

National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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

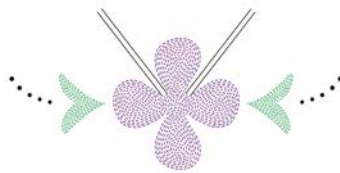
National Inquiry into Missing & Murdered Indigenous Women & Girls

Truth-Gathering Process Part II Institutional hearings

“Police Policies & Practices”

The Saskatchewan Hotel

Regina, Saskatchewan



Part II Volume VII

Tuesday June 26, 2018

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

Brenda Lucki, Commissioner, Royal Canadian Mounted Police;

Daniel Bellegarde, Director, Canadian Association of Police Governance;

Jean-Pierre Larose, Chief of Kativik Regional Police Force

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

INTERNATIONAL REPORTING INC.

41-5450 Canotek Road, Ottawa, Ontario, K1J 9G2

E-mail: info@irri.net – Phone: 613-748-6043 – Fax: 613-748-8246

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APPEARANCES

Aboriginal Legal Services	Emily Hill (Legal Counsel)
Aboriginal Shelters of Ontario	Jeanine George (Representative)
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
Assembly of First Nations	Stuart Wuttke (Legal Counsel), Julie McGregor (Legal Counsel)
Assembly of First-Nations Quebec-Labrador	Wina Sioui (Legal Counsel)
Association of Native Child & Family Service Agencies Ontario (ANCFSAO)	Josephine de Whytell (Legal Counsel)
Awo Taan Healing Lodge Society	Darrin Blain (Legal Counsel)
British Columbia Civil Liberties Association	Michael Vonn (Representative), 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)	Natalie D. Clifford (Legal Counsel)
Government of Alberta	Doreen Mueller (Legal Counsel)

III

APPEARANCES

Government of British Columbia	Rachel Holmes (Representative), Emily Arthur (Representative)
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	Julian Roy (Legal Counsel), 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)
Institute for the Advancement of Aboriginal Women	Lisa Weber (Legal Counsel)
Inuit Tapiriit Kanatami (ITK)	Elizabeth Zarpa (Legal Counsel), William David

IV

APPEARANCES

Liard Aboriginal Women's Society	Leila GEGGE HURST (Representative), Ann Maje Raider (Representative)
Manitoba Keewatinowi Okimakanak (MKO)	Jessica Barlow (Legal Counsel)
Mishkeegogamang First Nation	Whitney Van Belleghem (Legal Counsel), Paloma Corrin (Legal Counsel)
MMIWG Coalition Manitoba	Catherine Dunn (Legal Counsel), 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	Todd Russell (Representative), 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, AnânanuKatiget Tumingit Regional Inuit Women's Association, Ottawa Inuit Children's Centre and Manitoba Inuit Association, as a collective single party	Beth Symes (Legal Counsel)

V

APPEARANCES

Quebec Native Women / Femmes autochtones du Québec	Rainbow Miller (Legal Counsel)
Regina Treaty Status Indian Services	Erica Beaudin (Representative)
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: Shelby Thomas (Commission Counsel)

Brenda Lucki, Commissioner, Royal Canadian Mounted Police

Counsel: Anne Turley (Government of Canada)

Daniel Bellegarde, Director, Canadian Association of Police Governance

Counsel: Michelle Brass (First Nations Police Governance Council)

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

Counsel: Bernard Jacob (Commission Counsel)

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

Counsel: Bernard Jacob (Commission Counsel)

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

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

Clerk: Bryana Bouchir

Registrar: Bryan Zandberg

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

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

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

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

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

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

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

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

18 (LAUGHTER)

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

21 (LAUGHTER)

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

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

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

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

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

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

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

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

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

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

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

25 My questions are to Commissioner Lucki.

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

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

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

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

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

25 Because I think operationally, yes, we do

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

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

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

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

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

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

1 for tolerance of intolerant beliefs?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 possible.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

1 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

1 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Did I answer your question?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 We also are doing steps to create third-

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

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

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

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

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

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

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

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

25 Does that sound reasonable?

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

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

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

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

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

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

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

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

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

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

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

1 across, it's tragic.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 values and that we would need to change.

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

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

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

16 **UNIDENTIFIED SPEAKER:** Fourteen?

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

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

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

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

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

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

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

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

1 penitentiary in Montreal?

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

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

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

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

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

14 (LAUGHS/RIRES)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 Commissioner Lucki, good morning.

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

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

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

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

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

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

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

1 though, sorry.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 so chooses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 **MS. KRISTYN ORDYNIAC:** --- it's page 10.
16 Page 10.

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

19 **MS. KRISTYN ORDYNIAC:** Yes, that's right.

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

22 **MS. KRISTYN ORDYNIAC:** I think it's 10.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 First of all, in a typical scenario, for

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 minutes.

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

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

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

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

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

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

1 the areas that we can work with.

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

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

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

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

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

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

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

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

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

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

11 (As read)

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

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

25 And I think for them, at least from my

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

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

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

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

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

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

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

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

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

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

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

1 for?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **COMMISSIONER BRENDA LUCKI:** Absolutely.

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

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

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

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

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

10 Document entitled: "Crime Statistics"

11 Document titled "Crime Statistics"

12 (four pages)

13 Witness: Panel I

14 Submitted by Beth Symes, Counsel for

15 Pauktuutit Inuit Women of Canada,

16 Saturviit Inuit Women's Association,

17 AnânuKatiget Tuningit Regional Inuit

18 Women's Association, Ottawa Inuit

19 Children's Centre and Manitoba Inuit

20 Association, as a collective single

21 party

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

25 Commissioner, the news is not good from 2012

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

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

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

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

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

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

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

1 statistics.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **COMMISSIONER BRENDA LUCKI:** Yes.

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

7 **COMMISSIONER BRENDA LUCKI:** Yes.

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

10 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

13 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

19 **COMMISSIONER BRENDA LUCKI:** Yes.

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

22 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

19 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 **COMMISSIONER BRENDA LUCKI:** Absolutely.

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

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

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

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

1 minutes.

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

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

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

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

1 I bring him in my heart.

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

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

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

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

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

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

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

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

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

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

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

1 Commissioner.

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

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

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

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

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

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

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

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

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

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

4 I applaud collaboration.

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

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

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

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

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

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

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

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

1 benefit.

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

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

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

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

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

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

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

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

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

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

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

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

11 **COMMISSIONER BRENDA LUCKI:** Yes.

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

16 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

13 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 their lives.

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

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

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

15 **COMMISSIONER BRENDA LUCKI:** Yes.

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

20 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

1 to establish trust overnight.

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

5 **COMMISSIONER BRENDA LUCKI:** Yes.

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

9 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

1 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

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

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

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

25 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

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

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

1 considering the placement of that officer in the future.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 **COMMISSIONER BRENDA LUCKI:** Sorry.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 well taken.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **COMMISSIONER BRENDA LUCKI:** Yes.

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

1 services in light of those numbers?

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

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

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

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

1 **COMMISSIONER BRENDA LUCKI:** Okay.

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

4 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

6 **COMMISSIONER BRENDA LUCKI:** Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 **MS. FAY BLANEY:** Okay. So, I had more
9 questions, but I really want to get to my final question to
10 you, and it relates to the notion that Indigenous women
11 engage in high-risk behaviour, and there was this notion
12 that we needed to be educated and trained to not engage in
13 high-risk behaviours. And, I am wondering if you have, at
14 this point, recognized that it's external conditions rather
15 than the woman herself who is creating the high risk?

16 **COMMISSIONER BRENDA LUCKI:** I can't even
17 possibly speak to Indigenous women in what happens, because
18 I would like to say that I fully understand what that
19 choice -- and maybe it's not even, from what you're saying,
20 it's maybe not even a choice that they're making, and
21 that's tragic. And, for us -- for me to have an opinion, I
22 think, wouldn't be...

23 **MS. FAY BLANEY:** What I'm getting at is the
24 lack of transportation that results in hitch hiking or the
25 lack of housing and the increasing numbers of homeless

1 women and the lack of services to Indigenous women in this
2 country, whether it's within our own communities or out in
3 urban centres, and to say to women, "You shouldn't hitch
4 hike" is blaming her. Would you agree with that?

5 **COMMISSIONER BRENDA LUCKI:** I think when you
6 put it in those terms, yes, it is. But, if we can prevent
7 that from happening and work together with other social
8 entities and prevent any vulnerable person, whether it's an
9 Indigenous woman, a youth, an elder person from hitch
10 hiking, I think we should do that. And, it's unfortunate
11 that bad things happen when people are hitch hiking, and to
12 be able to prevent that, I think, absolutely. And, maybe
13 we are re-victimizing them by saying that.

14 **MS. FAY BLANEY:** Thank you.

15 **COMMISSIONER BRENDA LUCKI:** Thank you for
16 your questions.

17 **MS. CHRISTA BIG CANOE:** Thank you, Ms.
18 Blaney. Chief Commissioner and Commissioners, I have a
19 request to make on behalf of Commission counsel. From
20 time-to-time, there are exceptions to our process, one of
21 our processes on determining the draw on the numbers for
22 the purpose of cross-examination, and yesterday, one party,
23 due to circumstances beyond her control, was unable to
24 verify in the process.

25 So, I'm kindly requesting that we allow the

1 IAAW their 9.5 minutes, and that I confirm that the
2 exception was a reasonable one for her to be unable to be a
3 part of the verification process. And, on that basis,
4 would ask that we invite the Indigenous Advancement of
5 Aboriginal Women (sic) up with Ms. Lisa Weber.

6 **CHIEF COMMISSIONER MARION BULLER:** Yes,
7 that's agreeable. Thank you.

8 **MS. CHRISTA BIG CANOE:** Yes. Thank you.
9 So, on that basis, Ms. Weber will have the same base time
10 which was the 9-and-a-half minutes.

11 **--- CROSS-EXAMINATION BY MS. LISA WEBER:**

12 **MS. LISA WEBER:** Thank you, Commission
13 Counsel, for bringing that forward, and thank you to the
14 Commissioners for accommodating my request. And, it is
15 Lisa Weber, counsel for the Institute for the Advancement
16 of Aboriginal Women, and I will not take the full 9
17 minutes, by the way. I just have a couple of questions.
18 One of the benefits, if you will of coming late on the list
19 is many of the questions that I would have brought up
20 already have been raise by my colleagues. So, my two
21 questions would be as follows, and they would both be for
22 Commissioner Lucki this morning. Good afternoon,
23 Commissioner Lucki.

24 **COMMISSIONER BRENDA LUCKI:** Good afternoon.

25 **MS. LISA WEBER:** Yesterday morning, Chief

1 Day Walker-Pelletier raised the issue of the R word she
2 said, and she said we need to be able to deal with racism
3 through this important work that we're endeavouring to do.

4 So, my first question, Commissioner, would
5 be, when you think back to your work, you mentioned that
6 you were placed in Grand Prairie for your work some years
7 ago, and I'm very familiar. I'm from Northern Alberta
8 myself, and my client is located in Alberta, so very
9 familiar with the community you mention.

10 And, I'm just wondering if you could comment
11 on while you were stationed in Grand Prairie, do you recall
12 or could you comment on the incidents where you observed
13 myths and stereotypes about Indigenous women to have
14 perhaps arisen or came to mind with respect to complaints
15 between Indigenous women and perpetrators?

16 **COMMISSIONER BRENDA LUCKI:** Not
17 specifically, but I know what ends up happening in our
18 organization. Again, we need to ensure that those members
19 -- I can't stop people from what they think, but maybe I
20 can try to change the way they think through education and
21 awareness, and we definitely did some of that in Northern
22 Alberta to create a more culturally sensitive approach.

23 **MS. LISA WEBER:** So, I take it then in your
24 response that there were instances where that did arise?

25 **COMMISSIONER BRENDA LUCKI:** Instances of

1 where...

2 **MS. LISA WEBER:** Where such myths and
3 stereotypes perhaps were apparent.

4 **COMMISSIONER BRENDA LUCKI:** I would imagine
5 that it may have come up, yes.

6 **MS. LISA WEBER:** Okay. I only have one
7 additional question. Like I said, I won't take the whole 9
8 minutes this morning. A question was posed earlier by one
9 of our colleagues asking about resource development. And,
10 I want to take you back to that, and perhaps confirm from
11 the perspective of my client what we would be interested in
12 hearing about is whether or not you have observed -- have
13 observed in your work, whether it be Grand Prairie or now
14 actually as the Commissioner, whether there is knowledge of
15 a relationship between incidents of crimes, sexual violent
16 crimes, in communities where their economy is based on
17 natural resource development and those reported incidents
18 of sexual violence. So, be that mining, oil and gas,
19 forestry, things of that nature.

20 **COMMISSIONER BRENDA LUCKI:** That's a great
21 question. I would -- what I do know from my time in Grand
22 Prairie is when the economy was booming, the crime rates
23 were booming as well. But, crime rates also, when
24 communities fall from that, we have a changing crime rate.
25 So, there's so many factors involved, because when you have

1 an economic boom, you also have a transient -- a more
2 transient population. So, it's a population that doesn't
3 take ownership of where they're living necessarily, or
4 they're living in a camp environment. That was one we were
5 dealing with a lot where they're dealing in a camp
6 environment, and then on their days off, moving to an urban
7 environment. So, there is so many factors. It would be
8 something interesting that definitely should be studied.

9 **MS. LISA WEBER:** Would you perhaps support
10 such a recommendation that this Commission looks
11 specifically at that correlation?

12 **COMMISSIONER BRENDA LUCKI:** Anything that --
13 I say my attitude towards any study is if it helps us to do
14 our job, please study it and please give us the results so
15 that we can look at those gaps in that study and make
16 ourselves a better organization.

17 **MS. LISA WEBER:** Thank you. Those are my
18 only questions.

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

20 **MS. LISA WEBER:** Thank you, Commissioner.

21 **MS. CHRISTA BIG CANOE:** Thank you, Ms.
22 Weber. Chief Commissioner and Commissioners, at this
23 point, I would request that we actually take our lunch.
24 And, I have just a couple quick announcements of
25 housekeeping, if I might.

1 --- Upon resuming at 1:00 p.m.

2 **MS. CHRISTA BIG CANOE:** Hello. Okay. We're
3 about to get started again, so I would ask everyone to
4 please take their seat. Thank you.

5 Chief Commissioner and Commissioners, at
6 this time I would like to invite the Government of Québec
7 up. I believe she has a request.

8 **MS. MARIE-PAULE BOUCHER:** Mesdames les
9 commissaires et Monsieur le commissaire, je vous
10 demanderais un ajournement d'encore 10 minutes
11 additionnelles étant donné le remaniement de mon temps de
12 contre-interrogatoire. Suivant les discussions avec les
13 procureurs, je vous demanderais de pouvoir commencer un
14 petit peu plus tard pour réajuster mon plan de
15 présentation, s'il vous plaît.

16 **CHIEF COMMISSIONER MARION BULLER:** Ten
17 minutes, (indiscernible).

18 **MS. MARIE-PAULE BOUCHER:** Thank you.

19 (LAUGHS/RIRES)

20 **MS. CHRISTA BIG CANOE:** So, on that basis,
21 we will break for 10 minutes please.

22 --- Upon recessing at 1:01 p.m.

23 --- Upon resuming at 1:12 p.m.

24 **MS. CHRISTA BIG CANOE:** Good afternoon,
25 Chief Commissioner and Commissioners. Next, I would like

1 to call up the Government of Québec, Maître Boucher, with
2 consent and on agreement with Commission Counsel, has
3 reduced her time to 45 minutes. I do recommend that if
4 people have access to the interpreter's services. And --
5 so Mr. Registrar, if you could put 45 minutes on the clock.

6 **MS. MARIE-PAULE BOUCHER:** Can I go?

7 **MS. CHRISTA BIG CANOE:** M'hm, yes.

8 **--- CROSS-EXAMINATION BY MS. BOUCHER:**

9 **MS. MARIE-PAULE BOUCHER:** Donc, Mesdames les
10 commissaires et Monsieur le commissaire, je voudrais
11 d'emblée remercier l'ensemble des parties qui nous ont cédé
12 généreusement leur temps de contre-interrogatoire hier pour
13 nous permettre de faire l'exercice important pour le
14 Québec, en fait, pour vous donner notre vision de nos
15 services policiers.

16 Malheureusement, suivant certaines
17 discussions que nous avons eues avec les procureurs de la
18 Commission, nous avons consenti, en fait, à réduire notre
19 temps de contre-interrogatoire afin que ce soit équitable
20 pour l'ensemble des parties et dans cette optique, c'est
21 pour ça que nous n'utiliserons pas les 77 minutes qui nous
22 étaient initialement données.

23 Notre plan de présentation, donc, ne sera
24 pas le même, étant donné la réduction du temps. On voulait
25 quand même mentionner aux commissaires qu'il y avait un

1 gros changement ; ça sera donc plus rapide et ce sera sur
2 certains points très précis, étant donné qu'on ne sera pas
3 en mesure de vous expliquer aujourd'hui comment
4 fonctionnent les services policiers nécessairement au
5 Québec. On vous réfère donc à la pièce E-36, la
6 présentation PowerPoint qui a été...

7 **MS. CHRISTA BIG CANOE:** I'm sorry. I'm
8 sorry to interrupt. Pardon. Please stop time.

9 I just have to acknowledge that there
10 appears to be an objection on the floor.

11 **MS. MARIE-PAULE BOUCHER:** Oh.

12 **MS. CHRISTA BIG CANOE:** Ms. Fay Blaney?

13 **MS. FAY BLANEY:** Fay Blaney, Aboriginal
14 Women's Action Network. I want to object to the fact that
15 the lottery system is not being played out as fairly as it
16 was initially intended. All of us got to choose a number
17 and we were allotted nine minutes, not to mention the
18 25 years that we fought for this Inquiry.

19 And what I perceive happening right now is
20 that the provincial governments are allocating their time
21 to this one province to work against a position that
22 Indigenous people are taking. So I have huge problems with
23 this.

24 **MS. CHRISTA BIG CANOE:** Commissioners -- you
25 get a right of reply as well, Maître Boucher. Sorry.

1 Commissioners, I would -- on behalf of
2 commission counsel, just to make the opinion that what has
3 occurred is an agreement to reduce the time to address an
4 issue. I am not taking -- commission counsel is not taking
5 a position on Ms. Blaney's objection other than to advise
6 that collaboratively with the Government of Québec we
7 negotiated out a reduction in the time for purposes of
8 ensuring the intent.

9 I don't think it was purposeful. Like when
10 the time -- the way the lottery worked, it wasn't -- I
11 don't think that -- and my friend will explain better that
12 they were going to get all of the time they got. And so
13 this is one way to correct that.

14 And Maître Boucher actually gets a right to
15 reply in regards to the objection.

16 **MS. MARIE-PAULE BOUCHER:** C'est afin
17 d'éviter un débat que nous avons décidé, avec les
18 procureurs de la Commission, de réduire notre temps. Donc,
19 initialement, nous allions utiliser les 77 minutes qui nous
20 était alloué. Ça nous a été... en fait, on a su il y environ
21 45 minutes que finalement, le temps, il pouvait y avoir un
22 problème d'équité. Donc, c'est pour cette raison-là qu'on a
23 décidé, finalement, de s'entendre avec les procureurs de la
24 Commission pour éviter un long débat et que les audiences
25 puissent continuer.

1 Je suis très désolée pour la situation, je
2 ne croyais pas être dans cette situation-là, mais c'est
3 vraiment dans le but de pouvoir avancer et de faire avancer
4 les travaux que nous avons pris cette décision-là.

5 L'autre chose, sur les commentaires de ma
6 consœur : écoutez, ce n'est pas moi qui fais les règles
7 pour, justement, quand on prend le temps. Il y a des
8 provinces qui ont décidé de nous donner du temps, il y a
9 des organismes qui ont décidé de nous donner du temps étant
10 donné la situation dans laquelle nous nous sommes retrouvés
11 de ne pas pouvoir faire un interrogatoire en chef. Donc, à
12 partir de là, malheureusement, c'était hors des mains du
13 Québec.

14 **MS. CHRISTA BIG CANOE:** I'm sorry. Yeah.
15 And I -- in terms of -- part of the argument that's just
16 been presented to you is not the issue that's before you on
17 the objection. So I don't know if you have more,
18 Maître Boucher, but Ms. Blaney also has a right to respond
19 to your reply.

20 **MS. MARIE-PAULE BOUCHER:** Yes.

21 **MS. CHRISTA BIG CANOE:** Okay. And I'm not
22 sure if you want to, Ms. Blaney, but you get a chance if
23 you want to reply to what Maître Boucher just submitted.

24 **MS. FAY BLANEY:** I understand that you
25 weren't a part of the construction of the lottery system,

1 but my concern is the fact that -- sorry, I'm hearing
2 myself in my head very loud.

3 (LAUGHTER)

4 **MS. FAY BLANEY:** My concern is that this
5 Inquiry came about as a result of unresponsiveness of
6 Canadian society institutions, and we fought long and hard,
7 like over 25 years for me, and now the governments, the
8 provinces want to gang up on us by allocating their time to
9 one government. Where is the fairness in that? They
10 already have power over us and now they're flexing more
11 muscle here?

12 I'm prepared to leave if she goes with the
13 45 minutes, or whatever it is. She should have nine
14 minutes like I did.

15 **MS. CHRISTA BIG CANOE:** Commissioners,
16 before you make a determination, I see another party
17 standing. But just -- Hilla, if I may. You're -- are you
18 standing to weigh in on the same issue?

19 **MS. HILLA KERNER:** Yeah, but a different
20 point.

21 **MS. CHRISTA BIG CANOE:** Okay.
22 Commissioners?

23 **CHIEF COMMISSIONER MARION BULLER:** As I
24 understand it, the basis of the objection is that some
25 parties are perceived to be acting unfairly by donating

1 their time or giving up their time to one particular party.
2 Is that correct?

3 **MS. CHRISTA BIG CANOE:** With Ms. Blaney, was
4 that correct?

5 **MS. FAY BLANEY:** I don't have issue with
6 parties donating time to other parties. What I object to
7 is provincial governments pooling their time to one
8 province. And they're the ones that hold the power over a
9 lot of the recommendations that are going to come out of
10 the Inquiry, and I'm just really concerned about how
11 they're going to sway or shape the recommendations using
12 the power that they have over these, first 77, now 45 is
13 supposedly the compromise. It doesn't feel like a
14 compromise to me because I got nine minutes.

15 **MS. CHRISTA BIG CANOE:** Sorry, before I
16 address the next party. Can we ask to excuse Mr. Coleman
17 at this point, on a case-by-case basis so that he has an
18 opportunity. He doesn't need to actually hear what's
19 happening in the decision. He's here as a witness of
20 Commission counsel, but we don't want him -- anything that
21 he might be testifying to us has nothing to do with the
22 arguments we're discussing right now.

23 **CHIEF COMMISSIONER MARION BULLER:** No.
24 Better to be safe than sorry.

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

1 So Mr. Coleman, you can leave.

2 **CHIEF COMMISSIONER MARION BULLER:** So --
3 yeah. Go ahead.

4 (WITNESS WITHDRAWS)

5 **CHIEF COMMISSIONER MARION BULLER:** So I want
6 to restate the issue as I understand it. That there's an
7 objection to governments pooling their time or donating --
8 trading their time? Is that the correct way of describing
9 it? But there would be no objection to other parties,
10 non-governmental parties pooling their time? So we're
11 asking -- you're asking for a different set of rules for
12 governments?

13 **MS. CHRISTA BIG CANOE:** So commission
14 counsel, on that basis, although I take no position to what
15 Ms. Blaney had originally raised, is that in terms of
16 process as Commission counsel we set out -- so the
17 commissioners make determinations on fact and they provide
18 instruction and they make -- they're finders of fact. But
19 when it comes to process, when we lay out a method for
20 process, we have to treat every party with fairness and
21 equal opportunity to access the rules.

22 I don't know if what ended up occurring was
23 exactly intentional, so one of the ways to try to resolve
24 that was to enter into the agreement. We would not be in a
25 position as commission counsel who has to act in the

1 public's interest based on legislation, the Inquiry's Act
2 and providing fairness to all parties and participants if
3 we set out different procedures for different parties based
4 on where they come from or who they're representing. We,
5 as Commission Counsel, in the public interest have to treat
6 all parties with the same level of fairness to access the
7 process. One of the lessons, I think, we can take from
8 this is sometimes -- like, the intention of the lottery was
9 to be equal and fair, and we've just, I think, learned
10 something for the first time after four hearings of this
11 being in process.

12 **CHIEF COMMISSIONER MARION BULLER:** Now, is
13 the party who wishes to address us going to address this
14 issue or raise this as a separate issue -- or a separate
15 objection?

16 **MS. HILLA KERNER:** Same issue, but a
17 different point to the issue.

18 **CHIEF COMMISSIONER MARION BULLER:** Go ahead.
19 And, could you state your name and your organization?

20 **MS. HILLA KERNER:** Sure. Hilla Kerner of
21 Vancouver Rape Relief and Women's Shelter. I think the
22 issue that we're facing is the difference between formal
23 equality and substantive equality, and we respect the
24 Commissioner's decision to grant government status of
25 parties with standing and I think it was tolerated in -- or

1 accepted in a lot of the hearings because the governments
2 were putting their time, most often, to the pool, so all
3 the non-for-profits, women's group and the Indigenous
4 groups could actually use the time, and time is the essence
5 of what's going on here. There was a man yesterday who
6 said time is the currency of life, it's also the currency
7 of this Inquiry and we have such limited times that any
8 time that an institutional government state agency is
9 getting does mean by fact it will be much less time to the
10 Indigenous groups and the women's groups who fought for the
11 existence of the Inquiry. We cannot have it all.

