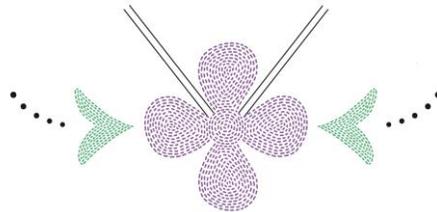


National Inquiry into  
Missing and Murdered  
Indigenous Women and Girls



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

**National Inquiry into Missing and Murdered  
Indigenous Women and Girls  
Truth-Gathering Process  
Part 1 Public Hearings  
Membertou Trade & Convention Centre  
Kluskap A & Jenu rooms  
Membertou, Nova Scotia**



**PUBLIC**

**Tuesday October 31, 2017**

**Public Volume 18**

**Cheryl Maloney, Deveron Paul  
& Candice Sylliboy, In relation to Victoria Paul;**

**Darlene Gilbert;**

**Natalie Gloade, In relation to Nora Bernard;**

**Becky Michelin, In relation to Deidre Michelin;**

**Georgina Doucette & Joe Michael,  
In relation to Kate Michael & Tradina Marshall**

**INTERNATIONAL REPORTING INC.**

## II

### APPEARANCES

Assembly of First Nations	Julie McGregor (Legal counsel)
Government of Canada	Sarah Churchill-Joly (Legal counsel) Jennifer Clarke (Legal counsel) Anne Turley (Legal counsel)
Government of Nova Scotia	Heather Ternoway, Pamela Marche, Karen Hudson, Janel Fisher (Representatives)
Eastern Door Indigenous Women's Association	Non appearance  Beth Symes (Legal counsel)
Pauktuutit Inuit Women of Canada, Saturviit Inuit Women's Association of Nunavik, AnânauKatiget Tumingit Regional Inuit Women's Association Inc., Ottawa Inuit Children's Centre, Manitoba Inuit Association	

**Note:** For the purpose of establishing this record of attendance, counsel are considered present whether they attended one or all of the public hearings held over the course of the day at the Membertou Trade and Convention Centre Kluskap A & Jenu Rooms (i.e. the main public hearing spaces).

III

TABLE OF CONTENTS

	PAGE
<b>Hearing # 1</b>	1
<b>Witnesses: Cheryl Maloney, Deveron Paul, Candice Sylliboy</b>	
<b>In relation to Victoria Paul</b>	
Heard by Commissioner Michèle Audette Commission Counsel: Jennifer Cox Grandmothers, Elders, Knowledge Keepers: Bernie Skundaal Williams, Katy McEwan, Jane Meader, Lotti Johnson, Pauline Bernard Registrar: Bryan Zandberg	
<b>Hearing # 2</b>	38
<b>Witness: Darlene Gilbert</b>	
Heard by Commissioner Michèle Audette Commissioner Counsel: Jennifer Cox Grandmothers, Elders, Knowledge Keepers: Bernie Skundaal Williams, Katy McEwan, Jane Meader, Lotti Johnson, Pauline Bernard Registrar: Bryan Zandberg	
<b>Hearing # 3</b>	62
<b>Witness: Natalie Gloade, In Relation to Nora Bernard</b>	
Heard by Commissioner Michèle Audette Commissioner Counsel: Jennifer Cox Grandmothers, Elders, Knowledge Keepers: Bernie Skundaal Williams, Katy McEwan, Jane Meader, Lotti Johnson, Pauline Bernard Registrar: Bryan Zandberg	
<b>Hearing # 4</b>	95
<b>Witness: Becky Michelin</b>	
<b>In relation to Deidre Michelin</b>	
Heard by Commissioner Qajaq Robinson Commission Counsel: Joseph Murdoch-Flowers Grandmothers, Elders, Knowledge Keepers: Louise Haulli, Katy McEwan, Jane Meader, Lotti Johnson, Pauline Bernard Registrar: Bryan Zandberg	

IV

TABLE OF CONTENTS

**Hearing # 5**

**Witnesses: Georgina Doucette and Joe Michael**

**In relation to Kate Michael and Tradina Marshall**

Heard by Commissioner Qajaq Robinson

Commission Counsel: Fanny Wylde

Grandmothers, Elders, Knowledge Keepers: Louise Haulli,

Clerk: Christian Rock

Registrar: Bryan Zandberg

113

V

LIST OF EXHIBITS

NO.	DESCRIPTION	PAGE
<b>Witnesses: Cheryl Maloney, Deveron Paul, Candice Sylliboy</b> <b>Exhibits (code: POP04P0201)</b>		
1	Electronic folder with six images displayed during the testimony of the witnesses	37
2	Copy of <i>Victoria Rose Paul: Investigation Report</i> , prepared by Nadine Cooper Mont, published May 24, 2012, ISBN: 978-1-55457-485-8, 136 pages	37
3	Two news stories i) "Police will not face charges in Victoria Paul's death," CTV Atlantic, published June 6, 2013, at 12:37 PM ADT, last updated June 6, 2013, 6:34 PM ADT; and ii) "Truro Police failed Victoria Paul, report finds," CBC News, posted May 24, 2012, 7:16 AM AT, last updated May 24, 2012, 10:59 PM AT	38

**Witness: Darlene Gilbert**  
**Exhibits: none entered.**

**Witness: Natalie Gloade**  
**Exhibits (code: POP04P0201)**

1	Electronic folder with 25 images displayed during the testimony of the witnesses	95
2	Two news stories, three pages total	95

**Witness: Becky Michelin**  
**Exhibits (code: POP04P0203)**

1	Electronic folder with images displayed during the testimony of the witnesses	113
---	---	-----

**Witness: Georgina Doucette**  
**Exhibits: none entered.**

1 Membertou, Nova Scotia

2 --- Upon commencing on Tuesday, October 31, 2017, at 9:10  
3 a.m.

4 **Hearing # 1**

5 **Witnesses: Cheryl Maloney, Deveron Paul, Candice Sylliboy**

6 **In relation to Victoria Paul**

7 **Heard by Commissioner Michèle Audette**

8 **MS. JENNIFER COX:** Good morning. Good  
9 morning, Madam Commissioner. Hello, Elders. I'm here with  
10 the Victoria Paul family and Families of the Heart, so I'm  
11 going to let the individuals before you introduce them and  
12 then we'll move on to the -- the oath.

13 **MS. LINDA MALONEY:** Linda Maloney. I'm a  
14 residential school survivor. I'm from Millbrook.

15 **MS. CHERYL MALONEY:** Cheryl Maloney. I'll  
16 be speaking as the Family of the Heart today.

17 **MR. DEVERON PAUL:** Deveron Paul, victim's  
18 son, from Indian Brook.

19 **MS. CANDICE SYLLIBOY:** Candice Sylliboy,  
20 Victoria Paul's niece, from Sydney, I guess.

21 **MS. CHERYL MALONEY:** And I have behind me a  
22 family that are actually here as my supports for a little  
23 bit this morning, Clayton and Miriam Saunders.

