB:** Corrigez-moi si je me
15 trompe, Monsieur Charbonneau, mais nous ne voyons aucun
16 citoyen interrogé à la caméra qui serait un membre des
17 Premières Nations.

18 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
19 exact.

20 **Me BERNARD JACOB:** Et dans les policiers qui
21 sont interviewés, nous ne sommes pas en mesure d'identifier
22 s'il y a des Métis ou des autochtones? Corrigez-moi si je
23 me trompe.

24 **CAPITAINE PAUL CHARBONNEAU:** Ben, moi, je ne
25 suis pas capable de les identifier, non.

1 **Me BERNARD JACOB:** O.k. Il est possible
2 qu'il en n'ait pas un?

3 **CAPITAINE PAUL CHARBONNEAU:** Je peux pas
4 infirmer ou confirmer ça, non.

5 **Me BERNARD JACOB:** D'accord.

6 Monsieur Charbonneau, je vais vous inviter à
7 regarder ce que nous retrouvons sous l'onglet J du cahier
8 des commissaires et comme Exhibit 119 au dossier de la
9 Commission.

10 On comprend que c'est le rapport de liaison
11 annuel autochtone, c'est bien ça?

12 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
13 exact.

14 **Me BERNARD JACOB:** Et on vise la période du
15 1^{er} avril 2016 au 31 mars 2017?

16 **CAPITAINE PAUL CHARBONNEAU:** C'est exact.

17 **Me BERNARD JACOB:** Juste un élément sur
18 lequel je veux attirer votre attention, il y en a un en
19 particulier. Je vais aller à la page 16 sur 76. Il est
20 écrit, en ce qui concerne la communauté de Kitcisakik, qui
21 est desservie par une section régulière de la Sûreté, c'est
22 bien ça, c'est-à-dire des policiers de la Sûreté du Québec?

23 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
24 exact.

25 **Me BERNARD JACOB:** Donc, il est mentionné :

1 « Les membres de la communauté ont
2 toujours une certaine crainte envers
3 les policiers de Val d'Or suite aux
4 événements de 2015. Le bracelet rouge
5 porté par les policiers en solidarité
6 avec les policiers de Val d'Or est mal
7 perçu par la communauté de
8 Kitcisakik. »

9 Je comprends que ça, ç'a été écrit au plus
10 tard le 31 mars 2017 et je comprends qu'encore aujourd'hui
11 la problématique n'est pas encore réglée. C'est ce que je
12 comprends. Au contraire, elle s'est amplifiée. Vous me
13 dites que beaucoup d'autres policiers de la Sûreté du
14 Québec ont commencé à le porter par solidarité avec leurs
15 collègues de Val d'Or.

16 **CAPITAINE PAUL CHARBONNEAU:** En fait, ce que
17 j'ai précisé c'est le port de ce bracelet-là, lorsqu'il a
18 débuté, c'est devenu rapidement un mouvement provincial.
19 Ça ne s'est pas amplifié depuis. C'est devenu rapidement
20 un mouvement provincial. Et nous avons posé des actions à
21 de multiples reprises et, comme je le répète depuis hier,
22 nous tentons de convaincre au lieu de contraindre.

23 Certaines nouvelles dispositions
24 législatives viennent d'entrer en vigueur et vont nous
25 donner un levier. De toute évidence, on en reparle encore

1 une fois. On en a parlé toute la journée. On en a parlé à
2 multiples reprises.

3 **Me BERNARD JACOB:** Je pense que la directive
4 va arriver.

5 **CAPITAINE PAUL CHARBONNEAU:** Ça va être un
6 facteur que nous allons prendre en considération pour le
7 futur.

8 Mais par contre, je vous rappellerai que ce
9 qui est important pour la Sûreté du Québec, d'abord et
10 avant tout, c'est le service à la population, et nous, nous
11 faisons une seule équipe, une seule sûreté, une force
12 humaine au service de la population et de contraindre
13 pourrait... et je cite le rapport Gilbert, l'analogie que
14 j'ai faite tantôt, je le rappelle... si nous devons... nous
15 nous devons, dans tous les cas, de sous-peser les
16 conséquences possibles de toute action que nous menons, et
17 c'est ce que nous sommes en train de faire.

18 Par contre, la Sûreté du Québec n'a jamais
19 refusé de faire preuve d'introspection et de prendre de
20 nouvelles décisions.

21 **Me BERNARD JACOB:** Mais corrigez-moi si je
22 me trompe, Capitaine Charbonneau, mais le rapport Gilbert,
23 ça portait sur la Sûreté du Québec dans la pinède et non
24 pas sur un port d'équipement. On est vraiment dans un
25 contexte... je pense que le rapport de M. Gilbert visait

1 davantage à réfléchir avant de faire une action policière
2 que plutôt de réfléchir sur le morale des troupes.

3 **CAPITAINE PAUL CHARBONNEAU:** En fait,
4 l'analogie se tient parce que toute action, toute
5 intervention que nous devons faire, nous devons sous-peser
6 les conséquences. Et je vous rappellerai que le port de ce
7 bracelet-là... puis c'est une situation complexe qui est
8 arrivée lors d'un événement complexe, avec des
9 ramifications multiplies et nous devons bien analyser la
10 situation et nous devons mesurer l'impact de chaque
11 décision que nous allons prendre dans un cas comme celui-
12 ci, dans un contexte particulier comme celui que nous avons
13 connu.

14 **Me BERNARD JACOB:** Je vais toujours à la
15 Pièce 119, Unité mixte d'enquête sur le crime organisé
16 autochtone qu'on voit à la page 5 de 76.

17 Pouvez-vous expliquer c'est quoi l'Unité
18 mixte d'enquête sur le crime organisé autochtone?

19 **CAPITAINE PAUL CHARBONNEAU:** En fait, j'en
20 n'ai pas de connaissance personnelle et profonde de cette
21 initiative-là, qui est une initiative de la GRC à laquelle
22 nous participons. L'Unité mixte, moi je la connais sous
23 l'appellation UMECOA, Unité mixte d'enquête sur le crime
24 organisé autochtone.

25 D'ailleurs, c'est cette unité... moi, j'ai

1 eu contact avec cette unité lors de mes fonctions à titre
2 de responsable des mesures d'urgence pour la région
3 Outaouais-Laurentides où il y a eu une intervention avec
4 l'UMECO et la Sûreté du Québec qui y participait et le
5 poste d'Oka sur le territoire de Kanesatake où il y a eu
6 des perquisitions en matière de stupéfiants. C'est la
7 seule connaissance que j'ai de cette unité-là.

8 **Me BERNARD JACOB:** Capitaine Charbonneau, à
9 la page 11 de 76 de la Pièce 119, on voit qu'il y a une
10 liste d'agents de relation... agents de liaison autochtone.
11 Hier, vous avez pris l'engagement de nous indiquer combien
12 il y avait d'agents de liaison autochtone parmi les 10, si
13 je me trompe pas?

14 **CAPITAINE PAUL CHARBONNEAU:** Oui, en fait,
15 merci de me donner l'opportunité de remplir cet engagement.
16 Nous avons, au moment où on se parle, deux agents de
17 liaison autochtone qui sont des autochtones. Il s'agit de
18 Dave Bergeron, qui est présentement prêté au Service de
19 police... et là je m'excuse pour la prononciation... Ieu
20 Innu à titre d'officier et ce prêt va être renouvelé aussi
21 parce qu'il y avait des besoins de la Nation crie à ce
22 moment-là. Le Sergent Bergeron à la Sûreté du Québec c'est
23 un Cri.

24 Nous avons également le Sergent Carlos
25 Kistabish. Je m'excuse encore une fois pour la

1 prononciation. J'en suis pas certain. Qui est un membre
2 qui est posté à Val d'Or pour la nation Anishinaabe-
3 Algonquine.

4 **Me BERNARD JACOB:** Merci.

5 Je vois, toujours à la page 10 sur 76 en
6 parlant de l'agent de liaison autochtone :

7 « Dans la mesure où il est perçu comme
8 un interlocuteur fiable, il contribue à
9 désamorcer des conflits et, le cas
10 échéant, à maintenir le dialogue après
11 les événements. »

12 Quelles mesures sont mises en place pour
13 vous assurer, avant qu'il arrive une crise, que l'agent de
14 liaison autochtone est perçu comme un interlocuteur fiable?
15 Quels sont les moyens à la Sûreté du Québec pour s'assurer
16 que la personne mise en place rencontre les objectifs visés
17 par la Sûreté?

18 **CAPITAINE PAUL CHARBONNEAU:** En fait, lors
19 de l'arrivée en place d'un nouvel agent de liaison
20 autochtone, on doit l'introduire à la nation où il va
21 servir de liaison et c'est souvent fait par d'autres agents
22 de liaison autochtones, surtout le coordonnateur provincial
23 ou le responsable du Bureau des affaires autochtones.
24 Alors, c'est un processus d'introduction dans ses nouvelles
25 fonctions.

1 Et ce qu'il y a de particulier à la Sûreté
2 du Québec, quand nous avons réorganisé la liaison
3 autochtone en 2015-2016 avec la création du Bureau des
4 affaires autochtones en 2016 et que nous les avons
5 réorganisées par nation, nous avons aussi ramené au
6 quartier général à Montréal la coordination provinciale. Le
7 but étant - et je le rappelle, je l'ai dit dans mon
8 témoignage principal - que les actions soient cohérentes
9 d'un agent à l'autre et qu'il y ait une uniformité dans la
10 façon de faire les choses. Ceci a créé l'équipe de liaison
11 autochtone qui est le Bureau des affaires autochtones, qui,
12 par le biais de conférences téléphoniques, de rencontres
13 ponctuelles, ils peuvent venir supporter le nouvel agent de
14 liaison autochtone. C'est de cette façon-là que nous
15 faisons le transfert d'expertise, ce qui est important pour
16 nous.

17 **Me BERNARD JACOB:** Dernière question pour
18 terminer. À l'onglet K, pièce 116, on va tourner les pages,
19 on voit dans un acétate :

20 « Mais avant tout le but avoué de la
21 *Loi sur les Indiens*, c'est
22 l'assimilation. »

23 Ça, c'est écrit dans la formation donnée par
24 la Sûreté du Québec la deuxième journée, le volet opérationnel.

25 Vous avez suivi cette formation-là?

1 **CAPITAINE PAUL CHARBONNEAU:** Oui, j'ai suivi
2 cette formation-là.

3 **Me BERNARD JACOB:** Et c'est quoi la
4 conséquence de la *Loi sur les Indiens* sur vos interventions
5 policières? On sait que c'est une loi fédérale, mais c'est
6 quoi l'impact que ça peut avoir sur vos opérations
7 policières à vous?

8 **CAPITAINE PAUL CHARBONNEAU:** En fait, ça fait
9 partie de la sensibilisation aux réalités autochtones que
10 nous donnons à nos policiers. Il est important pour nos
11 policiers de comprendre tout le cheminement historique,
12 entre autres la *Loi sur les Indiens*, et les conséquences
13 que ç'a pu avoir sur les Premières Nations, ben, au Canada,
14 mais plus spécifiquement pour nous, au Québec. Alors, la
15 compréhension de ce phénomène-là va venir aider les
16 policiers à comp... parce que quand qu'on sert une population
17 là, il faut savoir d'où ils viennent pour savoir pourquoi
18 ils pensent ce qu'ils pensent maintenant. Ça, c'est très
19 important. Ça fait que en sachant d'où ils viennent et ce
20 qu'ils ont vécu, ça vient nous aider à comprendre comment
21 ils voient les choses maintenant et ça va nous aider à
22 comprendre comment nous on peut faire les choses pour être
23 mieux perçus. Parce que lors d'une intervention policière,
24 des fois l'intervention, elle est bien faite, mais elle est
25 mal perçue, et c'est une question de communication. Alors,

1 quand qu'on veut que la communication fonctionne, nous
2 devons - et c'est très important - savoir d'où on vient
3 pour comprendre pourquoi on fait les choses comme ça
4 aujourd'hui.

5 **Me BERNARD JACOB:** Merci, Capitaine
6 Charbonneau.

7 **MS. CHRISTA BIG CANOE:** Thank you, counsel.
8 That concludes the redirect. At this point, I would invite
9 the Commissioners to ask questions of the witnesses.

10 **--- QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:**

11 **CHIEF COMMISSIONER MARION BULLER:** Okay.
12 Just for the benefit of the witnesses, we are going to
13 question witness by witness. So, Captain Charbonneau, you
14 get to go first.

15 My first question for you, Captain, has to
16 do with searches for lost loved ones. And, please tell me
17 if this is outside of your area of experience or knowledge,
18 what is the SQ Policy for stopping the search of a lost
19 loved one?

20 **CAPITAINE PAUL CHARBONNEAU:** En fait, je
21 vous remercie, Madame la commissaire en chef, de me donner
22 l'opportunité d'en parler, et je peux vous en parler parce
23 qu'avant d'être le directeur des Services juridiques,
24 j'étais officier de mesures d'urgence pour la région
25 Outaouais-Laurentides. En fait, un poste qu'officiellement

1 j'occupe toujours.

2 Lorsque nous faisons des recherches
3 terrestres à la Sûreté du Québec - on va parler des
4 recherches terrestres, c'est aussi le cas dans les
5 recherches nautiques -, on fonctionne par probabilités de
6 détection. Alors, je m'explique.