12 So, I think in this context, one province
13 gets so much time will be at the expense of the Indigenous
14 women's groups, other women's groups and Indigenous groups
15 who are the leadership of calling for this Inquiry and
16 holding it as a strong and bold criticism of how the
17 missing and murdered women are a result of male violence,
18 but definitely an expression of the abandonment by
19 different governments and different provinces of these
20 women. Thank you.

21 **MS. CHRISTA BIG CANOE:** Prior to you making
22 a determination, is it possible to ask for a very short
23 adjournment? I've -- Commissioner Robinson, please.

24 **COMMISSIONER QAJAQ ROBINSON:** This is not a
25 process that's defined by our rules or something that we

1 have directed. So, I need a little bit of clarity on what
2 the current practice is.

3 **MS. CHRISTA BIG CANOE:** Certainly.

4 **COMMISSIONER QAJAQ ROBINSON:** Is it fair to
5 understand that based on the time we have available, it's
6 equally distributed to those parties present and with
7 standing, and then there is a process that they can either
8 share with a specific party or they put it back into the
9 time pool?

10 **MS. CHRISTA BIG CANOE:** Certainly. I'm
11 happy -- I think you have received a copy of this, but I'm
12 happy to give you a copy of the process for cross-
13 examination order and time at part 2 and 3 hearings. The
14 effective date was May 25th, 2008. There was updates, but
15 only for the purposes of operations of a specific hearing,
16 there were no other updates to the process.

17 And, the goal of the process was to allow
18 all parties to have equal access and to honour the times
19 agreements from negotiations that parties with standing
20 made to give up their time, or to share their time or to
21 pool it, and Commission Counsel has no role in any of those
22 agreements or negotiations, party are free to do and assign
23 or pool their time in accordance to the instruction from
24 their clients. And so, I'm happy to provide you the
25 updated copy which just has -- it's highlighted in yellow,

1 just -- that's specific to this hearing so that you have
2 that, but then I would also request the 5 minute
3 adjournment.

4 **CHIEF COMMISSIONER MARION BULLER:** Yes.
5 Okay.

6 **MS. CHRISTA BIG CANOE:** Thank you. So,
7 1:30.

8 --- Upon recessing at 1:27 p.m.

9 --- Upon resuming at 1:55 p.m.

10 **CHIEF COMMISSIONER MARION BULLER:** State for
11 the record that we need not rule on the objection that was
12 raised because the Government of Quebec has very kindly
13 agreed to limit their cross-examination to 9.5 minutes of
14 time. The Commissioners and I are very grateful for the
15 spirit of collaboration expressed by the Government of
16 Quebec. Thank you.

17 **MAÎTRE MARIE-PAULE BOUCHER:** Can you give me
18 5 more minutes and I'm going to be ready to take my 9
19 minutes, please.

20 **CHIEF COMMISSIONER MARION BULLER:** Okay.
21 Not 6.

22 **MAÎTRE MARIE-PAULE BOUCHER:** Perfect. Thank
23 you very much.

24 --- Upon recessing at 1:56 p.m.

25 --- Upon resuming at 2:02 p.m.

1 **MS. CHRISTA BIG CANOE:** So, pursuant to what
2 we just heard from the Chief Commissioner, Maître Boucher
3 will have nine and a half minutes. Thank you.

4 **MAÎTRE MARIE-PAULE BOUCHER:** Thank you. Je
5 vais parler en français, si vous voulez bien mettre vos
6 écouteurs pour ceux qui comprennent mieux l'anglais.

7 Le Procureur général du Québec, au nom du
8 Gouvernement du Québec n'a jamais voulu que les victimes et
9 les survivantes ou tout organisme qui représente celles-ci
10 se sentent brimées dans le processus. Dans les
11 circonstances, nous renonçons donc, comme il a été dit par
12 les commissaires, à notre temps que nous avons négocié avec
13 la Commission et au temps aussi que les parties nous avaient
14 donnés.

15 L'objet de notre contre-interrogatoire
16 aurait porté plus précisément sur les modèles novateurs mis
17 en place au Québec en matière de police autochtone. Or,
18 Monsieur Coleman n'a pas eu l'occasion de présenter la
19 situation et Québec n'a pas pu non plus l'interroger en
20 chef.

21 Par ailleurs, Monsieur Coleman a été l'objet
22 de contre-interrogatoire par des parties, de sorte qu'un
23 éclairage réaliste des pratiques mises en place au Québec
24 n'a pas pu être donné à la Commission. Vu les circonstances
25 exceptionnelles dans lesquelles nous étions placés,

1 plusieurs provinces et organisations -soulignons bien qu'il
2 y a des organisations qui nous avaient donné du temps et
3 nous en avons donné à certaines autres - nous ont offert du
4 temps afin de nous permettre d'interroger Monsieur Coleman
5 et d'offrir une présentation objective de la situation au
6 Québec.

7 Nous avons toujours été encouragés par les
8 procureurs de la Commission à nous entendre entre nous et il
9 nous a été répété à maintes reprises qu'il n'y aurait pas
10 d'intervention de ce type.

11 Le point important à retenir, je crois, est
12 que mes collègues ne m'ont pas donné de temps juste parce
13 que je suis le Québec. Ils m'en ont donné parce que je
14 n'avais pas eu la chance de pouvoir interroger en chef mon
15 client suivant les circonstances exceptionnelles.

16 Mes collègues auraient fait la même chose
17 avec toutes les parties, j'en suis persuadée.

18 Donc, dans ces circonstances, le Québec
19 entend soumettre à la Commission sa position écrite...

20 **MAÎTRE FANNY WYLDE:** Excusez-moi... excusez-
21 moi...

22 **MAÎTRE MARIE-PAULE BOUCHER :** ... au sujet qui
23 a été traité par Monsieur Coleman...

24 **MAÎTRE FANNY WYLDE :** Excusez-moi... excusez-
25 moi. Si vous permettez, je vais m'objecter à votre

1 prétention qu'on ne vous a pas remis la chance de procéder à
2 l'interrogatoire en chef de Monsieur Coleman. Après
3 vérification auprès de vous, vous nous avez confirmé autant
4 par écrit que de façon verbale que nous n'aviez aucunement
5 l'intention d'assigner les témoins. C'est alors que la
6 Commission a assigné les deux témoins ici présents par
7 *subpoena*, donc par voie de *subpoena*, on procède à
8 l'interrogatoire principal.

9 **MAÎTRE MARIE-PAULE BOUCHER** : Si je peux vous
10 répondre, Me Wylde, là-dessus, il y a clairement eu une
11 confusion à cet égard, suite à des discussions que j'avais
12 déjà eues avec d'autres procureurs. Mais je ne vais pas
13 refaire le procès de cette problématique, présentement, sur
14 la place publique.

15 Ce que je vous dis, c'est que dans les
16 circonstances, nous avons l'intention de soumettre à la
17 Commission, par écrit, ce sur quoi Monsieur Coleman aurait
18 témoigné afin de s'assurer que la Commission dispose de
19 toutes les informations pertinentes pour mener ses travaux.

20 Dans un autre ordre d'idées, étant donné
21 qu'il me reste encore sept minutes, j'aimerais aussi
22 déposer cinq ententes de prévention qui ont été signées
23 entre le Gouvernement du Québec et certaines communautés.
24 Il en a été mention dans le témoignage de M. Coleman hier
25 et afin d'avoir vraiment le portrait complet au niveau de

1 la prévention, nous souhaitons que la Commission accepte le
2 dépôt de ces cinq documents.

3 Je ne sais pas quelle cote, par exemple,
4 vous voulez lui donner.

5 **MS. CHRISTA BIG CANOE:** They were raised in-
6 chief, so maybe if you could just indicate by the title?

7 **Ms. MARIE-PAUL BOUCHER:** Can you give me a
8 hardcopy?

9 Donc, la première pièce se nomme « Entente
10 relative au versement d'une aide financière dans le cadre
11 du programme de prévention et d'intervention en matière
12 d'exploitation sexuelle des jeunes de 2016 à 2021 entre la
13 Sécurité publique et le Centre d'amitié autochtone du
14 Québec ».

15 **CHIEF COMMISSIONER MARION BULLER:** Okay.
16 Exhibit 43, please.

17 --- **Exhibit 43:**

18 Agreement between Government of Quebec
19 and Pekuakamiulnuatsh Takuhikan
20 «Entente relative au versement d'une
21 aide financière à Pekuakamiulnuatsh
22 Takuhikan dans le cadre de sa
23 participation au *Programme de*
24 *financement Prévention Jeunesse 2016-*
25 *2019*» (eight pages)

1 Witness: Richard Coleman, Director of
2 Public Safety, Relations with
3 Aboriginal Peoples Office
4 Submitted by Marie-Paule Boucher,
5 Counsel for Government of Quebec

6 **Me MARIE-PAULE BOUCHER:** La deuxième entente
7 se prénomme « Entente relative aux versement d'une aide
8 financière dans le cadre du programme de soutien aux
9 municipalités en prévention de la criminalité entre 2016 et
10 2019 entre le Conseil de la Nation Huronne-Wendat et le
11 ministère de la Sécurité publique ».

12 **CHIEF COMMISSIONER MARION BULLER:** Forty-
13 four (44), please.

14 **--- Exhibit 44:**

15 Agreement between Le conseil de la
16 nation Huronne-Wendat and the Ministère
17 de la sécurité publique (Québec) titled
18 « Entente relative au versement d'une
19 aide financière dans le cadre du
20 Programme de soutien aux municipalités
21 en prévention de la criminalité 2016-
22 2019 », signed November 22, 2017 (12
23 pages)

24 Witness: Richard Coleman, Director of
25 Public Safety, Relations with

1 Public Safety, Relations with
2 Aboriginal Peoples Office
3 Submitted by Marie-Paule Boucher,
4 Counsel for Government of Quebec
5

6 **Me MARIE-PAULE BOUCHER:** « Entente relative
7 au versement d'une aide financière dans le cadre du
8 programme de financement de prévention jeunesse 2016-2019
9 entre le Gouvernement du Québec et la Nation Anishinaabe du
10 Lac Simon. »

11 Il y en avait cinq, Madame la commissaire,
12 mais j'ai simplement quatre...

13 **CHIEF COMMISSIONER MARION BULLER:** Excuse
14 me. The last one, Lac Simon, is 46.

15 --- **Exhibit 46:**

16 Agreement between the Government of
17 Quebec and Le conseil de la nation
18 Anishnabe de Lac-Simon titled « Entente
19 relative au versement d'une aide
20 financière dans le cadre du Programme
21 de financement Prévention Jeunesse 2016-
22 2019 », signed February 9, 2017 (9
23 pages)
24 Witness: Richard Coleman, Director of
25 Public Safety, Relations with

1 Aboriginal Peoples Office
2 Submitted by Marie-Paule Boucher,
3 Counsel for Government of Quebec

4 **MS. CHRISTA BIG CANOE:** And, if I can stop
5 the time for one moment? If these have not been distributed,
6 and they may have been by the legal team, but I haven't been
7 able to check that, if it has not been distributed to parties,
8 we will ensure that parties receive a copy of these five
9 agreements that were discussed by Mr. Coleman in his examination
10 in-chief yesterday.

11 **Me MARIE-PAULE BOUCHER:** Donc, ça va
12 compléter pour moi, Mesdames les commissaires, Monsieur le
13 commissaire. Merci.

14 **MS. CHRISTA BIG CANOE:** Thank you. So,
15 Chief Commissioner and Commissioners, the last cross-
16 examination would be done by Ms. Wendy van Tongeren on
17 behalf of Commission Counsel. She is only entitled to
18 cross-examine any witness that we did not call, so that
19 would actually allow her only to cross-examine Commissioner
20 Lucki and Mr. Dan Bellegarde. And, Commission Counsel will
21 have 9-and-a-half minutes.

22 **--- CROSS-EXAMINATION BY MS. WENDY VAN TONGEREN:**

23 **MS. WENDY VAN TONGEREN:** Yes, good
24 afternoon, everyone. I start, of course, with
25 acknowledging and thanking the fourth treaty, families,

1 survivors, pipers, drummers, elders, Commissioners,
2 witnesses and supports who all come here to contribute to
3 this important work this week here in Regina, Saskatchewan.
4 And, my questions will be directed to Commissioner Lucki.

5 Commissioner Lucki, first of all, thank you
6 very much for your attendance these last couple of days,
7 and for the authentic self that you bring in your answers.
8 It is -- it has been very, how can I say, perhaps unusual
9 in a way having been a lawyer for 40 years in Canada and,
10 actually, special constable with the RCMP in 1976 in the
11 Yukon. Although I was a special constable, I didn't -- I
12 wasn't really legitimate in the same way, but I was the
13 first woman to dawn an RCMP uniform in Yukon with all the
14 consequences that you can imagine would flow from that,
15 including being kissed by a guy in the Whitehorse Inn when
16 we were doing -- you know, of the various inns.

17 So, starting with this, you -- it is clear
18 to me your attitude that you believe very strongly in
19 practices that are well-informed, whether it be trauma-
20 informed, or research-informed, culturally-informed, and
21 that obviously comes with its many challenges. So, today,
22 as a result of my practice, to rely upon advice from
23 elders, I have been taught about a concept that we must be
24 sensitive about, which is cultural appropriation.

25 And so, I bring to the attention as part of

1 the formula in trying to basically Indigenize these
2 practices and documentation, everything that we do in an
3 Indigenous-informed, culturally-informed environment that
4 there is the possibility that when we look to the
5 violations, potentially, of traditional norms and practices
6 that part of the processes must include responding to those
7 violations. And, I regret to say that I've been to the
8 Circle of Reflection, and I actually went there with a key
9 person who I interviewed about the development of the
10 Circle, but the concern that has been articulated is that
11 the stones having been transported in the way that they did
12 in the minds of some could actually constitute to
13 violation of a cultural -- traditional cultural norms.

14 And so, are you in support of the idea that
15 in the event that that is the case that resolution would be
16 sought to ensure that, in the minds of elders and others,
17 would see some acknowledgement of that having taking place
18 and have a -- deal with it in one way as advised by elders?

19 **COMMISSIONER BRENDA LUCKI:** In fact, if
20 those stones came to us in a way that was not in following
21 with culture, we definitely should correct that.

22 **MS. WENDY VAN TONGEREN:** Thank you. And,
23 it's my understanding that, and I don't pretend to know
24 what I'm talking about on this topic, but perhaps a
25 ceremony and a feast would be the type of thing that would

1 resolve it? And so, I appreciate that you are basically
2 indicating to us that you will pursue that?

3 **COMMISSIONER BRENDA LUCKI:** Yes.

4 **MS. WENDY VAN TONGEREN:** Thank you. My next
5 topic relates to isolated posts. And, when we look to
6 Exhibit 2, page 7, and you list the various reasons why the
7 time that a new -- that a member in coming at a particular
8 location would have a limited time there, and I recall that
9 there's many starting with location, and it basically has
10 to do with the dearth of resources. And, I'm assuming that
11 there's kind of a premise to that in that people
12 particularly who are living in large urban communities or
13 in other parts of Canada where they don't have some of
14 these limitations that it might be difficult on them. And,
15 you also have emphasized the importance of looking after
16 the members, making sure their well-being is looked after,
17 and including circumstances where they're separated from
18 their family members.

19 But, the -- what I'm asking you to help
20 dialogue with me on this, and see if you would acknowledge,
21 that when you list those various things, they -- it reminds
22 me -- and you've worked overseas and so have I, and so it's
23 like a hardship-type post. And so, that would not only
24 have an impact on the members who are attending, but
25 clearly we all acknowledge that it would also have a

1 deleterious impact on the well-being of the people who are
2 required to live there, stay there. After the members have
3 left, those conditions remain, would you agree with that?

4 **COMMISSIONER BRENDA LUCKI:** I think people
5 within their community, it might not impact the same
6 because they're born and raised in the community and people
7 have a special relationship from -- and they have a bigger
8 support network within their community. But I think any
9 community that doesn't have all the necessary resources,
10 yes would be impacted.

11 **MS. WENDY van TONGEREN:** Yes, thank you.
12 And during the hearings, of course, we've heard of things
13 like family members or survivors who have difficulty
14 getting privacy when they're trying to pursue therapy, or
15 there is not even therapy available in their town, and they
16 have to receive therapy by phone and that type of thing.
17 So there are some examples that have come up, clearly, that
18 have an impact on the vulnerability of Indigenous women and
19 girls in those communities.

20 And I take it that you appreciate that as
21 well, that it would contribute to their vulnerability?

22 **COMMISSIONER BRENDA LUCKI:** Absolutely. But
23 we do also have, for instance, limited duration posts in
24 beautiful places like Lake Louise, but it's because of what
25 those communities have to offer. There might be something

1 that you can go to, but absolutely.

2 **MS. WENDY van TONGEREN:** And I raise this
3 point in part because the members go to these various posts
4 with each one having its own uniqueness and its own
5 variables. And this phenomena is important in terms of the
6 attitude that they bring there, and actually could be part
7 of their training, I suggest, in being able to introspect
8 and gain some self-awareness about the impact that that
9 particular environment has on all, and that they are not
10 alone in the deleterious impact on their well-being.

11 And perhaps this will be one area where,
12 although you are a bit skeptical about whether or not
13 compassion could in fact be taught, that this is one way of
14 developing a model in training or in transitions where
15 perhaps that would help them with their approach. Rather
16 than seeing it separate and superior, it's really the
17 commonality of human beings who have to live in an
18 environment that is suitable to their well-being.

19 **COMMISSIONER BRENDA LUCKI:** I believe
20 anybody -- if our members can better connect with the
21 community and if that's one way they can do it, then yes,
22 I'd be for that. And I was referring to empathy, not
23 compassion.

24 **MS. WENDY van TONGEREN:** Oh, I see.

25 Okay. The -- so that takes me to the next

1 topic of sensitization. And having had the experience you
2 have with -- in training, can you see that the medical --
3 sorry, the medicine wheel is actually helpful to us in
4 understanding the components of a human being that are
5 impacted or not by training? So it's the emotional, the
6 mental, the physical and the spiritual, and the spiritual
7 is as important as all the others.

8 And sensitization, would you agree that that
9 is a strategy where spirituality is as important as the
10 emotions, the mental, the physical?

11 **COMMISSIONER BRENDA LUCKI:** Yes. And in
12 fact, at the training academy, the oldest building in
13 Regina, is the RCMP Chapel. So it's a spiritual place. We
14 also have the cenotaph, where all the members who have been
15 lost in the line of duty, their names are there. So again,
16 it's a different kind of spiritual, but it -- they do say
17 that the RCMP training academy is that place for members.
18 So ---

19 **MS. WENDY van TONGEREN:** So ---

20
21 **COMMISSIONER BRENDA LUCKI:** But I think it's
22 bigger than that, but I'm just saying that we do have those
23 bits and pieces incorporated, but not from an Indigenous
24 point of view.

25 **MS. WENDY van TONGEREN:** Thank you. And I

1 have -- I no longer have time, but I just want to thank you
2 again for responding to these questions and being here
3 today with your complete self.

4 **COMMISSIONER BRENDA LUCKI:** And I want to
5 thank you for your daughter. She's such a great member.

6 **MS. WENDY van TONGEREN:** Thank you.

7 (LAUGHTER)

8 **MS. CHRISTA BIG CANOE:** At this point, we
9 would turn our attention to the re-examination.
10 Re-examination is set for 20 minutes, but because there's
11 different counsel who have presented and done the
12 examination in-chief with their witnesses, each will take
13 five minutes per witness.

14 And so -- I forgot to ask, and we didn't
15 draw straws. I would suggest we do it in the same order
16 that the evidence was heard, and on that basis, Ms. Anne
17 Turley would have five minutes in re-examination for
18 Commissioner Lucki.

19 **MS. ANNE TURLEY:** And I would like to ask
20 for a five minute break so I could decide to do re-exam.
21 I'm sorry, for some reason I was thinking that re-exam was
22 going to be after the commissions' -- commissioners'
23 questions. And so I just need to take a few minutes to
24 decide whether I will have any questions or not.

25 **CHIEF COMMISSIONER MARION BULLER:** We're

1 going to reach a compromise on this. I'm going to ask the
2 other parties to go ahead with their re-examination,
3 Ms. Turley. That will give you some time to collect your
4 thoughts while they're cross -- re-examining their own
5 witnesses. Thank you.

6 **MS. ANNE TURLEY:** Thank you.

7 **CHIEF COMMISSIONER MARION BULLER:** Go ahead.

8 **MS. CHRISTA BIG CANOE:** On that basis, I
9 would ask Michelle Brass to please do her re-examination of
10 Mr. Daniel Bellegarde.

11 **--- RE-EXAMINATION BY MS. MICHELLE BRASS:**

12 **MS. MICHELLE BRASS:** Thank you.

13 So Dan, we've heard quite a bit in the last
14 day-and-a-half about police policies and practices, and I
15 just ask if you can -- if you have any clarifications to
16 make to the commissioners on behalf of the First Nations
17 Police Governance Council that they can take away from
18 today?

19 **MR. DANIEL BELLEGARDE:** Thank you,
20 Ms. Brass.

21 Those two stories I told yesterday, and what
22 came after them, I think served to give the signal that
23 Indigenous people, men, women, girls, youth, elders, are
24 now empowered, empowered to the point that they are fully,
25 I think, partners in developing these new models of police

1 governance and police operations that will be hopefully
2 used in the future.

3 As part of that, I will read out for the
4 record once again, and put more emphasis on it, the
5 recommendations from the Canadian Association on Police
6 Governance, which by the way, represents 75 percent of the
7 police governance boards across the country from Toronto to
8 Vancouver and to the East Coast, and the First Nations
9 Police Governance Council that represents First Nations'
10 self-administered policing.

11 And here they are, the five -- the four
12 points that I wish to bring forward and again emphasize:

13 "The First Nations Police Governance
14 Council recommends a comprehensive
15 approach to community safety as part of
16 Indigenous governance that will help
17 prevent, and if needed, resolve cases
18 of violence in missing women and girls
19 through, (a) adoption of a public
20 safety model that combines modern
21 policing methods with traditional
22 pre-colonial values of community safety
23 as outlined in this submission; (b)
24 First Nations are taking control of
25 their public safety by adopting self-

1 administered policing models throughout
2 First Nations territories; (c)
3 effective oversight of policing
4 services of all kinds through some
5 governance practices as advocated by
6 the First Nations Police Governance
7 Council and the Canadian Association of
8 Police Governance." (As read)

9 Number 2:

10 "This comprehensive approach is based
11 on the principles of self-determination
12 and a model of community safety that
13 combines modern police methods with
14 contemporary understandings of
15 pre-colonial public safety as outlined
16 in this submission." (As read)

17 Number 3:

18 "First Nations should be encouraged and
19 supported by the federal and provincial
20 governments as a matter of public
21 policy and even legislation and by
22 providing resources and training to
23 adopt the self-administered model of
24 policing rather than relying upon the
25 RCMP or provincial policing services as

1 an external institution that are
2 working with our communities but
3 remaining in a partnership with them."

4 (As read)

5 Number 4:

6 "The federal and provincial
7 government's support to First Nations
8 community safety should be funded on
9 this model rather than simply on the
10 provision of policing services, and
11 this model will include traditional
12 practices such as the support for
13 elders, mental health services and
14 community supports." (As read)

15 And I will say on behalf of my colleagues
16 and self-administered policing service boards across the
17 country that we think it is an inevitable process, that
18 First Nations will continue to assert Indigenous rights,
19 the inherent right of self-determination, and we'll accept
20 the responsibility and the discipline as required to manage
21 and control our own policing services to support safety and
22 security of all people with particular emphasis on those
23 most vulnerable in our communities.

24 On behalf of the council, I thank the
25 Commission, I thank those in attendance, my fellow panel

1 members, for allowing us to speak here today and to be part
2 of this, what I consider to be a tremendous piece of work
3 who have far reaching impacts into the future on
4 relationships throughout the country. Thank you.

5 **MS. MICHELLE BRASS:** Thank you. Those are
6 all the questions I have.

7 **MS. CHRISTA BIG CANOE:** Thank you, Ms.
8 Brass. Maître Jacob, if you could -- yes. So, Mr.
9 Registrar, thank you. Because Maître Jacob will be doing
10 the next two, we can -- do you want 5 each, so you know, or
11 do you want it 10 as a whole?

12 **MAÎTRE BERNARD JACOB:** I will do Mr. Larose,
13 and after I will ---

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

15 **MAÎTRE BERNARD JACOB:** --- take the time for
16 mister -- no, I will pool the time. 10 minutes. Sorry.

17 **UNIDENTIFIED SPEAKER:** Staying out of it.

18 **MS. CHRISTA BIG CANOE:** Merci.

19 **--- RÉ-INTERROGATOIRE PAR Me BERNARD JACOB:**

20 **MAÎTRE BERNARD JACOB:** Okay. M. Larose,
21 vous avez parlé, lors de votre contre-interrogatoire que
22 suite à un rapport du Protecteur de l'élève, vous aviez
23 entrepris des discussions avec le Ministère de la Sécurité
24 publique pour établi une sorte de pont aérien. Avec qui
25 discutez-vous au Ministère de la Sécurité publique?

1 **M. JEAN LAROSE:** Avec le sous-ministre aux
2 services... sous-ministre associé aux services
3 correctionnels.

4 **MAÎTRE BERNARD JACOB:** Est-ce que la
5 Direction des affaires autochtones est impliquée là-dedans?

6 **M. JEAN LAROSE:** Je ne crois pas. Les membres
7 du comité qui va être mis en place... Monsieur Coleman
8 pourrait répondre, je ne crois pas qu'ils en font partie.

9 **MAÎTRE BERNARD JACOB:** D'accord.

10 **M. JEAN LAROSE:** Il n'y a pas de
11 représentants.

12 **MAÎTRE BERNARD JACOB:** Est-ce que j'ai bien
13 compris, quand vous nous avez dit que vous transportiez au
14 coût d'un million de dollars les gens jusqu'à Montréal, par
15 année?