24 **MS. JENNIFER COX:** Thank you. Mr.  
25 Registrar, if we could have the --

1                   **MR. REGISTRAR:** Okay. Good morning, Cheryl.

2                   **MS. CHERYL MALONEY:** Good morning.

3                   **MR. REGISTRAR:** Did you wish to make a  
4 solemn affirmation with the eagle feather this morning?

5                   **MS. CHERYL MALONEY:** Yes.

6                   **MR. REGISTRAR:** Okay, very well.

7                   **CHERYL MALONEY, AFFIRMED**

8                   **MR. REGISTRAR:** Thank you.

9                   **MS. JENNIFER COX:** Do you want to do them  
10 too?

11                   **MR. REGISTRAR:** Yes.

12                   **MS. JENNIFER COX:** Deveron Paul.

13                   **MR. REGISTRAR:** It's Debron [sic], Deveron?

14                   **MR. DEVERON PAUL:** Deveron.

15                   **MR. REGISTRAR:** Deveron? Good. Good  
16 morning.

17                   **MR. DEVERON PAUL:** Good morning.

18                   **DEVERON PAUL, AFFIRMED**

19                   **MR. REGISTRAR:** Thank you. I think it's  
20 Candice? Okay. Good morning, Candice.

21                   **MS. CANDICE SYLLIBOY:** Good morning.

22                   **CANDICE SYLLIBOY, AFFIRMED**

23                   **MR. REGISTRAR:** Thank you.

24                   **MS. JENNIFER COX:** So, Madam Commissioner,  
25 we're going to start with Cheryl Maloney, who is a friend

1 of the Family of the Heart, and she's the -- been behind a  
2 lot of the investigation work that's been done to push this  
3 matter forward on behalf of the family.

4 **MS. CHERYL MALONEY:** I have a photo of some  
5 of the pictures of missing and murdered women that I asked  
6 on the slideshow. I don't know who's doing that, but  
7 if -- if you have a chance to put that picture up, there's  
8 five pictures from the -- the memorial table out there.

9 That's Kimber (ph), one of the girls I'm  
10 going to be speaking for, but there's -- I -- I'll have to  
11 just go the way it's in my heart right now.

12 There was a picture in the memorial table of  
13 families of missing and murdered women and Victoria's was  
14 there, Loretta Saunders is there, Nora Bernard's was there,  
15 Tanya Brooks was there, and Victoria. And as a  
16 friend -- for me to be here, I'm not a family member. I  
17 didn't -- I didn't spend Christmases, births with Victoria  
18 and her family. I grew up next to her.

19 It's very difficult for me to be here  
20 speaking on behalf of the family, and I never like to speak  
21 on behalf of the family. And the reason I've asked Miriam  
22 and Clay to -- to sit behind me for a few minutes this  
23 morning is because I think it's so important to allow the  
24 families to have their own voice and under the rarest most  
25 horrible circumstances should we as groups, organizations

1       or people claim to speak on behalf of the families, and  
2       I've heard across the country groups, political  
3       organizations, politicians say they're speaking on behalf  
4       of the families. I am a politician, but I never speak on  
5       behalf of those families. I never unless they ask me to  
6       help them find their voice; then I'll get up and I'll help  
7       them speak. And this is the situation here and why I  
8       wanted the Saunders here because a few years ago, they  
9       didn't have their voice, and I helped because they asked,  
10      but yesterday I witnessed them finding their voice, and so  
11      I take this role very, very serious. I am not the one that  
12      was at the births. I wasn't holding her hand when she was  
13      in labour. I wasn't there when she lost her family or the  
14      stories. I was there as a childhood friend, though, and  
15      I'll talk about that now.

16                I'm just going to thank you guys for being  
17      here for this and I know you're going to go, so whenever  
18      you feel like it, but thank you guys for being here.

19                Victoria was my neighbour and she was  
20      smarter than me. I have a couple of degrees, but she was  
21      smarter than me. My sister, Victoria, her cousin,  
22      Bridgette (ph) -- believe it or not, the daughters of Annie  
23      May Aquash were on this side of me. Victoria ended up  
24      living on this side of me. As children, we were playing in  
25      -- not in the -- on the rez. We were playing in the woods.

1 We had a street from -- it's called Church Street and we  
2 were allowed to go up to the ball field or the graveyard on  
3 this side and then it kind of looped down, and then on the  
4 other hill was the church. So as children, we were allowed  
5 to only go up to the church and up to the graveyard, but we  
6 could go as far as we wanted to into the woods behind us  
7 and that is where all my memories of Victoria is, is in  
8 those woods.

9 I remember one day we were hiding from our  
10 mother. She wanted to go to town. We hid in a tree.  
11 We're climb -- hiding in a tree in those woods and we must  
12 have been young because I thought -- we thought she  
13 couldn't see us or find us. A few minutes later, she's  
14 under the tree yelling at us, so we must have been really  
15 small in the woods because, you know, when you think you  
16 can't be seen and you're seen.

17 And the other story of Victoria in the  
18 woods -- and this is really embarrassing. I don't want to  
19 tell you guys, but my sister and -- and Victoria were older  
20 than me and we went to get a Christmas tree because we were  
21 so poor. There was no tree up and we had no tree, so we  
22 found an old saw in the basement and we walked into the  
23 woods and we're looking at trees and we're looking at the  
24 tops of really, really tall trees, and if anybody ever went  
25 for Christmas trees, you know they all look good at the

1 top. So they were sawing and sawing and we must have been  
2 young. I know I was -- I was following them. They were my  
3 leaders. The tree wasn't falling. The saw -- saw wasn't  
4 doing good. Victoria said, "Cheryl, climb up there. Sway  
5 the tree." So I climb up there and I sway the tree and  
6 they're sawing away, and the tree fell.

7 (LAUGHTER)

8 MS. CHERYL MALONEY: But Victoria was  
9 smarter than me.

10 And I want to go later in our  
11 recommendations about how you value the lives of Indigenous  
12 women and what they're worth when you -- when you die  
13 wrongfully; you know, what's the value of somebody that  
14 comes from an impoverished community where everybody is  
15 living below the poverty line, so I'll talk about that in  
16 my recommendations and they're going to be a little -- I'll  
17 read those later.

18 So in August 2009, I was in Ottawa. I was  
19 working on environmental files, and I heard about my  
20 neighbour. See, they're right next door to my mother. I  
21 was away a lot. Victoria probably seen my mother more than  
22 I did. And I heard she went into the drunk tank and came  
23 out on life support and I thought, "What the heck happened  
24 in there?" And so I wanted to say, "This is a public  
25 outcry. Somebody is going to -- somebody has to find out

1 what happened in there," from what I heard. And then from  
2 the actual bouncers, I later heard -- not through just  
3 community gossip, but one of the bouncers, that there was a  
4 whole bunch of cops struggling with her to throw her in the  
5 back car. I can't give you the number, whether it was  
6 five, six or seven, but we know there was a lot there and  
7 so there was a struggle.