7 Nous allons cesser des recherches terrestres
8 lorsque un certain pourcentage de probabilités de détection
9 est atteint. Ça peut être 90 %, 94 %, c'est déterminé lors
10 de l'opération en fonction des outils que nous avons mis en
11 place. À la Sûreté du Québec, il est possible d'effectuer
12 des recherches terrain avec des policiers au sol, appuyés
13 d'équipes de bénévoles qui sont dédiées à ça, c'est des
14 équipes de bénévoles qui ont été formées, entraînées, et
15 accréditées par Sécurité civile Québec. Ça, c'est un des
16 outils que nous avons.

17 Nous avons aussi des maitres-chiens qui vont
18 faire des recherches aériennes avec... et là, je m'excuse,
19 les termes sont peut-être pas exacts là, mais nous avons le
20 « FLIR », le « forward-looking infrared », nous avons aussi
21 des détecteurs de chaleur, en fait c'est ce que c'est, et
22 nous avons des observateurs aériens. Nous avons la
23 possibilité d'utiliser beaucoup d'outils pour faire de la
24 recherche terrestre, et chacun de ces outils-là, et de
25 façon scientifique, nous savons par exemple - et là, j'ai

1 pas les chiffres exacts, je m'en excuse -, mais si on fait
2 du travail avec un maitre-chien et que nous faisons des
3 recherches terrestres avec l'aide d'un chien, ben, la
4 probabilité de détection lorsque le chien a fait une
5 certaine zone, ben, ça monte à tant de pour cent. Et si on
6 passe ensuite avec l'hélicoptère, c'est tant de pour cent,
7 et là qui offre la plus grande probabilité de détection,
8 c'est les recherches au sol, et nous avons des équipes
9 spécialisées à la Sûreté du Québec à la division des... à la
10 Direction des mesures d'urgence - on appelle ça « l'unité
11 d'urgence » -, y'a... ils sont basés à Saint-Hubert, à Québec
12 et à Mascouche pour avoir une posture opérationnelle nous
13 permettant de nous déployer rapidement un peu partout en
14 province. Alors, c'est des gens spécialisés en recherches
15 qui peuvent être appuyés de bénévoles, et ça, ça l'augmente
16 aussi le pourcentage de détection.

17 Et ça, c'est toujours de concert avec la
18 famille. Ce qui est important pour nous lors de recherches,
19 c'est de parler avec la famille. On s'est rendu compte avec
20 les années que si la famille est au courant de ce que l'on
21 fait, pourquoi on le fait et de la façon qu'on va le faire,
22 y'a une meilleure compréhension des décisions
23 opérationnelles qu'on prend, et lorsqu'on termine une
24 recherche, la famille est avisée à l'avance que ça va se
25 produire, elle sait exactement pourquoi on va le faire, et

1 on est capable de lui expliquer.

2 Et si y'a un fait nouveau... parce que tant
3 qu'une personne au Québec n'est pas retrouvée, le dossier
4 n'est jamais fermé, jamais, le but, c'est de la retrouver,
5 préférablement la retrouver vivante, mais malheureusement
6 il arrive des cas, Madame la commissaire, où ils ne sont
7 pas retrouvés vivants, mais dans tous les cas, c'est
8 important de les retrouver, et lorsqu'un fait nouveau est
9 porté à notre attention, l'enquête va être réouverte et il
10 est possible que nous retournions, sur la base de ces
11 nouvelles informations, refaire de nouvelles recherches
12 terrestres ou de nouveaux types de recherches.

13 Les recherches nautiques, parce qu'il arrive
14 que des gens qui sont disparus, c'est parce que y'ont fait
15 une chute à l'eau, ben, nous avons des plongeurs qui ont
16 des équipements spécialisés. On en a d'ailleurs, dans le
17 but de favoriser les déplacements là, nous avons acheté... et
18 là, je connais pas les termes techniques encore une fois,
19 je m'excuse, mais je pense c'est des scooters sous-marins
20 là, nos plongeurs peuvent couvrir de plus grandes distances
21 avec cet équipement-là et nous avons des radars aussi, ça
22 ressemble, physiquement là, j'en ai vu un une fois là,
23 c'est comme une grosse torpille, et ça, ça nous permet de
24 scruter les fonds marins. Ça aussi, y'a des pourcentages de
25 détection possible. C'est un peu le même... je vous dirais la

1 même technique, la même façon de faire que pour les
2 recherches terrestres, mais à ce moment-là ça se passe sur
3 l'eau.

4 Ça fait que c'est la façon de faire à la
5 Sûreté du Québec. Pour répondre à votre question le plus
6 simplement possible, nous allons cesser les recherches
7 lorsque toutes les choses possibles, toutes les actions
8 possibles dans le but d'augmenter le pourcentage de
9 détection ont été faites. À ce moment-là, nous allons
10 prendre la décision et la famille va être avisée à
11 l'avance.

12 **CHIEF COMMISSIONER MARION BULLER:** Thank
13 you. Just so the other witnesses know, I'll be asking you
14 the same questions, and I'll be asking you this same
15 question too.

16 Captain Charbonneau, over the course of our
17 hearings, and I know you have been following some of the
18 hearings, we have heard numerous, numerous complaints from
19 families and survivors about the investigation done or not
20 done by an SQ member that has left that family member with
21 a variety of questions that have gone unanswered, in some
22 cases, for decades. What, if anything, is the SQ willing
23 to do to answer the family and survivors' unanswered
24 questions at this point in time?

25 **CAPITAINE PAUL CHARBONNEAU:** En fait, il est

1 possible de rencontrer le service d'enquête, l'enquêteur au
2 dossier. Je sais que récemment nous avons organisé des
3 rencontres. Au cours des deux dernières années entre
4 autres, vous êtes pas sans savoir, Madame la commissaire,
5 que ça a aussi été dit à la Commission provinciale. Alors,
6 on a organisé... des fois, c'est une question de
7 communication aussi, et il arrive à l'occasion que les
8 réponses qu'on donne ne sont pas satisfaisantes. Ça aussi,
9 ça arrive. Par contre, des fois c'est un manque de... ça peut
10 être un manque de communication. ...Peut-être qu'on a
11 utilisé des termes techniques ou peut-être... des fois il
12 faut juste s'assurer... parce qu'en communication, c'est
13 non seulement de communiquer et de donner le message, il
14 faut aussi s'assurer de la compréhension. Il faut aussi
15 comprendre les filtres à travers lesquels on perçoit un
16 message, parce que ça aussi ça vient nuancer le propos.

17 On a organisé au cours des deux dernières
18 années, entre autres, et nous sommes assistés du Directeur
19 des poursuites criminelles et pénales au Québec, il arrive
20 que des procureurs et des enquêteurs conjointement
21 rencontrent les survivants ou les familles dans le but
22 d'expliquer. Le but est d'expliquer pourquoi nous en
23 sommes rendus là, pourquoi... de donner toutes les réponses
24 que nous avons.

25 Mais il arrive également que les familles

1 ont des questions et nous avons les mêmes questions.

2 Il va quand même arriver des cas, Madame la
3 commissaire, où on n'aura pas toutes les réponses.

4 **CHIEF COMMISSIONER MARION BULLER:** No, I
5 certainly understand, Captain, that in some cases maybe
6 there are no answers. But the families don't know that,
7 and that's what they're telling us. So we can't go into
8 each case individually with you, but would the SQ be
9 willing to, by way of a website or social media, provide
10 one person, or a toll-free line, or something similar, or a
11 combination of all of those to make it easy for families
12 and survivors who have testified to reach the SQ to get the
13 answers that they want?

14 **CAPITAINE PAUL CHARBONNEAU:** En fait, c'est
15 une suggestion que nous allons prendre en considération.

16 Je rappelle ce que j'ai dit à votre
17 collègue, la Commissaire Audette, ce matin. Il y a moyen
18 de demander, aussi d'appeler au service de police et nous
19 allons organiser les rencontres qu'il faut et communiquer
20 les informations qu'il faut.

21 La Sûreté du Québec va prendre note de votre
22 suggestion que vous venez de faire. Nous allons la prendre
23 en considération.

24 **CHIEF COMMISSIONER MARION BULLER:** I realize
25 -- to press further, sir, I appreciate what you've said,

1 but I need more. Obviously, the existing ways of
2 complaining or the existing ways of getting information
3 haven't been working for these families and survivors, and
4 obviously, they need another route to take.

5 So is the SQ willing to do this, to make a
6 new route, a different way, a simpler way, an easier way
7 for families and survivors to get to investigators and
8 other members who can give them the answers, to talk to
9 them and to listen to them and to give them the answers
10 that they want and they deserve?

11 **CAPITAINE PAUL CHARBONNEAU:** En fait, la
12 Sûreté du Québec est prête à mettre tout en œuvre pour que
13 les familles aillent des questions.

14 Vous comprendrez, cependant, que je ne peux
15 pas prendre l'engagement devant vous aujourd'hui de faire
16 un *toll-free line* ou un site web. Je ne peux pas prendre
17 cet engagement-là aujourd'hui.

18 Ce que je peux faire c'est vous dire que
19 toutes les suggestions qui vont nous permettre d'accomplir
20 notre mission en sécurité publique, nous allons les prendre
21 en considération et en mesure de la faisabilité de celles-
22 ci, nous allons les mettre en œuvre, le cas échéant.

23 **CHIEF COMMISSIONER MARION BULLER:** By when
24 could you give the commissioners and myself, the families
25 and survivors, an indication of the SQ's intentions?

1 **CAPITAINE PAUL CHARBONNEAU:** Je pourrais pas
2 vous donner un horizon de temps parce que je devrai
3 consulter les *decision makers* et la faisabilité de ça, mais
4 très certainement je... I could follow up on it. I could
5 follow up on it, for sure.

6 **CHIEF COMMISSIONER MARION BULLER:** Okay.
7 Could you follow up with the commissioners and myself in
8 30 days?

9 **CAPITAINE PAUL CHARBONNEAU:** In 30 days, I
10 guess we could.

11 **CHIEF COMMISSIONER MARION BULLER:** Okay.
12 Thank you, sir.

13 **CAPITAINE PAUL CHARBONNEAU:** We will.

14 **CHIEF COMMISSIONER MARION BULLER:** Okay.

15 **--- QUESTIONS BY COMMISSIONER QAYAQ ROBINSON:**

16 **COMMISSIONER QAYAQ ROBINSON:** Thank you.
17 Hello? Okay. Bon. Okay. Merci. Thank you.

18 Captain Charbonneau, you provided us with a
19 number of policy manuals that described standards for
20 investigating specific kind of offenses. My French isn't
21 that great, but I understand so there was the Missing
22 Persons manuals, Sexual Violence and Domestic Violence.

23 Are those manuals or policies available in
24 English?
25

1 **CAPITAINE PAUL CHARBONNEAU:** Pas à ma
2 connaissance, non.

3 **COMMISSIONER QAYAQ ROBINSON:** And these are
4 the manuals that your police officers are trained with and
5 they implement, it's their marching orders?

6 **CAPITAINE PAUL CHARBONNEAU:** Oui.

7 **COMMISSIONER QAYAQ ROBINSON:** Are you aware
8 of the languages spoken in Nunavik, the northern part of
9 Quebec where Inuit live?

10 **CAPITAINE PAUL CHARBONNEAU:** Oui, c'est
11 l'inuktitut. Par contre, toutes les directives de la
12 Sûreté du Québec, les policiers de la Sûreté du Québec
13 comprennent et parlent le français et les manuels dont vous
14 faites référence et les politiques de gestion, c'est dédié
15 aux policiers de la Sûreté du Québec.

16 Les policiers aux Nunavut, ma compréhension
17 est que c'est le Kativik Regional Police Force. La Sûreté
18 du Québec a certains effectifs à Kuujjuaq, mais les
19 politiques de gestion que nous avons fournies sont dédiées
20 à la Sûreté du Québec et non aux autres corps de police. À
21 ce moment-là, il faut que les autres corps de police
22 prennent référence dans le Guide des pratiques policières
23 du Québec, qui est rédigé par le ministère de la Sécurité
24 publique.

25 **COMMISSIONER QAYAQ ROBINSON:** I appreciate

1 that. Not quite where my question's going though.

2 The SQ is responsible for major crimes
3 investigations in the Nunavik Region?

4 **CAPITAINE PAUL CHARBONNEAU:** Oui.

5 **COMMISSIONER QAYAQ ROBINSON:** And that --
6 and those investigations would be greatly assisted by
7 having Inuit Inuktitut-speaking officers as part of the SQ.
8 Wouldn't you agree?

9 **CAPITAINE PAUL CHARBONNEAU:** Oui, ça serait
10 un avantage indéniable.

11 **COMMISSIONER QAYAQ ROBINSON:** Now, in the
12 Nunavik Region, my understanding, and if you have stats to
13 correct me, I will take it, the first language for more
14 than 80 percent of the population is Inuktitut. The second
15 language most spoken is English. Under the education
16 provisions, Inuit are exempt from mandatory French
17 education.

18 So the pool of French-speaking Inuit that
19 the SQ could recruit is not that high; wouldn't you agree?

20 **CAPITAINE PAUL CHARBONNEAU:** Oui, de la
21 façon que vous le présentez, oui.