16 **M. JEAN LAROSE:** Tout à fait.

17 **MAÎTRE BERNARD JACOB:** Et que par la suite,
18 ils sont ramenés par le Ministère de la Sécurité publique à
19 Amos?

20 **M. JEAN LAROSE:** Tout à fait. C'est que nos
21 policiers escortent nos détenus du Grand Nord jusqu'à
22 Montréal-Trudeau...

23 **MAÎTRE BERNARD JACOB:** Et ils sont remontés
24 par la suite à Amos?

25 **M. JEAN LAROSE:** ... et ils sont pris en charge

1 par les Services correctionnels dès notre arrivée sur le
2 tarmac, à Dorval, à la porte 17. Ils sont transportés par
3 la suite à Saint-Jérôme et quelques fois, ils doivent
4 dormir à Saint-Jérôme, mais ils doivent reprendre le chemin
5 pour Amos pour la comparution.

6 **MAÎTRE BERNARD JACOB:** Corrigez-moi si je me
7 trompe, mais est-ce qu'il ya une prison à Amos?

8 **M. JEAN LAROSE:** Il y a un centre de
9 détention complètement neuf à Amos.

10 **MAÎTRE BERNARD JACOB:** Et pourquoi...

11 **M. JEAN LAROSE:** ... il n'est pas ouvert encore
12 par vice de construction.

13 **MAÎTRE BERNARD JACOB:** Ça fait combien de
14 temps que c'est fini de construire?

15 **M. JEAN LAROSE:** Oh, précisément, je ne sais
16 pas, mais ça fait plusieurs mois.

17 **MAÎTRE BERNARD JACOB:** Okay. On a parlé tout
18 à l'heure de la question de l'itinérance à Montréal de la
19 communauté inuite. Avez-vous des projets relativement à la
20 Ville de Montréal?

21 **M. JEAN LAROSE:** En fait, j'ai appris qu'il y
22 avait un centre à Montréal, précisément à Dorval, le centre
23 Ullivik. Et donc, il existe un protocole entre le centre et
24 le Service de police de Montréal. Lorsque j'ai appris ce
25 protocole-là, nous sommes entrés en communication avec eux,

1 parce que je veux en développer un avec le Service de
2 police de Montréal et le corps de police régional de
3 Kativik pour, justement, faciliter les échanges, échanger
4 de l'information, faciliter notre travail et aider la
5 communauté inuite qui se trouve à Montréal, qui peut
6 remonter dans le Grand Nord et qui éprouve certaines
7 difficultés. Nous avons donc intérêt, entre les deux
8 services de police, à travailler ensemble, échanger de
9 l'information, et ce, sous forme de protocoles.

10 **MAÎTRE BERNARD JACOB:** M. Coleman a déposé
11 cinq ententes particulières pour la prévention. Vous faites
12 aussi des programmes de prévention : étiez-vous au courant
13 que le Ministère de la Sécurité publique disposait de fonds
14 pour les services de police autochtones pour financer ce
15 genre d'initiatives?

16 **M. JEAN LAROSE:** En fait, j'ai appris, durant
17 mes cinq mois, que nous bénéficions d'un projet de
18 financement par le projet Ungaluk, qui nous permet d'avoir
19 des sommes d'argent pour faire de la prévention. À ce
20 chapitre, nous avons trois policiers qui bénéficient de ce
21 programme, de ce financement, qui paie leur salaire, deux
22 agents de prévention et un agent de renseignements
23 criminels.

24 **MAÎTRE BERNARD JACOB:** D'accord. On a parlé,
25 hier, que... Me Sioui a posé une question à M. Coleman sur

1 les fins d'ententes. J'ai compris que M. Coleman avait dit
2 que l'entente de Kativik n'avait pas de fin. Qu'en est-il?

3 **M. JEAN LAROSE:** Non, pas du tout. Il y a une
4 fin et elle s'est terminée le 31 mars dernier.

5 **MAÎTRE BERNARD JACOB:** Et actuellement, vous
6 fonctionnez comment?

7 **M. JEAN LAROSE:** Nous roulons, en fait, sur
8 l'entente qui est échue. Nous avons reçu récemment une
9 portion des montants du provincial pour nous permettre de
10 continuer. Nous n'avons reçu aucune somme du fédéral.

11 **MAÎTRE BERNARD JACOB:** Je viens de terminer,
12 je passerais à M. Coleman. Alors, la même question : je
13 comprends que c'est une erreur de bonne foi... quand vous
14 avez parlé... allo? Je n'ai plus de son. Allo? Bon! Je
15 comprends que c'est une erreur de bonne foi quand vous avez
16 dit que l'entente avec Kativik finissait. C'est plutôt
17 qu'il y a une entente qui est écrite et qui est bonne pour
18 quelques années, c'est bien ça?

19 **M. RICHARD COLEMAN:** Aucunement. Le corps de
20 police Kativik existe dans une loi québécoise, le *Kativik*
21 *Act*. Elle existe dans la *Loi sur la police*. Alors,
22 l'existence du corps de police n'est aucunement remise en
23 question, sinon M. Larose ne serait pas ici, il serait un
24 civil et non un agent de la paix.

25 L'entente de financement tripartite est

1 échue depuis le 1^{er} avril et comme M. Larose vient juste de
2 le mentionner, la partie québécoise, le 48 % a été versé.

3 **MAÎTRE BERNARD JACOB:** Donc, je comprends que
4 c'est uniquement l'entente financière qui prend fin?

5 **M. RICHARD COLEMAN:** Dans le cas de Kativik,
6 exactement.

7 **MAÎTRE BERNARD JACOB:** D'accord. On a parlé,
8 toujours dans le contre-interrogatoire de Me Sioui, vous
9 avez référé... elle a posé des questions sur la fin des corps
10 de police. Vous rappelez-vous du cas de Obijiwan?

11 **M. RICHARD COLEMAN:** Oui, je connais le corps
12 de police de Obijiwan, effectivement.

13 **MAÎTRE BERNARD JACOB:** Il a cessé d'agir?

14 **M. RICHARD COLEMAN:** À deux reprises dans les
15 dix dernières années, si ma mémoire est bonne.

16 **MAÎTRE BERNARD JACOB:** Vous rappelez-vous la
17 SQ a envoyé combine de policiers sur place pour remplacer
18 le corps de police locale?

19 **M. RICHARD COLEMAN:** La dernière fois, en
20 2014, je crois... je n'aurai pas l'information précise, mais
21 quelques dizaines de policiers.

22 **MAÎTRE BERNARD JACOB:** En lieu et place de
23 combien de policiers?

24 **M. RICHARD COLEMAN:** Obidjiwan a
25 24 policiers, si je ne me trompe pas, dans l'entente.

1 **MAÎTRE BERNARD JACOB:** Ils en avaient donc
2 envoyé beaucoup plus?

3 **M. RICHARD COLEMAN:** À peu près le même
4 nombre.

5 **MAÎTRE BERNARD JACOB :** Est-ce qu'ils étaient
6 en mesure d'urgence?

7 **M RICHARD COLEMAN:** La Sûreté? Il faudrait
8 confirmer avec M. Charbonneau, mais généralement, c'est
9 toujours en opération spéciale.

10 **MAÎTRE BERNARD JACOB:** Et les coûts étaient
11 de combien, à ce moment-là?

12 **M. RICHARD COLEMAN:** Je ne pourrais pas vous
13 dire précisément.

14 **MAÎTRE BERNARD JACOB:** Vous ne vous rappelez
15 pas?

16 **M. RICHARD COLEMAN:** Mais on peut faire..
17 plusieurs centaines de milliers de dollars.

18 **MAÎTRE BERNARD JACOB:** Je pense qu'il est
19 important de dire qu'on a reçu l'engagement de M. Coleman
20 concernant la mise en place d'un comité mixte des
21 représentants des corps policiers autochtones avec
22 différents intervenants du Ministère de la Sécurité
23 publique pour la formation des policiers autochtones. C'est
24 bien ça?

25 **M. RICHARD COLEMAN:** Oui.

1 **MAÎTRE BERNARD JACOB:** Je vais vouloir qu'on
2 dépose éventuellement sous la prochaine cote... Monsieur et
3 Mesdames les Commissaires et Madame la Commissaire chef, je
4 vais vous en fournir une copie ultérieurement. Je suis
5 sincèrement désolé, mais j'aimerais garder une cote, s'il
6 vous plaît. Comment on pourrait l'intituler?

7 **CHIEF COMMISSIONER MARION BULLER:** Could we
8 have that?

9 **MAÎTRE BERNARD JACOB:** Okay. Just a moment.
10 I will give you -- le temps... time. Sorry about that. Okay.
11 C'est en liasse, sous E-47, Comité...

12 **CHIEF COMMISSIONER MARION BULLER:** We're on
13 48.

14 **MAÎTRE BERNARD JACOB:** 48, sorry. Donc,
15 c'est « Mandat du comité sur la formation des futurs
16 policiers et policières autochtones ainsi que des policiers
17 et policières oeuvrant dans les communautés autochtones,
18 incluant la formation en enquête, de même que le nom des
19 membres dudit comité, le tout en liasse. »

20 **--- PIÈCE No. 48:**

21 « Comité sur la formation des futurs
22 policiers et policières autochtones ainsi
23 que des policiers et policières oeuvrant
24 dans les communautés autochtones, incluant
25 la formation en enquête », Ministère de la

1 sécurité publique (Québec), updated 2018-04-
2 12 (one page)

3 Witness: Richard Coleman, Director of Public
4 Safety, Relations with Aboriginal Peoples
5 Office

6 Submitted by Bernard Jacob, Commission
7 Counsel

8 **CHIEF COMMISSIONER MARION BULLER:** Okay.
9 We'll hold that. Thank you.

10 **Me BERNARD JACOB:** À votre connaissance,
11 toujours en lien avec le contre-interrogatoire de Mme
12 Sioui, existe-t-il des études sur le coût de remplacement
13 des corps de police autochtones par la Sûreté du Québec?

14 **M. RICHARD COLEMAN:** Des études, j'en
15 connait pas personnellement.

16 **Me BERNARD JACOB:** O.k. À titre de directeur
17 du Bureau des Affaires autochtones, je comprends que... est-
18 ce que vous êtes au courant de la problématique du
19 transport des membres de la communauté inuit arrêtés de
20 Kuuujuaq vers Montréal?

21 **M. RICHARD COLEMAN:** Oui, je le connais très
22 bien.

23 **Me BERNARD JACOB:** Et qu'est-ce que vous
24 avez fait pour cette problématique-là.

25 **M. RICHARD COLEMAN:** Dans le fond, le

1 Protecteur du citoyen du Québec a souligné plusieurs
2 problématiques concernant le transport et la gestion des
3 personnes sous arrestation et sous garde des services
4 correctionnels et des services de police. Un rapport a été
5 déposé l'an dernier. Nous sommes en suivi des conclusions.
6 Il y a plusieurs démarches. Il y a une trentaine de
7 mesures dont la visio-comparution, le transport vers le sud
8 et la gestion des personnes sous garde dans le nord, la
9 construction d'un nouveau quartier cellulaire à Puvirnitug.
10 Il y a plusieurs démarches en cours actuellement.

11 **Me BERNARD JACOB:** D'accord.

12 À la Pièce E-39, qui sont les statistiques
13 concernant la violence dans les communautés... voulez-vous
14 voir la pièce, Monsieur Coleman?

15 **M. RICHARD COLEMAN:** Oui.

16 **Me BERNARD JACOB:** E-39. Où sont mes
17 binders? Ça ne sera pas long. On parle des statistiques,
18 juste pour vous situer, sur les violences faites aux
19 femmes. On voit qu'il y a un grand nombre de cas.

20 En fait, ma question va être plus
21 précisément que ça. Je veux pas vous poser des questions
22 sur les statistiques. Quelles mesures a mis en place le
23 ministère de la Sécurité publique pour prévenir, face à ces
24 constats-là, l'ampleur du problème... quelles mesures vous
25 avez mis en place pour améliorer la sécurité des femmes

1 autochtones et les enfants autochtones?

2 **M. RICHARD COLEMAN:** Au Nunavik, c'est ça?

3 **Me BERNARD JACOB:** Non, de façon générale.

4 **M. RICHARD COLEMAN:** De façon générale dans
5 les...

6 **Me BERNARD JACOB:** Les communautés
7 autochtones.

8 **M. RICHARD COLEMAN:** Les communautés
9 autochtones, o.k. Nous avons déposé, tout à l'heure, des
10 ententes de prévention. Alors, je ne reviendrai pas là-
11 dessus. Nous avons plusieurs mesures annoncées dans le
12 plan d'action gouvernemental, dont une recherche des
13 meilleures pratiques policières en matière d'agression
14 sexuelle et d'enquêtes sur les agressions sexuelles. Ce
15 projet est en cours et parrainé par la Sûreté du Québec.
16 Des corps de police autochtones sont impliqués. Il y a une
17 obligation de résultats pour 2022. Alors, les premières
18 rencontres vont avoir lieu sous peu.

19 Nous avons aussi plusieurs fonds d'argent
20 qui sont versés, entre autres, chez les Inuits. Je
21 reprends le point de mon confrère Larose. Pour les Inuits,
22 le Québec verse 325 millions de dollars sur 25 ans, le
23 programme connu sur Ungaluk. C'est environ 14 millions de
24 dollars cette année qui est versé. Une partie de ces
25 sommes-là servent à financer le programme « Good Touch, Bad

1 Touch, à titre d'exemple ». Il y a d'autres initiatives
2 que les Inuits choisissent après analyse et suivi de leur
3 part. Nous avons d'autres initiatives de ce type-là qui
4 sont incluses dans le plan d'action.

5 Je vois le temps qui baisse. Ça va?

6 **Me BERNARD JACOB:** Continuez si vous...

7 **M. RICHARD COLEMAN:** Absolument. Alors, on
8 a une recherche aussi sur la formation policière de base,
9 qui est importante. Il faut que nos policiers...

10 **Me BERNARD JACOB:** Qui fait la recherche?

11 **M. RICHARD COLEMAN:** Ben, pas la recherche.
12 Comme on a discuté hier... vous l'avez annoncé tout à
13 l'heure. Là, je l'ai l'annonce que dans la prochaine
14 semaine ou deux, il va y avoir une rencontre sur la
15 formation policière, à la base, d'intervenir sur les
16 questions de violence faite aux femmes et aux filles
17 autochtones. Il faut que nos policiers et policières aient
18 une formation de base adéquate. C'est un défi pour nous.
19 On s'engage à regarder ça avec eux.

20 D'ailleurs, il y a trois chefs de police
21 autochtone qui sont sur ce comité de travail-là et c'est
22 des chefs de police respectés, dont M. Jean Vicaire, Dwayne
23 Zachary de Kahnawake et le chef de police Akwesasne, Shawn
24 Duluth. Alors, on forme beaucoup d'espoir là-dessus sur la
25 formation de base pour mieux intervenir et mieux prévenir

1 les gestes de violence envers les femmes et les filles.

2 Me BERNARD JACOB: J'ai terminé.

3 Ah, je peux poser une question?

4 Mme CHRISTA BIG CANOE: Merci, Maître.

5 Me BERNARD JACOB: Merci.

6 MS. CHRISTA BIG CANOE: At this point in
7 time, we'd ask -- Ms. Turley, would you like to proceed?

8 MS. ANNE TURLEY: Yes, thank you.

9 MS. CHRISTA BIG CANOE: And so if we could
10 set the clock, Mr. Registrar, for five minutes.

11 --- RE-EXAMINATION BY MS. ANNE TURLEY:

12 MS. ANNE TURLEY: Thank you. And I'm --
13 hello. I'm going to follow the lead of my friend,
14 Ms. Brass, and ask Commissioner Lucki if she has anything
15 that she would like to add in response to the questions
16 that she got in cross-examination. So I'll use my five
17 minutes that way.

18 COMMISSIONER BRENDA LUCKI: Thank you.

19 First, I really just want to say thank you
20 for allowing me to be at the Inquiry. And you know, when I
21 was reading bits and pieces about the Inquiry, the --
22 Commissioner Buller always said it's about telling their
23 truths. And so for me to be here to hear those truths is
24 extremely powerful, especially as the new commissioner.

25 It's kind of giving me a part of my road map

1 forward, and I have my management team that's coming
2 together for several days between now and September to make
3 a five-year plan. And it's not about operations, it's
4 about culture change in order to improve operations. And I
5 call it the Road to 150 because in five years we'll be
6 150 years old.

7 So there are so many great things that came
8 out of this, and for people to have the courage to come and
9 tell and say what's wrong and what could be done, my
10 challenge, I guess, to everyone in the room it shouldn't
11 stop here. It's unfortunate that it takes an inquiry for
12 this to happen, but our police organization, like every
13 other, is open to hearing what people have to say.

14 So if you have that would have, could have,
15 should have moment, and you've left here and said, oh, I
16 thought of something, please feel free to come forward to
17 your local detachment, and if you don't feel that's a good
18 forum, come forward through our website or through any
19 other RCMP member or to my office, and -- if you have
20 suggestions.

21 I know I am committed to, first of all, I
22 would like to bridge the gap in communication and to make
23 sure that we are better communicators and that we're a more
24 culturally-sensitive organization. But I'm committed to
25 really listening and I'm committed to learning and I'm

1 committed to responding and responding in a culturally-
2 sensitive manner. And I'm going to be challenging my
3 employees, my members to do the same thing.

4 Because I go back to my motto of making
5 every community better than what it was, and I have the
6 extra duty of making my RCMP better than what it is going
7 forward in the next few years. And I can't do that by
8 myself, so I'm looking to all the people in this room and
9 people outside of this room in the communities where we
10 serve so that we are the best police in the world.

11 No offense to my other colleagues in the
12 room who are policing, but sorry, we're going to be better
13 than you.

14 (LAUGHTER)

15 **COMMISSIONER BRENDA LUCKI:** And it's -- we
16 didn't lose the trust overnight, and we're not going to
17 gain it. And I always make the comparison to my weight. I
18 didn't gain my weight overnight, and I'm not going to lose
19 it. So I think trust works the same way.

20 And I really ask this room for a bit
21 patience and a bit of trust. Not just a trust going
22 forward that we will -- I am committed to doing better, and
23 I need people to help me with that and I need you to have
24 just -- just grab a little bit of trust, if you have
25 absolutely none, to think that we will do our best to be

1 better. And I'm really appreciative of having this
2 opportunity in the last day or so.

3 I have a great team of RCMP. There's a lot
4 of good things that are happening. And I know this Inquiry
5 is not here to focus on some of the good things, but I
6 could spend five or six days talking about good things.
7 But we would be remiss if we didn't learn from past
8 mistakes, and shame on us if we don't. And this Inquiry
9 has taught me that being open to learning, listening and
10 responding in a positive and culturally-sensitive manner,
11 so for that, I thank you.

12 And I thank all the people who had -- the
13 families who have had the courage to tell their truths
14 because I could not imagine how difficult that must have
15 been. And for that, I really do thank everybody for
16 shedding some light on this such important topic. So thank
17 you.

18 **MS. CHRISTA BIG CANOE:** Thank you. Thank
19 you. That includes *[sic]* the re-examination.

20 I just wanted to note that Mr. Bellegarde is
21 going to have to leave at 3:00 and I know the Commissioners
22 may have some questions. So I was going to kindly request
23 that if you had questions for Mr. Bellegarde that you make
24 them and then maybe we can have a short break?

25 **CHIEF COMMISSIONER MARION BULLER:** Actually,

1 you must have read our minds. We'll go through questioning
2 for Mr. Bellegarde, thank him, and then have a short break
3 before we continue with the other witnesses.

4 **--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:**

5 **COMMISSIONER BRIAN EYOLFSON:** Good
6 afternoon. Thank you.

7 Mr. Bellegarde, I have a few questions for
8 you, if you don't mind, just following up on your
9 presentation.

10 In your presentation you said that First
11 Nations should be encouraged by the federal and provincial
12 governments as a matter of policy and providing resources
13 and training to adopt the self-administered model. I'm
14 just wondering if you can comment further on anything that
15 could be incurred -- done to encourage or support the
16 implementation of more of those models?

17 **MR. DANIEL BELLEGARDE:** I will go back to
18 the original signing of the CTA Agreement back in 1993
19 between the Federation of Sovereign Indigenous People or
20 Nations and the -- at that time -- I'm not sure exactly who
21 carried the responsibility, Indian Affairs perhaps or
22 Justice Canada. In any case, built into that agreement was
23 the development of the governance aspect of First Nations
24 policing. The fact that we have to establish institutions
25 of governance within our communities to govern such things

1 as delivery of policing services, to govern such things as
2 delivery of Indian Child and Family Services, and to govern
3 our education, our health, our economic development and our
4 political institutions themselves, are all part of the
5 responsibility that we have moving forward in what we call
6 nation rebuilding.

7 And the current federal government's
8 approach has been very clear from Prime Minister Trudeau
9 throughout to his ministers regarding the support and the
10 implementation of the United Nations Declaration on the
11 Rights of Indigenous Peoples, the implementation of the
12 Treaty Relationship in the Victorian or Numbered Treaties,
13 as well as developing of a nation-to-nation relationship
14 throughout the country.

15 Now, that is a big challenge to us after --
16 in this part of the country 150 years of *Indian Act*
17 administration. But I think that speaks to what the
18 federal and provincial governments have to do together in
19 order to move forward with First Nations people on a tri-
20 government or intergovernmental approach to developing the
21 kind of policy framework that we have; and, further,
22 cementing this in legislation such as is happening in
23 Ontario now with the *Ontario Police Act*, which puts into
24 legislation protection for First Nations policing services
25 so that they are no longer just a program, but part of a

1 legislative framework that has sustainability, a level of
2 funding, a level of support, a level of equity with other
3 police services, and that has, I think, a future to move
4 forward on.

5 And that type, however it may be negotiated
6 throughout the rest of Canada, is something that has to be,
7 I think, brought forward for the future models of First
8 Nations policing.

9 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thanks.

10 In terms of governance and oversight, you
11 spoke to that in your presentation, you talked about some
12 of the recommendations and challenges of oversight. I'm
13 just wondering if you have any key recommendations about
14 what, in terms of oversight, might assist in particular
15 with improving the safety of Indigenous women and girls in
16 First Nations' communities?

17 **MR. DANIEL BELLEGARDE:** Well, again, I think
18 that speaks to, in general, about First Nations assuming,
19 reassuming I think the responsibility and the obligations
20 of managing and controlling our own affairs, of not being
21 in a position where, if there is a critical incident in our
22 community, that the common theme is call the RCMP. Call
23 Indian Affairs. Call somebody to come and get us out of
24 this situation. It's time to say we will deal with it. We
25 will deal with it ourselves in our own way and we will deal

1 with it far more efficiently and far more effectively.

2 So it's the question, I think, when you talk
3 about governance, of developing that governance framework
4 that brings together our traditional principles and
5 cultures, of good relationships within our communities,
6 within our nations, along with the contemporary
7 requirements of governance from an interagency concept, the
8 requirements for good governance of resources, good
9 governance of interagency cooperation, but particularly,
10 good governance of listening to the concerns and reacting
11 to the concerns of our citizens, which include women,
12 girls, elders, and all of our citizens. And that is part
13 of a good governance paradigm or good governance model.

14 So participatory governance I suppose would
15 be what it's called today. And that can be done and that
16 is done -- being done in many areas of the province now.

17 I just want to speak just to places like the
18 James Bay Cree who have entered into a self-government
19 agreement as far back as 1975 and they have assumed
20 responsibility for governance and to various sectors within
21 their communities, including justice, and justice at large,
22 not just policing, but also the court system as well as
23 certain parts of their rehabilitation, correction system.
24 And that's the kind of model that we're looking at.

25 And there are models out there that we can

1 look at. Kahnawake, Chetina (ph) in Calgary, the Yukon
2 have some very good models of justice administration, and
3 so on. And it's growing and it's happening very quickly.
4 And I think we have to work a little bit harder to bring it
5 here to the Prairies, but it's happening I think throughout
6 our borders. And it's just a question of I think moving it
7 along more quickly.

8 **COMMISSIONER BRIAN EYOLFSON:** Okay. Thank
9 you very much for your presentation and for answering my
10 questions.

11 **MR. DANIEL BELLEGARDE:** Right.

12 **--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:**

13 **COMMISSIONER QAJAQ ROBINSON:** I just have
14 one short question. You spoke about funding inequities.
15 Other than the Attorney General's Report on the First
16 Nations policing program, are there any reports you could
17 direct us to to speak to that inequity?

18 **MR. DANIEL BELLEGARDE:** Yeah, the Auditor
19 General's Report from 2014 speaks a lot about that. But
20 there are reports. I think the First Nations Chiefs of
21 Police Association. I suggest that you take a look at
22 their website. I'm not sure if they're going to be
23 presenting here at all, but they have some significant
24 issues about has -- in the operation side of the equation.

25 There's been underfunding that we know in

1 Ontario, but that's been taken care of now, as we
2 mentioned, through the *Ontario Police Act* and a new
3 legislation that's going to guarantee that equity.

4 There's fairly equitable funding here in
5 Saskatchewan for the File Hills First Nations Police
6 Association. It is equitable to the RCMP, which it was a
7 transition from an RCMP Detachment to a self-administered
8 policing service. So during a transition we were able to
9 maintain a level of support and pay compensation and
10 manpower that was there at the original detachments 20
11 years ago. So that's carried on.

12 So it varies across the country. In some
13 areas there's a real problem, but these are being
14 addressed. And I mention that again that there is good
15 cooperation now between the various levels of government
16 and the agencies that are involved in supporting First
17 Nations policing, which hasn't been there in the past.