8 They got her into the police car. She went  
9 into the Truro police cell and she came out on life support  
10 and died, and I was waiting. I said, "Somebody's got  
11 to -- there's going to be a public outcry, the chiefs,  
12 somebody," and nothing -- nothing. It didn't hit the news  
13 again, quiet as can be, and I thought, "Geez, nobody's  
14 saying anything or doing anything." But reading the  
15 reports, Kimber -- and her picture was up there  
16 earlier -- was knocking on doors, and Kimber isn't here.

17 **MS. JENNIFER COX:** Just for the --

18 **MS. CHERYL MALONEY:** Kimber is her sister.  
19 Kimber was knocking on doors and Kimber was brown. Like  
20 the Saunders told us yesterday, if you're blonde and you  
21 got a law degree, people might answer you more than they  
22 answered Kimber. She was trying, but there was no one  
23 listening and there was no group, organization, leadership,  
24 advocacy in this country whose job it was to say, "Did the  
25 police do the right thing? Is she okay? What went wrong?"

1                   So November 2009, I became the President of  
2 Nova Scotia Native Women. Victoria and I have been on this  
3 journey. It's been eight years now. I became the  
4 President of Nova Scotia Native Women because nobody was  
5 speaking, that dead silence, September, October, November.

6                   And then now, Marie, can you guys show me  
7 the banner over there? Can somebody bring the banner up, a  
8 couple of people? So I became president, and we had no  
9 money and I didn't do a lot of media, and we bought this  
10 banner. I actually put it on my credit card and this isn't  
11 the actual one. There's another one. Turn around for  
12 the -- the cameras. A hundred and thirty-two dollars and a  
13 little bit of stubbornness. I went to the family and we  
14 started asking what happened to Victoria. And you'll see  
15 some of the old footage, that that banner was everywhere.  
16 We were banging on doors. We were calling on Ministers,  
17 calling for inquiries, you know, "What the heck did the  
18 police do?" And up into that point, it seemed like no one  
19 cared. Okay, that's good. Thank you, guys.

20                   **MS. JENNIFER COX:** So you want to talk about  
21 what happened?

22                   **MS. CHERYL MALONEY:** Yes, but I -- I just  
23 want to say that from the time in 2009 when we started, I  
24 had -- Deveron wasn't there. Deveron went in the cell with  
25 his mom and didn't come out, and we're going to go through

1           that chronology of that soon.

2                           But at that time, I had Victoria's sister,  
3           Kimber, with me and I had her dad with me and they wanted  
4           to speak. People weren't listening, so, at that point in  
5           time, the family made me an agent for the family to speak  
6           on behalf of Victoria, so the next three years we started  
7           this process to seek answers.

8                           Deveron, do you have anything you want to  
9           add? Yeah? I'm going to ask you every so often,  
10          but -- okay?

11                          We started asking, "What's going on?" Truro  
12          Police in 2009, there's a few statements, and I seen in the  
13          reports there was even statements that said they're doing a  
14          report. There was indications that it was going to be an  
15          independent report looking at criminality and wrongdoing,  
16          and so everybody is waiting and waiting and waiting  
17          and -- patiently, because we have no clue what happened  
18          from the time she went in, for 18 months. Eighteen months  
19          came and we had no clue what happened between 3 a.m. in the  
20          morning till one in the afternoon the following day, ten  
21          hours. What happened in there that she came out on life  
22          support? So now there's people waiting. We're asking  
23          questions.

24                          And I have to -- hats off to the media  
25          because there was a couple of media guys at the time that

1 would come every six months and say, "Did you hear anything  
2 yet?" And they would do a story, and those stories kept  
3 her alive when nobody else seemed to care or was listening  
4 to the -- the cries of the family. So I -- media sometimes  
5 are portrayed bad, but mostly, you know what, without them,  
6 we would never be here at this point. Without them, we  
7 wouldn't have an inquiry and the stories wouldn't be heard.

8 So 18 months later, I get a call from  
9 the -- or Truro Police Services and I get Kimber and we  
10 meet at our little office in Truro and the police came and  
11 they give me an executive summary of a report, and the  
12 executive summary said that -- not much. It had everything  
13 blacked out. The police said, "This is only an internal  
14 report to see if" -- I mean, "followed all our internal  
15 procedures and policies." I said, "What do you mean just  
16 an internal?" "Well, we don't even need to give you this,"  
17 that's what they told me. "We don't even need to give you  
18 this. This was just our internal document." I said,  
19 "Well, why was the family and the community and the public  
20 waiting for this report that is supposed to tell us what  
21 happened in there and if anybody did anything wrong to  
22 her?" And the little -- I think it was 18 pages, lots of  
23 things blacked out. Some of the things we did see in there  
24 though was Commissionaire Skinner, and I'll try to go back  
25 and -- and give you some of the highlights of what we found

1 in the report.

2 Commissionaire Skinner came on around 6 a.m.  
3 Victoria went in around 3 a.m. She was alert. She was  
4 answering questions. She had an ankle bandage. She took  
5 her ankle bandage off. She rewrapped her ankle bandage in  
6 the cell. It was wrapped properly, correctly. It stayed  
7 on all night. She was a little sassy to the cell guard  
8 that she didn't like. No signs of alcohol poisoning. That  
9 was the limit. That was the base that her care should have  
10 been assessed by for the rest of the evening and -- and the  
11 next morning and the next afternoon.

12 So she had a good little sass and a good  
13 little laugh, so I think she was even laughing when she was  
14 sassing. They noticed her sleeping, and then around 6:30,  
15 they noticed her on the cell floor. And at one point in  
16 time around eight, they came and -- to assess her and  
17 Skinner was saying, "She looks like there's -- you know, we  
18 need -- something may be wrong with this," and I don't have  
19 the report and his actual words, but he started -- when he  
20 took over his duty, he came on and he started to say, "You  
21 know what? She's not responding," and -- or, "She doesn't  
22 seem well." And in his notes from the Truro report, I  
23 think this is what the -- the one thing that they did share  
24 with us that we could see is that he asked her, "Are you  
25 okay?" when she was on the floor, and she said, "No." And

1 he told me this because he called me and he said, "She said  
2 no." And he said, "Well, what's wrong?" and that was her  
3 last word. The next thing she did was point to her face  
4 and a tear coming down her eye, and that's the only thing  
5 we got from the Truro Police report from Halifax.

6 **MS. JENNIFER COX:** And so for the  
7 Commissioner's benefit, the Truro Police is where -- who  
8 was holding her? Is that where she was?

9 **MS. CHERYL MALONEY:** Yeah, the Truro Police  
10 Services is the cell she went into.

11 **MS. JENNIFER COX:** And the Halifax Police?

12 **MS. CHERYL MALONEY:** The report -- the  
13 report that -- 18 months later that told us what had  
14 happened to -- not what happened to her, but Constable  
15 Skinner sharing her last word and the anguish and the pain.