22 **COMMISSIONER QAYAQ ROBINSON:** And if all of
23 your polices and manuals are in French and not in English,
24 the second language of most Inuit, that is a barrier to
25 them serving within the SQ?

1 **CAPITAINE PAUL CHARBONNEAU:** Oui. En fait,
2 par contre, la Sûreté du Québec doit opérer dans un cadre
3 juridique bien précis, un cadre légal bien précis à
4 l'intérieur de la Province de Québec qui est soumis à la
5 Charte de la langue français au Québec. La langue
6 officielle au Gouvernement du Québec c'est le français et
7 ma compréhension... et là je vous dis ça de mémoire; je ne
8 suis pas un expert... le Gouvernement du Québec ne traduit
9 que des lois et règlements en anglais.

10 Alors la Sûreté du Québec, dans nos
11 politiques de gestion, nous ne sommes pas tenus... et
12 d'ailleurs, ç'a été expliqué durant la session ici. On
13 n'est pas tenu de tout traduire en anglais.

14 Ce que nous faisons, nous traduisons en
15 anglais certains formulaires destinés au public. Ça c'est
16 traduit en anglais, les formulaires de déclarations, et
17 cetera, ce genre de formulaire-là.

18 **COMMISSIONER QAYAQ ROBINSON:** I'm not
19 disputing on the legality of it, I'm just looking at
20 systemic issues which may cause there to be obstacles in
21 having Indigenous people in the force, but then also to the
22 investigation. So thank you for that.

23 I would also suggest that having these types
24 of policing standards clear to the public so they know
25 these types of policing standards clear to the public so

1 they know what to expect is something that would be
2 beneficial, so people know what to expect from the police,
3 would you agree with me?

4 **CAPITAINE PAUL CHARBONNEAU:** Oui, je serais
5 d'accord.

6 **COMMISSIONER QAJAQ ROBINSON:** And, that
7 again, having these standards only available in one of two
8 colonial languages amongst an Indigenous population that
9 predominantly speak their own language is an obstacle to
10 information as well?

11 **CAPITAINE PAUL CHARBONNEAU:** Je... j'ai pas
12 bien saisi là. Un obstacle à...?

13 **COMMISSIONER QAJAQ ROBINSON:** The public
14 understanding what the standards are and what to expect of
15 police.

16 **CAPITAINE PAUL CHARBONNEAU:** Oui. Les
17 politiques de gestion ne sont pas publiées de façon
18 publique à la Sûreté du Québec. Je les ai... on les a remis à
19 la Commission pour votre compréhension de nos pratiques,
20 mais elles sont destinées au personnel policier de la
21 Sûreté du Québec.

22 **COMMISSIONER QAJAQ ROBINSON:** Okay. I want
23 to move onto the services that the Sûreté du Québec provide
24 in Nunavik. We've heard from Chief of the Katavik Regional
25 Police Force that under the agreement, I believe it's a

1 tripartite agreement, there is an expectation that there
2 are to be seven SQ officers within the Nunavik territory.
3 Are you aware of this provision?

4 **CAPITAINE PAUL CHARBONNEAU:** J'ai pas pris
5 connaissance de l'entente spécifiquement, par contre je
6 suis pas certain que c'est sept policiers, mais plutôt sept
7 membres de la Sûreté du Québec, ce qui inclurait du
8 personnel civil, et puis actuellement ma compréhension
9 c'est que y'en a cinq à Kuujjuaq.

10 **COMMISSIONER QAJAQ ROBINSON:** Okay. We were
11 advised that currently there is one employee of the Sûreté
12 du Québec within Nunavik in Kuujjuaq. Are you aware of
13 this?

14 **CAPITAINE PAUL CHARBONNEAU:** Ben, je
15 pourrais vérifier ça. Ce que j'ai vérifié par contre, quand
16 j'ai fait la demande, quand j'ai entendu le témoignage de
17 M. Larose, j'étais ici cette semaine, y'a cinq personnes
18 présentement à l'emploi de la Sûreté du Québec au poste de
19 Kuujjuaq, et effectivement, tel que mentionné par
20 M. Larose, nous avons des... certains défis de recrutement et
21 c'est quelque chose sur lequel nous travaillons
22 actuellement. Nous en sommes conscients et nous travaillons
23 là-dessus actuellement.

24 **COMMISSIONER QAJAQ ROBINSON:** Okay. We also
25 heard from Mr. Larose that, on average, when it comes to

1 the investigation of a serious sexual assault, specifically
2 an aggravated assault, that the wait can be on average six
3 months. Is this a timeframe that you are aware of?

4 **CAPITAINE PAUL CHARBONNEAU:** En fait, il
5 faudrait nuancer. Lorsqu'il y a une agression sexuelle qui
6 est commise au Nunavik et que le Service de police régional
7 de Kativik nous demande assistance, nous dépêchons des
8 enquêteurs. La portion des fois où on attend jusqu'à six
9 mois, c'est pour la portion entrevue vidéo, qui est une
10 forme de preuve spécifique, ça prend des enquêteurs
11 entraînés, et il arrive que c'est plus long pour organiser.
12 Y'a des éléments techniques là, il faut enregistrer les
13 entrevues sur différents CDs en même temps, y'a certains
14 équipements, c'est... on peut pas faire ce genre d'entrevue
15 là en mettant juste une caméra numérique comme ça, y'a une
16 façon de le faire, c'est très technique, ce qui peut
17 expliquer les délais.

18 Toutefois, la SUQ est prête à regarder ces
19 délais-là et les façons de faire pour peut-être les
20 réduire. Mais à ce moment-ci, c'est la réponse que je peux
21 vous donner. Mais en aucun temps lorsque la sécurité de
22 quelqu'un est compromise, est-ce que y'a des délais de
23 cette nature-là. En aucun temps. Quand qu'on me parle d'un
24 délai de 12 heures, ça, c'est fort possible parce que le
25 temps de noli... parce que les enquêteurs, dépendamment de

1 leur position opérationnelle du moment, les enquêteurs
2 peuvent partir pour se rendre... si on va à Kuujuuaq ou à
3 Salluit, c'est pas la même chose aussi, c'est pas le même
4 temps de vol, alors faut rappeler le personnel, organiser
5 l'équipe, noliser l'avion, mettre sur l'avion l'équipement
6 requis pour aller faire... parce que y'a peut-être des
7 expertises à faire, y'a certains équipements qu'il faut
8 apporter avec nous, et là y'a le temps de vol aussi, et le
9 type d'appareil utilisé peut influencer le temps de vol. Et
10 souvent, dans des régions éloignées, moi, j'ai travaillé à
11 Schefferville là, je connais bien là, quand je prends le
12 DASH-8 de Schefferville à Sept-Îles, c'est une demi-heure,
13 si je prends un Piper Navajo, c'est deux heures. Ça fait
14 que ça aussi ça vient influencer sur le délai qu'il peut
15 avoir. Mais en aucun temps lors que la sécurité de
16 quelqu'un est compromise, on y va sans délai, le plus
17 rapidement possiblement.

18 Mais il arrive que des enjeux météo aussi
19 peuvent venir jouer là. Je vais vous donner un exemple
20 concret. Lorsque j'étais à Schefferville, lorsqu'on détient
21 quelqu'un pour comparution, il faut le faire comparaitre
22 dans les 24 heures, pis c'est déjà arrivé à Schefferville
23 que j'ai gardé quelqu'un au poste de police trois jours
24 parce que la météo ne permettait pas à l'avion d'aller à
25 Sept-Îles et y'a aucun autre moyen pour descendre à Sept-

1 Îles que par avion.

2 **COMMISSIONER QAJAQ ROBINSON:** I grew up even
3 further north, so I'm very familiar with the challenges of
4 weather and flights. I'm appreciative that the SQ is
5 prepared to look at this issue. And, we've heard a lot of,
6 you know, "as soon as possible", and "as soon as we can",
7 and "as soon as permitted", are you prepared to undertake
8 to give us a report with respect to the response times
9 within Nunavik by the SQ as you look at this issue to
10 provide us with an idea or a baseline of what the current
11 state is?

12 It's clear that there are issues with there
13 being community based resources available and perhaps the
14 current model isn't the best one. So, I'm asking that in
15 light of what was shared with us by Mr. Larose and what you
16 raised with us today, if you would be able to provide us
17 with that information about response times to calls within
18 Nunavik by the SQ?

19 **CAPITAINE PAUL CHARBONNEAU:** En fait, je ne
20 sais pas si des statistiques sur le temps de réponse
21 existent. Je suis pas en mesure de confirmer que nous avons
22 des statistiques sur les temps de réponse, mais si elles
23 existent, oui, c'est quelque chose que nous pourrions
24 fournir à la Commission.

25 **COMMISSIONER QAJAQ ROBINSON:** I appreciate

1 that. If they don't exist, I want to know that too.

2 **CAPITAINE PAUL CHARBONNEAU:** Oui, tout à
3 fait.

4 **COMMISSIONER QAJAQ ROBINSON:** Okay. There
5 is one dynamic that we've heard from families and
6 survivors, and again it goes back to this language issue,
7 and it has been shared with us a couple of times that
8 Inuit, particularly when outside of Nunavik, in dealing
9 with police officers have at times been -- when it comes to
10 the language spoken, officers or police staff have refused
11 to speak English. Is this something that police are
12 entitled to do?

13 **CAPITAINE PAUL CHARBONNEAU:** En fait, je... à
14 la Sûreté du Québec, on tente toujours de communiquer le
15 mieux possible avec tout le monde, et un policier qui
16 comprend l'anglais, qui parle l'anglais, je comprends pas
17 pourquoi il refuserait de le faire. Par contre, on a des
18 policiers à la Sûreté du Québec qui ne sont qu'unilingues
19 francophones, et ça, ça peut être un enjeu effectivement,
20 ça peut d'ailleurs être un enjeu pour nos centres d'appel
21 également.

22 **COMMISSIONER QAJAQ ROBINSON:** Okay. I
23 believe those are all my questions. Merci. And, I look
24 forward to receiving the additional information.

25 **COMMISSIONER QAJAQ ROBINSON:** Captain

1 Charbonneau, I don't have any additional questions for you.
2 So, at this point, I just want to thank you for coming, and
3 attending, and giving your evidence and answering
4 questions. Thank you very much.

5 **CAPITAINE PAUL CHARBONNEAU:** Thank you,
6 Commissioners. I appreciate the time that I was allowed.

7 **COMMISSIONER QAJAQ ROBINSON:** We're going to
8 ask you some questions now Deputy Commissioner Butterworth-
9 Carr if you don't mind.

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
11 Of course.

12 **COMMISSIONER QAJAQ ROBINSON:** I want to
13 thank you as well for being here. Before we start, there
14 have been a number of manuals, modules that were provided.
15 I was wondering if the RCMP also have specific directives
16 for domestic violence, child sexual abuse and sexual
17 assaults as well?

18 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
19 Yes, we do.

20 **COMMISSIONER QAJAQ ROBINSON:** Could we
21 get copies of those as well?

22 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
23 Of course.

24 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
25 One of the issues that was raised in the

1 Oppal Inquiry as -- and, quite frankly, it's something that
2 we've heard from a number of families is this inter-
3 jurisdictional information sharing. How do police officers
4 in one jurisdiction know about what's happened in another
5 jurisdiction? So, for example, an individual's record of
6 encounters with police or how many times perhaps a survivor
7 has had encounters with the police?

8 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

9 We have our internal records communication, and it has the
10 ability to speak to each other. And also, we have -- you
11 know, if it's a missing person I mentioned with respect to
12 the National Centre Missing Persons and Unidentified
13 Remains, they'll have a repository of information there.
14 We have the Canadian Police Information Centre that all law
15 enforcement have access to.

16 So there is a number of entities over and
17 above that, you know, depending upon the geographical
18 location. So what I mean specifically by that is that we
19 have the ability to communicate with Vancouver Police
20 Department. And, you know, when I was here in
21 Saskatchewan, Regina Police Services, Saskatoon, Prince
22 Albert, we have the ability to talk to each other.

23 **COMMISSIONER QAYAQ ROBINSON:** Okay. And is
24 this -- and this is CPIC; right? C-P-I-C? The Canadian --

25 -

1 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

2 There's aspects of investigations that are in there ---

3 **COMMISSIONER QAYAQ ROBINSON:** Okay.

4 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

5 --- that is it's located in one jurisdiction it'll identify
6 and inform another police agency if they're making inquiry.
7 In addition to the other internal systems that we have, we
8 can certainly provide information on that.

9 **COMMISSIONER QAYAQ ROBINSON:** Okay. I guess
10 what I'm asking is, in this day and age, access to
11 information is so fundamental. And we as citizens move
12 around a lot.

13 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

14 M'hm.

15 **COMMISSIONER QAYAQ ROBINSON:** And the
16 reality in the north is because of a lack of services
17 people come south; because a lack of schooling
18 opportunities people comes south. The Nunavut territory,
19 if you want to go to university you have to leave your
20 territory. If you need medical attention that's not
21 available to you within the regional hospital -- and
22 there's a lot -- you go to Ottawa. And if you need major
23 psychiatric intervention, you go to Ontario. You go to
24 Manitoba. So this is the reality there.

25 If you are incarcerated outside of the

1 territorial sentence and you're a woman, you're in Nova
2 Scotia. If you are male you will likely be housed in
3 Ontario Penitentiary.