18 And I must say that the Public Safety
19 Canada, as I mentioned, has announced in January for the
20 next 5 years a \$291 million increase in funding from the
21 previous 5 years, as well as the additional 110 person a
22 year -- or officer positions that will be assigned to the
23 First Nations Policing Program beginning in 2019.

24 So there are steps being done, steps taken,
25 and I think I have a great deal of optimism for the future

1 of First Nations policing from that perspective.

2 Problems were identified. I think problems
3 are being dealt with. And I think what we need is more
4 First Nations participation at those various policy
5 councils that are occurring throughout the country.

6 For instance, and I made this point several
7 times to Public Safety Canada, when they are negotiating
8 the federal/provincial contracting policing services for
9 Saskatchewan, there is no First Nations participation, even
10 though there is a First Nations component to that
11 negotiation, which of course is the Sikh Community
12 Tripartite Agreements and the Self-Administered Agreement.
13 It may seem small in comparison to the overall contract
14 between Canada and Saskatchewan and the RCMP, but to us
15 it's a hugely important matter of peace and security and
16 safety in our community.

17 So we need to be involved. We can't just
18 accept what comes down the pike. And I think it's changing
19 and I think it's changing for the better.

20 **COMMISSIONER QAJAQ ROBINSON:** Thank you so
21 much for your time and for coming to speak with us this
22 week.

23 **COMMISSIONER MICHÈLE AUDETTE:** Well, my
24 colleague, the two of them, asked the question, so I'll
25 take 30 seconds to say it was good to see you again and

1 thanks for coming, and I wish you a bon voyage via your
2 part of the history, and I hope that you will continue to
3 make sure that our women and girls are safe in our
4 communities. S'il vous plait.

5 **MR. DANIEL BELLEGARDE:** Absolutely. Yes.

6 **COMMISSIONER MICHÈLE AUDETTE:** Merci.

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

8 **--- QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:**

9 **CHIEF COMMISSIONER MARION BULLER:**

10 Mr. Bellegarde, I want to thank you also for coming in and
11 sharing your truth with us, and I thank you also for your
12 recommendations. And thank you to your counsel, as well,
13 Ms. Brass, for her preparations. It's been very helpful to
14 us.

15 I see I have about three minutes, so I'll go
16 fast.

17 Exhibit 15, which is your presentation to
18 us, dated June 4, 2018, at page 5, if you have that
19 document in front of you, refers to -- and I'll just quote:

20 "The loss of one woman or girl for
21 whatever reason is not acceptable.
22 However, there is a cyclical
23 relationship of these losses to
24 underlying issues of safety within a
25 First Nation." (As read)

1 Can you explain a little bit more about what
2 you mean by a cyclical relationship?

3 **MR. DANIEL BELLEGARDE:** The cycles that we
4 talk about are what people refer to as the underlying root
5 causes. The cycle of poverty, the cycle of colonization,
6 the cycle of public policy that was in place, that quite
7 frankly were set out to depopulate the reserve.

8 How else can you explain such things as
9 underfunding for housing and underfunding for education and
10 underfunding for health and underfunding for the other
11 services except to look at that as a way of moving people
12 off the reservations and into the cities and to the urban
13 mainstream? I mean, that's a very difficult thing to look
14 at, but you really have to look at such things as
15 documentation or books such as *Clearing the Plains: The*
16 *Politics of Starvation*.

17 I mean, historically, and with all due
18 respect to those who hold the pen on the history of Canada
19 and who write the history books that are taught in our
20 schools that I've learnt from when I was a little boy in
21 grade school and so on, and even into university did not
22 tell the full and complete story, and now it's coming out.

23 It's coming out by both Indigenous authors,
24 Indigenous researchers, and it's coming out from
25 non-Indigenous people as well. Every university across the

1 country now has an Indigenous component to it, and I think
2 that's important going forward.

3 But yeah, that cyclical thing I'm talking
4 about -- and cycles can be broken. Cycles can be dealt
5 with if you understand where they came from, the impact of
6 them right now in our communities and what we have to do to
7 break that cycle. And that's going to be -- and that's
8 what I'm saying, it's going to take a wholistic approach in
9 our communities to deal with those cycles.

10 And I think that we are getting there, we
11 are getting there very quickly. There's still a lot of
12 work to do. And while we're doing this work, we're going
13 forward, we still have to resolve the injustices of the
14 past. Because only if we do that can we fully expect true
15 reconciliation as recommended in the Truth and
16 Reconciliation Commission recommendations.

17 So injustices of the past, try and deal with
18 them, reparations made, go forward with a new model of
19 community development, of nation-to-nation relationships.

20 **CHIEF COMMISSIONER MARION BULLER:** Thank
21 you. Speaking of moving forward, my last question.
22 Although I had others, in the interest of time I won't hold
23 you too long.

24 In your document 15 -- Exhibit 15 at page 9,
25 there's reference to a survey in consultation with First

1 Nations governing bodies in 2014 that identified several
2 issues with oversight. And the first one was:

3 "Oversight is complicated, often
4 involving people who know each other
5 and have many roles to play." (As
6 read)

7 In the course of hearing from families
8 across Canada, they have told -- many have told us that
9 they have little faith or confidence in Aboriginal policing
10 because the police force or members appear to be in the
11 pockets of the chief and council, and vice versa. Would
12 you like to comment on that?

13 **MR. DANIEL BELLEGARDE:** Well, I can't
14 comment on a lot of other police services. The First
15 Nations Police Governance Council, first of all, did that
16 survey, and they did that survey with the representatives
17 who were there and talked about what they saw as perhaps
18 barriers to good governance, and part of it was the
19 training component, part of it was another thing.

20 But from the perspective of the File Hills
21 First Nations Police Service, we are very clear that the
22 File Hills Board of Police Commissioners is separate from
23 the chief and council. We are very clear that the File
24 Hills Board does not interfere with operations which is the
25 purview of our chief of police and his officers and special

1 constables and civilian staff. Those are written out in
2 clear terms of reference, signed by each chief in our
3 community and reviewed on an annual basis.

4 So from my perspective, from my police
5 service, from my board, I will say that there is no
6 potential for undue influence by chiefs and councils of our
7 police service in File Hills. I cannot speak for any other
8 police service, but I can assure that I know some of the
9 individuals who are working in those other areas and I can
10 -- if I can't -- I can't vouch for them, but I can say I
11 support what they're doing.

12 I'm talking about people like Fabian over in
13 NAPS and our people down in Setina (ph), as well as I met
14 the chief of police in -- from British Columbia, and of
15 course, Duane Zachary with the Ottawa Police Service. So -
16 - and Ron Sky, who is a real veteran of the governance of
17 police services in this country.

18 So if there are -- I mean, there is always a
19 bit of a tension between boards of police commissioners and
20 the police services themselves, and this is not just within
21 First Nations police services. We can see it and read
22 about it with the Police Services Board of Toronto, with
23 their police service. Winnipeg had the same thing. Ottawa
24 faces the same thing. Edmonton is in -- and so is Calgary.
25 Victoria, in particular. I mean, take a look anytime.

1 I get weekly updates on police information
2 across the country, particularly around police governance,
3 and it is sometimes difficult, but I think we are doing the
4 right thing and I think now we have to continue to develop
5 the kind of training and developing programs for our boards
6 of police commissioners on self-administered policing that
7 would make it work for us.

8 And nothing is ever perfect, but I think we
9 are really doing as best as we can. I think good
10 governance of our policing services is what it's going to
11 be about from a self-administered perspective.

12 **CHIEF COMMISSIONER MARION BULLER:** Thank
13 you. Mr. Bellegarde, thank you very much for even going a
14 little late with us. We all really appreciate it.

15 Because you've given us the gift of your
16 time and your experience and your truth, we have a small
17 gift for you. We were told by the Haida matriarchs to give
18 eagle feathers to all of our witnesses. To -- I won't go
19 into the different cultural interpretations of eagle
20 feathers, but I think it's fair to say that eagle feathers
21 are there to hold you up when you need to be held up on
22 those hard days, and to help you reach higher places than
23 you ever though you could reach. So please -- thank you
24 for being with us, please accept this gift on our behalf,
25 and we're very grateful, sir, for the time you've been with

1 us.

2 And we'll take a 15-minute break. Thank
3 you.

4 --- Upon recessing at 3:06 p.m.

5 --- Upon resuming at 3:27 p.m.

6 **MS. CHRISTA BIG CANOE:** ...to ask your
7 questions.

8 (SHORT PAUSE)

9 **MS. CHRISTA BIG CANOE:** Sorry. We just need
10 the mic on.

11 **CHIEF COMMISSIONER MARION BULLER:** I'm on?
12 Good. Okay. Thank you.

13 For the information of witnesses, all four
14 of us will question one witness at a time, rather than that
15 sort of scattered gun approach. So Mr. Coleman, we're
16 going to start with you.

17 (A SHORT PAUSE)

18 **CHIEF COMMISSIONER MARION BULLER:**
19 Commissioner Audette will start.

20 **COMMISSIONER MICHÈLE AUDETTE:** You have the
21 mic, Chief Commissioner.

22 **CHIEF COMMISSIONER MARION BULLER:** Sorry.

23 **--- QUESTIONS BY COMMISSIONER MICHÈLE AUDETTE:**

24 **COMMISSAIRE MICHÈLE AUDETTE:** Merci, Madame
25 la commissaire en chef.

1 Alors, je vais me permettre ce qui est très
2 rare dans ces fonctions-là de pouvoir le faire en français.

3 Tout d'abord, avant de commencer, je veux
4 vous dire un gros merci d'avoir accepté de venir présenter
5 devant l'enquête, devant les commissaires, mais aussi
6 devant tout le Canada, parce que, comme vous le savez,
7 c'est en direct, et d'entrée de jeu, vous dire merci aussi
8 dans une ancienne vie pour avoir soutenu à quelques
9 reprises mes fonctions de présidente de Femmes autochtones
10 du Québec lorsqu'il y avait des crises en territoire où les
11 femmes étaient menacées et la SQ était présente, c'était
12 vous que j'appelais pour être sûre que les femmes soient
13 bien traitées par la police si jamais il y avait des
14 arrestations. Et peu importe l'heure dans la journée ou
15 dans la nuit, vous répondiez à mes appels.

16 Alors, j'espère que vous allez répondre à
17 mes questions. Alors, un gros, gros, merci.

18 **M. RICHARD COLEMAN:** Ça me fait plaisir.

19 **COMMISSAIRE MICHÈLE AUDETTE:** Ils vont rire
20 au ralenti plus tard, le temps que la traduction arrive.

21 Alors, sérieusement, vous nous avez parlé de
22 votre expérience avec votre curriculum vitae,
23 l'organigramme qui a été présenté aux commissaires et ainsi
24 de suite. Donc, on sait que vous avez beaucoup de
25 connaissances et d'expérience.

1 Vous avez été aussi à la tête des
2 négociations pendant 13 ans et au cours de ces années-là,
3 le Canada, dans vos ententes, dans leurs programmes au
4 niveau de la police, de leur côté révisait aux cinq ans, si
5 je comprends bien.

6 Et considérant les risques que le
7 Gouvernement du Canada mette fin à son propre programme,
8 vous, quelles sont les alternatives que vous identifiez et
9 recommandez à vos autorités en ce moment? Ça c'est ma
10 première question.

11 **M. RICHARD COLEMAN:** Merci, Madame la
12 commissaire. Merci de vos paroles. C'est apprécié.

13 Dans le fond, le modèle québécois est un
14 modèle, comme on dit souvent au Canada, un peu différent et
15 les Premières nations ont été à l'œuvre dès le début, dès
16 les années '70 en matière policière. On a parlé
17 abondamment des Cris, des Inuits, les Naskapis, les
18 Peacekeepers de Kahnawake 1972. Alors, ça fait longtemps
19 qu'on a des autogérés.

20 Quand on a une incertitude avec notre
21 partenaire fédéral en matière financière... comme vous le
22 dites, on l'a vécu pendant plusieurs années, des
23 renouvellements à l'année. On l'a vécu. Les corps de
24 police, les policiers, policières des Premières nations
25 l'ont vécu directement. Moi, j'ai toujours plaidé pour

1 l'exemple de Kahnawake. C'est sûr que je vous dirais avant
2 de parler de Kahnawake, je vous dirais qu'on est toujours
3 en une démarche en traités. Actuellement, on est en
4 pourparlers avec le regroupement Pettapam (phonétique),
5 trois communautés innues, dans une grande négociation
6 globale du gouvernement. Mais il y a une section police,
7 sécurité publique, sécurité civile.

8 On est aussi en discussion avec des
9 Atikamekws, les trois Premières nations Atikamekws, on est
10 en pourparlers pour une entente police dans le cadre d'un
11 traité global. Donc, on est vraiment... ça bouge. Ça
12 bouge.

13 Mais le plan de sortie dans la loi actuelle
14 est toujours 90... l'article 90 de la loi. Dans le fond,
15 l'article 90 de la *Loi sur la police* au Québec dit que le
16 Gouvernement du Québec peut avoir une entente pour créer un
17 corps de police avec un ou des communautés des Premières
18 nations.

19 Alors, c'est ça qui nous a inspiré avec
20 Kahnawake en 2009, c'est de dire, dans le fond, un petit
21 peu... on n'attend pas après le financement. Les
22 Peacekeepers existent depuis des années. Alors, on s'est
23 assis et puis on a travaillé en bipartite, dans le fond,
24 avec le Mohawk Council et on a une entente qui dit plein de
25 choses, c'est quoi les Peacekeepers, quelle est la vision

1 des Mohawks de Kahnawake, c'est quoi le *Peacekeeper Law*.
2 Il y a plein de choses là-dedans qui étaient avant leur
3 temps, je crois sincèrement. On est presque 10 ans plus
4 tard. On reconnaissait certaines affaires que les Mohawks
5 voulaient que ce soit officiel.

6 Alors cette entente-là qui ne finira jamais,
7 parce que dans le fond, on a été précurseur en mettant
8 aucune date d'expiration. Dans le fond, on a mis une
9 clause de collaboration. Aux cinq ans, si le Conseil
10 Mohawk ou le Québec veut discuter de problèmes, on lève la
11 main et on discute ou mettre fin, mais on n'a jamais eu de
12 raison pour le faire. Alors, l'entente continue.

13 Est-ce qu'elle est parfaite? Non, mais elle
14 est quand même différente de toutes les autres.

15 **COMMISSAIRE MICHÈLE AUDETTE:** Vous avez
16 aussi mentionné à maintes reprises « entente tripartite ».
17 Donc, on s'entend ici que entente tripartite c'est une
18 communauté, une nation, le Gouvernement du Québec et le
19 gouvernement fédéral, la troisième partie?

20 **M. RICHARD COLEMAN:** Oui.

21 **COMMISSAIRE MICHÈLE AUDETTE:** Est-ce que
22 vous êtes en mesure de nous décrire à quoi ressemble la
23 partie du gouvernement fédéral dans ces ententes
24 tripartites, si vous êtes en mesure, là.

25 **M. RICHARD COLEMAN:** La partie en termes de

1 budget?

2 **COMMISSAIRE MICHÈLE AUDETTE:** Bien, décrire
3 où est la contribution du Canada?

4 **Me BERNARD JACOB:** Annexe H.

5 **COMMISSAIRE MICHÈLE AUDETTE:** Annexe H?

6 **Me BERNARD JACOB:** On prend l'entente de la
7 communauté d'Opitciwan.

8 **M. RICHARD COLEMAN:** D'Opitciwan, oui.

9 **COMMISSAIRE MICHÈLE AUDETTE:** La communauté
10 d'Opitciwan. O.k., ça c'est un exemple.

11 **Me BERNARD JACOB:** Madame la commissaire
12 veut savoir la partie fédérale, la partie provinciale ou la
13 partie des nations...

14 **COMMISSAIRE MICHÈLE AUDETTE:** Exactement.

15 **Me BERNARD JACOB:** Alors, j'ai montré à
16 monsieur l'entente à l'Annexe H, Opitciwan. Je me rappelle
17 plus du numéro de pièce exactement.

18 **M. RICHARD COLEMAN:** H.

19 **Me BERNARD JACOB:** Bien, c'était l'onglet H,
20 mais...

21 **COMMISSAIRE MICHÈLE AUDETTE:** Onze (11).

22 **Me BERNARD JACOB:** ...il y a un numéro de
23 pièce. Et la question de la Commissaire Audette c'est les
24 obligations du fédéral, les obligations du provincial et
25 les obligations de la nation concernée?

1 **M. RICHARD COLEMAN:** Oui. Alors, dans le
2 fond, l'entente de financement tripartite est un produit du
3 Gouvernement du Canada. La manière que c'est rédigé, les
4 sections sont... ils ont des spécialistes. Ils ont des
5 gens habitués. Alors, c'est eux qui proposent un genre
6 de... bon, je vais prendre un anglicisme... un genre de
7 *template*.

8 **COMMISSAIRE MICHÈLE AUDETTE:** M'hm.

9 **M. RICHARD COLEMAN:** Et chaque section
10 décrit les obligations de tous et chacun. Alors, le
11 fédéral a des responsabilités à une section. C'est assez
12 bien défini. Le Québec, même chose. Le Québec, c'est
13 souvent des questions reliées à c'est quoi un corps de
14 police et puis qu'est-ce que ça fait dans la vrai vie,
15 opérationnellement parlant. Et ensuite on a les
16 responsabilités du conseil de la Première nation, les
17 tâches du directeur ou la directrice du corps de police,
18 les normes d'embauche, et cetera. Alors, c'est très bien
19 fait. C'est très bien écrit. C'est un beau document.
20 C'est facile à travailler. C'est de cette manière-là qu'on
21 travaille depuis au moins 20 ans, si c'est pas plus, ce
22 genre d'entente-là pour le financement.

23 **COMMISSAIRE MICHÈLE AUDETTE:** Alors, ça
24 c'est le fédéral.

25 Et vous, pour le Québec, c'est quoi le

1 mécanisme au niveau du financement pour le Québec?

2 **MAÎTRE BERNARD JACOB** : En fait, la question
3 peut-être n'a pas été répondue: quelle est la partie
4 d'obligations du fédéral, quelles sont les obligations du
5 provincial et quelles sont les obligations de la Nation?
6 Juste les identifier dans le document.

7 **M. RICHARD COLEMAN** : Ah, okay. Si vous me le
8 permettez, Madame la commissaire. On pourrait passer
9 beaucoup de temps parce que c'est très défini, mais dans le
10 fond, généralement, pour le fédéral, étant donné que c'est
11 un programme de contribution, on parle de réédition de
12 comptes, *where does the money go*, comment les dépenser, des
13 mécanismes de ce type-là. Les sections pour le Québec sont
14 beaucoup plus opérationnelles dans, par exemple, le Conseil
15 comme l'employeur doit déposer un plan de formation. Le
16 directeur de police dépose un plan de formation annuel, il
17 fait un rapport, s'il y a lieu, des infractions
18 disciplinaires avec ses policiers et policières. Est-ce que
19 ça vous aide un peu?

20 **COMMISSAIRE MICHÈLE AUDETTE** : Je vais vous
21 poser d'autres questions.

22 Alors, vous parlez de coûts, ce qui va peut-
23 être amener à répondre quelles sont les obligations, aussi,
24 de chaque partie, notamment celles du Québec. Mais un
25 exemple qu'on peut utiliser, c'est le témoignage de votre

1 collègue, M. Larose, sur les coûts incroyables au niveau du
2 transfert de prévenus, de gens qui viennent du Nord vers le
3 Sud et ça a des impacts sur ses opérations policières.

4 Alors vous, vous étiez en poste quand ces
5 choses-là arrivaient, depuis le nombre d'années que vous
6 êtes là; qu'est-ce qui a été fait pour solutionner cette
7 réalité-là ou cette situation-là? Avez-vous fait des choses
8 pour régler ça?

9 **M. RICHARD COLEMAN** : Oui. La situation des
10 Inuits au Nunavik, au Québec, me touche beaucoup. J'ai vécu
11 parmi eux et j'ai appris d'eux pendant sept ans, au début
12 de ma carrière, dans les années 1990 et je suis triste et
13 troublé par la situation de mes amis Inuits au nord du
14 Québec.

15 Depuis des années, on voit venir les
16 statistiques, la situation dans le Nord ne semble pas
17 s'améliorer malgré beaucoup d'efforts de la part de ce
18 peuple résilient et des paliers de gouvernement.
19 Actuellement, on travaille avec des propositions de leur
20 part, dont le projet Saqijuq, qui veut dire « le tournant
21 du vent » et Saqijuq est un projet inuit proposé et mené
22 par Minnie Grey et d'autres personnes du Nord. Dans le
23 fond, c'est une idée de travailler autrement avec des
24 personnes qui commettent des actes en état d'ébriété.

25 Dans le fond, on veut trouver une manière

1 d'utiliser le processus de dégrisement et de sevrage d'abus
2 d'alcool et, en même temps, travailler l'infraction
3 criminelle d'une autre manière. C'est un projet ambitieux,
4 mais je dois dire que c'est un projet qui vient d'eux, qui
5 porté par eux et que le Ministère de la Sécurité publique
6 supporte. Nous sommes actifs là-dedans.

7 Je crois que c'est un projet à moyen et long
8 terme, alors en attendant, nous n'avons pas oublié nos
9 responsabilités. Le financement du corps de police de M.
10 Larose et son équipe, le financement a été bonifié à
11 plusieurs reprises; des infrastructures policières neuves
12 ont été faites dans les dernières années et il y en a
13 d'autres à prévoir dans les prochaines années. Je crois
14 qu'il y a un financement du Ministère des Affaires
15 municipales du Québec de 20 millions de dollars pour
16 construire deux postes de police neufs à Inukjuak et
17 Puvirnituaq.

18 Nous, la Direction générale des Services
19 correctionnels est actuellement en démarche pour construire
20 un nouvel établissement de détention temporaire pour
21 Unituk, un autre projet d'envergure qui est en cours suite
22 au rapport du Protecteur du citoyen. Et on a aussi signé,
23 depuis 2009, environ deux ententes majeures : nous avons
24 une entente bilatérale avec des Inuits où Québec injecte
25 environ 3 millions de dollars supplémentaires sans

1 contribution du Canada et ça, c'est en vue de ce que vous
2 avez bien décrit, la crise est une partie de la réponse. Et
3 la deuxième entente, c'est l'entente d'équipe d'enquêteurs
4 en 2009 de la Sûreté du Québec et l'Academic Region Police
5 Force.

6 Cette entente prévoit que nous avons, dans
7 le fond, une équipe qui sera jumelée avec des enquêteurs de
8 Kativik et des enquêteurs de la Sûreté. Les résultats,
9 honnêtement, sont un peu mitigés à cause de ce que
10 M. Larose a décrit, la rétention et l'attraction du
11 personnel, autant pour Kativik que pour la Sûreté est un
12 défi; je crois que M. Charbonneau pourra compléter plus
13 tard cette semaine.

14 Alors, vous voyez qu'on a plusieurs actions.
15 J'ai fait mention tout à l'heure aussi du fonds Ungaluk,
16 qui oui, est 325 millions de dollars sur 25 ans pour
17 favoriser des projets de prévention de criminalité au
18 Nunavik qui sont conduits, dirigés, développés par les
19 Inuits du Nunavik.

20 **COMMISSAIRE MICHÈLE AUDETTE** : Vous me
21 permettez, M. Coleman : ce que je comprends de vous,
22 d'ailleurs, d'entrée de jeu, dans votre réponse, vous êtes
23 d'accord avec le fait qu'il y a une crise en ce moment chez
24 les Inuits? Est-ce que vous êtes d'accord avec ce que votre
25 collègue, M. Larose a présenté comme réalité de sa

1 perspective, comme directeur, qu'il y ait un manque de son
2 côté à lui aussi pour répondre à la sécurité des gens, mais
3 aussi à la sécurité de ses employés? Pas sécurité humaine,
4 mais en termes de prévenir le *burn-out* ou le roulement de
5 personnel: ça, vous êtes conscient de ça?

6 **M. RICHARD COLEMAN** : Oui, absolument. J'ai
7 vécu sept ans à Kuujuaq et j'ai voyagé beaucoup sur le
8 détroit d'Hudson. Je partage en presque totalité les
9 commentaires de mon confrère et je répète : je suis triste
10 et troublé. Et je pense que j'ai fait quand même une courte
11 liste des initiatives qu'on veut travailler, mais je suis
12 convaincu d'une chose, comme criminologue et comme
13 fonctionnaire de longue date : on doit continuer à
14 accompagner les Inuits dans leurs projets à eux, comme
15 Saqijuq, comme la justice réparatrice, les comités de
16 justice au Nord et d'autres mesures qui viennent d'eux.

17 Mais c'est sûr qu'on a un problème de
18 violence, de violence avec des armes à feu, de suicides et
19 de désarroi social qui me touchent profondément.

20 **COMMISSAIRE MICHÈLE AUDETTE** : Est-ce que le
21 message de votre collègue, vous le connaissiez, vous m'avez
22 dit oui. Est-ce que dans votre ministère, il va y avoir des
23 actions, justement, pour remédier à cette réalité-là qui
24 perdure depuis plusieurs décennies, si j'ai bien compris,
25 suite à la présentation?

1 **M. RICHARD COLEMAN** : Oui. Encore là, je
2 répète un peu ce que j'ai dit hier : je n'ai pas participé
3 aux négociations sur la police, mais je me porte garant
4 comme voix qu'à chaque fois que j'entends parler, au 2525
5 boulevard Laurier de la question de la police et des
6 besoins de la police de Kativik Regional Police Force, qui
7 est un corps de police créé en vue d'un traité et d'une
8 loi. Alors, c'est important ; le Québec a des
9 responsabilités et je peux juste dire que sur la question
10 des négociations de mon confrère Larose, je me porte garant
11 pour me faire l'écho de ses besoins.