16 I also want to point out at this time -- and  
17 I never seen the videos and I wonder what they look  
18 like -- that she had her pants half down and urinated in  
19 the cell, so by this time she had taken a stroke. She was  
20 still able to talk. She said, "No," and pointed to her  
21 face. She attempted to take her pants down, so she  
22 wouldn't soil herself is all I can assume. And then so for  
23 the next four more hours, she laid in that cell on -- in  
24 her own urine, on the floor of the cell, with her condition  
25 deteriorating.

1 Halifax, Truro, they say she would have died  
2 anyways, but I watch, you know, Heart and Stroke  
3 Foundation, "Get help right away. Get help right away."  
4 And if she could have removed her pants and said, "No," and  
5 pointed to her face and tried to cry out for help, we don't  
6 know for sure that, you know, she may have been here in  
7 some capacity or another.

8 So over the next number of hours -- and it's  
9 here in my report, this report --

10 **MS. JENNIFER COX:** So you're referring to  
11 the report of --

12 **MS. CHERYL MALONEY:** It says the "Victoria  
13 Rose Paul Investigation Report" --

14 **MS. JENNIFER COX:** Okay.

15 **MS. CHERYL MALONEY:** -- and in -- in this  
16 report, it talks about the timeline, 6:15, 6:35. You know,  
17 it just goes on. Commissionaire Skinner was increasingly  
18 getting concerned, takes it to Sergeant Henderson.  
19 Henderson says, "If you get a grunt, that's good enough,"  
20 never mind measuring her from when she came in, sassy and a  
21 little stagger, a little waver, to the point where  
22 she -- you're getting a grunt. She's laying on the floor  
23 in her own urine and Skinner -- Commissionaire Skinner got  
24 him downstairs around 8:37 to come look at her.

25 So Sergeant Henderson came down at 8:37,

1 looked at her on the floor in her own urine, and got a  
2 grunt. I don't know what his -- his response was, the  
3 wording. It's all here in the report that I will submit,  
4 but he just said, "Do more frequent checks" -- well, we're  
5 not even sure if he said that or -- or if Commissionaire  
6 Skinner suggested it. It's -- it's not clear there. Then  
7 he got on the road. He got on the road. He left the  
8 police and he went on the road. I don't know where he  
9 went.

10 But the commissionaire, Skinner, was visibly  
11 concerned. His notes that we got from that 18-month  
12 report, he was visibly concerned. He kept going back. And  
13 he called us later, and I think he's left. I don't think  
14 he's still there anymore. He called me and the grandfather  
15 and he wanted to apologize because he thinks he should have  
16 just disobeyed the hierarchy of the Truro Police Forces,  
17 disobeyed Sergeant Henderson and made that call. I -- he  
18 struggles with that. He's a Christian man and he reached  
19 out to the family, and I can't say the family forgave  
20 Commissionaire Skinner or anything, but I can tell you that  
21 the grandfather wanted to meet with him. He wanted to meet  
22 with him and let him know that he didn't hold it against  
23 him. And we were supposed to arrange that call, but then  
24 we lost the grandfather and he died, so they never had that  
25 meeting, and I know it was probably important for

1 Commissionaire Skinner because he felt bad and that night  
2 haunts him. It doesn't seem to haunt Sergeant Henderson.  
3 It doesn't seem to haunt Truro Police Services, and I say  
4 that because I see nothing change and there was no finding  
5 of any wrongdoing, no suspension, no firing, no criminal  
6 lens for failure to provide the necessities of life.  
7 Nothing happened for Victoria and for justice and nothing  
8 happened to the police.

9 This was the first report, the 18 months.  
10 We weren't happy with that once we had a glimpse of what  
11 was going on, so off we went again. We had another news  
12 conference. Her family was there to speak. Kimber was  
13 there to speak for the family. We demanded an inquiry into  
14 the death of Victoria Paul and we had our banner and we  
15 were fighting, and the Premier said, "Okay, not right  
16 away."

17 After we got that 18-month report, we made  
18 appointments with the Police Complaints Commission and we  
19 went to Human Rights. We said, "There's got to be  
20 something somewhere that can be done." So we went and  
21 knocked on doors and we got to the Police Complaints  
22 Commission with our 18-month report and said, "Look at  
23 this. Something has to be done." And the lady there said,  
24 "You know, I wish I could do something, but there's a  
25 statute of limitations for police complaints for six

1 months." I said, "But it's their fault. They kept it for  
2 18 months," so I -- sorry -- went to the next appointment,  
3 the same day, office building, downtown Halifax, went to  
4 the Human Rights Commission. We're like, "There's got to  
5 be some grounds." We're really searching for something  
6 here. And they said, "Well, the statute of limitations for  
7 human rights is 12 months," so...

8 I remember the feeling coming down the  
9 elevator, sitting at the bottom of the step. I put my  
10 hands on my head like this and I was like, "This is just  
11 wrong. This is wrong to happen in Canada. This is wrong.  
12 There's got to be something that can be done." We weren't  
13 willing to accept she died of natural causes and there's no  
14 wrongdoing of anybody.

15 So my next stop was at the law school to  
16 meet with an environmental law professor. I just happened  
17 to be walking by the office of my former professor, Archie  
18 Kaiser, and I had that report from Truro. He said, "What  
19 are you doing, Cheryl?" and I walked in and I said, "Well,  
20 I don't know what to do anymore. You know, I'm pretty  
21 broken." And he works with people with disability and the  
22 law and an amazing professor, and he looked at that and he  
23 said, "I've been watching," and we sat there and these are  
24 the issues.

25 So I get a call the next day. The Premier

1 wants to meet with me because we're in the news. We're  
2 carrying our banner and sharing our story as much as we  
3 can. The Premier said, "Okay, we'll see you Monday  
4 morning. Who's coming with you?" I said, "I don't know  
5 really. Right now, me and, I think, Kimber."

6 So I walk in Monday morning with Professor  
7 Archie Kaiser, who is the expert in this area of law. We  
8 walk into the Premier's office, who went to Dal Law School.  
9 The Minister of Justice was there, who went to Dal Law  
10 School. The lawyers in the room went to Dal Law School and  
11 I walked in with their professor. I was a little smug. I  
12 was like, "Yeah, we're here now," level that playing field.  
13 And so the Premier said, "Well, we can't do an inquiry.  
14 We'll do a Section 7 review." "We'll take it," because  
15 just a couple of days before I was at the bottom of that  
16 building with no place to go, so that's where this report  
17 came from.

18 It's a -- it came out, I think, maybe a year  
19 later. Now, we're almost into year three, and two things  
20 came out of it, and then nothing else. One is, we're able  
21 to see what happened to Victoria. It was there. The  
22 second thing was that the report said that Sergeant  
23 Henderson failed in his duties to Victoria Paul. After the  
24 Halifax Police did their investigation of Truro  
25 Police -- I'm going to talk about that in the

1 recommendations -- finding that all the policies were met,  
2 there was no wrongdoing, no need for criminal charges or  
3 anything else, we got the report that said Sergeant  
4 Henderson failed in his duties and we knew what happened to  
5 Victoria; other than that, nothing happened. The  
6 recommendations are weak and -- and not implemented. Also,  
7 I'll speak to that in a little bit too.