4 So people are moving, but people are also
5 moved.

6 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

7 M'hm.

8 **COMMISSIONER QAYAQ ROBINSON:** So I would
9 like to know and -- how many of these databases are shared
10 by all these multiple police forces? Is there something
11 centralized and what is it? And I feel like I'm playing a
12 little bit of -- like trying to figure out how this all
13 fits together because I hear different terms used and
14 different acronyms, so I'm apologizing if this has been
15 answered. But we heard about Power Case. We hear about
16 CPIC. We hear about the Missing Persons' database. And I
17 want to know if there's events that happened in, say,
18 northern Quebec, Salluit, and the people involved in that
19 now live in Burnaby, do the police have this information?

20 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

21 We would be able to acquire it, yes.

22 **COMMISSIONER QAYAQ ROBINSON:** Acquire it
23 how? Asking where the people lived before or within a
24 system where it's centralized?

25 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

1 It may be within a centralized system and/or it may be that
2 one detachment or location would call back to that physical
3 area.

4 **COMMISSIONER QAYAQ ROBINSON:** Okay. I'm
5 going to ask you that one after.

6 There's been a lot that we've heard from
7 families about issues with suicides and accidental deaths
8 and how they've been characterized. Would information in,
9 say, CPIC, which it seems to be the most widely accessible
10 data system, would information about the circumstances
11 surrounding a suicide or an accidental death be in the
12 centralized data systems like CPIC?

13 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
14 No, not that I'm aware of.

15 **COMMISSIONER QAYAQ ROBINSON:** Okay.

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
17 No. If a person was missing, they would -- you know, there
18 would be an indication within the Canadian Police
19 Information Centre. But if it was a suicide, that would be
20 retained in the system for the police of jurisdiction.

21 **COMMISSIONER QAYAQ ROBINSON:** And if there
22 were, say, like, a public disturbance that involved, say, a
23 couple, and it didn't result in any charges, but it was --
24 the police were involved, would that public disturbance end
25 up in CPIC and you'd have some record of it?

1 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

2 It would end up in the internal system relative to the
3 organization.

4 **COMMISSIONER QAYAQ ROBINSON:** Okay.

5 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

6 So in the province of British Columbia, as an example, we
7 have what is referred to as PRIME. All police or
8 jurisdictions, like the entire -- all the independent and
9 RCMP are on PRIME. And then throughout the rest of the
10 RCMP jurisdiction we're on PROS, which is a separate
11 system. But PROS and PRIME have the ability to speak to
12 each other. So if something did happen in one area, we
13 would be able to know about it from another area.

14 **COMMISSIONER QAYAQ ROBINSON:** Within RCMP?

15 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

16 Yes.

17 **COMMISSIONER QAYAQ ROBINSON:** Okay.

18 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

19 And -- yes.

20 **COMMISSIONER QAYAQ ROBINSON:** Okay. Any
21 other police forces? Do First Nations police forces put
22 data into PRIME?

23 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-**

24 **CARR:** In the province of British Columbia, yes.

25 **COMMISSIONER QAYAQ ROBINSON:** Okay.

1 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

2 And in Saskatchewan, we have -- like I said, RCMP
3 jurisdiction has PROS, and then the independent police have
4 what's referred as TUNISH (ph), which is essentially a
5 variation of PROS, but there's a portal they can talk to
6 each other through.

7 **COMMISSIONER QAYAQ ROBINSON:** Okay.

8 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

9 It's very complex.

10 **COMMISSIONER QAYAQ ROBINSON:** I ---

11 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

12 Yeah, it's not -- yeah, there isn't, like, a massive
13 centralized system based upon what it is.

14 **COMMISSIONER QAYAQ ROBINSON:** Okay. So
15 that's an area I gave you about that, you know, from
16 Salluit from Burnaby, if a couple, a young couple, you
17 know, have a couple of -- the hallmark starting points of a
18 domestic violence situation occurring in the early stages
19 of their relationship in a northern part of Quebec, for
20 example, it comes on -- or police radar in the form of, you
21 know, public disturbances. Then, you know, the young
22 couple wants to go to school. They don't have access to
23 education in their territory. They move to Ottawa under
24 the jurisdiction of the Ottawa City Police. There's a
25 couple of instances that get into the police radar of

1 actual possible assaults, but for one reason or another
2 there's no charge. There's no conviction. Then she flees
3 to, say, Vancouver because the violence has gotten more
4 serious. But again, no charge, no conviction. But they're
5 on the radar.

6 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

7 M'hm.

8 **COMMISSIONER QAJAQ ROBINSON:** Each of those
9 polices -- police stations, Kativik Regional Police Force
10 has had interactions. Ottawa City Police has had
11 interaction. Now she's in B.C. She's fleeing. She wants
12 to go to university. He follows her. She ends up dead.
13 How does the police there know about all these events that
14 occurred before and how quickly can you access that
15 information?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

17 We would be able to -- if it was in -- so I was describing
18 the different areas, we would be able to access it. There
19 would be a record of investigation wherever this occurred
20 regardless of whether there was charges or convictions.
21 There would still be a report that was required to be
22 completed. And, we would be able to trace it back to the
23 originating interaction. As long as there's a police
24 report, we would be able to trace it back.

25 **COMMISSIONER QAJAQ ROBINSON:** But, how

1 quickly? Like, you can't go into one system. You would
2 have to investigate back from police force to police force;
3 is that fair?

4 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

5 It depends, but yes.

6 **COMMISSIONER QAJAQ ROBINSON:** Yes. On this
7 last point of information management, we heard from retired
8 Sergeant Yvonne Niego who's with the Government of Nunavut
9 that trying to download an email with an attachment -- and
10 would you agree that access to high-speed, reliable
11 internet in remote areas, northern provinces and the
12 northern territories, is a must for these robust
13 information management and case management systems to have
14 the impact and the effectiveness that you hope they will
15 have within these areas?

16 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

17 Absolutely it is. And I know that, you know, in terms of
18 our informatics we have the ability to go and boost certain
19 areas, so that would be brought in if we had to fly in to
20 remote location, which obviously would happen. And then,
21 of course, there's aspects of it that we could, you know,
22 do from afar. So in Iqaluit, as an example, versus the
23 remote locations.

24 **COMMISSIONER QAJAQ ROBINSON:** Okay, thank
25 you.

1 I don't want to -- I have so many question
2 but I'm going to narrow it a little bit down to the
3 implementation of the policies, in particular. And really
4 what I want to ask about is -- is sort of the
5 implementation of these policies and manuals.

6 We heard from -- sorry. We heard from Chief
7 Superintendent Pritchard that within the OPP system there's
8 -- in the system, computer system, a way to record
9 completing of tasks, and if they're not completed, there's
10 a trigger to supervisors.

11 Within the RCMP's system is there this same
12 sort of thing?

13 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

14 Absolutely.

15 **COMMISSIONER QAYAQ ROBINSON:** Okay. And do
16 you have the capacity to extract data on frequency of non-
17 compliance?

18 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes,
19 we do.

20 **COMMISSIONER QAYAQ ROBINSON:** Are you able
21 to provide us with that type of data? And I know I should
22 narrow it to a window to help you with this one.

23 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

24 Because it would be -- what data specifically would you be
25 looking for?

1 **COMMISSIONER QAYAQ ROBINSON:** Particularly
2 with respect to benchmark offences and MCM files. How long
3 has this system -- like, this is about a -- 10 years you've
4 been operating under these systems?

5 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
6 those electronic systems for major case management have
7 been in existence for quite some time within the RCMP
8 jurisdictions. And I'm just trying to understand exactly -
9 - like, when you talk about benchmark offences, and/or
10 serious major crime files, there's a significant amount of
11 rigour around them, so in terms of follow-up or
12 investigative pieces, they're constantly being reviewed and
13 ---

14 **COMMISSIONER QAYAQ ROBINSON:** Yeah, and it's
15 the reports from those reviews that I'd like to know how
16 much you -- what's the rate of compliance? Are you finding
17 that in, say, more remote areas where there are fewer
18 officers that you're seeing higher rates of non-compliance
19 and supervisors are getting those notifications that tasks
20 aren't being completed?

21 I'm going to hold off on asking for the
22 productions of any reports until I've sort of formulated
23 what I need, but thank you for sharing with us that this
24 mechanism is in place. I think that will be very
25 informative. And specifically it's relating to the MCM-

1 type cases and the benchmark cases.

2 In the material with respect to benchmark
3 cases and the oversight, it states, particularly in your
4 overview, that when it comes to monitoring benchmark
5 offences, reporting and weekly updates are required for
6 active investigations, I think. What -- and I understand
7 from Commissioner Lucki's testimony what "active" means;
8 it's there's avenues of investigations that are available
9 for pursuit.

10 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** M'hm.

11 **COMMISSIONER QAYAQ ROBINSON:** In the event
12 that a matter goes inactive, what is the reporting and
13 updating requirements for benchmark cases that become
14 inactive?

15 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
16 you mean historical; if they're transitioned from -- okay.
17 So essentially it's the same thing. They still have to
18 have a robust review that's completed because the
19 determination and this isn't, you know, a "nice to do";
20 this is a "it will be done".

21 **COMMISSIONER QAYAQ ROBINSON:** Okay. And that
22 weekly requirement to bring forward and check in is still
23 required.

24 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yeah,
25 they're constantly analyzed.

1 **COMMISSIONER QAYAQ ROBINSON:** Okay. And
2 this is across the RCMP?

3 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** For
4 benchmark offences there's specifically in the Province of
5 British Columbia.

6 **COMMISSIONER QAYAQ ROBINSON:** Okay. So for,
7 say, a case of a murder in Nunavut, what would the -- that
8 has gone inactive, what would the reporting and sort of
9 check in on that file requirements be? Would that be under
10 the -- a different policy?

11 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It's
12 still with respect to the major case management principles,
13 right, so at the end of the day there's still a stewardship
14 required. I can't speak definitively to what, you know,
15 the timing would be in Nunavut. We can certainly provide
16 you that information. And that's where the new National
17 Investigative Sources and Practices Unit that's coming into
18 existence is going to further ensure that there's that
19 rigour of constant analysis.

20 **COMMISSIONER QAYAQ ROBINSON:** Okay, thank
21 you.

22 I want to talk a little bit about the
23 Missing Persons Policy. And, again, within your overview
24 you talked about steps that are required prior to issuing a
25 news release. And I'm going to bring you to the page, if I

1 can find it. It's on page 6 of Exhibit 100, your overview.

2 With respect to public -- becoming public
3 there were certain steps that were outlined -- and this is
4 2.3 -- that were taken prior to issuing a public release.
5 For example, checking to see if the person was admitted to
6 hospital, or was arrested, is in custody; interviewing
7 friends and associates; obtaining bank records, phone
8 records; reviewing social media accounts; or identifying
9 location of cell phone pinging.

10 Why are those steps significant prior to
11 issuing a public release?

12 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It's
13 dependent upon the missing person. So, as an example,
14 Retired Chief Weighill described our habitual runaways. So
15 if we know we've got people that are continuously running
16 away, that we still obviously take them and do that
17 thorough analysis but because we know they have a history
18 of it, that's when we would look at these aspects. If it
19 met the high-risk threshold, then we would immediately look
20 to release information into the media.

21 **COMMISSIONER QAYAQ ROBINSON:** Okay. This
22 discourse around risk assessment and high risk, I've got to
23 tell you it's something that we've heard a lot from
24 families. It seems to be that high risk can do one of
25 things, in people's minds. I'm not saying that this is the

1 case but this is what I'm hearing. High risk could mean
2 that, you know, this is a pattern, perhaps a lesser
3 response is required. And that somehow I think some
4 families have felt that that characterization has resulted
5 in a decreased response. And then the risk assessments, in
6 the language used in our discourse this week, is if they
7 risk high, then there's a more robust and quicker response.

8 Is this a question of language use or -- I'm
9 struggling with how we talk about risk.

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

11 So, in the Missing Persons Policy that I provided,
12 Operational Manual, Chapter 37.3, it defines what a high-
13 risk person would be, for missing person investigations,
14 means that the missing person's health or well-being may be
15 in imminent danger, and it lists out a number of aspects,
16 and that's where the analysis is anchored.

17 **COMMISSIONER QAJAQ ROBINSON:** Okay. I

18 noticed the difference in approach between the OPP and the
19 RCMP with respect to the family liaison. As I understand
20 from Superintendent Pritchard's testimony, the family
21 liaison in Major Case Management is part of the
22 investigative team. But, within the RCMP, I understand
23 that that is not the case.

24 Superintendent Pritchard provided us an
25 explanation as to why it's their view that internal to the

1 investigation is beneficial. I would like to hear from you
2 as to why the RCMP's view is the need for some distance.

3 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

4 So, it actually varies. So, the example that I gave with
5 the Integrated Homicide Investigative Team, they have a
6 family liaison person attached to the unit. Our Major
7 Crime Units, they have family liaisons attached to the
8 units. But, if you're in a detachment, it may be -- if
9 it's a larger detachment, it'll be attached to the
10 detachment, but we don't have that consistently everywhere.

11 **COMMISSIONER QAJAQ ROBINSON:** Okay.