12 Dans les autres catégories, on en
13 mouvement : le quartier cellulaire neuf, le transport des
14 détenus, on va s'y attarder. Ça va être fini, le fourgon
15 cellulaire dans le parc de La Vérandrye pendant 10 heures,
16 ça va être terminé bientôt. Mais on va travailler toutes
17 ces choses-là avec le milieu, avec le corps de police, avec
18 nos partenaires régionaux. On est actifs dans un centre
19 résidentiel communautaire à Kangirsuk, Nakitautsik, qui
20 existe depuis 20 ans. On a relancé des activités avec eux,
21 on s'est déplacés sur place. Alors, on est en mouvement
22 dans plusieurs affaires.

23 Mais sur la police, ce n'est pas moi qui
24 négocie, mais dans l'ascenseur, je peux passer des messages
25 et je vais le faire pour M. Larose et, dans le fond, pour

1 toutes les femmes et filles inuites qui sont affectées par
2 cette violence-là qui est désolante.

3 **COMMISSAIRE MICHÈLE AUDETTE** : J'espère que
4 vous allez prendre souvent l'ascenseur! Alors, mes
5 dernières questions pour laisser du temps aussi à mes
6 collègues et sachant qu'on a d'autres personnes très
7 intéressantes aussi qui vont venir nous partager leur
8 vérité, j'irais un peu, dans le cadre de votre mandat, au
9 niveau de la Direction des affaires autochtones.

10 Est-ce que vous avez développé des outils de
11 rendement au fil des années pour voir que ce que vous
12 mettez en place, en effet, ça fonctionne ou comment ça fait
13 que quand j'énumère une série de mesures pour le Nord,
14 finalement, le taux d'incarcération augmente, le taux de
15 suicide augmente, la violence augmente et ainsi de suite?
16 Où ça accroche? Avez-vous mis des outils d'évaluation en
17 conséquence?

18 **M. RICHARD COLEMAN** : Oui. On a beaucoup
19 d'analyses qui sont faites sur les résultats de beaucoup
20 d'initiatives et il y en a plusieurs qui sont nouvelles,
21 avec le plan d'action, que j'ai hâte de lire, surtout en
22 prévention. Je pense qu'en prévention, c'est quelque chose
23 qu'on a négligé un peu, avec les Premières Nations, entre
24 autres à cause un peu de la complexité de faire une demande
25 et de se faire accompagner pour avoir une entente. Mais

1 depuis un an ou deux ans, voyez-vous, on a déjà cinq
2 nouvelles ententes. Ça, c'est quelque chose qu'on va devoir
3 évaluer, les résultats et il y a une démarche qui va être
4 faite. Ça fait partie du contrat, dans le fond.

5 Les autres initiatives, autant avec les
6 nations conventionnées, on travaille surtout avec leur
7 analyse. Si on parle des Cris, du gouvernement cri de la
8 Baie James, qui sont rendus très loin en gouvernance et en
9 autonomie, c'est surtout Donnie Nichols et les autres qui
10 me disent comment ça va et on regarde ça ensemble.

11 Alors, on encourage tous les corps de
12 police, tous les conseils et toutes les initiatives en
13 justice et en sécurité publique. On veut être plus à
14 l'écoute et je pense que c'est un peu la mission de mon
15 bureau de relations avec les autochtones qui est un petit
16 bureau, mais on veut être à l'écoute des Premières Nations
17 un peu dans le sentier qu'ils veulent prendre pour se
18 rendre à l'objectif que Monsieur Bellegarde, à titre
19 d'exemple, décrivait tout à l'heure.

20 **COMMISSAIRE MICHÈLE AUDETTE :** Alors, je vais
21 laisser mes collègues poursuivre pour leurs questions.

22 **MR RICHARD COLEMAN :** Merci à vous.

23 **COMMISSIONER QAJAQ ROBINSON:** Merci. Thank
24 you.

25 **--- QUESTIONS BY COMMISSIONER QAJAK ROBINSON:**

1 **COMMISSIONER QAJAQ ROBINSON:** A couple of
2 questions just following up from the questions that
3 Commissioner Audette asked of you. The temporary detention
4 centre in Puvirnituaq, is this a remand facility or a
5 overnight holding cell? Can you describe that a little bit
6 more?

7 **MR RICHARD COLEMAN:** Oui. Dans le fond, la
8 Protectrice du citoyen nous a signalé que la manière dont
9 les personnes inuites étaient détenues au poste de police
10 lors des sessions de la Cour était largement inacceptable.

11 Alors, la nouvelle facilité ou la nouvelle
12 infrastructure qui va être construite à même le Palais de
13 justice, c'est ça le projet, est une extension des lieux,
14 un agrandissement et va permettre de garder les gens
15 temporairement pendant que la Cour itinérante est sur
16 place. Donc, on parle d'un maximum de trois ou quatre
17 nuits. Mais ça va être beaucoup plus adapté à la réalité et
18 à des conditions normales de détention au lieu de
19 conditions inacceptables.

20 **COMMISSIONER QAJAQ ROBINSON:** And just so I
21 know I have this right, and so those listening can have an
22 appreciation for the reality of this in the Ombudsman's
23 findings. If a citizen from Nunavik is detained and, as
24 Mr. LaRose described, sent south and held in the remand
25 facilities in Amos (ph), when it comes time for them to

1 have court they go to Puvirnitug where court is held. And
2 am I correct that in -- Puvirnitug is where court is held
3 for the entire region? Is that correct?

4 **MR RICHARD COLEMAN :** Non. Le Nunavik est
5 desservi par une Cour itinérante qui visite les 14
6 communautés ou presque. Puvirnitug et Kuuujuaq sont les
7 deux places où il y a un Palais de justice permanent, donc
8 ce sont les deux villages où la Cour s'installe pour leur
9 semaine et, ensuite, va dans d'autres villages plus loin.

10 **COMMISSIONER QAJAQ ROBINSON:** Okay. Okay.
11 So it's holding them in remand within the territory during
12 the duration of court, that's the Puvirnitug facility?

13 **MR RICHARD COLEMAN :** Temporairement.

14 **COMMISSIONER QAJAQ ROBINSON:** Oui. Okay.

15 **MR. RICHARD COLEMAN:** Only for a few days.

16 **COMMISSIONER QAJAQ ROBINSON:** Oui.

17 **MR RICHARD COLEMAN :** Ils sont en *remand* à
18 Amos, dans le fond.

19 **COMMISSIONER QAJAQ ROBINSON:** Okay.
20 Perfect. Okay. Good. Thank you.

21 You talked about working with Inuit, and
22 Inuit are organized in political legal bodies. When you
23 say that the Department of Public Safety is working with
24 Inuit, are you working with the Kativik Regional Government
25 as well the Makkovik Corporation?

1 **MR RICHARD COLEMAN** : Oui. On travaille..
2 professionnellement parlant, on travaille beaucoup avec
3 l'administration régionale de Kativik. Si on prend
4 l'exemple des techniciens correctionnels ou le CRC
5 Makitautik, c'est avec le département de justice de l'ARC.
6 Et dans les ententes plus larges, c'est avec la société
7 Makkovik. Donc, dans le fond, on travaille avec les deux.

8 **COMMISSIONER QAJAQ ROBINSON**: Okay. Thank
9 you.

10 My following questions are more about police
11 training and policing standards generally within the
12 province, not exclusively within Nunavik.

13 Within the Province of Quebec, are there
14 codified or legislated policing standards?

15 **MR RICHARD COLEMAN** : Euh, si je comprends
16 votre question, vous parlez de pratiques policières? Police
17 practices?

18 **COMMISSIONER QAJAQ ROBINSON**: Yeah.
19 Standards in adequacy that are codified and legislated. We
20 heard from ONWA this morning about the legislation within
21 Ontario. Is there an equivalent in Quebec?

22 **MR RICHARD COLEMAN** : Oui. Alors, dans un
23 premier temps, la Loi sur la police prescrit des attentes
24 légales à l'égard de tous les policiers et policières au
25 Québec, incluant les corps de police des Premières Nations

1 en termes de déontologie policière, en termes de
2 discipline, obligation d'avoir un code de discipline et
3 l'obligation de signaler une infraction criminelle faite
4 par un confrère ou un consoeur de travail. Il y a plein
5 d'obligations ; la Loi est quand même assez détaillée.

6 Dans la question des pratiques policières,
7 parce que je pense que votre question a une partie à deux
8 volets, le Ministère, la Direction générale des affaires
9 policières publie depuis maintenant plus de 20 ans un Guide
10 de pratiques policières qui inclut des pratiques sur tous
11 les volets de l'activité policière : l'incarcération, la
12 patrouille, la gendarmerie. Et toutes ces pratiques-là sont
13 traduites en anglais et en français et sont distribuées à
14 tous les corps de police au Québec. Les corps de police au
15 Québec en tirent inspiration pour conduire leurs opérations
16 quotidiennes.

17 **COMMISSIONER QAJAQ ROBINSON:** Perhaps it's a
18 question of translation. It was translated as it inspires
19 their daily work, or does it bind it?

20 **MR. ROBERT COLEMAN:** Yeah, I can go in
21 English if that can help, just for clarity.

22 The police practices manual of the the
23 Public Safety Quebec is not legally binding. Each police
24 force is independent and autonomous, and they use those
25 practices to inspire them. These practices are developed

1 by lawyers, by specialists in policing, but each police
2 force must adapt those practices to their reality.

3 **COMMISSIONER QAJAQ ROBINSON:** Okay.

4 **MR. RICHARD COLEMAN:** Is that all right?

5 **COMMISSIONER QAJAQ ROBINSON:** Okay. Thank
6 you. And it applies to the Kativik Police Regional Police
7 Force?

8 **MR RICHARD COLEMAN :** Oui, ça s'applique à la
9 Police régionale de Kativik.

10 **COMMISSIONER QAJAQ ROBINSON:** Okay. And for
11 failure to live up to those standards, if a citizen in
12 Nunavik were to bring into question the performance of the
13 Kativik Regional Police Force, whom do they raise their
14 concerns with?

15 **MR RICHARD COLEMAN :** Il y a plusieurs
16 outils. Le citoyen peut se plaindre si c'est une question
17 de traitement par la police en termes d'incarcération ou de
18 choses de cette nature-là : il y a le Protecteur du
19 citoyen. Si c'est une question lors d'une interception
20 policière ou une interaction avec un policier, c'est le
21 Code de déontologie, donc le Commissaire en déontologie du
22 Québec, qui est accessible sans frais, en français et en
23 anglais.

24 Pour une personne inuite qui voudrait porter
25 plainte au Commissaire, je sais... je ne pense pas que je me

1 trompe, mais je sais qu'ils vont prendre toutes les mesures
2 nécessaires pour faciliter la plainte et même assez aussi
3 loin que d'utiliser un interprète ; je m'avance peut-être
4 un peu, mais il me semble que c'est ça qui est la situation
5 chez mon ami, Me Marc-André Dowd, qui est le commissaire.

6 **COMMISSIONER QAJAQ ROBINSON:** Okay. My
7 final, and it question relates to recruitment, and
8 specifically, training. There was a recent incident in
9 Quebec that highlighted issues with racism. It was at a
10 AAA I think it was Peewee hockey game. So 13 and 14 year
11 old boys were subjected to racial slurs and racism.

12 When it comes to identifying issues with
13 racism and in the recruitment, are there policies and
14 practices established to address and to look for those
15 kinds of ideologies?

16 **MR RICHARD COLEMAN :** Je crois que c'est une
17 très bonne question. Le recrutement policier n'est pas
18 vraiment du ressort de notre ministère ; par contre, je ne
19 suis pas au courant s'il y a des évaluations d'idées ou de
20 comportements ou de racisme de la part d'un aspirant
21 policier ou policière.

22 Je ne sais pas, Jean-Pierre...? Jean-Pierre
23 Larose pourra peut-être vous dire comment lui traite ce
24 sujet-là avec ses membres.

25 **COMMISSIONER QAJAQ ROBINSON:** We'll wait

1 until we get to him. My final question then is with
2 respect to training, how police are trained at the école --
3 at the college. Are there specific training to speak to
4 issues of racism and racial bias and gendered bias?

5 **MR RICHARD COLEMAN** : Je ne sais pas. Je ne
6 sais pas.

7 **COMMISSIONER QAJAQ ROBINSON**: Okay. Those
8 are all my questions. Merci.

9 **M. RICHARD COLEMAN**: (Langue autochtone
10 parlée)

11 **COMMISSIONNER QAJAQ ROBINSON** : (Langue
12 autochtone parlée)

13 **COMMISSIONER BRIAN EYOLFSON**: Thank you. I
14 don't have any additional questions. I just want to thank
15 you very much, Mr. Coleman, for coming here and giving your
16 presentation and answering questions. Thanks.

17 **M. RICHARD COLEMAN**: Merci à vous.

18 **--- CROSS-EXAMINATION BY CHIEF COMMISSIONER MARION BULLER:**

19 **CHIEF COMMISSIONER MARION BULLER**:

20 Mr. Coleman, I also want to thank you for being with us for
21 these two days.

22 I just have one question for clarification
23 because my colleagues have asked my questions better than I
24 could have. So it's just one remaining. The Tripartite
25 Agreements, am I correct that they do not require Level 1

1 police services?

2 **M. RICHARD COLEMAN :** C'est une très bonne
3 question. Dans le fond, les communautés... prenons l'exemple
4 des Cris. L'entente tripartite est l'entente qui crée le
5 corps de police régional Cri, le Innu Police Force. Les
6 Cris nous ont proposé les services qu'ils voulaient
7 rendre : il y en a plusieurs qui sont énumérés dans la
8 question de niveau 1. Alors, chaque corps de police nous
9 propose des choses pour le *day-to-day policing*.

10 Mais l'entente tripartite, étant donné que
11 c'est un peu un document fédéral, n'en fait pas mention.
12 Mais souvent, on trouve les services qui sont rendus par
13 chaque corps de police des Premières Nations à une annexe,
14 l'annexe B, où le corps de police peut énumérer ce qu'il
15 veut faire et ce qu'il fait, dans le fond.

16 **CHIEF COMMISSIONER MARION BULLER:** Okay.
17 Thank you very much. Those are my questions.

18 **MR RICHARD COLEMAN:** Merci à vous.

19 **CHIEF COMMISSIONER MARION BULLER:**
20 Mr. LaRose.

21 **---CROSS-EXAMINATION BY COMMISSIONEER MICHÈLE AUDETTE:**

22

1 **COMMISSIONNEER MICHÈLE AUDETTE:** Je pensais
2 que c'était moi! Merci beaucoup d'être venu, M. Larose et
3 ce fut fort intéressant de voir la perspective d'un
4 Québécois de comment se passent les choses dans le Nord et
5 de nous partager aussi franchement les réalités, en tout
6 cas, de les décrire de cette façon. Alors, merci pour votre
7 courage et j'espère que bien des gens qui vont faire partie
8 des institutions vont suivre aussi vos traces, d'avoir
9 cette capacité-là de dire les vraies choses.

10 Donc, votre expérience, vous dites qu'en
11 termes de temps, elle est courte, au Nunavut, mais en vous
12 écoutant, on comprend que vous avez couvert beaucoup
13 beaucoup, au-delà peut-être même de vos tâches. Et comme
14 vous l'avez expliqué, vos membres sont multitâches -
15 j'allais le dire en anglais, mais je ne le ferai pas! Ils
16 ont une capacité *multitask* - je l'ai dit! Alors, c'est la
17 réalité de bien des gens dans le Nord, alors? Je comprends
18 ça.

19 Est-ce que vous trouvez ça normal que ne
20 soient pas déjà en place des protocoles d'entente avec la
21 Sûreté du Québec pour leurs services ou avec la Commission
22 scolaire... supplétifs, pardon, des services supplétifs ou
23 avec la Commission scolaire sur la prévention?

24 **M. JEAN-PIERRE LAROSE:** C'est très anormal,
25 parce que la loi a été passée il y a quelques années et

1 l'ensemble des corps de police a reçu des ententes. J'ai
2 même fait partie des comités de travail pour élaborer les
3 ententes de collaboration avec les commissions scolaires.

4 Mais je crois qu'avec l'ensemble des
5 dossiers et de la charge de travail qu'ils avaient, au
6 corps de police Kativik, ils n'ont pas eu nécessairement le
7 temps de regarder ça actuellement. Ça fait quand même à peu
8 près un an et demi que les ententes ont été développées,
9 donc c'est quand même relativement récent.

10 Cependant, c'est sûr qu'au Sud, ils avaient..
11 on avait des ententes de collaboration avec les commissions
12 scolaires qui datent de plusieurs années. Il y a un guide
13 d'intervention policière au sein des écoles également. Ça,
14 ça a été issu du fameux... ce qu'on appelle le Prêt de la
15 Sûreté du Québec : ce sont les interventions dans les
16 écoles lors d'un tireur actif. Alors, ça fait partie de ces
17 ententes de collaboration.

18 Donc, ça existait auparavant, mais plus
19 récemment, le gouvernement a adopté une loi qui concernait
20 particulièrement l'intimidation qui se passait dans les
21 écoles. Et à partir de cette loi-là, ils ont rendu une
22 obligation des corps de police à signer des ententes de
23 collaboration, ce qui n'existait pas dans le passé. Les
24 ententes existaient, il y avait de la bonne foi de part et
25 d'autre, mais il n'y avait pas d'obligation d'engagement de

1 part et d'autre entre le service de police et les
2 commissions scolaires.

3 **COMMISSIONNEER MICHÈLE AUDETTE** : Alors,
4 pourquoi on fait des ententes?

5 **M. JEAN-PIERRE LAROSE** : (rires)

6 **COMMISSIONNER MICHÈLE AUDETTE** : Pouvez-vous
7 me répondre?

8 **M. JEAN-PIERRE LAROSE** : Dans quel sens
9 voulez-vous dire?

10 **COMMISSIONNEER MICHÈLE AUDETTE** : Vous
11 m'expliquez qu'il y a des ententes, mais il n'y a pas
12 d'obligation pour les mettre...?

13 **M. JEAN-PIERRE LAROSE** : Il n'y en avait pas,
14 mais là...

15 **COMMISSIONNEER MICHÈLE AUDETTE** : Là, il y en
16 a?

17 **M. JEAN-PIERRE LAROSE** : Là, il y a une
18 obligation. On doit signer des ententes. Ça a été modifié
19 récemment par la Loi.

20 **COMMISSIONNEER MICHÈLE AUDETTE** : Je pensais
21 que c'était vous qui l'aviez amené, ça.

22 **M. JEAN-PIERRE LAROSE** : Non.

23 **COMMISSIONNEER MICHÈLE AUDETTE** : Okay. Et
24 vous avez aussi parlé... on va rester dans le concept de
25 commissions scolaires pour aller vers la formation, le

1 manque de formation sur les réalités autochtones ou on va
2 parler ici des réalités inuites.

3 Et je veux juste me rappeler un peu... ce
4 n'est pas une obligation, chez vous, d'avoir une formation
5 ou ça l'est?

6 **M. JEAN-PIERRE LAROSE** : Ce n'est pas une
7 obligation. J'ai constaté que c'est un manque. J'en fais
8 une obligation dans mon corps de police d'assurer que cette
9 formation soit offerte à tous nos policiers, non seulement
10 les nouveaux. Et ça va commencer, comme je l'ai mentionné
11 dans mon témoignage, prochainement.

12 **COMMISSIONEER MICHÈLE AUDETTE** : Est-ce que
13 la Commission devrait recommander aux 300 corps policiers,
14 on va parler à travers le Canada parce que...

15 **M. JEAN-PIERRE LAROSE** : Madame la
16 Commissaire, c'est un must.

17 **COMMISSIONEER MICHÈLE AUDETTE** : Parfait.
18 Voulez-vous finir votre phrase : un must pourquoi?

19 **M. JEAN-PIERRE LAROSE** : (rires) C'est une
20 formation qui est incontournable et qui doit être faite.
21 Pour le bien, la performance, une meilleure intervention,
22 une meilleure compréhension de part et d'autre de nos
23 policiers envers la communauté et de la communauté envers
24 les policiers. Et comme je le disais, c'est un élément qui
25 contribuerait davantage à réduire la méfiance, entre

1 autres.

2 **COMMISSIONEER MICHÈLE AUDETTE** : Et de
3 connaître la beauté d'un peuple!

4 **M. JEAN-PIERRE LAROSE** : Absolument!

5 **COMMISSIONEER MICHÈLE AUDETTE** : J'ai le
6 droit de le dire, moi! (rires)

7 **M. JEAN-PIERRE LAROSE** : Et j'endosse!
8 (Rires)

9 **COMMISSIONEER MICHÈLE AUDETTE** : Alors, est-
10 ce que, sur un autre sujet, qu'en est-il du port aérien
11 pour le transport des prévenus, question dont j'ai glissé
12 un mot à votre collègue?

13 **M. JEAN-PIERRE LAROSE** : En fait, il y a eu
14 justement... comme mon collègue le disait, des discussions
15 depuis plusieurs années sur cet enjeu-là. À mon arrivée, je
16 l'ai re-soulevé, j'ai posé des questions à la lumière de
17 mon constat du coût que ça occasionnait pour le service de
18 police. Alors, j'ai demandé des rencontres avec le
19 Ministère de la Sécurité publique en haut lieu, alors le
20 sous-ministre Morneau avec ses adjoints. On a eu une
21 première rencontre et ça a été soulevé.

22 Et à cette rencontre-là, on a dégagé une
23 initiative de M. Morneau, en disant... il y avait aussi, à
24 cette rencontre, le sous-ministre aux Services
25 correctionnels et M. Coleman, je crois, oui? Il y avait

1 plusieurs personnes. Et M. Morneau et M. Longtin, je crois,
2 du Service correctionnel, le sous-ministre, ont convenu de
3 mettre en place un comité officiel dont on fait partie pour
4 regarder la situation et proposer des solutions en termes
5 de pont aérien. Et, surtout, ce que je recommandais, parce
6 qu'on en entendait tellement parler puis il n'y avait
7 aucune action de faite : est-ce qu'on peut commencer avec
8 un projet pilote?

9 Alors, je pense que c'est une bonne façon de
10 voir comment on peut mettre ça en place avec un projet
11 pilote. Donc, il y a eu une première rencontre récemment ;
12 il y en a une deuxième le 12 juillet prochain là-dessus.

13 **COMMISSIONNEER MICHÈLE AUDETTE** : Donc, ce
14 n'est pas une situation/problématique nouvelle?

15 **M. JEAN-PIERRE LAROSE** : Pas du tout.

16 **COMMISSIONNEER MICHÈLE AUDETTE** : Alors
17 pourquoi, selon vous, cette situation/problématique, il n'y
18 a toujours pas de solution pour ça?

19 **M. JEAN-PIERRE LAROSE** : Pourquoi elle
20 perdure, hein? Je n'en ai aucune idée. C'est une question
21 évidemment financière, mais au-delà de ça, c'est une
22 question aussi d'opérationnalité, de saine gestion et aussi
23 d'opérationnalité, de saine gestion et d'efficience de
24 gestion, honnêtement, je comprends pas que ça soit pas
25 abouti aussi vite. On me dit que ça fait plusieurs années

1 qu'on en parle. Alors, on espère. Là, c'est sûr que je
2 crois avec différentes pressions du Protecteur du citoyen,
3 tout ça a aidé à enligner les instances.

4 **COMMISSAIRE MICHÈLE AUDETTE:** Mm. Mm. Mm. Mm.
5 Je me rappelle très bien de cet article-là où les
6 reportages, ça l'avait frappé l'imaginaire.

7 **M. LAROSE:** Oui.

8 **COMMISSAIRE MICHÈLE AUDETTE:** On commençait
9 comme commissaires.

10 Et quels sont les... le soutien ou les aides
11 que vous recevez du ministère ou, ben, de votre ministère
12 là pour vous et vos représentants, vos employés, vos
13 collègues?

14 **M. LAROSE:** En termes de soutien logistique,
15 opérationnel, psychologique?

16 **COMMISSAIRE MICHÈLE AUDETTE:** J'allais dire
17 tout ça. Non, non. Oui, merci de me réenligner. Parce que
18 vous avez parlé de saine gestion : pour atteindre vos
19 objectifs?

20 **M. LAROSE:** Bien, effectivement, on a... y'a un
21 Bureau des affaires autochtones à la Sûreté du Québec, donc
22 y'a un responsable qui a sous sa gouverne plusieurs agents
23 de liaison et probablement que M. Charbonneau va vous en
24 dire plus... davantage là-dessus, mais c'est surtout via la
25 Sûreté du Québec qu'on a un certain soutien à ces égards-

1 là. Et M. Coleman a parlé aussi, de leur côté, avec son
2 bureau, du soutien qu'ils peuvent nous apporter lors de
3 problématiques quelconques. On m'a signalé que toute leur
4 assistance et leur collaboration à cet égard-là.

5 **COMMISSAIRE MICHÈLE AUDETTE:** Pour terminer,
6 je vous dirais comme parent, hein, j'ai cinq beaux enfants,
7 comme toutes les mamans qui sont ici aussi ou les papas, on
8 voudrait pas que nos enfants soient touchés, agressés ou
9 violés, battus, et ainsi de suite. C'est... on veut vraiment
10 pas ça. Puis je vais vous dire la vérité, ça m'a frappé
11 d'apprendre que ça peut prendre six mois avant que une
12 famille et un enfant, pis je vais même rajouter une
13 communauté, puissent être soutenus et pris en charge.

14 **M. LAROSE:** Vous avez raison et ça m'a frappé
15 également, et je peux vous dire que je vais amorcer des
16 discussions avec la Sûreté. Ça va faire partie du
17 renouvellement du protocole et, à ce chapitre-là, je peux
18 vous garantir que je vais faire d'énormes pressions pour
19 que ces délais-là soient... c'est même pas une question de
20 réduction, il faut que ces interrogatoires-là et cette
21 assistance-là soient faits dans les 24, 48 heures suivants
22 les évènements, c'est un incontournable.