8 So I said, "What about criminality?" because  
9 they -- they indicated in Halifax Truro Police that they  
10 were doing -- Halifax was doing -- you know, if there's any  
11 wrongdoing under the *Police Act* or criminality, it would  
12 come up, but it didn't. They -- they said, "No, we only do  
13 on policies." Then we thought this would look at  
14 criminality and then they said, "No, we can't. We don't  
15 have the mandate in the province under this Act to look at  
16 criminality."

17 So off we went with the pavement and the  
18 banner again demanding a police criminal scan of this  
19 report, so we got the criminal scan. I don't even remember  
20 who did it any more at this point in time. It came back  
21 and said there's no criminal wrongdoing, so that's the  
22 third report that we got on this case. Every single one of  
23 them can't find anything wrong with Sergeant Henderson  
24 failing in his duties to Victoria Paul.

25 We've taken it as far as we can. We pretty

1 much gave up on Canadian and Nova Scotia options. The  
2 Inquiry here, it's our last resort in Canada. This may be  
3 something -- you know, at the U.N., they say there's equal  
4 protection of the police guaranteed, but in Canada, equal  
5 protection of police is not applied equally to male and  
6 female, especially Indigenous men and women.

7 So this is where we are today. This case  
8 broke my heart. When I said Victoria, eight years ago was  
9 the reason I became the President of Native Women, I've  
10 taken it as far as I could. After that, we started  
11 demanding an inquiry, and that's why we demanded this  
12 inquiry is because there is no recourse. There is nobody  
13 listening to all these reports. There's more reports than  
14 this in this country. Nobody is listening. Nobody seems  
15 to care. There's no wrongdoing of the police in this  
16 country.

17 Halifax Police -- and you'll see in the  
18 report, there was an appearance of conflict of interest.  
19 The Halifax Police, Sergeant MacNeil, had to request -- or  
20 Truro Police, MacNeil, had to make his request to his  
21 cousin, the Deputy Sergeant or something of the Halifax  
22 Police in order to do this review, so he was asking his  
23 cousin to come -- of one police force, asking his cousin in  
24 the other police force, to come and do this review of my  
25 police force; right? They say there's an appearance of

1 conflict of interest. I say there is a conflict of  
2 interest, not just that they're cousins -- because police  
3 should not be reviewing police and that is in our  
4 recommendations also.

5 So here we are at the end of the day on the  
6 process. I need you guys to hear a story from Deveron  
7 about his mother. I didn't know his name. You know why I  
8 didn't know his name? Because his mom never said Deveron.  
9 She said, "My baby." Do you remember? Everywhere we went,  
10 "Oh, my baby." Oh, my sister and I were laughing about it  
11 today. I did know his name, but he was her baby, and I  
12 think it's important to hear about that relationship  
13 because since then, Deveron -- Victoria had one child and  
14 one grandchild, and since that time, she lost her sister in  
15 a car accident, her father died, and two brothers died  
16 tragically in the last five years -- in the last five years  
17 here, so I want Deveron to talk about how important his  
18 mother was to him and to his son.

19 And -- and then I'm going to ask if you want  
20 to share what happened that night because the police said  
21 she was arrested in the report, in the facts. She was  
22 arrested for -- and put in the drunk tank, right, for  
23 intoxication. It nowhere mentions the police out there  
24 and -- and the physical struggle with her that evening, and  
25 we don't know if she got injured at that time. I wasn't

1           there. Deveron can share what that night was like trying  
2           to get information about his mother and stuff. Are you  
3           ready? You want to do it anyways?

4                       **MR. DEVERON PAUL:** A few minutes. Just give  
5           me a couple of minutes.

6                       **MS. CHERYL MALONEY:** Candice, you want to  
7           say a couple of things while he's -- about Victoria?

8                                       **(SHORT PAUSE)**

9                       **MS. CANDICE SYLLIBOY:** My auntie was really  
10          loving. She loved us all a lot and she's always right,  
11          giggly and bubbly. And over the years, she would talk to  
12          us all like we were little kids. And whenever I seen her,  
13          she would put me on her lap and squeeze me and talk to me  
14          like a baby, and she was always, like, joking around and  
15          just really there for all of us.

16                       That day we found out about her, my dad  
17          called me, which is Victoria's brother. His name is Timmy  
18          Paul. And he told me, "And Victoria's not doing good," and  
19          that I needed to come home, and I said, "Right now?" He  
20          said, "Yeah, you got to come home right now," so Ann (ph)  
21          came and got on the phone and she said, "You've got to come  
22          home. It doesn't look good for auntie." I said, "Okay."

23                       And when I got there, she was all hooked up  
24          and my dad was crying so hard, and he said he just wants to  
25          help her and we feel bad for Deveron, that he had to see

1 her like that.

2 Since then, it's like our whole family died.  
3 First, it was my dad. He died of an overdose. Then my  
4 Uncle Jeff, he also died of an overdose. Then my Uncle  
5 Abram and then my grandpa died of cancer. And then after  
6 that, our Auntie Kimber died, and she was our rock. She  
7 was everything to us. She protected all of us and made  
8 sure nothing happened to any of us and she wanted justice  
9 for Auntie Vic (ph). She was more angry than hurt, but she  
10 missed her a lot, and I remember going there and we'd  
11 always cry and hold each other and talk about Auntie Vic  
12 and everyone else who passed on, and it's hard to think  
13 about.

14 And I just came here to support Deveron and  
15 sit up here on behalf of everyone else that passed on and  
16 hope that something happens just so that this doesn't  
17 happen to anybody else, any other race. It don't matter.  
18 We're all human beings, and we're all meant to be treated  
19 equal and checked on, and it just feels like my Auntie  
20 Victoria's life was -- meant nothing. It's like, "Who  
21 cares? She's drunk. Don't -- don't go help her because  
22 she's -- because she's drunk." Well, people overdose and  
23 everything like that and you go to the hospital and they  
24 pump their stomach and they help them. Like, if someone  
25 comes in with an overdose, what do you say? "They're too

1 high," or, "They did that to themselves so we won't help  
2 them." That's -- that's what it feels like.

3 And after that time Auntie Victoria was  
4 laying in her urine with her pants down, there was a woman  
5 guard that went in and dressed her up, but then one of the  
6 guards said that it would be best for her to lay on the  
7 floor so she wouldn't fall off the bed and hurt herself  
8 again, but they didn't give her a mattress or a blanket or  
9 nothing. They just left her there on the cold cement  
10 floor.