12 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

13 That's the variance.

14 **COMMISSIONER QAJAQ ROBINSON:** But, are they
15 part of the investigative team?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

17 If it's a major crime, or a major case, or a benchmark
18 offence, yes.

19 **COMMISSIONER QAJAQ ROBINSON:** Okay. Are you
20 able to provide us with some stats around where -- which
21 detachments across Canada have family liaison positions?

22 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

23 We would -- yes, we would be able to do that.

24 **COMMISSIONER QAJAQ ROBINSON:** Thank you.

25 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

1 I just can't do it right now.

2 **COMMISSIONER QAJAQ ROBINSON:** Yes. No, I
3 know. Sorry, I have a couple of other questions on another
4 document.

5 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
6 And, sorry, just to clarify, they may not be identified as
7 a family liaison. It would be Victim Services. That's
8 what we would utilize, but essentially support for our
9 families.

10 **COMMISSIONER QAJAQ ROBINSON:** Okay. And,
11 the Victim Services are RCMP Victim Services?

12 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
13 We have RCMP Victim Services and community Victim Services.

14 **COMMISSIONER QAJAQ ROBINSON:** Okay. Could
15 you -- your detachments would know if they have access to
16 that resource though.

17 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
18 Absolutely.

19 **COMMISSIONER QAJAQ ROBINSON:** So, regardless
20 of the title, I'd like to know.

21 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
22 Yes.

23 **COMMISSIONER QAJAQ ROBINSON:** There's been
24 some instances where families, unhappy with investigative
25 processes, have taken it upon themselves to do their own

1 investigations or, in some circumstances, hire private
2 investigators. What's the RCMP's, sort of, position on,
3 one, those -- that happening; and, two, working with those
4 private investigators if a family chooses to engage on?

5 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

6 It's the communication that has to happen between the
7 investigators and the families, absolutely. And, in
8 particular, you know, if families have information that the
9 current investigation isn't aware of, it's critical that
10 that's conveyed.

11 **COMMISSIONER QAJAQ ROBINSON:** Okay. A lot

12 of families have described to us -- a number of families
13 have described to us situations where their loved one is
14 found deceased in -- with circumstances, for example,
15 without pieces of their clothes on, and then coroners
16 determining that the cause of death being natural causes,
17 and that those determinations by coroners have resulted in
18 there not being any investigations. Would this type of a
19 report from a family concern you? And, does the word of a
20 coroner, in that type of scenario, sufficient to justify
21 there not being an investigation?

22 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

23 Well, coroners have the determination based upon the
24 *Coroners Act* and what their authorities are. So, if the
25 family had concerns, I think it's imperative that they

1 bring those concerns forward.

2 **COMMISSIONER QAJAQ ROBINSON:** Okay. In a
3 number of jurisdictions -- well, all jurisdictions on the
4 advent of the calling of the Inquiry were given money to
5 set up Family Information Liaison Units where families can
6 go to get assistance in gaining information about the
7 status of investigations, as well as specific information
8 about their loved ones' case. Has your division engaged in
9 any proactive steps to assist FILU or Families Connect?

10 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
11 We absolutely have worked with the FILUs, yes. Yes.

12 **COMMISSIONER QAJAQ ROBINSON:** And, can you
13 describe a little bit what, sort of, proactive steps you're
14 taking? It seems that there's inconsistency there. At
15 some jurisdictions, the expectation is the families to go
16 forward, and when they come forward, then the process is
17 triggered. But, it seems that a number of families aren't
18 aware of that, and are you assisting with that starting --
19 connecting these two organizations and families together in
20 any way?

21 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
22 So far as I'm aware, and I stand to be corrected but, from
23 my knowledge, a lot of the requests have come in from the
24 FILU. But, I can say that we've also -- once we've become
25 aware, we've also reached out to them to ask -- to help

1 facilitate that communication. So, it's been a bit of
2 both, I just can't tell you exactly how many times it's
3 occurred.

4 **COMMISSIONER QAJAQ ROBINSON:** Okay. I think
5 the rest of the questions I've had were answered by other
6 people's questions. I want to thank you very much for
7 making yourself available, and I also want to raise my
8 hands to you as a northern woman for the road you've paid.
9 Thank you.

10 **--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:**

11 **COMMISSIONER BRIAN EYOLFSON:** Thank you.
12 Just a couple of questions, Deputy Commissioner. First, I
13 just wanted to follow-up on a question that Commissioner
14 Robinson was just asking you about where there's -- a
15 family has a death of a family member, and it's determined
16 by the coroner to be natural causes or, say, suicide, and
17 they may have concerns because, for example, there may have
18 been previous history of violence. And, you said if
19 there's concerns, they should bring them forward, but who
20 do they bring the concerns forward to, the RCMP or the
21 coroner?

22 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
23 Typically to the coroner but, you know, they always have
24 the opportunity to bring it forward to the RCMP as well.
25 We can help facilitate any follow-up.

1 **COMMISSIONER BRIAN EYOLFSON:** So, what would
2 happen if a family member brought forward some additional
3 or new evidence that raised concerns? Would the RCMP open
4 an investigation at that point even though there's a
5 coroner's ruling? Like, how does -- what would happen?

6 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
7 We would have to take it, and basically verify that with
8 the coroner. And so, yes, there is an investigation.

9 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
10 you. I just have a few questions, so I'm going to jump
11 around a bit. With respect to a family that has a missing
12 loved one and, say, the RCMP does a search, like a ground
13 search, and after that's over, if the family wants to
14 continue to conduct searches going forward, does the RCMP
15 provide any support or guidance to the family in any way?

16 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
17 Yes. Yes, and we've actually done that. And, in fact,
18 we've actually worked with community members that are still
19 interested in doing that and, you know, as long as they
20 have the support of the family and, you know, we try to
21 facilitate that. But, it's important, you know, that we
22 have knowledge as well so that we can work with the
23 families. Particularly, if they happen to come across
24 something that, you know, we need to make sure that they
25 are aware of, you know, identifying it, letting us know, if

1 it's potential evidence so that we can make that
2 determination, so that's part of what we do too. And, with
3 our Indigenous policing services section, they are a
4 coordinator for that. Yes.

5 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
6 you. I just wanted to ask you about Complainant Family
7 Communication Schedule at Tab 8 of your Book of Documents,
8 and whether or not Indigenous families with lost loved ones
9 were involved in the design of that form, and if not, if
10 you think it would be beneficial to have Indigenous
11 families with lost loved ones involved in the design of
12 that form or an alternate written communication?

13 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes,
14 I absolutely do agree with that in terms of the form. And
15 certainly, from what we were hearing and sharing that there
16 was a standardized approach to our communications with
17 families across the organization because it is
18 inconsistent, and it varies from division to division, we
19 would absolutely welcome that. Because a lot of our other
20 practices, and as I was mentioning with the national
21 strategy in other areas there has been consultation, so
22 yes.

23 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
24 you. So those are all the questions I had for you. So I
25 just want to thank you very much for coming here and giving

1 your evidence and answering all the questions. And I think
2 the Chief Commissioner might have some questions for you.

3 **CHIEF COMMISSIONER MARION BULLER:** Thanks.

4 Thank you.

5 **--- QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:**

6 **CHIEF COMMISSIONER MARION BULLER:** Deputy
7 Commissioner, I have a few questions. We'll come to the
8 searches and the outreach in a few minutes.

9 First of all, what type of work is it, or
10 what other considerations are there to take something that
11 is currently a program in the RCMP and making it a unit?

12 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** That
13 is a great -- that is a great question. I'm going to have
14 to turn my mind to it, in terms of the logistics. I think
15 it's something that I'm really going to have to follow up
16 so I can provide a sound response.

17 **CHIEF COMMISSIONER MARION BULLER:**
18 Certainly, that's fine, and I'm sure counsel will help
19 facilitate that. Thank you.

20 Then turning to the RCMP Members' Code of
21 Conduct, it does state, and I don't know if it's article or
22 section, but it's 8.3, and I'll paraphrase it. That if
23 conduct of a member contravenes the Code of Conduct, then
24 the observing member has to report that breach or that
25 conduct as soon as feasible. But it doesn't say to whom

1 that report is made.

2 Can you tell us, please, what the process
3 is, sometimes called "whistleblower" process, but what the
4 process is to make that, or to report that contravention?
5 What types of encouragement there is in the way of
6 mandatory reporting or otherwise, and how the reporter is
7 protected from recrimination?

8 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
9 typically, when a conduct is observed or a misconduct,
10 pardon me, is observed, then the reporting person would
11 bring it to their supervisor's attention. But if there is
12 concerns with whether or not the immediate supervisor is
13 going to address it appropriately, they have the
14 opportunity to report it through an icon on their desk
15 where they can report it and it can go into the central
16 national headquarters or into a divisional repository where
17 we're immediately advised and then a proper assessment can
18 be made a proper response.

19 So you know, if the individual doesn't have
20 confidence in their current location, there is a number of
21 avenues that they can bring it forward.

22 **CHIEF COMMISSIONER MARION BULLER:** And is
23 that reporter protected any way from backlash by co-workers
24 or other members?

25 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It

1 depends upon what it is. If it's, you know, egregious in
2 nature -- we want to ensure that people are comfortable
3 reporting whatever the issue is, that's the first thing,
4 and that when that information comes forward it's assessed
5 appropriately.

6 If there's concern for the individual's
7 well-being, as an example, for retribution, as you've
8 indicated, you know, then we would look at potentially
9 relocating that individual or -- there's so many options
10 available. But ultimately, the organization that, you
11 know, we are actively trying to create is that people will
12 hold each other accountable and they will report and, you
13 know, it's -- I can tell you it's immediately responded to.

14 **CHIEF COMMISSIONER MARION BULLER:** So if one
15 member overhears another member make a racist or a sexist
16 comment, is there an obligation to report that?

17 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
18 Absolutely.

19 **CHIEF COMMISSIONER MARION BULLER:** And if
20 it's not reported, what happens? Immediately?

21 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yeah.
22 So essentially, when that becomes knowledge, an
23 investigation then ensues, and you know, everyone is
24 interviewed and -- to ascertain what their knowledge is.
25 And the question will be, why didn't you report it? And

1 there, in turn, could in fact be a discipline process
2 initiated against the other individual.

3 We're trying to create an environment where
4 people are feeling comfortable and competent to come --
5 comfortable and -- sorry. I just lost my train of thought;
6 I apologize. We're trying to create an environment where
7 people have confidence to come forward and report any
8 issues that are ongoing within the workplace, and we're
9 trying to make that as accessible as possible.

10 And I can tell you that, you know, in many
11 of our provinces and territories, well in every one of them
12 now, we have what's -- a Gender and Harassment Committee.
13 And I meet with them, and I can assure you that they have
14 no problems bringing any kind of concerns forward to
15 myself.

16 And you know, as I have said to all of my
17 senior supervisors, I talk very publicly about this, we
18 made a declaration, so myself and the senior team, that was
19 crafted for us by my Diversity and Inclusion Committee, and
20 again, representing the demographics and geographics of the
21 province, that our sole responsibility is to ensure that
22 we're providing a safe environment for our people. That
23 they feel safe to come to work, that they feel valued, and
24 that they are contributing in a meaningful way. And
25 anything else, I will not tolerate.

1 **CHIEF COMMISSIONER MARION BULLER:** Thank
2 you.

3 There -- turning now to the Missing Women
4 Commission of Inquiry, also known as the OPAL Inquiry.
5 There were several recommendations that were addressed
6 specifically to the RCMP and/or other agencies.

7 Was there an action plan devised by the
8 RCMP, especially "E" Division, in response to the
9 recommendations?

10 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes,
11 absolutely. And a lot of the items were being implemented
12 prior to the final report being completed, but I can say
13 that definitely all recommendations have been responded to
14 and an action plan was put in place.

15 **CHIEF COMMISSIONER MARION BULLER:** Okay. As
16 requested with another action plan, would you be able to
17 provide that document to us?

18 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes.

19 **CHIEF COMMISSIONER MARION BULLER:** Thank
20 you.

21 Now, let's turn to searches, ground
22 searches, specifically. What is the policy for stopping a
23 search, and -- for a lost loved one, and how is that
24 communicated to the family?

25 **DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So in

1 terms of a specific timeline in stopping the searches,
2 they're individually assessed based upon the geography,
3 based upon the circumstances. And there's no definitive
4 okay, it's going to be 7 days or 10 days. It's have we
5 exhausted all avenues that we possibly can, utilizing what
6 has been described by my other colleagues here.

7 Because we all have, you know, the
8 technological advancement in addition to, you know, the
9 resources, whether it's our police dog services, whether
10 it's our emergency response teams, and so forth. And we
11 continue to work with search and rescue and others until,
12 you know, it's at a point where we have done everything
13 that we possibly can.

14 And the communication with families is
15 really critical, and -- for so many reasons because --
16 well, as you've heard, it's traumatic. It's traumatic when
17 your loved one is gone, and you don't know where they are,
18 and then you're looking at the police and you're thinking
19 that they're not doing anything. And -- so that
20 communication is critical along the whole way.

21 And you know, if there's a -- you know, the
22 time when it's transitioning into police no longer being,
23 you know, searching, then we sit with the families and we
24 make sure that there's family support and we're able to
25 convey that. And -- yeah.

1 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

2 Absolutely.

3 **CHIEF COMMISSIONER MARION BULLER:** Okay.