23 **COMMISSAIRE MICHÈLE AUDETTE:** Alors, ça
24 pourrait faire partie d'une recommandation pour une réalité
25 nordique, une réalité iso...

1 **M. LAROSE:** Tout à fait.

2 **COMMISSAIRE MICHÈLE AUDETTE:** Dont les
3 communautés isolées sont...

4 Merci beaucoup. Merci.

5 **M. LAROSE:** Ça me fait plaisir. Et n'hésitez
6 pas, vous pouvez m'appeler également comme mon collègue si
7 vous avez des problèmes.

8 (RIRES)

9 **COMMISSAIRE MICHÈLE AUDETTE:** En ce moment,
10 j'ai pas le droit. Après.

11 (RIRES)

12 Ah, you have yours!

13 **COMMISSIONER QAJAQ ROBINSON:** Merci.

14 Again, I'm going to continue a little bit
15 where Commissioner Audette left off.

16 And, so that I'm clear, the wait time for
17 the investigation, it's with respect to aggravated sexual
18 assaults?

19 **M. LAROSE:** Oui, particulièrement chez les
20 enfants.

21 **COMMISSIONER QAJAQ ROBINSON:** Okay. So I want
22 to flesh out the impact of that. If it takes six or more
23 months to determine -- to investigate, that means in a
24 community -- that means that in terms of the determination
25 of whether or not the accused should be detained or

1 released or on any kind of conditions likely has to wait
2 till that investigation occurs. Is that correct?

3 **M. LAROSE:** Euh, pas nécessairement.

4 Heureusement, y'a des dispositions évidemment qui nous
5 permettent d'enquêter et d'agir rapidement avec des motifs
6 raisonnables et probables de croire que y'a eu une
7 agression et tout ça. Lorsque on fait venir un spécialiste
8 pour interroger sous vidéo à la Sûreté, c'est un complément
9 d'enquête qui vient renforcer notre preuve pour la Cour.
10 Mais, dans bien des cas, lorsque l'enquête dès les 24-
11 48 heures nous permet d'identifier un agresseur, et peut-
12 être qu'on a des motifs raisonnables et probables de croire
13 qu'il a fait l'acte et on peut procéder à l'arrestation et
14 tout ça, mais on doit compléter l'enquête par des processus
15 d'enquête plus, je dirais, sophistiqués et plus complets
16 pour nous aider dans notre preuve afin de bien inculper
17 l'agresseur éventuellement.

18 **COMMISSIONER QAJAQ ROBINSON:** Okay. Thank
19 you. Em...

20 **M. LAROSE:** Mais, bien évidemment - si vous
21 me permettez -, c'est sûr que avant de déposer des
22 accusations à la cour, ça peut prendre un certain temps
23 parce qu'on n'a pas complété notre dossier parce qu'on
24 attend ces spécialistes.

25 **COMMISSIONER QAJAQ ROBINSON:** So it could

1 result in women and girls having to remain in a community
2 with the person who assaulted them, a community of 300
3 people, while they wait for the investigation.

4 **M. LAROSE:** C'est possible.

5 **COMMISSIONER QAJAQ ROBINSON:** Are Kativik
6 Regional Police Force officers trained in administering
7 and/or collecting DNA collection kits, sexual assault kits,
8 things like that or is that something that has to wait for
9 the SQ as well?

10 **M. LAROSE:** Non. Les policiers ont une
11 formation quand même de base pour faire une préenquête lors
12 de tout évènement criminel qui peut se produire. Ils
13 recueillent des informations, recueillent la preuve,
14 recueillent de l'ADN, protègent des scènes, prennent des
15 photos, recueillent des empreintes digitales, ils sont
16 formés. C'est lorsque ça devient un peu plus sophistiqué
17 qu'on a besoin de spécialistes en scènes de crime.

18 **COMMISSIONER QAJAQ ROBINSON:** Okay. Good.
19 Thank you. I just wanted to ensure I properly understood
20 what that reality looked like.

21 I'm going to move on to training and
22 recruitment, and ---

23 Sorry, I'm hearing voices.

24 (LAUGHTER)

25 **COMMISSIONER QAJAQ ROBINSON:** People are

1 talking, I'm not literally hearing voices.

2 (LAUGHTER)

3 **UNIDENTIFIED SPEAKER:** Questioning. We have
4 questions.

5 **COMMISSIONER QAJAQ ROBINSON:** <Laughter> I'm
6 sorry.

7 Recruiting and training, from the funds that
8 the Kativik Regional Police Force receives for that -- for
9 that -- for the recruitment and training, does that come
10 out of the Tripartite Agreement funds? I guess the
11 Tripartite Agreement, that's your sole source of funding?

12 **M. LAROSE:** Tout à fait.

13 **COMMISSIONER QAJAQ ROBINSON:** Okay.

14 **M. LAROSE:** Et y'a des sommes d'argent qui
15 sont prévues dans les ententes triparties pour la
16 formation.

17 **COMMISSIONER QAJAQ ROBINSON:** And when it
18 comes to the funds that you receive, is it comparable to
19 Southern Canadian police forces?

20 **M. LAROSE:** Pas vraiment parce que
21 évidemment, comme je l'ai dit auparavant, les couts
22 d'envoyer un de mes policiers en formation à l'École
23 nationale, considérant que nous ne contribuons pas au 1 %
24 de la masse des policiers à l'École nationale, nous devons
25 payer un prix, un plein-prix que y'appellent, donc des

1 prix, des couts très élevés sans compter le cout des
2 transports. Vous savez qu'un transport d'un policier à
3 Nicolet pour suivre la formation en partant du Nunavik, les
4 billets d'avion, c'est à peu près 3 000 \$.

5 **COMMISSIONER QAJAQ ROBINSON:** Have you looked
6 at comparing the training dollars, recruitment dollars in
7 just general operation dollars of the Kativik Regional
8 Police force with other Northern police forces? Say, for
9 example, the RCMP in Nunavut? Is it comparable? Are you
10 aware? Have you looked at that?

11 **M. LAROSE:** Non, pas vraiment. J'ai pas
12 comparé encore ces couts avec d'autres services de police,
13 non.

14 **COMMISSIONER QAJAQ ROBINSON:** Okay.

15 **M. LAROSE:** Mais c'est... pour moi, c'est des
16 couts très élevés et c'est sûr que ça coute moins cher
17 envoyer un policier en formation à partir du Sud pour deux
18 raisons, comme je vous disais : le transport...

19 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
20 I'm going to move on to the negotiation of your tripartite
21 agreement. As you are negotiating or renegotiating this
22 agreement, is it you and the Quebec Regional Police Force
23 that is in engagement with the federal government and the
24 Province of Quebec in this negotiation?

25 **MR. JEAN-PIERRE LAROSE:** Oui, j'étais sur la

1 table pour une première rencontre récemment avec mon
2 directeur général adjoint du gouvernement de Kativik.

3 **COMMISSIONER QAJAQ ROBINSON:** Can you talk a
4 little bit about the negotiations, as much as you can? It
5 seems to me that a lot of these programs and these
6 initiatives come as contribution agreements. They are
7 boilerplate, a lot of them, and we've heard from other
8 First Nations police forces as well as from different
9 reports that when it comes time to renegotiate these
10 things, it's not actually a renegotiation. There is an
11 equal bargaining power. It's more or less a dynamic where
12 it's, "this is our program, this is the budget lines that
13 we've allocated to it, and this is what you're going to
14 get". I'm wondering if this has been your experience and
15 if you have thoughts on that?

16 **MR. JEAN-PIERRE LAROSE:** Ben, comme je vous
17 dis, j'ai participé à une première rencontre et mon
18 prédécesseur a participé à plusieurs rencontres, et
19 effectivement, ce n'était pas vraiment une négociation. On
20 a déposé des documents, le ministère les a reçus, les a
21 étudiés, n'a pas fait de contrepropositions à nos
22 propositions encore. Par la suite, on a... lors de notre
23 rencontre dont j'ai participé il y a quelques semaines,
24 nous avons proposé, suite à notre entente initiale, une... en
25 fait un étalement de nos propositions sur cinq ans parce

1 que notre première proposition initiale, elle était prévue
2 pour avoir des policiers, de l'équipement dès les premières
3 années de l'entente. Or, ce qu'on a proposé, c'est plutôt
4 de faire un étalement de nos propositions, et, à ce jour,
5 on attend un retour du ministère une prochaine rencontre
6 pour voir quelle sera leur position, mais jusqu'à
7 maintenant, on n'a pas reçu de contreproposition ou de
8 questionnement; plutôt, ils ont plutôt accueilli notre
9 document actuellement.

10 **COMMISSIONER QAJAQ ROBINSON:** Okay. I look
11 forward to seeing that agreement when concluded. Those are
12 all my questions. I want to thank you for coming and
13 speaking with us. A lot of the other questions I had were
14 raised by the parties as well. So, I just want to say
15 nakomik.

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

17 **COMMISSIONER BRYAN EYOLFSON:** Thank you. I
18 don't have any further questions in light of what's been
19 asked, so I also want to just thank you very much for
20 coming and presenting and answering questions. Thank you.

21 **MR. JEAN-PIERRE LAROSE:** Merci.

22 **CHIEF COMMISSIONER MARION BULLER:** I also
23 wanted to thank you, Chief Larose, for coming and spending
24 two days with us and sharing your knowledge. I just have
25 one area of questioning, and that has to do with the

1 tripartite agreement. And, my understanding is that
2 according to this agreement, your police force is to
3 provide services in accordance with the Quebec Police Act.
4 And, yet, if I understand your testimony correctly, you
5 said that your services do not reach the Level 1
6 requirement. Can you tell me how I can rationalize the
7 contract and the services you provide?

8 **MR. JEAN-PIERRE LAROSE:** Oui, en fait, c'est
9 un peu compliqué. Comme M. Coleman l'a mentionné, les
10 services de police autochtones ne sont pas assujettis à la
11 *Loi sur la police*, particulièrement à l'annexe G qui
12 définit les niveaux de services de 1 à 6. Alors, les
13 services policiers fournis par les différents corps de
14 police autochtones, dont le mien, est établi selon une
15 annexe à l'intérieur de l'entente tripartite. Je peux vous
16 en lire un extrait.

17 (ÉCHANGES INAUDIBLES)

18 **MR. JEAN-PIERRE LAROSE:** Excusez-moi. Alors,
19 ça se répartit en tâches policières dans trois sections :

20 Services policiers, soit la Gendarmerie :
21 patrouille, réponse aux appels, application de la Loi et
22 règlements, transport, gardiennage des accusés, prévention,
23 protection de scènes de crime, prise d'otages ou tireurs
24 fous en termes seulement de protection et de périmètre.

25 Par la suite, en termes de responsabilités

1 d'enquêtes : agression sexuelle niveau 1 (de base), voie de
2 fait, vol qualifié, introduction par effraction, incendie,
3 vol de véhicule, drogue, fraude, vol et recel - j'y vais
4 rapidement -, accidents de véhicule, méfaits, conduite
5 dangereuse avec facultés affaiblies, délit de fuite, décès
6 lorsque c'est un décès normal et qui n'est pas... c'est pas
7 un meurtre ou c'est pas une mort suspecte, certaines
8 disparitions. On fait plusieurs sauvetages et... de la
9 recherche et du sauvetage au Nunavik pour des personnes
10 disparues dans la toundra.

11 En en termes de services de soutien, la
12 troisième partie : analyse des crimes de niveau 1 (de très,
13 très de base), recherche d'empreintes digitales,
14 photographies, renseignements criminels, analyse des liens
15 de crime et de la violence, détention, garder les éléments
16 de preuve, garder la scène de crime, liaison et sécurité
17 avec les tribunaux, l'ADN, gestion des mandats, gestion de
18 dossiers, affaires publiques, CRPQ, affaires internes,
19 télécommunication et équipement technique, instructeurs en
20 armes à feu.

21 Alors, c'est... c'est un peu les tâches que
22 nous avons, et c'est évidemment pas de niveau 1, tel que la
23 *Loi sur la police* et les autres corps de police du Sud ont
24 l'obligation de livrer, c'est nettement en deçà. Comme, par
25 exemple, je n'ai pas de centre d'appels, je n'ai pas de

1 patrouille 24 heures sur 24 contrairement à un niveau 1 qui
2 a l'obligation de faire ces activités-là. Alors, c'est... et
3 dans notre demande - comme je le mentionnais - tripartite
4 actuelle, nous voulons... nous avons des demandes assez
5 importantes, comme je le disais, mais, même là, les
6 demandes d'ajout d'effectifs ne couvriraient pas une
7 patrouille 24 heures dans l'ensemble de mes communautés.
8 C'est pour ça que je dis que, quand même, je serais même
9 pas en niveau 1. Et je demande un centre d'appels qui est
10 pas un centre 911, qui serait extrêmement onéreux et avec
11 beaucoup de normes, on demande tout simplement à tout le
12 moins un centre d'appels avec du personnel inuit pour gérer
13 nos appels.

14 Également, j'ai pas de système
15 d'enregistrement de nos appels. J'ai pas de système de
16 cartes d'appel. Alors, je marche avec... je fonctionne avec
17 des... de l'informatique assez de base, rudimentaire, qui
18 n'est pas relié, interrelié entre mes 14 communautés. Donc,
19 chaque communauté doit envoyer par lien internet ses
20 rapports et tout ça, donc on compile toutes les
21 statistiques manuellement et c'est un travail fastidieux,
22 et qui implique et qui comporte une marge d'erreur
23 évidemment.

24 **CHIEF COMMISSIONER MARION BULLER:** Okay.
25 Thank you very much, Chief. Those are my questions.

1 **MR. JEAN-PIERRE LAROSE:** Thank you.

2 Commissioner Lucki.

3 **COMMISSAIRE MICHÈLE AUDETTE:** Merci, Madame

4 Buller.

5 Alors...

6 Ah! Je vous cherchais. Vous voyez, vous êtes
7 petite quand même, je vous cherchais.

8 Alors, un gros gros merci à vous aussi
9 d'être venu présenter devant l'Enquête nationale.

10 Merci, Maitre Jacob, d'être venu présenter,
11 et je vois que vous respectez vos engagements parce que
12 dans une de vos premières entrevues, vous avez mentionné,
13 lorsqu'on vous a parlé de l'enquête nationale, le
14 journaliste en question, vous avez ouvert la porte pour un
15 dialogue et faire en sorte que les choses se passent bien
16 entre l'enquête nationale et la GRC. Alors, votre présence
17 le démontre. Et je tiens d'entrée de jeu aussi à vous dire
18 que votre voix, votre message a résonné à travers le
19 Canada, et au Québec aussi où la présidente de Femmes
20 autochtones du Québec, Mme Viviane Michel, salue votre
21 courage là d'avoir commencé votre message par des excuses
22 auprès des femmes et des filles.

23 Alors, je voulais que vous le sachiez, puis
24 c'est important pour moi.

25 Alors, ce qui est important aussi, je l'ai

1 dit tout à l'heure, je suis une maman, je suis aussi une
2 commissaire, ça, c'est clair là, j'honore ce mandat, mais
3 j'honore aussi le fait d'être entourée de femmes
4 remarquables, dont mes filles, et j'ai peur pour elle qu'un
5 jour elles subissent une agression sexuelle ou des
6 agressions sexuelles. Et, au Canada, on nous dit par les
7 statistiques que beaucoup, beaucoup, beaucoup de femmes
8 vont avoir vécu une ou plusieurs formes de violence
9 sexuelle, notamment les agressions sexuelles, et y'a près
10 de 640 000 agressions sexuelles déclarées par les femmes
11 ici, au Canada. Y'en a 20 000 à peu près qui se rendent au
12 niveau de la police où nous, les femmes, on réussit à faire
13 des plaintes là auprès de la police, plus ou moins 20 000 -
14 vous allez comprendre pourquoi je dis ça -, puis une fois
15 que ces plaintes-là vont avoir passé le système de justice,
16 y'a à peu près 1 800 qui vont se solder par une
17 condamnation. On part de 600 000 à 1 800.

18 Donc, y'a une culture au Canada, une culture
19 dans laquelle, je dénonce, mais la justice n'est peut-être
20 pas adaptée ou au rendez-vous. C'est ma position.

21 Mais, en vous écoutant, vous avez souvent
22 mentionné aux parties intéressées que si jamais une femme
23 au sein de vos troupes, à l'interne, vivait une agression
24 sexuelle, la personne coupable serait automatiquement
25 tassée. Est-ce que c'est ce que j'ai bien compris?

1 **COMMISSIONER BRENDA LUCKI:** Yes, if the
2 member is or employee is found guilty of that, we'd be
3 putting them up for termination.

4 **COMMISSAIRE MICHÈLE AUDETTE:** Comment
5 pouvez-vous me rassurer que une femme chez vous qui va
6 porter plainte pour harcèlement ou agression, le processus
7 va se faire beaucoup plus rapidement de ce que nous disent
8 les statistiques ou les recherches et faire en sorte que
9 elle ne tombe pas dans des plaintes ou...

10 C'est-tu ça, des plaintes non déclarées,
11 « unfounded », en anglais là? Pour être sûr qu'on...

12 **COMMISSIONER BRENDA LUCKI:** Pardon me? Are
13 you talking about internal complaints?

14 **COMMISSIONER MICHÈLE AUDETTE:** Yes. Yes, I
15 want to start with that. Avec ça en premier.

16 **COMMISSIONER BRENDA LUCKI:** Our process has
17 changed quite a bit in the last couple of years. We used
18 to -- our process was very, very lengthy, and we did a
19 complete reform of our process and our new code of conduct
20 whereby we have brought certain types of events to lower
21 levels, but more serious events still go up to higher
22 decision makers.

23 We reserve hearings strictly for
24 terminations as opposed to fact finding for seeking other
25 forms of discipline. So, that has reduced the workload as

1 far as the delays in that process. I've heard good
2 comments, and myself being a decision maker when I was in
3 district, having conduct meetings as opposed to in days
4 gone by, my authority as a district officer was one day's
5 pay, for example.

6 And, under the new legislation, I have up to
7 10 days' pay. So, it's brought back down to a lower level,
8 but with increased responsibility. So, the lower level has
9 increased responsibility, and that's a good thing, because
10 everybody, as you go higher up, you're busy. Everybody is
11 busy. And, somebody can't be responsible for multiple --
12 for example, the Commissioner can't be responsible for
13 every single discipline meeting or hearing, so bringing it
14 back down to the level.

15 Also, I think it's more applicable for the
16 person in charge of that person to be dealing with it, as
17 opposed to somebody removed who there's no facing that
18 person who is actually in charge of you. So, it's more
19 impactful as well. So, we have done some positive changes.

20 Of course, it's difficult. When you provide
21 those stats, it saddens me, and I can -- but I can totally
22 understand why it is, because I think I said it the first
23 day. Crimes against persons are very, very personal, and I
24 can say from personal experience it is not easy. And, I'm
25 a police officer, so it should be easier. I can only

1 imagine what it would be like for somebody outside knowing
2 the justice system and being revictimized in a justice
3 system.

4 Also, people feel often that if it's not
5 affecting them, or so they think, and they don't believe in
6 the justice system, then why would they spend the time to
7 do that?

8 So, it's a very personal decision. There's
9 a stigma attached to it still to this day. So, the numbers
10 are alarming and tragic, but in many ways, it doesn't
11 surprise me, unfortunately, because those crimes are so
12 personal, and they don't get any depersonalized when you
13 bring them forward. In fact, they get even more
14 personalized and you get more revictimized, and if you
15 don't have an educational background or support system from
16 family to be able to maybe understand it more or have the
17 support of your family to deal with it, it's even more
18 difficult. So, in isolated communities, the stigma might
19 be even greater.

20 **COMMISSAIRE MICHÈLE AUDETTE:** OK, je
21 comprends, mais pour revenir à votre organisation de la
22 GRC, pour juste terminer avec... au niveau interne, votre
23 culture pour dénoncer ou soutenir les victimes d'agressions
24 sexuelles, vos employées, vous faites des changements, si
25 je comprends bien. Vous apportez des changements.

1 **COMMISSIONER BRENDA LUCKI:** Yes.

2 **COMMISSAIRE MICHÈLE AUDETTE:** Sur le terrain
3 maintenant, ce sont ces mêmes policiers qui ont été
4 agressés ou qui ont agressé et qui vont recevoir des
5 victimes agressées sexuellement, des femmes autochtones,
6 des femmes autochtones qu'on va avoir entendues pendant les
7 neuf mois d'audience qu'on a fait à travers le Canada.
8 Beaucoup d'entre elles ont parlé de comment elles ont été
9 traitées par la police, comment elles ont été reçues par
10 vos employés et vos collègues. Et comment... comment faire
11 pour que... vous dites aux femmes « venez me voir si il vous
12 est arrivé quelque chose là », comment rassurer ces femmes-
13 là que, en effet, si elles ont été agressées sexuellement,
14 elles peuvent aller voir vos corps policiers et faire en
15 sorte qu'on prenne au sérieux leurs plaintes?

16 Les statistiques nous disent et les
17 témoignages nous disent que « j'ai déposé une plainte, ç'a
18 resté mort, je suis tombé dans la catégorie 'plaintes non
19 déclarées', alors ç'a finit là ». Comment allez-vous faire
20 en sorte que cette culture-là auprès de vos troupes, ça
21 change?

22 **COMMISSIONER BRENDA LUCKI:** The only way we
23 can change the culture is to provide more awareness, more
24 education and change our processes. So, specifically with
25 sexual assaults, we have taken every sexual assault

1 investigation that has been unfounded. We've developed a
2 sexual assault response team, the SART, who originally went
3 only back so many years, and now they're going back even
4 further to say sometimes a complaint is legitimately
5 unfounded, and it's not -- it's a word we use, and I don't
6 think it's the proper word, because sometimes when we say
7 "unfounded", it might be that the victim, for instance, has
8 changed their mind or does not want to go any further. So,
9 we can't do anything with the complaint without the
10 testimony, for instance, the way the justice system may
11 work. And, it's been put as unfounded.

12 Now, is that the right term? No, I don't
13 think it's the right term. It's more for our statistics in
14 the sense that it's not going any further. Their case
15 doesn't get destroyed, but it's put aside for no further
16 investigation.

17 But, the ones that were not legitimately
18 unfounded, and we're finding some of those, we are
19 reopening them. I say it's never too late to do the right
20 thing. Unfortunately, the right thing ought to have been
21 done in the first instance. Can I explain why? No.
22 There's probably a lot of reasons for it, and policing is
23 90 percent judgment calls, and people with poor judgment
24 might make poor decisions.

25 So, we need to -- and often it might not

1 even be a cultural thing. It might be lack of experience,
2 and I know my colleagues deal with the lack of experience
3 in some of our detachments. We have an average age of
4 experience of one-and-a-half to two years as well in some
5 of our areas. And so, the kids are teaching the kids, I
6 say, and often we can't change that because of the -- just
7 having people go to those detachments, some of the younger
8 ones are more attracted to do that work, or often we're
9 just a younger police force bringing people in, but we have
10 to get more education.

11 So, we look at -- in fact, one of my big
12 projects as the Commanding Officer of the training academy
13 was to take over the cadet field coaching program. I
14 believe there's a big gap in our program. It hasn't been
15 revisited in many years. I don't think it's meeting our
16 needs. And, those first six months -- it's one thing for
17 six months at Depot, but the second six months, when
18 they're in the field and they can apply what they learn at
19 Depot, if that's not strong, that should be as or more
20 strong than what they would learn in Depot, because now
21 they're actually dealing with real live people as opposed
22 to actors.

23 So, we need to reinforce those skills, and I
24 think there's a gap, and I am committed. I was committed,
25 and I've continued to get the people at the training

1 academy. First of all, we will take ownership of that
2 program so that -- when people go out in the field, we
3 often hear, "Forget what you learned at Depot," and "This
4 is the way we're doing it out here." No. You know what?
5 This is the way the RCMP is going to do things. These are
6 our standards, and this is what we're going to do. So,
7 those first six months will reinforce what they learned at
8 Depot instead of being contrary. So, that's one commitment
9 that we are making to change that.

10 And then, again, I explained the functional
11 competencies and not stopping there, and having a constable
12 in the midst of developing a constable development program,
13 and every one of them will have ethics embedded into it,
14 cultural sensitivity embedded into it. So, it's not -- it
15 just doesn't stop at the training academy, which is a
16 perfect ground to change culture, but it has to be
17 reinforced throughout their time. So, we will be working
18 on that.

19 **COMMISSIONER MICHÈLE AUDETTE:** If I may, you
20 -- I'll use your words because that's where I was going to
21 go, and you read my mind. Maybe it's a poor judgment from
22 a police officer when the person -- when the police receive
23 the complaint from the victim. And, I understand that, but
24 as a manager, as a director, or as a Commissioner, as a
25 « la grande patronne », en plus, comme femme, do you think

1 that women deserve 100 percent good judgment and not poor
2 judgment in those cases?

3 **COMMISSIONER BRENDA LUCKI:** I think every
4 Canadian citizen deserves good judgment. And so, if it is
5 a question of poor judgment, we need to make sure the
6 supervisors of those people who use poor judgment catch
7 that poor judgment and fix that poor judgment, and so it
8 doesn't come to me trying to explain to you poor judgment.
9 That ought to have been fixed, like, 17 layers below me.
10 And, if it isn't, we need the checkers to check the
11 checkers who check the checkers if that's what it takes.
12 And, we need to have those systems in place to make sure
13 those supervisors can supervise, and make sure the
14 supervisors have the proper tools to supervise, and make
15 sure they have the proper time to supervise. And, of
16 course, resourcing is always an issue, so we talk about
17 that. And, when people are carrying high file loads,
18 similar to what our colleague spoke about in Northern
19 Québec, in many of the northern parts of the province and
20 in the territories, they're carrying large file loads.