11 So everyone -- everyone hurts and everyone  
12 wanted all the right things, wanted justice for everybody,  
13 and I'm just here to support Deveron. And he's a part of  
14 his mom and I love him a lot, and he's all I have left of  
15 her and our family got smaller, so we need to all stick  
16 together.

17 **MR. DEVERON PAUL:** I wasn't going to come to  
18 this yesterday, but I knew that my mother would have wanted  
19 me to come to it to speak for her, so I came.

20 When I lost my mother, it made me a stronger  
21 person. I learned how to control my emotions over the  
22 years losing half my family. Like, my son's going to grow  
23 up with no grandmother now, but all I wanted was just  
24 answers. I just wanted answers on what happened to my  
25 mother when it happened, and it took them, like, 18 months.

1 By the time I read over the stuff what happened to her, it  
2 was like two years later or something, but, yeah, it still  
3 hurts me, but I got my friends and family to support me,  
4 so -- I still struggle with my emotions, my addictions.

5 I just came to support all the families and  
6 friends who lost somebody they loved too. That's all I'd  
7 like to say.

8 **MS. CHERYL MALONEY:** I just want to ask, the  
9 police never interviewed you in their report; right?

10 **MR. DEVERON PAUL:** No.

11 **MS. CHERYL MALONEY:** And in the report, they  
12 interviewed a lot of people, but they didn't interview  
13 Deveron when he was with his mother from outside the bar  
14 when the police took her. Do you want to tell that story?  
15 No? Okay.

16 **MS. JENNIFER COX:** So did you  
17 have -- Cheryl, did you have some specific things that you  
18 wanted the Commissioners to consider in terms of  
19 recommendations?

20 **MS. CHERYL MALONEY:** Yeah, but I can't find  
21 my glasses. Anyone with reading glasses handy?

22 **UNIDENTIFIED SPEAKER:** Here, I have these  
23 (indiscernible).

24 **MS. CHERYL MALONEY:** Okay, this is good.  
25 Thanks to my support. All right, good.

1                   Yesterday when I was listening to the  
2           Saunders, I was crying and crying because I was able to.  
3           The Inquiry and the supports and everybody else was here.

4                   Victoria was my first official work as the  
5           President of the Nova Scotia Native Women's Association,  
6           and I find it very fitting fighting for Victoria and the  
7           last eight years fighting for an inquiry, fighting against  
8           Harper. My banner's been beaten and so am I, so this  
9           presentation to you guys and reading these recommendations  
10          is actually also the last official job that I'm doing as  
11          the President of Nova Scotia Native Women. I'm -- I'm  
12          stepping down on Saturday, so this has been an eight-year  
13          journey, and I'm giving this to the Inquiry to take on.

14                  So many families in this country have been  
15          carrying it. We've been searching the ditches. We've been  
16          stomping the pavement with banners and flyers and candles,  
17          and we're tired. I want the Inquiry to work. I want you  
18          guys to do a good job with this stuff. I want Nova Scotia,  
19          the provinces, the federal government to do a good job and  
20          make these changes, so I'm just going to read some things  
21          that -- some are a little legal -- recommendations that we  
22          need. We've been through three investigations with  
23          Victoria. We know what's not working here in Canada.

24                  The likelihood of comparable examples of  
25          suffering of other Indigenous women and girls in the

1 criminal justice system has undoubtedly been ignored. At  
2 least Victoria Paul's story has been told in the media, in  
3 this report and -- three reports and before the Inquiry  
4 today.

5 The limits on the reinvestigation included  
6 the acceptance that it did not have the authority to  
7 examine events through a lens of potential criminality,  
8 which was unfortunate, as there was neither a prosecution  
9 of any type nor a police disciplinary proceeding. For  
10 Victoria, there has never been any consequences for the  
11 findings, the wrongdoings, the failure of police, and the  
12 failure of Sergeant Lee Henderson to provide the  
13 necessities of life for Victoria.

14 There are structural problems when it comes  
15 to getting legal redress for the family of someone who died  
16 as a result of wilful or negligent conduct or -- or neglect  
17 of duty of another person in Nova Scotia. Some of these  
18 impact the families of Aboriginal women more than other  
19 families. At common law, surviving members of the deceased  
20 family had no right to sue a person who may have been  
21 responsible for the death. This was changed in the late  
22 1800s by England -- in England by Lord Campbell's Act and  
23 in Nova Scotia by the *Fatal Injuries Act*.

24 The courts interpreted the *Fatal Injuries*  
25 Act so that only pecuniary losses were compensated.

1 Pecuniary losses means monetary losses. This was later  
2 changed to non-monetary losses, including loss of care,  
3 guidance and companionship. Damages are based on actual  
4 losses. The more a family would have expected to receive  
5 financially from the -- the deceased in their life, the  
6 more compensation the family would be entitled to. From  
7 this, you can see that a family of a deceased who had a  
8 high income or privilege would be entitled to more  
9 compensation than the family of a deceased who had been  
10 receiving a lower income, was on social assistance, an  
11 Aboriginal woman, a survivor or descendant of the  
12 residential school, and from -- and from a Mi'kmaw  
13 community suffering economically from forced centralization  
14 or relocation.

15 The impact of systemic and discriminatory  
16 laws against Indigenous women and people further limits and  
17 disadvantages Indigenous women and their families when it  
18 comes evaluation of the loss of life and compensation.

19 Because of the expenses involved in hiring  
20 lawyers to pursue claims for wrongful deaths, most cases  
21 are taken on a contingency fee basis, where the lawyer  
22 agrees to accept a percentage of the compensation received  
23 as legal fees. The more compensation that is likely to be  
24 awarded, the more likely a lawyer will take on the case.  
25 So the Indigenous women are more likely to receive social

1 assistance or have lower income than average, this will  
2 result in fewer claims of the family of Indigenous women as  
3 it would be less financially feasible.

4 Unfortunately -- and I'm taking my  
5 opportunity to throw this in here -- in the Mi'kmaw  
6 territory, the failure of Government of Canada to implement  
7 the 1999 Supreme Court of Canada decision of *Marshall* to  
8 allow access to fishery resources, especially for women,  
9 Mi'kmaq women, is one such example of historic and  
10 continued denial of economic opportunities. The denial of  
11 our resources and our rights in this country keeps  
12 Aboriginal women and peoples in poverty. We are worth less  
13 over and over again because of governments' policies, laws  
14 and inaction.

15 Non-pecuniary damages are relatively low, 10  
16 to 30,000 for a child who lost a parent. These amounts  
17 tend not to be as influenced by income of the deceased, but  
18 are influenced by the quality of the relationship between  
19 the family members of the deceased. In Mi'kmaw families,  
20 the role of grandmothers is valued as much or often greater  
21 than the role of mother and we have often heard stories in  
22 Mi'kmaw communities where a grandmother would come to visit  
23 one day and take one of the kids home. This is common in  
24 Mi'kmaw communities. They would just take the children and  
25 that was it. They're gone. They're with the gram and that

1           gram would teach that child. They would teach them things  
2           that they wouldn't get with their mother.