4 Thank you. And, Commissioner Robinson found the one
5 question she was missing, but thank you very much. No? We
6 have the answer? Thank you, those are our questions after
7 all. And, we're very grateful, Deputy Commissioner, that
8 you were able to join us. Thank you.

9 **DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

10 Thank you.

11 **--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:**

12 **COMMISSIONER BRIAN EYOLFSON:** Chief
13 Superintendent, I have a few questions for you, if you
14 don't mind. In your evidence in-chief, you were asked
15 about potential improvements and you testified that the OPP
16 is looking to make changes to a form. And, I assume you
17 were talking about the Search Urgency Form at Tab 9 of your
18 materials. You said to include if the missing person is
19 Indigenous, and if residence is on-reserve but they live in
20 an urban area?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:**

22 Correct.

23 **COMMISSIONER BRIAN EYOLFSON:** You were
24 talking about that form -- okay. And, you also said this
25 was in response to the Seven Youth Inquest, I believe?

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

2 **COMMISSIONER BRIAN EYOLFSON:** So, was that a
3 recommendation in the inquest and can you comment a little
4 bit more on the change and your practice for the change in
5 this form?

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:** They
7 arise from the recommendations that were made at that
8 inquest because of the nature of the kids that were the
9 subject of the inquest, that were all from remote First
10 Nations communities, but had gone missing in the city of
11 Thunder Bay and ended up dying.

12 **COMMISSIONER BRIAN EYOLFSON:** Okay. You
13 also testified about supervisors getting involved in
14 missing persons cases. Does a supervisor ensure that a
15 First Nations liaison officer is notified in all cases when
16 an investigation concerns an Indigenous person, is that the
17 case?

18 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
19 policy stipulates that, yes, that if the missing person is
20 Indigenous, that they are to engage a First Nations liaison
21 officer which, operationally, is a member of our provincial
22 liaison team.

23 **COMMISSIONER BRIAN EYOLFSON:** Okay.

24 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
25 Mostly.

1 **COMMISSIONER BRIAN EYOLFSON:** And, could you
2 just explain a little bit more about what the First Nation
3 liaison officer would do?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** They
5 would be the communicators with the community, with Chief
6 and council, establish that two-way communication, listen
7 to the needs. Certainly potentially receive information
8 from them in regards to the missing person and further
9 potentially investigative information that may help locate.
10 Certainly they can sometimes receive background information
11 on what might be the underlying cause.

12 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
13 you. I just had a question related to how the missing
14 persons file becomes subject to Major Case Management.
15 And, to be clear, that's if the circumstances indicate a
16 strong possibility of foul play or also where foul play is
17 not yet ascertained, but the person has been missing for 30
18 days, are those the ---

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
20 Under the regulation -- the Major Case Management
21 regulation, if the person remains missing and foul play
22 hasn't been eliminated after 30 days, it becomes a major
23 case.

24 **COMMISSIONER BRIAN EYOLFSON:** Okay. And,
25 does it get assigned to a new investigator, a different

1 investigator at that point, at the 30 day point?

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
3 investigative oversight and command changes with the
4 assignment of a major case manager who, in our world in the
5 OPP, is at the rank of inspector and a senior trained --
6 highly trained criminal investigator.

7 **COMMISSIONER BRIAN EYOLFSON:** Okay. So,
8 it's the change in the management of oversight, not the
9 investigator?

10 **CHIEF SUPERINTENDENT MARK PRITCHARD:** That's
11 a potential as well. It's very likely that there would be
12 additional investigators, detectives that are brought on
13 board. Depending on the abilities of the initial
14 investigating officer, if it's perhaps a one-year officer
15 that doesn't have much experience versus perhaps a 10-year
16 officer with a lot of experience, it would be very
17 situation driven.

18 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
19 you. And, I wanted to ask you about the PowerCase
20 software. You testified that three First Nations police
21 forces were on it, but I take it from your materials, NAPS,
22 Treaty 3 and Anishinabek Police aren't on it? Those
23 aren't...?

24 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Six
25 Nations, Wikwemikong and Akwesasne are on it. The other

1 six ---

2 **COMMISSIONER BRIAN EYOLFSON:** Okay.

3 **CHIEF SUPERINTENDENT MARK PRITCHARD:** ---

4 are not. Although, that's not necessarily the full answer
5 because many times the OPP would be going in to case manage
6 them -- those investigations so the information would be on
7 PowerCase, but not always.

8 **COMMISSIONER BRIAN EYOLFSON:** Okay. Would
9 it be helpful if these other First Nations police services
10 were on it?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
12 And, as I said, in fairness to them, it has nothing to do
13 with them not wanting to be on it, it's completely a
14 resource issue and how they're funded.

15 **COMMISSIONER BRIAN EYOLFSON:** Mm-hmm. And,
16 I wanted to ask you about the Missing Persons Act, 2018,
17 referred to in your materials with three new measures to
18 assist police services in locating missing persons. And,
19 can you explain how that act would be beneficial once it's
20 in force?

21 **CHIEF SUPERINTENDENT MARK PRITCHARD:** It's
22 going to provide police with tools that they can use,
23 mostly related to technology such as -- like, you can only
24 get a Criminal Code search warrant, but you're not
25 necessarily investigating a crime. So, you will be able to

1 apply for an order to -- for instance like Facebook, or
2 Bell or Telus to provide information on their cell phone
3 activity or social media activity. There could be orders
4 of apprehension. So, it's really just a number of new
5 tools in the toolbox so to speak.

6 **COMMISSIONER BRIAN EYOLFSON:** Right.
7 Including, like you said, being able to get a warrant in
8 the absence of an actual criminal investigation?

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
10 Correct.

11 **COMMISSIONER BRIAN EYOLFSON:** Right. Okay.
12 And, that legislation doesn't exist in all jurisdictions --
13 it's not in force in Ontario yet, but it doesn't also exist
14 in all jurisdictions across Canada, like provinces like
15 Manitoba or...?

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'm
17 not aware of that, I'm sorry.

18 **COMMISSIONER BRIAN EYOLFSON:** Would it be
19 helpful if it did exist across Canada?

20 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

21 **COMMISSIONER BRIAN EYOLFSON:** Okay. And,
22 you had mentioned being involved in 14 FILU meetings and
23 being surprised at what you heard in terms of
24 dissatisfaction. And so, I'm wondering, going forward,
25 does the OPP intend to implement measures to obtain

1 feedback on services provides to Indigenous communities,
2 particular measures that could assist in -- with issues of
3 violence against Indigenous women and girls?

4 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
5 FILU process has been very educational to us. We're going
6 to continue with that process. I know there's more
7 meetings scheduled. We've reassigned two cases for further
8 investigation as a result of those meetings, based on
9 information that the family has expressed. And, those
10 meetings also involve the coroner being in attendance and
11 part of those discussions.

12 **COMMISSIONER BRIAN EYOLFSON:** Okay. So,
13 those are all the questions I have for you, so I just want
14 to thank you very much as well for spending time here and
15 giving your evidence and answering questions. Thank you.

16 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Thank
17 you.

18 **--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:**

19 **COMMISSIONER QAJAQ ROBINSON:** Thank you,
20 Superintendent. Much like I asked of your colleagues, I
21 would like if you would be willing to provide the policies
22 and the directives with respect to domestic violence, child
23 sexual assault and sexual assault, generally, how those are
24 investigated.

25 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

1 **COMMISSIONER QAJAQ ROBINSON:** Thank you.

2 **MR. JULIAN ROY:** Can I just -- being the
3 picky, careful lawyer ---

4 **COMMISSIONER QAJAQ ROBINSON:** Yes.

5 **MR. JULIAN ROY:** I would just qualify that
6 with one thing. There is investigative privilege
7 potentially that can be implicated in policies. I doubt
8 that it would be in these three, but you'll notice in the
9 investigative procedures policy that we disclosed, there's
10 a redaction ---

11 **COMMISSIONER QAJAQ ROBINSON:** Okay.

12 **MR. JULIAN ROY:** --- the claim of
13 investigative procedures privilege. And so, subject to
14 that of course, thank you.

15 **COMMISSIONER QAJAQ ROBINSON:** And, we'll
16 have those discussions when that time comes.

17 **MR. JULIAN ROY:** Okay. Just being picky.

18 **COMMISSIONER QAJAQ ROBINSON:** Yes.

19 **MR. JULIAN ROY:** Picky lawyer.

20 **COMMISSIONER QAJAQ ROBINSON:** Doing your
21 job, my friend. I want to talk to you a little bit about
22 this -- the issue around accessing information. And, as
23 you can imagine why this is of interest to me is because in
24 a lot of cases where women are murdered, there is a
25 history. There's a history of them either having been

1 assaulted by that person or interaction with the police.
2 And, it's that escalation that is -- and how we capture and
3 understand that escalation is why I'm asking the questions
4 that I've asked about a centralized information system.

5 In Ontario, if you arrested somebody, say,
6 in the Peterborough area for a domestic violent situation,
7 how quickly can you get the information about potentially
8 the circumstances and incidents that happened in the City
9 of Ottawa or -- and the First Nation where they call home?

10 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Well,
11 with inside Ontario, it's fairly straight forward, and I've
12 been sitting here trying to think of the acronym, and it's
13 not coming to me. But, within our Records Management
14 Systems, although we're not all on the same system, we do
15 have the ability to check each other's systems for past
16 occurrences, and domestic violence is one of those.

17 Most police services in Ontario are on the
18 same -- the company that owns the software is called Niche
19 Records Management System, but some of the bigger police
20 services have their own systems, and that's for the day-to-
21 day use of occurrences. So, there is that ability to check
22 the other services with a tick box on the submission when
23 you're running that person on, like, our system. So, that
24 information is readily available, not necessarily so much
25 outside of Ontario.

1 **COMMISSIONER QAJAQ ROBINSON:** Okay.

2 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Like,
3 CPIC, the Canadian Police Information Centre which links
4 all police services together for certain information, it's
5 not an analytical tool nor is it the software that you --
6 that runs your records management. It's more of a -- if a
7 person's wanted, or the car's stolen, or that type of
8 thing. Plus, there's DNA and disease on it as well.

9 But, if I could speak to it briefly in terms
10 of, like, now, currently with missing persons
11 investigations with the RCMP running the National Centre
12 for Missing Persons and Unidentified Remains, there's two
13 provincial centres, Ontario and I think Alberta might be
14 the other one. And then the -- or BC. And then the RCMP
15 are operationalizing in other provinces, but that's limited
16 to if that information on the missing person is entered on
17 CPIC. So, if the police service or the officer doesn't
18 enter that information on that missing person on CPIC, then
19 the RCMP wouldn't see it and we wouldn't see it. And, that
20 actually is one of our recommendations that we're making.

21 And, in speaking in the context of a major
22 case, all police services in Ontario are linked through
23 PowerCase that looks for commonalities. And, I believe
24 that was also a recommendation that Oppal made, was that
25 there be a Canada-wide system, and importantly that that

1 system be an analytical tool, not just an information
2 storage piece of software. So, I hope that answers -- I
3 know it's a little complicated ---

4 **COMMISSIONER QAJAQ ROBINSON:** Yes. No,
5 I ---

6 **CHIEF SUPERINTENDENT MARK PRITCHARD:** ---
7 but the systems are complicated and could certainly be
8 improved upon ---

9 **COMMISSIONER QAJAQ ROBINSON:** Okay.

10 **CHIEF SUPERINTENDENT MARK PRITCHARD:** ---
11 but have been approved upon very much over years gone by.
12 And, PowerCase has been in Ontario since 2002, and the
13 Ministry of Community Safety and Correctional Services does
14 conduct audits on PowerCase compliance, but I don't recall
15 how deep they dive on the compliance measurements. It was
16 a few years ago for me, but there is that system in place
17 for conducting audits.

18 **COMMISSIONER QAJAQ ROBINSON:** Thank you for
19 that. I mean, it is an incredibly complex dynamic that we
20 do need to understand, because it's quite clear to all of
21 us that the sharing of information is so key. Why I'm
22 asking specifically about -- and I think it's really
23 important to understand that, like I said, things escalate.
24 So, those things that, in the past, at the time, may have
25 seemed like a simple disturbance, within five years, we

1 look back at it as something very different.

2 The information that I asked you about
3 between the First Nations Police Force, Ottawa City Police
4 and you in that scenario, I know that in terms of whether
5 you detain or release somebody, there is a short window
6 whether you hold somebody in custody, have a bail hearing,
7 you have very quick timelines. Can you get that
8 information in a timely way so that those -- that history
9 can be part of the consideration when it comes to a bail
10 hearing?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I'd
12 have two parts to that answer. Yes, for Ontario.

13 **COMMISSIONER QAJAQ ROBINSON:** Okay.

14 **CHIEF SUPERINTENDENT MARK PRITCHARD:** If the
15 individual also had been outside of Ontario, maybe yes,
16 maybe no, but there's certainly nothing from preventing
17 officers from calling that jurisdiction where they lived.
18 If, you know, the person was arrested in Kenora, there
19 would be nothing stopping the officer from calling the RCMP
20 and asking, you know, if you've dealt with this person.

21 **COMMISSIONER QAJAQ ROBINSON:** Yes. And, in
22 that scenario of, you know, where you have people from
23 northern parts of Canada outside of Ontario who, by virtue
24 of the lack of services right down to education, have to go
25 to Ontario to access these services, this inter-

1 jurisdictional dynamic I could see playing a role in the
2 investigations of cases involving those people. So, that's
3 -- I just want to give you a little bit of context.