21 So, if they use poor judgment, that's one
22 thing. But, if the supervisor has so many people under
23 them that they cannot check and review those files
24 properly, then we're not -- we're just perpetuating the
25 problem. So, we need to ensure our processes are more

1 solid. I totally agree with you.

2 **COMMISSIONER MICHÈLE AUDETTE:** Thank you.

3 And, would you -- did you ever hear about the Philadelphia
4 Approach in Philadelphia, in the state?

5 **COMMISSIONER BRENDA LUCKI:** Oh, yes, I have.

6 **COMMISSIONER MICHÈLE AUDETTE:** You have?

7 **COMMISSIONER BRENDA LUCKI:** And, it's
8 escaping me. My head is so full right now, but I've -- I
9 know the -- it's ringing a bell in my head, if that makes
10 any sense.

11 **COMMISSIONER MICHÈLE AUDETTE:** Well, some
12 police force across Canada, because they noticed that
13 Indigenous women are very affected by that when we listened
14 the truth, that maybe it's a poor judgment, or maybe it's a
15 lack of sensitivity, or maybe it's a lack of cultural
16 sensitivity and so on, and so on. So, in order to change
17 that, they invited groups, women's groups, to revise their
18 cases, their files, their decisions. And, many of them,
19 after being reviewed by the women's organization,
20 grassroots, of course, you see that the numbers change.
21 And, many women who were sexually abused went to the
22 justice system with positive answer or response.

23 **COMMISSIONER BRENDA LUCKI:** I believe we
24 sent some people down to Philadelphia actually, and we're
25 reviewing that model.

1 **COMMISSIONER MICHÈLE AUDETTE:** Okay. Is it
2 something that you think Indigenous women could be
3 benefitting?

4 **COMMISSIONER BRENDA LUCKI:** I definitely
5 think anything that increases the trust, and then increases
6 the reporting. And, we need to look at all those best
7 practices because there's so many out there, and we have to
8 ensure that when we do find something, obviously sometimes
9 in a Philadelphia context we might have to adjust that.
10 So, we have to make sure it's workable in our rural and
11 northern context as far as logistics go, but I think the
12 actual idea behind it is very workable.

13 **COMMISSIONER MICHÈLE AUDETTE:** Two more
14 questions, Madame Commissioner, what are the indicators
15 that, according to you, you could utilize to monitor the
16 progress of the RCMP with the relationship with the
17 Indigenous people?

18 **COMMISSIONER BRENDA LUCKI:** Well, I hate
19 using the word "survey", but that seems to be one of the
20 few ways that we can do that. I think to dialogue with --
21 and we need to find creative measures to determine if we
22 are, in fact, doing better. And, that's always a
23 challenge, making meaningful measurements.

24 We do surveys, and of course it might only
25 be -- it might not be something that always provides us

1 with best results. I think we need to get creative, maybe,
2 through our telecoms operators, they might have some good
3 suggestions, because they deal with the frontline calls.
4 The members go to the calls, but the initial call to action
5 comes through those groups of people, and most of them are
6 women. So, I think they would have some good insight as
7 well.

8 I think the -- I see myself revisiting the
9 Aboriginal Advisory Committees to see what role they can
10 play and what role they can get the, sort of, I call it,
11 the word on the street, how can we figure out to better
12 communicate, how can we figure out how we're doing. But,
13 yes, we need to find meaningful measurements.

14 **COMMISSIONER MICHÈLE AUDETTE:** Merci. And,
15 my last question, it's when you start your testimony, when
16 you share your truth to us, your apologies was very, very,
17 like I said, for many of us, important. And, for many of
18 us, "Hm, again." But, let's bring some hope this time,
19 that it's not an "again", something that we've heard
20 before. Are you going to be putting an action plan or
21 something under those apologies?

22 **COMMISSIONER BRENDA LUCKI:** Yes, I have an
23 entire team, some of which are here today, which have been
24 at every single testimony. And, I say actions will speak
25 louder than words, so you don't have to trust me now,

1 because they're words. Trust me when they're actions.

2 **COMMISSIONER MICHÈLE AUDETTE:** Bon. I say
3 (speaking Indigenous language), I say merci, I say thank
4 you.

5 **COMMISSIONER BRENDA LUCKI:** Merci beaucoup.
6 I say merci. I say thank you.

7 **COMMISSIONER BRENDA LUCKI:** Merci beaucoup.

8 **--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:**

9 **COMMISSIONER QAJAQ ROBINSON:** Thank you,
10 Commissioner Lucki, for joining us this week and talking
11 with us particularly about training and recruitment issues
12 I think of great significance.

13 I'm wondering if, in terms of recruitment on
14 a national scale, is there a comprehensive nationwide
15 Indigenous recruitment strategy?

16 **COMMISSIONER BRENDA LUCKI:** We have a
17 national recruiting strategy and Indigenous is a part of
18 that strategy.

19 **COMMISSIONER QAJAQ ROBINSON:** Is there a
20 corresponding implementation plan with designated financial
21 support earmarked specifically to the Aboriginal component,
22 Indigenous component?

23 **COMMISSIONER BRENDA LUCKI:** I don't think we
24 divide it specifically. I do know that efforts are made --
25 we ensure that we have recruiters in all three categories

1 in Indigenous to ensure that they're represented. We have
2 the sharing of best practices, of course, because some
3 people have done some great recruiting work. We have
4 strategies in general on recruiting of all, like, diverse
5 categories, including visible minorities and women and
6 Indigenous.

7 We used to divide everything up into the
8 three categories, but then we found that if we pooled our
9 efforts we were getting better results. I'm not sure how
10 that works -- what our numbers are now, but I think -- I
11 gave some of the numbers. I think we can do better. I
12 know we can do better.

13 We do participate in as many activities,
14 local activities and celebrations and places where we think
15 -- in Indigenous areas where we think we can get the best
16 bang for our buck, so to speak. So we probably wouldn't be
17 doing recruiting at elderly homes, for instance. No
18 offence to the elderly, but we would probably go to
19 sporting events, schools, places where we have the best
20 population or the demographic that we're looking for

21 But dividing it up, I'm not sure we do that
22 anymore.

23 **COMMISSIONER QAJAQ ROBINSON:** Okay. Would
24 you be able to provide us with some indication of the
25 percentage of that budget that's focussed on Indigenous

1 recruiting?

2 **COMMISSIONER BRENDA LUCKI:** No, I have no
3 idea. And we just got an increase in the budget of
4 recruiting and it's -- and we actually have a new person in
5 charge of recruiting who worked for me, so I'm very
6 encouraged with the recruiting.

7 **COMMISSIONER QAJAQ ROBINSON:** In your
8 material you provided us with a partnership agreement with
9 the AFN in relation to recruitment. Do you have, or are
10 you looking at, developing similar partnerships with Inuit
11 organizations like Inuit Tapiriit Kanatami and the
12 Pauktuutit Women's Association, as well as the Métis -- the
13 women of the Métis Nation, NWAC Native Women's Association
14 and MNC, the Métis National Council?

15 **COMMISSIONER BRENDA LUCKI:** I think we'd
16 benefit from partnering with all those agencies, especially
17 in recruitment. And then when I look at this protocol it
18 reminds me of the protocol I did in northern Manitoba. And
19 as the district officer, I made those agreements with each
20 one of the advocacy groups, a communications protocol.

21 I think we've done this with AFN, but I
22 think we need to continue, because those organizations can
23 help us recruit. And absolutely, I think we definitely
24 need to expand the protocols.

25 **COMMISSIONER QAJAQ ROBINSON:** I would also

1 echo discussing the different advisory groups you have with
2 these organizations as well.

3 I want to speak to you a little bit,
4 specifically about the Nunavut territory, and
5 representation and recruitment in the membership within
6 Nunavut.

7 I appreciate that you may not be able to
8 answer this, but I would like, if you can, to answer and
9 perhaps provide a follow-up report on this.

10 Under the Nunavut Land Claim Agreement,
11 Article 23, it calls on governments within the Nunavut
12 territory to have representative employment levels. Inuit
13 make up over 80 per cent of the population of Nunavut and
14 the objective of the Nunavut Land Claim Agreement,
15 specifically this article, is to increase training capacity
16 and to have a workforce that reflects the people.

17 The RCMP is exempt from this section of the
18 land claim. However, this exemption isn't complete and it
19 does speak to the obligations of the Canadian Forces and
20 the RCMP at Article 23.8.1. And I'm just going to read it
21 to you.

22 "Although uniformed members of the
23 Canadian Forces and the R.C.M.P. are
24 excluded from the broad application of
25 the provisions of this Article, it is

1 understood that with respect to these
2 categories of government employment,
3 current policies for increasing
4 recruitment, training and retention of
5 Inuit shall continue, but will not
6 necessarily reflect representative
7 levels of the population in the Nunavut
8 Settlement Area."

9 Are you able now, or perhaps undertake, to
10 provide us with a report on how the RCMP within Nunavut is
11 implementing this section of the land claim?

12 **COMMISSIONER BRENDA LUCKI:** I do know,
13 having been the Commanding Officer of the training academy,
14 that CO Michael Jeffrey, Chief Superintendent Mike
15 Jeffrey's constant communication on how can we, for
16 instance, get an all Indigenous troupe at Depot or troupes
17 at Depot. He was strictly going with Inuit, but we've
18 since expanded his idea to Indigenous.

19 But we used to have a program when I was an
20 instructor where we brought in people who could not make
21 the minimum requirements. And while they were training to
22 be a police officer we were working with them to meet the
23 minimum requirements for the testing. And driving was
24 another one that we spent more time with, because police
25 driving is a skill that even we're finding with the

1 urbanization of our young people it's a skill that they're
2 lacking. So we needed to improve that.

3 But I know right now we're looking at
4 various ideas like that to expand the availability. And we
5 are definitely putting the GBA plus lens to our recruiting.
6 That's a big project where we're saying, okay, how do we do
7 this? What are the barriers that are stopping groups that
8 are not well represented in the RCMP? And putting that GBA
9 plus lens to it, and we're in the midst of that, so that's
10 another project. But the Commanding Officer is very
11 committed to increasing the numbers.

12 Right now we do have, of all of our
13 Indigenous, we have 40 Inuit members in the RCMP. I can't
14 say exactly where they're posted. I know one is at Depot
15 now. She left Nunavut and came as an instructor to Depot,
16 but it's not very high numbers, I would agree, but it's
17 something that we can work on. But we can do some follow-
18 up on what we're doing in regards to Article 23.8.1.

19 **COMMISSIONER QAJAQ ROBINSON:** Thank you. I
20 would appreciate that very much.

21 I'm going to go on to training and the Inuit
22 -- and perceptions training that's provided in V Division
23 in Nunavut.

24 Are you able to advise us how much training
25 time and dollars are put towards the delivery of this

1 program, either a figure or a percentage?

2 **COMMISSIONER BRENDA LUCKI:** I'm not sure on
3 the dollars, but I know it's a five-day course.

4 **COMMISSIONER QAJAQ ROBINSON:** M'hm.

5 **COMMISSIONER BRENDA LUCKI:** So that's the
6 training time. And it was developed in consultation with
7 the Inuit Special Constables, the Inuit regular members and
8 employees. And it's specific to Nunavut and it does cover
9 the topics of the history, the justice system, the struggle
10 for recognition, the rights and the education. And a lot
11 of work was put into making it very specific, but we also
12 created a one-day Inuit cultural awareness course for --
13 again, it was hosted by a Nuvik [sic] member, a Inuk
14 member, sorry, and the -- it's specifically for new people
15 coming, new members and employees coming to the division so
16 that they have a cultural awareness, one day just overview
17 of the division itself and the territory itself.

18 **COMMISSIONER QAJAQ ROBINSON:** Are you able
19 to find out how much, whether a actual dollar amount or a
20 percentage amount, is allocated to provision of this
21 training?

22 **COMMISSIONER BRENDA LUCKI:** Specifically,
23 the two training I talked about?

24 **COMMISSIONER QAJAQ ROBINSON:** Yes. The five
25 day and the one day.

1 **COMMISSIONER BRENDA LUCKI:** Yes, I can find
2 that out.

3 **COMMISSIONER QAJAQ ROBINSON:** Can you also,
4 either now or as the information becomes available to you,
5 advise of how many of the division members currently have
6 received both types of training?

7 **COMMISSIONER BRENDA LUCKI:** I can find that
8 out as well. I know that the commanding officer of V
9 Division has made it mandatory for the online course, which
10 is quite lengthy, but he has made it mandatory for his
11 entire division.

12 **COMMISSIONER QAJAQ ROBINSON:** Final
13 question, this is a one-time training in terms of it being
14 mandatory? There's no sort of recertification that's
15 required?

16 **COMMISSIONER BRENDA LUCKI:** For the cultural
17 courses? Not to my knowledge.

18 **COMMISSIONER QAJAQ ROBINSON:** Okay. I'm
19 going to suggest to you something. I'm going to give you a
20 little recommendation. Spoiler alert, you're not going to
21 have to wait until the final report.

22 **COMMISSIONER BRENDA LUCKI:** I've got the
23 inside.

24 **COMMISSIONER QAJAQ ROBINSON:** Yes, you do.
25 Indigenous cultures are living and breathing and growing,

1 and realities in the communities are living and breathing
2 and growing, and you might want to consider having these
3 types of programs and training be ones that are required
4 over a number of a few years to be repeated.

5 I know that officers have to be recertified
6 when it comes to their guns, their other tools. I think it
7 might be very important to be refreshed and recertified
8 when it comes to their knowledge and capacity with working
9 with Inuit specifically in this case, but with all
10 Indigenous peoples. So, just a little thought for you
11 there.

12 **COMMISSIONER BRENDA LUCKI:** It's a great
13 thought.

14 **COMMISSIONER QAJAQ ROBINSON:** Continuing on
15 the issue of training but now more, sort of, broader
16 nationally, there have been a number of reports, including
17 the RCMP's Murdered and Missing Indigenous Women reports in
18 2014 with the update in 2015 that really identified causes
19 of death as being situations of either intimate partner or
20 domestic violence, or violence perpetuated by someone --
21 women are familiar with, and being committed by men, that
22 women in Canada, generally, are more likely to be killed in
23 this situation and be killed by men, and this is true for
24 Indigenous women. Since the RCMP's report in 2014/2015,
25 have policies or training changed to reflect this finding?

1 **COMMISSIONER BRENDA LUCKI:** I can't say for
2 sure on the specific content for that specific finding, but
3 definitely familial -- we call it familial domestic
4 violence -- is part of training because -- well, because
5 when we get to domestic violence, it's very, like you said,
6 it's usually somebody known to the person. That is
7 definitely a part of it. And, with that comes other
8 requirements. So, that's part of the training as well.

9 I know when I was in Alberta, for example,
10 there were -- many of the provinces have enacted other
11 additional requirements in regards to domestic violence
12 specifically. I was just amazed when I moved from Manitoba
13 to Alberta the difference with how the regulations or the
14 requirements for domestic violence investigations are from
15 one place to another. There was mandatory courses that you
16 needed to take when you arrived in Alberta for domestic
17 violence specifically.

18 So, we've been looking at the various models
19 across the country and, again, trying to see if we could
20 standardize that approach.

21 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
22 You answered my second question. There were also a number
23 of findings in the Opal Inquiry, two in particular that I
24 think would have an impact on training, and that was issues
25 around leadership and collaboration and communication with

1 neighbouring jurisdictions or police forces. Are you aware
2 of any changes or responses of the RCMP when it comes to
3 training to those findings in the Opal Inquiry?

4 **COMMISSIONER BRENDA LUCKI:** I'm not -- I
5 don't know what the specific recommendation was. I do know
6 our approach to leadership is changing completely. We are
7 looking at -- we do have courses within our organization,
8 but we're starting to look outside of our organization
9 because I keep saying we can't be good at every -- we can't
10 pretend we're good at everything, and there's so many
11 people that are experts in those fields of leadership, for
12 example, that we need to look at those models.

13 D&D has a leadership model as well that
14 we're looking at, and succession planning and promotion
15 within D&D and career streamlining within D&D is something
16 that we're looking at, because even though we're not
17 exactly the same type of organization, we have like issues.
18 But, we need, again, a cradle to grave approach, we say, to
19 leadership. And, maybe when a member is just starting out,
20 maybe it might be a little bit more about the functional
21 competencies and a little less about the leadership.

22 But, as they go forward, they need to -- we
23 promote people, for instance, to the first rank of
24 corporal, but we don't teach them how to have difficult
25 conversations. We don't teach them how to hold members to

1 account. We don't teach them to do proper assessments or
2 to review files. That is inherent to that rank when you're
3 supervising, and that's part of leadership.

4 So, we are making a constable-development
5 program that is sort of the pre-emptive to being your first
6 promotion, your first -- and many constables are leaders
7 informally. So, they might be the senior member on the
8 watch that night, so they need to be a leader and we need
9 to start that early on. So, yes, we're definitely looking
10 at leaders.

11 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
12 You talked about the conflict teams that respond to
13 protests. I want to suggest to you that particularly when
14 you're looking at protests that relate to land disputes,
15 this isn't a standard public protest. Many of those, and
16 I'll take Kinder Morgan for example, speak to and relate to
17 long-standing claims about true ownership title to these
18 lands.

19 Are your officers educated about the roots
20 of these issues before they go to a specific protest, and
21 are they informed of the nature of that conflict and the
22 complexity of it?

23 **COMMISSIONER BRENDA LUCKI:** They get
24 information on it, we do find, not that we want them to go
25 there unarmed with that information, but it's very

1 precarious when the person who is also having to enforce,
2 let's say, an order that the company has gotten and the
3 people with rightful -- the right protest.

4 So, our approach is more to deal with both
5 sides and just to provide the safe environment to protest.
6 And, often, we're not there to take sides on any of the
7 protests. So, they do have the general nature of the
8 protest and the history, but we try not -- they try not to
9 get too much involved in one side or the other because
10 we're representing, if that's even the right word, both
11 sides, and trying to make it as peaceful and as equitable
12 on both sides because we're sort of the meat in the
13 sandwich, so to speak.

14 **COMMISSIONER QAJAQ ROBINSON:** Thank you. My
15 final, I guess, comment and question to you is in relation
16 to the isolated post/limited duration posts. And, other
17 people have referenced the material as well as your
18 testimony to this and identifying how the Treasury Board
19 has created these designations in recognition of lower
20 quality of life particularly, limited access to education,
21 health care services and other services.

22 I'm sure it won't surprise you that in a lot
23 of the testimony we heard, particularly from people who
24 live in northern parts of provinces and in the territories
25 and in Inuit Nunangat that difficulty with accessing

1 services has been identified repeatedly as a contributing
2 factor to their experiences of violence.

3 Would you agree with me that increasing the
4 access to these essential services within remote northern
5 communities, those same communities that are designated as
6 either isolated posts or limited durations would not only
7 be good for the citizens and Indigenous women and girls of
8 those communities, but would also be good for the RCMP to
9 ensure that you can have longer posts in those communities
10 to build a longer standing relationship with those
11 communities and to better serve those communities.

12 **COMMISSIONER BRENDA LUCKI:** Absolutely. And
13 one example that I give is when we're dealing with -- in
14 the north our members are often dealing with social issues,
15 addictions, alcoholism, drug addiction. And we're dealing
16 with it because of the lack of facilities. So there isn't
17 treatment centres and the chance of somebody being
18 successful in treatment when we send them -- for example
19 when I was in Northern Manitoba people couldn't even go to
20 Thompson, they had to go down to Winnipeg. That's not
21 where they're from. Maybe Thompson could be a place for
22 that.

23 It still isn't right because -- but I guess
24 cost wise you might not be able to have addictions centres
25 in every location. But at least if there was something in

1 the north. And when we are dealing with somebody three --
2 we are putting them in our cells, for example, 325 times in
3 a year, maybe if we had other options to deal with it
4 instead of incarceration, meaning court ordered addiction
5 counseling. But it's not -- when we don't have the
6 facilities it's pretty difficult to have those types of
7 partnerships with the prosecutions. So yes.

8 **COMMISSIONER ROBINSON:** Thank you.

9 Final comment, actually a little bit of,
10 again, a recommendation. A little bit of advice. Hearing
11 from families, and survivors, and those with lived
12 experience has been transformative for me in my work as a
13 Commissioner. As you look at these advisory bodies, I
14 suggest to you that you might want to look at ensuring that
15 you include the perspective of those with lived experience.

16 And I draw your attention to the women and
17 men back there who make up a sample of our national family
18 advisory circle. Their expertise had been invaluable, and
19 we've heard across the country how important it is to
20 listen and learn from that expertise. So I just wanted to
21 give you that little bit of a sharing of my experience, if
22 it may help you in yours. And I want to thank you and
23 recognize the significance of your appointment as a woman
24 in this role, and I hope that you are given the financial
25 support as well as the time and resources to do what you

1 need to do in your role.

2 COMMISSIONER BRENDA LUCKI: Thank you.

3 COMMISSIONER ROBINSON: Nakurmiik.

4 --- QUESTIONS FROM COMMISSIONER BRIAN EYOLFSON:

5 COMMISSIONER BRIAN EYOLFSON: Thank you,
6 Commissioner Lucki. I have a few follow up questions for
7 you. I don't think it will take too long.

8 Yesterday I believe you said that 3.1
9 percent of cadets in the 2017, 2018 year were Indigenous,
10 and I think that's in your materials at Tab 2 as well.

11 COMMISSIONER BRENDA LUCKI: Yeah. Page 11.

12 COMMISSIONER BRIAN EYOLFSON: Okay. And
13 that's out of -- that's 3.1 percent out of how many total
14 cadets? It's a little over 1,000 I believe?

15 COMMISSIONER BRENDA LUCKI: One thousand
16 eighty-eight (1,088).

17 COMMISSIONER BRIAN EYOLFSON: One thousand
18 eighty-eight (1,088). So that's a little over 30 cadets
19 and -- okay.

20 COMMISSIONER BRENDA LUCKI: Identified --
21 self identified.

22 COMMISSIONER BRIAN EYOLFSON: Self
23 identified, okay. And you also spoke about some of the
24 challenges with recruitment in terms of recruiting
25 Indigenous members as well, yesterday.

1 **COMMISSIONER BRENDA LUCKI:** Yes.

2 **COMMISSIONER BRIAN EYOLFSON:** And I wanted
3 to ask you as well about your materials at Tab 8 that you
4 referred to yesterday at page 10.

5 **COMMISSIONER BRENDA LUCKI:** You're referring
6 to the employment equity report?

7 **COMMISSIONER BRIAN EYOLFSON:** Yes.

8 **COMMISSIONER BRENDA LUCKI:** Okay. Yes.

9 **COMMISSIONER BRIAN EYOLFSON:** So at page 10
10 it's a couple of charts. One refers to regular member
11 hires, and I think this is in the -- your earlier 2016,
12 2017, right?

13 **COMMISSIONER BRENDA LUCKI:** Sixteen ('16),
14 '17, yes.

15 **COMMISSIONER BRIAN EYOLFSON:** Right. Okay,
16 so in terms of -- it identifies 45 Aboriginal People hired,
17 or 4.7 percent of hires. At the same time there's -- in
18 terms of regular member departures, 57 people or 8.4
19 percent. So this seems like there's a little bit of a
20 slippage in terms of hires and departures of Indigenous
21 Peoples that year. Would you agree?

22 **COMMISSIONER BRENDA LUCKI:** Our attrition
23 rate, yes is -- in general our attrition rate is much
24 higher.

25 **COMMISSIONER BRIAN EYOLFSON:** It is?

1 **COMMISSIONER BRENDA LUCKI:** Well, and it's
2 economy based often. Because I use the Alberta example,
3 and when it was booming members at 24 years services they
4 were going to other -- drawing a pension and then going to
5 another profession. And it's location driven as well,
6 depending on the economy.

7 **COMMISSIONER BRIAN EYOLFSON:** Okay. But
8 further to that, do you have an idea of why, you know, 57
9 Indigenous People left that year? Do you do exit
10 interviews, do you track the reasons why?

11 **COMMISSIONER BRENDA LUCKI:** We do exit
12 interviews, or they can do a -- if they don't want to do an
13 interview they can do an exit survey, but it's voluntary on
14 both parts. But I'm not sure. That's a good question, if
15 we actually track that and see if there's some kind of
16 commonality, but I think we need to put that on our list.

17 **COMMISSIONER BRIAN EYOLFSON:** Right.

18 **COMMISSIONER BRENDA LUCKI:** Because if 57
19 people said the same reason, and it was something to do
20 with what we could change, then we ought to.

21 **COMMISSIONER BRIAN EYOLFSON:** Right. Okay.
22 And then related to that, do you -- in terms of equitable
23 hiring, do you do any sort of surveys of existing members
24 to see if groups like Indigenous members are satisfied in
25 the workplace, if they're experiencing any discrimination,

1 or facing any barriers? Do you do any of that?

2 **COMMISSIONER BRENDA LUCKI:** Yes. We do
3 that. We're mandated to do that every -- I think it's
4 every year. The public -- we call it -- it's called the
5 public service employee survey, because we are included in
6 that, and then we did a separate one for regular members as
7 well. Things like, do you have enough time to do your job
8 within the hours that you work? Are you -- have you been a
9 victim of harassment? There's many, many categories.

10 It's quite a lengthy -- and those are
11 analysed, and each division gets their own results, because
12 it does vary from province to province. Nationally, the
13 groups try to use that information to evoke some positive
14 change, especially when there is a trend happening.

15 **COMMISSIONER BRIAN EYOLFSON:** Okay. I think
16 those are all my questions. Thank you very much for coming
17 and spending the time with us and sharing.