3                       The valuation of a relationship of the  
4           extended Mi'kmaw community may not be recognized in the  
5           colonial court processes and would need both a strong legal  
6           team and community experts on Aboriginal legal traditions  
7           to give value to Indigenous relationships and their worth.

8                       In personal injury cases where a person  
9           suffers, but does not die, that person is able to bring a  
10          lawsuit on their own against the person responsible. This  
11          includes the ability to claim punitive damages in  
12          appropriate cases; however, in Nova Scotia, our courts have  
13          held that punitive damages are not available to families  
14          under the *Fatal Injuries Act*.

15                      Punitive damage is about punishing the  
16          wrongdoer. The court will use punitive damages to denounce  
17          the behaviour and punish the individual. Punitive damages  
18          can be very significant. Their purpose is to deter future  
19          incidents and punish the defendant. By their nature, they  
20          need to be large enough to be a deterrent, to change -- to  
21          change the behaviour of the -- the defendant and others in  
22          the future. This may require stiff penalties.

23                      For the case of Victoria, the Truro Police  
24          and other cases like this across the country, there is no  
25          punitive damage. There is no punishment. There's no

1 recourse. There's no reason why not. She was an  
2 Aboriginal woman to -- to kill. Why not? It's cheaper.

3 Punitive damages are rare because the  
4 circumstances where they are needed are rare; however,  
5 where they are deserved in a wrongful death case, they are  
6 not available in Nova Scotia like they are in some other  
7 provinces. While the Nova Scotia *Fatal Injuries Act* does  
8 not explicitly -- explicitly say that punitive damages  
9 cannot be awarded, some *Fatal Injury Acts* in other  
10 provinces do explicitly state that families cannot get  
11 punitive damage; neither -- neither does our Act say that  
12 punitive damages are allowed. Some provincial wrongful  
13 death statutes do say they are allowed. Where the  
14 legislation is silent on the -- on the point, the courts  
15 need to decide whether punitive damages are allowed or not.

16 The courts of Nova Scotia have decided that  
17 punitive damages are not allowed. In Alberta, which has a  
18 similarly worded Act, the Alberta Court of Appeal held that  
19 punitive damages could be awarded in some cases. Of  
20 course, our provincial Legislature could change their *Fatal*  
21 *Injuries Act* to allow punitive damages in Nova Scotia and  
22 this is one of the recommendations that we'd like to make  
23 on behalf of the Paul family.

24 The inability to seek punitive damage in  
25 Nova Scotia takes away the ability of the family to ensure

1           that the person responsible for the death of a deceased is  
2           punished for the wrongdoing. In my opinion, where the  
3           death of a person is caused by blatant racism,  
4           discrimination, wrongdoing such as a failure to provide the  
5           necessities of life causing death, punitive damages are  
6           appropriate to punish the behaviour.

7                        To the extent that Indigenous women are more  
8           likely to be victims of wrongful death where racism was a  
9           factor, the families of Indigenous women are more  
10          disadvantaged by the Nova Scotia bar against punitive  
11          damage in wrongful death suits. Again, this has to do with  
12          the feasibility of even starting a wrongful death suit. If  
13          punitive damages are available, more damages are  
14          theoretically available and the -- the lawsuit is more  
15          likely to be seen as feasible by a lawyer.

16                       In order for somebody like Victoria, who had  
17          little income; died, we say, a cell death by neglect or  
18          failure to provide the necessities of life, finding a  
19          lawyer where the damages might be 10,000, if that -- or, in  
20          our case, Deveron was institutionalized from that day. His  
21          son was a minor and the fatality -- *Fatal Injuries Act* says  
22          you're statute-barred from claiming later, so once again,  
23          we seen statutory limitations used in favour of the police  
24          and then again used against the family again in favour of  
25          the police and -- and government in this country.

1                   The families of Indigenous women would  
2           benefit more than most if -- if the province allowed  
3           punitive damages in wrongful death cases. This in turn  
4           would benefit living Indigenous women as a deterrence  
5           [sic] -- effect of the punitive damages becoming  
6           widespread -- sorry about that.

7                   The case of Victoria Paul, the Robert  
8           Pickton victims, the search going on in a BC farm as we  
9           speak today, attest to the little value given to Indigenous  
10          women in this country. Therefore, we would like to  
11          recommend in the Province of Nova Scotia and other  
12          jurisdictions which do not allow punitive damage in  
13          wrongful deaths to enact or amend legislation allowing for  
14          punitive damages in wrongful death cases.

15                   In addition, the days of police  
16          investigating police should not happen anywhere in Canada.  
17          The days of the systemic old boys' school mentality must  
18          stop. Therefore, it is also recommended that each province  
19          enact legislation requiring independent reviews of cases of  
20          wrongful death or serious injury by police or in police  
21          custody, including the powers to launch investigations when  
22          parties are in no position -- as Deveron when he -- after  
23          his mother died, he was incarcerated for a number of  
24          years -- and also in the interest of minors such as  
25          Deveron's son, Dominic, who did not have the capacity to do

1           so on their own or in cases that would be in the public  
2           interest to do so, or the failure to do so would put the  
3           administration of justice into disrepute. In Nova Scotia,  
4           the Police Complaints Commission could not launch an  
5           investigation without a complainant and for our case, we  
6           didn't have the information for 18 months, so we were  
7           statutory-barred.

8                         Removal of statutory limitations for police  
9           misconduct when death occurs in relevant provincial  
10          legislation. In Victoria's case, the family received no  
11          information on her death or details until 18 months after  
12          her death. The result was that statutory limits prevented  
13          investigation under the Police Complaints Commission and  
14          also the Human Rights Commission, which are six and 12  
15          months.

16                        Finally, police reviews and -- and  
17          investigations must be accountable to families and  
18          communities and should include time -- time limits which  
19          require disclosures of investigations in a reasonable time  
20          or process requiring the police to apply for extensions if  
21          needed. The 18 months waiting, the 18 months thinking  
22          things are being done, no answers for the family should not  
23          happen to any family. The family should have regular  
24          updates. If there's delays for any reason, they should  
25          apply for an extension so that we and other families will

1 not have to go through this.

2 This is one case. This is one case of  
3 wrongdoing of police in this country. This is one example  
4 and if Victoria wasn't born next door and played in the  
5 woods and fell that tree on me and I'm light and I have a  
6 law degree, we wouldn't have even got the three reports  
7 done, but the sad fact is through everything we did,  
8 nothing has happened. Sergeant Henderson is going on, life  
9 as usual. The Truro Police Services did not change.

10 I had a call a month ago from an Inuit woman  
11 who woke up in the Truro Police with no shirt on and she  
12 didn't know how long she was like that and they said,  
13 "Well, you took your shirt off yourself." Cover her up.  
14 Cover her up. Nothing has changed in this country from  
15 Victoria's case, and we really sincerely hope that this  
16 Inquiry, the Province of Nova Scotia, the Government of  
17 Canada and Canadians hear these stories and make some  
18 changes.