4 I only have one more question. You've
5 talked about the impact of the Ipperwash Inquiry on the
6 OPP. Have the OPP produced any reports in response to the
7 Ipperwash Inquiry recommendations? And, if so, outlining
8 the actions and the steps taken in response to the
9 Ipperwash? And, have there been any, sort of, evaluations
10 of the steps that have been taken in response to Ipperwash?

11 **CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.
12 One of the recommendations from Ipperwash is that we create
13 a yearly report. Those reports are posted on our website
14 every year, and they're available to the public. The
15 second part of your question was the evaluation?

16 **COMMISSIONER QAJAQ ROBINSON:** Yes. Sort of,
17 you know, what works.

18 **CHIEF SUPERINTENDENT MARK PRITCHARD:** The
19 answer to that is no, but we've tried. I think that's our
20 only outstanding recommendation from Ipperwash was an
21 independent academic assessment of our framework for
22 dealing with critical incidents involving First Nations.
23 And, we've made a number of attempts to have that done by
24 various academic institutions without any access. Why the
25 institutions haven't been interested in taking that on, I'm

1 not really sure. I know we did have a budget to cover the
2 costs for that. When I was in Indigenous policing here we
3 continued to make those attempts. We came really close,
4 but didn't succeed.

5 **COMMISSIONER QALAQ ROBINSON:** Thank you for
6 your time. Those are all my questions.

7 **--- QUESTIONS BY COMMISSIONER MARION BULLER**

8 **CHIEF COMMISSIONER MARION BULLER:** To start,
9 Chief Superintendent, thank you for being here. Also,
10 would you kindly pass along our sincere gratitude to the
11 participants in the Project Journey video. That was very
12 moving. And I don't know if you were watching the room,
13 but there were very few dry eyes in the room, so please
14 pass along our sincere gratitude.

15 You mentioned in passing initiatives
16 regarding human trafficking. Could you give us a brief
17 overview of what those initiatives are?

18 **CHIEF SUPERINTENDENT MARK PRITCHARD:**
19 There's been a number. We have a Provincial Strategy. We
20 have a newly created Human Trafficking Unit that's
21 headquartered in Orillia -- Anti-human Trafficking Unit, to
22 be accurate. Human trafficking was added as a criteria
23 offence to major case management. I think you'd be hard to
24 find a human trafficking case that didn't involve more than
25 one jurisdiction. We are part of the RCMP-led project

1 Northern Spotlight, which involves a number of police
2 services across Canada.

3 Without getting into investigative
4 technique, which is actually very creative, it helps
5 identify those that are being trafficked and rescue them
6 from it. I know last fall in Ontario I think there was --
7 I'm going to say approximately 20 different police services
8 involved in Operation Northern Spotlight and there were a
9 number of girls that were rescued from that situation.

10 There's also some education initiatives
11 underway for hotels. These situations take place in
12 hotels, so for hotel employees to be aware of what the
13 signs are and what to look for.

14 And it's really -- it's a topic in law
15 enforcement that's really emerging and growing. And very
16 importantly, I'd credit my colleague, Chief Napish in
17 Treaty 3, for some of the work he's done in regards to
18 education of -- in human trafficking as well as the other
19 self-administered police services in Ontario. I think the
20 leadership have all identified the vulnerabilities of their
21 young girls.

22 And we have incorporated into our missing
23 person's awareness days a human trafficking awareness as
24 well. I mentioned that we're doing that through a grant.
25 Graciously, the Nishnawbe Aski Police Service are the

1 service that that money is flowing through in order to
2 cover the expenses for those.

3 So there is a lot of work. The provincial
4 strategy, which I do not have, but I could get for you ---

5 **MR. JULIAN ROY:** It's been produced. We've
6 already produced that to you, Chief Commissioner and
7 Commissioners, and with some information about the non-
8 policing responses that are part of Ontario's human
9 trafficking strategy. It's not in the ---

10 **CHIEF COMMISSIONER MARION BULLER:** Yes, I
11 don't know ---

12 **MR. JULIAN ROY:** --- exhibit book. It was
13 produced previously pursuant to a summons.

14 **CHIEF COMMISSIONER MARION BULLER:** Ah, okay.
15 Thank you.

16 Okay. Thank you. Now, turning to the
17 question about searches, what is the OPP's policy for
18 ending searches ---

19 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
20 don't have the ---

21 **CHIEF COMMISSIONER MARION BULLER:** --- and -
22 --

23 **CHIEF SUPERINTENDENT MARK PRITCHARD:** ---
24 policy in front of me, but I think I can ---

25 **CHIEF COMMISSIONER MARION BULLER:** Yeah.

1 **CHIEF SUPERINTENDENT MARK PRITCHARD:** ---
2 paraphrase it. And it's very much in line with both the SQ
3 and the RCMP, so exhausting all the search areas and the
4 possibilities. In practice, our search masters meet with
5 family to show them on a map what's been searched. And
6 very importantly, I know it says in the policies just
7 because the search is suspended or ended doesn't mean that
8 it can't be started again when circumstances change or new
9 information comes in, technology changes, seasonal changes,
10 new information.

11 The use of technology's been important. It
12 wasn't so many years ago that we found the remains of a
13 couple that had been missing for more than 50 years with
14 the use of a side scanning sonar device that hadn't been
15 available. So I don't think I could really add anything to
16 the SQ or the RCMP other than we -- our technology's no
17 different than what's available to them. And I think we
18 all need to have that in mind that, hmm, that's new. Let's
19 give that a try.

20 **CHIEF COMMISSIONER MARION BULLER:** Thank
21 you.

22 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
23 think the use of unmanned aerial devices has been a great
24 assistance to all of us as that technology has emerged and
25 become more sophisticated.

1 **CHIEF COMMISSIONER MARION BULLER:** Now,
2 answers to questions, as I've asked the other witnesses or
3 put to the other witnesses, that we've heard complaints
4 from families and survivors who want answers and have been
5 waiting for answers for decades. And I'm sure, after your
6 experience with the 14 interviews you have a whole other
7 insight into this issue. What, if anything, would the OPP
8 be willing to do to provide answers to these families and
9 survivors?

10 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
11 think I have some insight into that, having been a homicide
12 investigator for 10 years as well. And the answers aren't
13 always what the family hoped for. And the answers are
14 never good. I think continuing with the FILU process for
15 us as an organization is very good.

16 And I would encourage those that aren't
17 satisfied to contact the OPP. If they feel that the matter
18 was done in a neglectful manner, there's other remedies
19 available to them through the Civilian Oversight in Ontario
20 as far as a service delivery complaint. And I think, very
21 importantly, when we meet with the families, listening to
22 them.

23 And as I said, we just reassigned and two
24 investigations the families weren't happy with the
25 classification and wanted more work to do. So in

1 conjunction with the chief coroner who agreed that that
2 would be done, the cases were reassigned and are being re-
3 explored.

4 **CHIEF COMMISSIONER MARION BULLER:** Well,
5 certainly there are existing ways of accessing information.
6 But for many families, obviously, those existing systems
7 haven't worked. What, if any, new options would the OPP be
8 willing to create to make it easier?

9 **CHIEF SUPERINTENDENT MARK PRITCHARD:** I
10 think that FILU being so mobile, just last week the FILU
11 team was in Big Trout Lake, which is our most northern
12 community, meeting with families there to discuss an
13 investigation. The -- if the matter they're not happy with
14 is a missing person's investigation, there is a toll-free
15 number at the provincial center. And I would encourage
16 communication with their local detachment commander.

17 I think the provincial liaison team
18 certainly with their contact with Chiefs and Council,
19 again, and every community is different, but in northern
20 Ontario there seems to be a real connection with the
21 communities often with Chief and Council. I think Chief
22 and Council bringing that to the attention of the OPP would
23 be a positive step that could be explored. And we'd
24 certainly be listening to any recommendations that are made
25 to us from this Commissioner to implement.

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

3 Well, on behalf of the other Commissioners
4 and all of us here at the National Inquiry, I want to thank
5 our three very knowledgeable witnesses. Thank you for
6 participating, for sharing your knowledge with us, your
7 experiences, at times your humour, thank you for that as
8 well.

9 To counsel, thank you for your preparations.
10 It's been -- it's really made a big difference to our work.

11 All three of you have made great
12 contributions to the work of the National Inquiry and we're
13 grateful for that. I think it's important to know that
14 you've made a difference, and in your work, you will
15 continue to make a difference. So, we want to thank you
16 for your dedication and commitment that you've shown.

17 Because you've given the gift of your time,
18 and your knowledge and your experience, we have gifts for
19 you. They are eagle feathers. I won't go into all of the
20 cultural significances of eagle feathers because we could
21 be here for quite some time, and to be honest, I'm still
22 learning them as we travel across Canada. But, I can say
23 this, we give them to you in the spirit of holding you up
24 on the days when it's hard, and as warriors, you're working
25 very hard. And, they are also there to lift you up even

1 higher so you can accomplish even more than what you have
2 accomplished so far. So, these are our gifts to you with
3 our sincere thanks for having spent so much time with us.
4 We're appreciative and we're grateful for your dedication.
5 Thank you.

6 And, for the record, with respect to
7 Exhibits 25, 49 and 84, which are all CVs, I'm ordering
8 that they be redacted to remove personal information
9 including, but not limited to, home addresses and telephone
10 numbers. And, on that note, unless Commission Counsel has
11 anything else to add, we're ended for the day. No? Okay.
12 Thank you. Then, we're concluding this hearing today.
13 Thank you.

14 **--- CLOSING CEREMONY**

15 **MR. VERN BELLEGARDE:** Thank you very much.
16 Ladies and gentleman, just by way of a closing ceremony,
17 I'd like to call on Bernard and Joanne, are you here?
18 Bernard and Joanne Jack. I don't see them, they left at
19 3:30 when they had closing ceremonies on their own. Is the
20 wooden face drum group here yet? They left for the pow wow
21 as well.

22 I'd just like to recognize the National
23 Family Advisory Circle, and I'd just like to read their
24 names, some have already left us -- they had to go to the
25 pow wow as well or they've gone home to make bannock.

1 Pamela Fillier, Darlene Osborne, Norma Jacobs, Gladys
2 Radek, Charlotte Wolfrey, Myrna LaPlante, Cynthia Cardinal
3 and Bonnie Fowler. Thank you for being here with us and
4 spending time and listening to the comments. Really
5 appreciate you being here.

6 At this point, I'd like to call on the
7 Commissioners to make some closing remarks, and I'd like to
8 start with Chief Commissioner Buller, and then Commission
9 Brian and then Commissioner Robinson. I'm going to give
10 her 15 seconds. She wasn't listening as usual.

11 (LAUGHTER)

12 **MR. VERN BELLEGARDE:** Following the comments
13 by the Commissioner, I'd like to have Bernard and Joanne
14 Jack, as well as Rita Blind come forward and say some
15 closing prayers. The Women's Council -- Family Advisory
16 Circle, sorry.

17 **MS. MYRNA LAPLANTE:** Are we all here? Okay.
18 So, my name is Myrna LaPlante and the -- some of our
19 National Family Advisory Circle members have had to leave,
20 and so on behalf of the members of the National Family
21 Advisory Circle, we would like to thank all of you for
22 being here. And, I especially want to thank the elders,
23 the pipe carriers of course, the women leadership,
24 Indigenous leaders.

25 It's been an interesting week. We've

1 listened to so much information on the topic of policing
2 and police practices. This week, some people attended a
3 funeral for a local missing Indigenous woman, some went to
4 a sweat at Fort Qu'Appelle and some visited at the justice
5 for our stolen children camp. Really, really important
6 activities and issues that are absolutely close to our
7 hearts and really important for the work that all of us do.

8 We would like to thank the police who have
9 participated in this process. We wanted to acknowledge you
10 for having these conversations and providing the National
11 Inquiry and families with some answers. However, we as
12 family members also need to let police across this country
13 know that you have to do better.

14 (APPLAUSE)

15 **MS. MYRNA LAPLANTE:** We need improved
16 services for Indigenous women and girls who have been
17 victims of violence. We need you to examine racism and how
18 that affects Indigenous women and girls. We need to say
19 that police are often the perpetrators of violence against
20 Indigenous women and girls, something that has not been
21 acknowledged here today.

22 (APPLAUSE)

23 **MS. MYRNA LAPLANTE:** Many of us family
24 members have witnessed police purposely targeting and
25 victimizing us, and this is an issue that is ongoing. Some

1 of these stories are horrific, police abusing Indigenous
2 women, assaulting them and disrespecting them in the worst
3 ways. This cannot continue.

4 We need the justice system to create tougher
5 laws against rapists, pedophiles, murderers who target our
6 women. We need to ensure that dangerous offenders are not
7 let out to re-offend. So, if their file says, high risk to
8 re-offend, they should not be given the opportunity to re-
9 offend by releasing them. Institutional violence against
10 Indigenous women and girls still exist and it needs to
11 stop.