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

19 **MS. CHRISTA BIG CANOE:** Pardon me, Chief
20 Commissioner.

21 **CHIEF COMMISSIONER MARION BULLER:** Yes?

22 **MS. CHRISTA BIG CANOE:** May I ask one
23 question before you ask your questions? And it's in
24 relation to the next panel.

25 **CHIEF COMMISSIONER MARION BULLER:** Yes.

1 **COMMISSIONER BRENDA LUCKI:** It's in
2 consultation with the RCMP, but there is benefits attached
3 to that.

4 **CHIEF COMMISSIONER MARION BULLER:** Financial
5 benefits?

6 **COMMISSIONER BRENDA LUCKI:** Yes.

7 **CHIEF COMMISSIONER MARION BULLER:** Okay.
8 Some of it is not actual money, but how many trips out of
9 the community and various benefits. That makes sense.
10 Thank you. As you've probably been told, we've heard from
11 people all across Canada who have described issues with
12 policing that for today's purposes I'll put into three
13 different categories. One is the exercise or lack thereof
14 of police discretion. The second is lack of local
15 knowledge, and the third is being overwhelmed by the
16 process, the criminal justice process. I call it, to use
17 the words of one family member, "I was at a complete loss
18 as to what to do." And, police, of course, were the first
19 point of contact.

20 So, I want to put those observations or
21 those concerns into the context of training and policing in
22 Indigenous communities. I don't mean this as a rhetorical
23 question at all. I'm curious about what happens at Depot
24 and then in six months, field training. How do you teach
25 the good exercise of police discretion at the time of

1 deciding how to respond to a situation?

2 **COMMISSIONER BRENDA LUCKI:** That's why we
3 switched our training back in the '90s. We made it more
4 scenario based. Before, literally, it was a lecture, a
5 paper scenario and what if, and we'd sit around. I think I
6 had -- just to give a you difference, when I went through a
7 couple of years ago -- no, just kidding -- we had one
8 scenario, and we did it as a group. They do over 18 files,
9 complete files, in their 26 weeks of training. When I say
10 "files", it's broken down.

11 So, one part of that file is notetaking, and
12 there's decision making, and we teach them the entire CAPRA
13 problem-solving model of decision making where they analyze
14 the problem, what partners or stakeholders do they need for
15 that decision, and it's broken down. It's very slow at the
16 beginning. It's very tedious.

17 So, a shoplifting complaint might take
18 hours, but it's to show them and also to show them how to
19 do a proper risk assessment when going to calls, and what
20 to take into consideration, and some of those things are
21 not just police things. Some are internal. Am I tired?
22 Is it the beginning of my shift? The end of my shift? Did
23 I have a -- did I come to my shift? Did I eat? When was
24 the last time I ate? Because those affect your decision
25 making, so they need to be cognizant of all of those things

1 during a risk-assessment process and decision-making
2 process.

3 So, it's very slow and tedious, and as a
4 facilitator, it was painful at times. But, eventually,
5 they'd start being able to do it as just a natural way of
6 making decisions. So, we find we get better results with
7 scenario-based training.

8 Then they actually do detachment visits.
9 So, they have that twice in their training, and they'll
10 actually be on call. So, they have to bring a radio to
11 their dorm, and they try to go to sleep, and they might get
12 a call in the middle of the night and have to make a
13 decision.

14 We also do a lot through simulation
15 training, fire arms and driving simulation, and we are in
16 the midst of creating -- we are actually the top in the
17 world for simulation training. People from all over the
18 world come to Depot to see our simulation training,
19 especially in decision making for firearms. It's huge,
20 because I don't think I'd want to be a firearms instructor
21 watching a cadet trying to make a decision with a loaded
22 gun. So, simulation is good for the nerves for our
23 instructors as well.

24 But, it gives them scenarios that we can't
25 make -- we can't make those live because of the firearm,

1 but what we can do is we can create stress. We put them in
2 a car, chase them or get them to chase somebody, bring
3 their adrenaline up, and then we see what happens with
4 their decision making.

5 We also -- we have an entire research where
6 one of the -- we are one of the only police training
7 academies that has their own curriculum design embedded,
8 and we have our own research embedded. I really invite the
9 Commissioners to go spend a day, a Monday, especially, at
10 Depot, because that's graduation day. We'll give you an
11 overview of -- the in-depth overview of the program.

12 I know that it's -- I can't say enough about
13 the training, and I'll say this. It's one of the top
14 training in the world, and I know this because people from
15 all over the world come to the training, including the FBI
16 and the federal law enforcement. The Ukrainians have been,
17 in my tenure, three or four times.

18 We train, for instance, the Kahnawake
19 peacekeepers. They are inserted into our training with our
20 troops. The Lakeshore Police Service is a self-
21 administered police service. Their cadets train with our
22 cadets the exact same training. They do the exact same 26
23 weeks. It's tried and tested.

24 Can it improve? Absolutely. That's why we
25 do 200 changes a year. I went on a bit, but I can't be

1 more proud of our training than I am, and the decision
2 making. And, I'd just remind everybody that it's induction
3 training, and if we took every request that people asked
4 and inserted it in that training, they'd be there for three
5 years. But, we need them to get out and use that training.
6 So, that's why we are very particular on -- because now
7 we're at the point of when we put something in, we have to
8 take something out now, because it's so big. Or, we have
9 to adjust, and that's what we've been doing. And,
10 depending recently with the Moncton Inquiry, we've added
11 carbine training to -- that's where we went from 24 to 26
12 weeks. And, as a result of tragic events like school
13 shootings, we've added immediate action response deployment
14 which is a five-day course. So, very tactical.

15 But, again, I think my fear is we have been
16 adding tactical training to our training. And so, the
17 pendulum, I think, is a little bit this way, and we need to
18 go back to our grassroots, our community policing, our
19 talking and remembering -- it's still in the high 90's --
20 that our intervention is verbal. So, we have to make sure
21 that they have those verbal skills, and they have to have
22 that empathy and compassion to deal with those calls so
23 that situations that have been talked about in the Inquiry
24 aren't happening.

25 **CHIEF COMMISSIONER MARION BULLER:** Okay,

1 thank you. You described training in Indigenous issues and
2 history at Depot. You've also described the online course
3 that must be completed within two years. You've described
4 a number of other courses and training that can be
5 available to members.

6 What, after Depot and after that online
7 course, is mandatory training for members in the area of
8 policing in Indigenous communities, in interactions with
9 Indigenous people, Canadian history that includes the real
10 history of -- what I call the real history of Indigenous
11 people in Canada? I know they're available, but what's
12 mandatory?

13 **COMMISSIONER BRENDA LUCKI:** Apart from the
14 online Aboriginal Awareness, I don't believe there are any
15 national mandatory courses. I know divisionally, for
16 instance, in northern Manitoba, each and every member
17 needed to take the five-day Perceptions course. It's
18 difficult. Logistically, it's difficult to do those face-
19 to-face courses because every time you take somebody out of
20 their community, that's one less member in the community.

21 We try to do -- in Manitoba, they were
22 trying to get the cadets in the south to get all trained up
23 to go north so they wouldn't have to come out of their
24 communities as often. We try to do that as often as we
25 can, because there's equipment-specific courses when you go

1 up north as well, snowmobile and boating courses, and ATV
2 courses. And, yes, every time they have to come out to
3 shoot their firearm to recertify.

4 So, yes, it's very intensive when people are
5 in the north logistically to go on a lot of courses. So,
6 as much as I agreed with one of the presenters about the
7 online courses, for us, it really helps not taking people
8 out of their communities, and we have done really well with
9 better courses online. Is it the best? Not at all, but
10 our new generation, I think, learns a bit better online
11 than they do face-to-face. I think they get bored with
12 face-to-face, actually.

13 **CHIEF COMMISSIONER MARION BULLER:** I can see
14 that happen.

15 **COMMISSIONER BRENDA LUCKI:** Yes. Every time
16 we do add courses, and we're actually doing -- the Office
17 of the Auditor General is doing a review of all of our
18 mandatory courses, because what's happening is they have
19 actually just haphazardly -- we would decide something
20 would be mandatory. But, when you say that, then there
21 comes a responsibility with that, and does it need to be
22 mandatory or should this be mandatory, because we have some
23 non-negotiables. Like, the equipment is non-negotiable.
24 They have to recertify in their firearms, and -- but we
25 have to start looking at the other ones. Do they actually

1 need this course versus that course, but I'm sure following
2 some of the recommendations here that we will be revisiting
3 that.

4 **CHIEF COMMISSIONER MARION BULLER:** Okay.
5 Thank you. Then turning to more the detachment level, and
6 I'm looking at the experience that you've had at that level
7 and higher, of course, what obligation, mandatory
8 obligation is there for a Detachment Commander, a
9 detachment of any size, to develop relationships with
10 members of their Indigenous communities?

11 **COMMISSIONER BRENDA LUCKI:** It's mandatory
12 through the Annual Performance Plan. And, we have a
13 Detachment Commander's Handbook, and part of that is a
14 checklist of everybody, and it's a generic checklist
15 because -- like, it'll say, Education, so principals,
16 counsellors, elected officials, would it be chiefs,
17 counsellors. And then it would be Health. You're going to
18 make sure you go to the nursing station and make those
19 relationships, or the hospitals. And then it goes into
20 Social Services and Advocacy Groups. And then when you do
21 the Annual Performance Plan, you need to -- and businesses
22 as well, you need to meet with all those stakeholders and
23 partners to determine what their priorities are in order to
24 establish your plan for April 1st.

25 So, the planning cycle for the Annual

1 Performance Plan starts in and around January, February,
2 and they have till approximately the end of February,
3 middle of March to do all those consultations, and also
4 under the unit level quality assurance, do their risking
5 exercise to determine what activities need to be risked in
6 because they run on the same system. And, it's actually on
7 the computer, and they have to generate a report every
8 quarter, and that report has to be shared with their
9 elected officials on their progress on those priorities.

10 **CHIEF COMMISSIONER MARION BULLER:** Okay.

11 **COMMISSIONER BRENDA LUCKI:** They call it
12 APP.

13 **CHIEF COMMISSIONER MARION BULLER:** Okay.
14 Thank you. Is there community feedback allowed on those
15 reports that are circulated every quarter?

16 **COMMISSIONER BRENDA LUCKI:** I think they're
17 shared simply with the Mayors, Chiefs, Counsellors, and
18 what -- I think they leave it to the elected officials to
19 share that. Sometimes there's -- like, a current example
20 that I have, in Saskatchewan, the Commanding Officer --
21 Assistant Commissioner Curtis Zablocki has created town
22 halls, which town halls aren't new, but now they're doing
23 town halls in every area, so it gives community members an
24 opportunity to voice their concerns or, you know, maybe in
25 the odd chance, they might have something good, positive,

1 and then also the concerns, and those are taken. And,
2 again, they're bringing all that into headquarters'
3 environment so that if the same concern is being brought up
4 at the various town halls, then, Houston, we have a
5 problem; right?

6 **CHIEF COMMISSIONER MARION BULLER:** Well,
7 that raises an observation that I've had personally, and
8 then we've also had in evidence before us is that there
9 doesn't seem to be a way that community members can provide
10 input about police performance other than a complaint
11 through the complaint process so that, for example, where a
12 community's concerned about a specific member -- or it can
13 go both ways. Where a community is very happy with a
14 member, their performance, their relationship with them,
15 prefer that they not be transferred. There doesn't seem to
16 be a way to tell the Detachment Commander, "We really like
17 this person, and we would like to keep them if at all
18 possible."

19 **COMMISSIONER BRENDA LUCKI:** We do have on
20 our website, actually our national website where people can
21 -- and we receive, actually, a lot of feedback off the
22 website, and we share that with the detachments. The
23 reason why we -- we actually looked at having detachment
24 emails, but then we were worried that if they didn't
25 answer, then again -- with an email address comes great

1 responsibility, and we're trying to eliminate some of the
2 work for Detachment Commanders instead of create more, so
3 we put it to the national website where it was easier to
4 find and they could go, and they click, and then they can
5 send an email on both positive and negative feedback.

6 **CHIEF COMMISSIONER MARION BULLER:** Well,
7 that raises the flip side of my question is that, in some
8 communities, some people have said, "There's a member we're
9 not happy with," for whatever reasons.

10 **COMMISSIONER BRENDA LUCKI:** Yes.

11 **CHIEF COMMISSIONER MARION BULLER:** And, it's
12 a broad stroke, I know. There doesn't seem to be any way
13 that we can raise our concerns with the district -- or,
14 sorry, the Detachment Commander short of a formal
15 complaint. It doesn't go so far as a formal complaint, but
16 that seems to be our only option. Is there another option
17 available for community members to provide that feedback?

18 **COMMISSIONER BRENDA LUCKI:** I think,
19 generally, unless there's a town hall, which I don't think
20 maybe somebody would feel comfortable anyways in that
21 environment saying they didn't like a particular member. I
22 know in some of the -- when I was in Northern Manitoba, we
23 actually -- if it was an extreme case, and the community
24 was not happy with a member, then they did a Band Council
25 resolution. That happened a couple of times while I was

1 there. They put in a resolution to say that they no longer
2 wanted this member in the community.

3 We tried to work with them, because
4 sometimes it was -- again, it went back to communication.
5 And so, sometimes, very often, when we had that
6 communication, the problem got rid of itself, but there was
7 times when it didn't, so we would actually remove the
8 member from the community if it was legitimate. Sometimes
9 if it -- if it was not something that we felt the member
10 should be removed, often the member felt they wanted to
11 leave by that time anyways because if they weren't welcome
12 in the community, then they didn't necessarily want to be
13 there.

14 But, other than, I guess, sending something
15 on our website or actually going to the detachment and
16 having a conversation with the Detachment Commander, the
17 only other way is maybe to go -- call the district office,
18 which is in the area, in the general area. For example,
19 each province has two to five districts depending on the
20 size of the province, and hopefully they felt that they
21 could go through that avenue. But, unless they do any of
22 that, we probably wouldn't -- but I'm open to suggestions.

23 If there's a way that somebody could --
24 we're actually looking -- I was very intrigued. I was at
25 the Toronto G7 Minister's Conference, and the French

1 proposed an online gendarm, they called it, online
2 constable, so that people could actually talk to a
3 constable online, and I was very intrigued by that. So, I
4 thought, that would be very interesting if somebody --
5 because often complaints aren't -- people -- my mom would
6 be one who would never phone the police because it's never
7 big enough for her to call the police. But, if -- I know
8 if she had an online constable, she'd be on the -- be
9 calling that constable. But, if we can increase -- and I
10 think we have to look at creative, innovative ways to
11 increase our accessibility.

12 **CHIEF COMMISSIONER MARION BULLER:** Okay.
13 Thank you. You described a new National Investigation Unit
14 made up of 19 members. Could you provide a little more
15 information about that, please?

16 **COMMISSIONER BRENDA LUCKI:** Yes, I can.
17 Basically, as a result of the comments that were -- came
18 out of the Inquiry about reviewing, we created what's
19 called a National Investigative Standards and Practice
20 Unit. And, it's an internal RCMP centre of expertise and
21 oversight for high profile, major case investigations so
22 that -- we wanted to make sure that when we got to that --
23 we were in the investigation, it's one thing to
24 investigate, but if we cannot successfully, and your
25 colleague shared the statistics, successfully bring that to

1 court and bring it to prosecution, that's a lot of hours
2 spent for nothing.

3 So, this -- there is 19 people in that Unit.
4 It's not all RCMP members. It's civilian members,
5 analysts, and they review these files. And, it was as a
6 direct result of things that came out of the Inquiry. Our
7 liaison, Shirley Coullier (phonetic) she's listening, and
8 then she comes back, and then they brainstorm, and then
9 they come up with ideas just as another example is the
10 communication with families. We now have a different
11 protocol because of -- and I say we're listening, but
12 actions do speak louder than words. So, they make sure
13 that the prospect is successful and investigations and
14 criminal prosecutions are increased.

15 **CHIEF COMMISSIONER MARION BULLER:** Thank
16 you. Are you familiar with what's commonly called Jordan's
17 Principle?

18 **COMMISSIONER BRENDA LUCKI:** Yes.

19 **CHIEF COMMISSIONER MARION BULLER:** Do you
20 think that applies to policing?

21 **COMMISSIONER BRENDA LUCKI:** You know what?
22 I'm thinking of something completely different. I'm
23 thinking of *R. v. Jordan*, so that's probably not ---

24 **CHIEF COMMISSIONER MARION BULLER:** No.

25 **COMMISSIONER BRENDA LUCKI:** But, I know it.

1 It's just not coming to me. Sorry.

2 **CHIEF COMMISSIONER MARION BULLER:** We'll
3 move on then. Thank you. In the mandate letter that you
4 provided as part of your documents, there are a number of
5 priorities or strategic areas that the Minister wants you
6 to consider. Where does Aboriginal or Indigenous policing
7 fit in that hierarchy of priorities?

8 **COMMISSIONER BRENDA LUCKI:** I don't think
9 that we're -- I'm not putting any of those priorities in
10 order. Anything in this mandate letter and anything that
11 comes out of any of the recommendations is a priority. I
12 don't want to put one above the other. We've had -- and we
13 get priorities all the time. For instance, during the
14 Moncton Inquiry we got priorities.

15 So, we need to take those. We need to put
16 them all together. Instead of saying Indigenous is number
17 two on the list, maybe this particular part of Indigenous
18 might fall lower because it's less risk? So, we sort of do
19 a risk-assessment process in what is the biggest risk to
20 police and public safety, and those tend to hit the top of
21 the list, obviously.

22 And then things that are out of our control
23 that we can advocate for, they may be on our list, but they
24 might not be as high of a priority because we only have an
25 advocacy role, and we've done that part, and now it's

1 monitoring. So, they all fall within different parts of
2 our priorities, so to speak.

3 **CHIEF COMMISSIONER MARION BULLER:** Okay.
4 Then, finally, we've heard many times from people all
5 across Canada that when they go to the police, they're at a
6 complete loss as to what to do next or how to navigate the
7 system. I suppose that could be attributed to
8 communication issues that need to be addressed.

9 But, some people have suggested to us a
10 couple of things. One, that there be at each detachment an
11 Indigenous liaison officer or an Aboriginal liaison officer
12 who would work specifically with families on these types of
13 cases, where someone is missing or murdered. Another
14 recommendation or another observation that someone made was
15 that if you're charged with something, if you're arrested
16 and charged with something, you get a lot of paper work.
17 When you make a complaint or report a crime to the police,
18 you get a business card. That was their observation, and
19 that witness suggested they get a receipt for their
20 complaint to the police so it could be tracked.

21 **COMMISSIONER BRENDA LUCKI:** That's a great
22 idea.

23 **CHIEF COMMISSIONER MARION BULLER:** Rather
24 than a file number on a business card or something similar
25 to that. Would you like to comment on those observations

1 and suggestions?

2 **COMMISSIONER BRENDA LUCKI:** I know when we
3 have major cases and I know -- for instance, in northern
4 Manitoba, on the investigative team, one person was
5 specifically assigned. That was their role, was a family
6 liaison for the investigations. And, we specifically took
7 somebody from the investigative team because they would
8 have the knowledge and they would know what they could and
9 could not share, and they knew -- for instance, being
10 culturally sensitive in certain communities, the deceased
11 stays in our garage. That's the morgue in many
12 communities. And, in certain communities when we move that
13 body or that deceased, certain communities have certain
14 ceremonies; other communities don't.

15 So, they need to work side-by-side with the
16 people, the members who are working in that community, and
17 with the elders to make sure, because I know one instance
18 where that wasn't followed, and it was just a bad set of
19 circumstances, and the deceased was brought back down south
20 for the autopsy without anybody in the community being
21 advised. It sounds like a small thing to some people, but
22 in that community, that's monumental, and that goes to a
23 bigger issue if we don't know those cultural nuances.

24 So, again, in that communication protocol
25 that I created up there, some of those things were outlined

1 because each community is different. They may have
2 different nuances of celebrations or ceremonies that we
3 need to respect, and if -- you know, I can say, well -- you
4 can plead ignorance, "I didn't know" but, really, you
5 didn't know? Let's make sure you know. So, we have to
6 figure out how to make sure they know that.

7 And so, we have the family liaison often for
8 that communication piece. The frustration for the
9 families, though, is that often in the early stages, we
10 can't say much, and it's frustrating, and it's really for
11 the integrity of the investigation and to ensure that we
12 can bring that to successful prosecution.

13 So, we're very limited in our information,
14 and we always get criticized about that. But, I'm willing
15 to take that criticism as long as we're culturally
16 sensitive when we do deliver the minimal information that
17 we can. And, if somebody at least explains why they can't
18 give that information -- because information is power;
19 right? When people have that information, it's power.

20 So, I go back to my original everything, all
21 the issues I hear is always about communication, lack of
22 communication, not timely, poor communication,
23 disrespectful communication, but it's always communication.
24 So, we really need to get better at it and make sure that
25 our members are equipped to have that, and if they aren't,

1 then they need the training. And, if they aren't, then
2 maybe we need to find somebody who can.

3 So, going back to we also have -- Victim
4 Services plays a huge role. Maybe not so much in a murder
5 case, but in an aggravated assault, Victim Services, and if
6 that communication doesn't go from the police to Victim
7 Services, why are you having a Victim Services? They need
8 to be able to have the information or they need to be told
9 that that file exists so that they can engage with the
10 victim.

11 So, do things fall through the cracks?
12 Absolutely. Is it perfect? No, and we need to improve on
13 it. You're absolutely right.

14 **CHIEF COMMISSIONER MARION BULLER:** Thank
15 you. Those are my questions. Thank you very much.

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

17 **CHIEF COMMISSIONER MARION BULLER:** To all of
18 the witnesses this afternoon, we're very grateful for your
19 time and your truth and your commitment to your work. We
20 have gifts for you. I hope you will accept them. They are
21 eagle feathers. We were told by the matriarchs in Haida
22 Gwaii to do this, and we don't argue with them. We love
23 them. They're to hold you up on those days you need to be
24 held up, and on those days when you can reach a little
25 higher, they'll help you reach higher.

1 So, it's a small token of our thanks and
2 recognition for your dedication. Thank you all.

3 (PRESENTATION OF GIFTS)

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

5 **CHIEF COMMISSIONER MARION BULLER:** And,
6 we'll take a short break to bring the next witness.

7 **MS. CHRISTA BIG CANOE:** I'm sorry, but I'm
8 going to ask again, because I've actually been inundated
9 with requests from parties with standing in relation to the
10 time, just recognizing it is now quarter to six. The
11 evidence in-chief for the one witness is anticipated to be
12 40 minutes, and in addition to that, we would require at
13 least a 10-minute break to swap out space. So, on that
14 basis, I'm just putting forward requests by at least seven
15 counsel to the panel.

16 **CHIEF COMMISSIONER MARION BULLER:** We have
17 to huddle. Okay, here's the plan. We'll start with our
18 opening prayers and opening tomorrow morning at 7:45. We'll
19 commence evidence at 8:00 a.m. We will call no further
20 evidence this afternoon.

21 **MS. CHRISTA BIG CANOE:** Thank you. So, on
22 that basis, I'm assuming we are now adjourned once you give
23 gifts?

24 **CHIEF COMMISSIONER MARION BULLER:** Yes.

25 **MS. CHRISTA BIG CANOE:** But, that there will

1 be likely a closing prayer, and I just have one
2 announcement for the parties with standing. We will have
3 Commission Counsel in the parties with standing room, which
4 is the Oak Room. As you recall earlier today, I did
5 announce at lunch that we would allow for people to pull,
6 or draw the number. And so, we'll for 30 minutes after we
7 close, there will be Commission Counsel in that space for
8 any parties that have not yet done that.

9 **CHIEF COMMISSIONER MARION BULLER:** Okay.
10 We're adjourned after we have our prayer.

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

12 **MR. VERN BELLEGARDE:** They are just
13 presenting the gifts to our presenters, and Louise is
14 extinguishing the qu'liq. Just two more very quick agenda
15 items. I'd like to call on Elder Doug PeeAce (phonetic).
16 Is he in the room? Doug? Doug PeeAce? He's saying our
17 closing prayer. Just give us a few minutes. Once they
18 make the presentation of the eagle feathers, Doug will give
19 our -- do us an opening -- a closing prayer for us. Okay.
20 I'll just ask if -- Louise, can you extinguish the qu'liq,
21 please? Thank you very much, Louise.

22 Tomorrow morning at 7:00 is the pipe
23 ceremony in the Wascana Room. We've -- the first two pipe
24 ceremonies, we've had about 12 or 15 ladies and two men,
25 oh, and the pipe carrier. We'd certainly like to see some

1 more men get involved in the pipe ceremony. They are
2 praying for us and our success here. I'll just turn the
3 mic over to Doug to say our closing prayer. He's not going
4 to use the mic. You can just join us in rising, please.

5 **ELDER DOUG PEEACE:** (Speaking in Indigenous
6 language).

7 **MR. VERN BELLEGARDE:** Hai. Hai, hai. Thank
8 you so much, Doug. Okay. Well, sleep tight, don't let the
9 bugs bite. Enjoy your evening. Some people have inquired
10 about where is the Qu'Appelle Valley. I've told them you
11 go out and you -- in front of our building here is the
12 Victoria Avenue. Catch Victoria Avenue and go straight
13 east. That will take you to Balgonie, about 20 miles out.
14 And then you hit 10 Highway, and it takes you into the
15 valley in about another 20 minutes. So, it's about 45
16 minutes from here.

17 --- Upon adjourning at 5:41 p.m.

18 **LEGAL DICTA-TYPIST'S CERTIFICATE**

19
20 I, Félix Larose-Chevalier, Court Transcriber, hereby
21 certify that I have transcribed the foregoing and it is a
22 true and accurate transcript of the digital audio provided
23 in this matter.

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Félix Larose-Chevalier

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June 25, 2018