12 We would like to thank all family members
13 who have come this week seeking truth, justice and
14 accountability. We pray for you to continue your healing
15 in a good and positive way. We would like to thank the
16 Commissioners and staff of the National Inquiry for
17 inviting us here. We would like to thank the people of
18 this territory for welcoming us in such a beautiful way.
19 My territory. We would like to thank all the parties with
20 standing for being here, for asking great questions and for
21 your dedication to the issue of missing and murdered
22 Indigenous women and girls.

23 We are all here to ensure the safety and
24 security of our future generations. We need to take every
25 action we can to make sure this violence against our women

1 and girls ends. It is unfortunate and infuriating that the
2 government has only given this Inquiry six months to finish
3 its work. Six months is not enough for the National
4 Inquiry to properly fulfil its mandate.

5 Since the moment of colonization, our
6 Indigenous women and girls have suffered violence, much
7 have been forced by the police and sanctioned by the
8 government. To address these longstanding issues within
9 the length of this Inquiry is impossible. We as NFAC
10 members refuse to accept this six month extension and will
11 continue to fight for the two years requested by the
12 Commissioners who have travelled this country, away from
13 their families, to find justice for us, the families and
14 for Indigenous women and girls everywhere in this country.
15 Many families have been left without a mother, sisters,
16 daughters, cousins, grandchildren, aunties and
17 grandmothers. This is an epidemic in Canada, and we
18 strongly urge the government to reconsider this six month
19 extension.

20 We, as NFAC, are so proud to be here and
21 standing with one another to fight for our loved ones.
22 And, with that, we wish you all a safe and good journey
23 home. Hai-hai and thank you. And, Norma, did you want to
24 add some things? No? Okay. Good. Thank you. Thank you,
25 Chair.

1 (APPLAUSE)

2 **MR. VERN BELLEGARDE:** Thank you very much,
3 Myrna with the National Family Advisory Circle. At this
4 point, I'd like to call on Chief Commissioner Buller;
5 followed by Brian, if I could say your last name, I would;
6 followed by Commissioner Robinson for closing remarks.

7 **COMMISSIONER QAJAQ ROBINSON:** So, if you
8 could say my first name, you would?

9 (LAUGHTER)

10 **CHIEF COMMISSIONER MARION BULLER:** Well,
11 thank you, Vern. And, I want to start, Vern, by thanking
12 you for reminding us of, first of all, being on time which,
13 you know, is very important to me, but also to remind us of
14 how we need the men in our lives and how important you are
15 all of us -- to all of us. So, thank you, Vern, for your
16 kind words, your humour, your reminders all week. You've
17 made a -- made this a great event for us, and I'm very
18 appreciative.

19 I also want to thank, oh, gee, the pipe
20 carriers, the elders, the drummers that we've had this
21 week, the members of NFAC who quite literally have our
22 back. I want to thank all the counsel and representatives
23 for your questions, for your patience, for your
24 understanding. You've -- all of you have made a big
25 difference to our work, especially this week. So, parties,

1 thank you very much.

2 Thank you also to the people of Treaty 4 and
3 people here in the Métis homeland for making us feel so
4 welcome, and for making this hard work a little bit easier.
5 Your hospitality, generosity and warmth has been, what I'd
6 like to say, palatable at times.

7 This has been a hard week. We've learned
8 about police policies, practices and procedures. And, you
9 know, some of it I really didn't want to hear, but I did.
10 I still am somewhat surprised by the apology extended by
11 Commissioner Lucki. As I said earlier this week, I don't
12 think any of her predecessors would have had the courage to
13 say and do what she did. I hope that's a sign that we're
14 moving forward and a sign of positive change, because when
15 we spend so much time in the world of questions that have
16 gone unanswered and what appears to be negligence and hate,
17 sometimes we lose track of the opportunity to move forward
18 with hope. So, I am encouraging everyone to move ahead
19 after this week with more hope than when you started this
20 week.

21 I'm going to conclude by wishing everyone a
22 safe trip home. We've all been away from our families, our
23 friends, our loved ones, and I think it's important,
24 especially after this week, to go home and remind them how
25 much we love them. So, I'm not going to say good bye, I'm

1 going to say until we meet again. Thank you.

2 (APPLAUSE)

3 **COMMISSIONER BRIAN EYOLFSON:** Wow. It's --
4 in some ways, it seemed like a long week, and in some ways
5 it feels like it's flown by. I think we've -- it's been
6 such a busy, packed schedule. So, in closing this
7 afternoon, I first want to say thank you to the people of
8 this territory for welcoming us so graciously, the people
9 of Treaty 4 and the Métis Nation for being -- for welcoming
10 us to their traditional territory.

11 I would like to thank our elders and
12 knowledge keepers and the pipe carriers who have got us
13 started in a good way every day this morning -- every day
14 this week, sorry, and for helping us through the week. I
15 also want to acknowledge the drum and the singers as well
16 that are here. And, our grandmothers and the members of
17 the National Family Advisory Circle for being with us this
18 weekend for the continued guidance and support. And, Vern,
19 our master of ceremonies, thank you for keeping us on track
20 and providing us with many moments of levity and honouring
21 us with your stories. Thank you.

22 And, to our witnesses and our parties with
23 standing, thank you very much, chi meegwetch for sharing
24 with us, and also for the parties asking so many thoughtful
25 questions and contributing to the work of the National

1 Inquiry. Thank you. And, to all the family members who
2 have joined us whether here or watching online, and
3 community members who are following us, thank you for
4 listening with us together. And, also to the entire
5 National Inquiry team, thank you for your hard work and
6 making this week a success, and for your dedication and
7 professionalism.

8 Like I said, I think we had a very busy
9 schedule this week, but we've learned a great deal about
10 policing policies and practices, and this important
11 information that was shared with us this week will build on
12 the truth that family members and survivors shared with us
13 in our community hearings and our statement gathering
14 events, and the other institutional expert hearings we've
15 had. And, this information, I'm confident, will help
16 inform the -- our findings and the recommendations in our
17 final report that will help end the violence towards
18 Indigenous women and girls, and trans and two-spirit people
19 in our country as we move forward.

20 So, in closing, I just want to wish you all
21 a safe journey home, whether that be near or far, and I
22 look forward to our continued work together in the future.
23 Thank you. Chi meegwetch.

24 (APPLAUSE)

25 **COMMISSIONER QAJAQ ROBINSON:** And, we'll

1 start the clock. I hate the clock too. I wish we had time
2 to discuss this and dig deeper, dive deeper. Sometimes it
3 feels like this giant ocean, and everything that we're
4 doing is just little drops, and the ripples aren't what I
5 want them to be, but it's the time we have, and I'm
6 committed to keep doing the best we can with it.

7 I want to thank, (speaking Indigenous
8 language), first of all to the elders, knowledge keepers
9 who have been such good medicine and guidance all week,
10 holding us up, guiding us in the right way, to the qu'liq,
11 the drum, the songs, and the quiet prayers in the hallways,
12 as well as in this room.

13 To the families and survivors here, those
14 watching, and the members of the National Family Advisory
15 Circle, you helped me understand what we're hearing about
16 in such dynamic ways, ways that I couldn't have imagined
17 understanding, and I wish we had more time to go into that,
18 but I want to thank you so much for what you do, teach and
19 guide us with.

20 I want to thank our hosts, the Treaty 4
21 Nations, as well as the Métis Nation. And, I want to thank
22 the parties with standing, those -- with phenomenal
23 questions that have, again, helped us guide our
24 understandings.

25 To the witnesses all week, thank you. You

1 have sat in the hotspots and the hot seats, and I think
2 you've come forward in the spirit that I asked with your
3 seeds, your heart and your brain on your sleeves, on the
4 outside, and have received as well as given us such
5 precious information.

6 I asked a lot of questions this week about
7 what works, what does success look like. There's always
8 this discussion about statistics. Well, the crime rate is
9 this, and this is happening in this community. And that
10 narrative hurts. I listened to Yvonne talk about what it
11 feels like to be talked about as a victim, and that was
12 what motivated me to have that discussion, what does
13 success look like.

14 We've heard a lot about taking steps that
15 come from a strength-based approach, and that's what I've
16 learnt so much from families and survivors. They have so
17 much strength, and it's their strength that has brought
18 this Inquiry forward and has resulted in so much change.

19 Even in the course of the Inquiry, we're
20 hearing police institutions making change. The source of
21 that change, as I see it, is the strength of families and
22 Indigenous communities. So I want to acknowledge that
23 strength today.

24 I would like to share a little bit of what
25 I've been learning. I think you guys know that about me by

1 now. And one of the things that we've heard as being so
2 foundational to successful policing this week is confidence
3 and trust.

4 And what builds that confidence and trust?
5 We've heard about the importance of prevention programs,
6 community-based programs that foster relationships. We've
7 heard about the importance of training, of recruitment, of
8 concrete policies that look to ensure that the right people
9 are in the jobs and that they are using the right values
10 and mindsets.

11 We've also heard that fundamentally one of
12 the biggest, biggest elements of building trust and
13 confidence is police doing their job, and doing it well,
14 and doing it equally for everyone that comes before them.
15 We haven't touched enough this week on what we do when that
16 goes wrong. The issue of accountability for us remains,
17 and it's something that with the limited time we have
18 moving forward we will be discussing more about.

19 So with that said, I wish you all a good
20 summer, safe travels home, and again, I express my
21 gratitude for your contribution. I think we are making
22 some waves, and I trust that it will continue.

23 So nakurmiik, tawnsi, ma'na, nasicho (ph),
24 meegwitch, nakurmiik.

25 (APPLAUSE)

1 today, in case you all don't know about it, it's because of
2 the 487 dead children in this province since 2006. It's
3 because of the 85 percent of children who are apprehended
4 in this province, whereas in other provinces it's only
5 44 percent.

6 I urge you, and the other thing is I'm
7 really concerned, is why you didn't speak about the Regina
8 City Police and their actions towards First Nations people.
9 There is a law here. It's called the *Safer Communities*
10 *Act*, and in every other province it's fine, but in
11 Saskatchewan, we only have like 200,000 people in Regina.
12 We have very few neighbourhoods for people to leave and
13 move to.

14 This neighbourhood in North Central has had
15 -- and they took -- the city police took the website down,
16 so we can't count how many have been murdered. But the
17 last count in 2006 was 44 dead in a little 3 mile area.
18 And the city police took down that website, so we can no
19 longer count how many people have died there because of
20 this law.

21 I'm just urging you to come out tomorrow to
22 the Trespassers Pow-wow at the park and to pray for us
23 because we need your prayers. Thank you.

24 **MR. VERN BELLEGARDE:** Thank you very much.
25 I appreciate that.

1 (APPLAUSE)

2 **MR. VERN BELLEGARDE:** Again, I -- a special
3 thank you to the witnesses and counsel as well. Thank you
4 very much. Much appreciated.

5 Our elder will say our prayer for us.

6 **ELDER RITA BLIND:** (Speaking native
7 language). I just -- first of all, I just want to thank
8 the elder that spoke. Thank you so much. And our prayers
9 will be for the park.

10 I was there yesterday, just to visit the
11 teepees and also to the sweat lodge, and then I went to the
12 funeral. Thank you. It's very important what you just
13 said. Very important.

14 (CLOSING PRAYER)

15 (speaking Indigenous language).

16 **MR. VERN BELLEGARDE:** Thank you so much,
17 elder. We will have the extinguishing of the qu'liq by
18 Grandmother Louise Holly.

19 **GRANDMOTHER LOUISE HOLLY:** Okay. I'm going
20 to get you to vision how this qu'liq is -- was used. If
21 you vision yourself out in the tundra with -- where there's
22 no trees and you only have the qu'liq with oil and ox
23 cotton, and that is your only source of heat melting snow,
24 and when your clothings are wet, and qu'liq only can make
25 it dry -- make them dry, and you make -- you heat your food

1 only through qu'liq, and -- that's how we were using our
2 qu'liq when we were travelling.

3 And so, the first thing when we put our
4 shelter, first thing we put out is our qu'liq to have the
5 heat, to have the light, to get warm. And so, daily, if
6 you're spending days, you have the qu'liq on daily. So,
7 for this meeting, it's the same. So, we kept the qu'liq
8 going. And, the qu'liq is usually used by the families.
9 So, by visioning this meeting, you're all are family going
10 to -- using this all qu'liq for this week. So, that's how
11 we use our qu'liq. But not in our communities. We have
12 other resources now. But, if we're travelling, we still
13 use it.

14 So, anyways, I just wanted to share this,
15 and thank you, everyone, for being here, and also providing
16 us with the oil. It's a very good oil. I think I was
17 asking, what kind of oil is this? It doesn't drip very
18 much. And, I was told it's a vegetable oil. So, this is
19 what I wanted to share. And so, have a safe trip,
20 everyone. So, I'm going to blow it out or -- no, I won't
21 blow it out. So, I'm closing it now. Tey-ma (phonetic).
22 That's it.

23 **MR. VERN BELLEGARDE:** Thank you. Thank you
24 very much, Mother Louise. To wrap up our conference on
25 institutional hearings on police services and practices,

1 we'll now have the closing with the drum.

2 --- Upon adjourning at 5:02 p.m.

3

4

LEGAL DICTA-TYPIST'S CERTIFICATE

5

6 I, Félix Larose-Chevalier, Court Transcriber, hereby
7 certify that I have transcribed the foregoing and it is a
8 true and accurate transcript of the digital audio provided
9 in this matter.

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14

Félix Larose-Chevalier

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June 29, 2018