19 That's the end for me, but I want to give  
20 the opportunity -- Deveron, anything else?

21 **MR. DEVERON PAUL:** (Indiscernable).

22 **MS. CHERYL MALONEY:** You're all right?

23 **MR. DEVERON PAUL:** Yeah.

24 **MS. CHERYL MALONEY:** Thank you.

25 Is there any questions because I think we

1 have everything out that we needed.

2 **COMMISSIONER MICHÈLE AUDETTE:** *Bonjour.*

3 *Merci, Cheryl.* Before I make a comment, I just want to  
4 state something here to Deveron.

5 You're more than welcome to do a statement  
6 in private if you want, in-camera, with one of the  
7 Commissioner if you want or with one of our staff, along  
8 with the people you want in that room, to share your truth,  
9 your story, so I'm offering this to you, so today, next  
10 week, when you're ready; okay?

11 So *merci beaucoup, Cheryl.* I was looking  
12 for you in the room yesterday for the opening -- opening  
13 remarks where, when I was mentioning when one person do  
14 something and then you realize that there's many other  
15 people across or around that person who will support and so  
16 on and we see the ripple or the -- comment on dit ça --  
17 when you drop a rock in the water, the circle that it  
18 makes --

19 **MS. JENNIFER COX:** Ripple.

20 **COMMISSIONER MICHÈLE AUDETTE:** -- ripple  
21 effect, so...

22 And I know also there's lots of families  
23 that you carry in your heart and you fought for them and  
24 you're still fighting for them, and I commend you for that.  
25 I hear from where I am in Quebec. I read news and there's

1 something special for the east coast and your name come  
2 often and it's important for the families, it's important  
3 for us. When I say us, we'd say family members and  
4 survivors, but for the Inquiry also. And we have one shot  
5 with this Inquiry and, personally, I want to make sure that  
6 we do it right because we won't be able to do it again and  
7 with reports like you presented, with recommended --  
8 recommendations that you shared, the ripple effect will be  
9 very important also for women.

10 If you remember the Human Rights report,  
11 what they presented up north on Highway of Tears, how the  
12 police responded, you know, to Indigenous women -- and I  
13 hear or I can feel that there's some trend or some  
14 connection here in the east, so tomorrow we're launching  
15 the interim report, not me, but my colleagues because us,  
16 Qajaq and I, will be very involved with the families here,  
17 but there's a recommendation maybe that will -- one of the  
18 respond, I hope, and I pray a lot for that. But if we can  
19 receive officially your recommendations because they're  
20 very powerful, so that was my comment.

21 And I want to say thank you to Candice, *oui*,  
22 *merci beaucoup*, (Speaking native language). So I want to  
23 say thank you to support -- *c'est ton cousin?* -- your  
24 cousin. Very, very important. And I saw you the first day  
25 we arrived with the picture in the circle, so I was looking

1 for you, to go give you a hug and you gave the picture  
2 to -- so I thought she was your mom for a second, so I  
3 start a rumour, "Oh, that's the children of" -- so thank  
4 you so much.

5 And you won't stop. I know you. I know  
6 you. It's a title. You gave a lot to that organization.  
7 You made us move in Ottawa, shaped in all of that, but I  
8 know you won't stop, and I hope you don't. Thank you.

9 **MS. JENNIFER COX:** So if we can conclude or  
10 adjourn this matter.

11 **UNIDENTIFIED SPEAKER:** Pardon?

12 **MS. JENNIFER COX:** If we can conclude or  
13 adjourn this matter.

14 **--- Exhibits (code: P0P04P0201)**

15 **Exhibit 1:** Electronic folder with six images displayed  
16 during the testimony of the witnesses

17 **Exhibit 2:** Copy of *Victoria Rose Paul: Investigation*  
18 *Report*, prepared by Nadine Cooper Mont,  
19 published May 24, 2012, ISBN: 978-1-55457-  
20 485-8, 136 pages

21 **Exhibit 3:** Two news stories i) "Police will not face  
22 charges in Victoria Paul's death," CTV  
23 Atlantic, published June 6, 2013, at 12:37  
24 PM ADT, last updated June 6, 2013, 6:34 PM  
25 ADT; and ii) "Truro Police failed Victoria

1 Paul, report finds," CBC News, posted May  
2 24, 2012, 7:16 AM AT, last updated May 24,  
3 2012, 10:59 PM AT

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

5 --- Upon reconvening at 11:07 a.m.

6 **Hearing # 2**

7 **Witness: Darlene Gilbert**

8 **Heard by Commissioner Michèle Audette**

9 **Commissioner Counsel: Jennifer Cox**

10 **Grandmothers, Elders, Knowledge Keepers: Bernie Skundaal**

11 **Williams, Katy McEwan, Jane Meader, Lotti Johnson, Pauline**

12 **Bernard**

13 **Registrar: Bryan Zandberg**

14 **MS. JENNIFER COX:** Good morning, Madam  
15 Commissioner, and fellow Elders. We are going to now speak  
16 with Ms. Gilbert. And I'll let Darlene Gilbert, who is  
17 sitting in the middle of her supports, introduce herself  
18 and the individuals that are sitting beside her.

19 **MS. DARLENE GILBERT:** My name is Darlene  
20 Gilbert. I'm from Halifax. My clan name is Toney. My  
21 mother was Vivien Eileen Toney and this is Elizabeth Sheen  
22 (phonetic). She's my therapist. On my right -- and on my  
23 left is Elizabeth Marshall, my Elder. Behind me is my  
24 sister, Janice, who was on the Highway of Tears with me  
25 when I was out there.

1                   **MS. JENNIFER COX:** So, Mr. Registrar, if we  
2                   could have the oath?

3                   **MR. REGISTRAR:** Good morning, Darlene.

4                   **MS. DARLENE GILBERT:** Good morning.

5                   **MR. REGISTRAR:** Welcome.

6                   **DARLENE GILBERT, AFFIRMED**

7                   **MR. REGISTRAR:** Thank you.

8                   **MS. JENNIFER COX:** So, Darlene, if you want  
9                   to just begin by telling the Commissioner a little bit  
10                  about yourself? So you started to talk about your family,  
11                  so if you want to just begin talking about who you are and  
12                  where you grew up?

13                  **MS. DARLENE GILBERT:** Okay. I'm from  
14                  Halifax. I've been off-reserve status -- I've been an off-  
15                  reserve status from birth. My mother and father -- my  
16                  father is Charles Gilbert. My mother was in residential  
17                  schools. She -- she was raped by the priests in the  
18                  schools. She was an alcoholic and she died of alcoholism  
19                  at the age of 39 from the trauma of the residential  
20                  schools.

21                  My father, he supported us. He was white.  
22                  He's French. I have three elder siblings that were put  
23                  into adoption/foster homes before me. By right, I probably  
24                  would have been adopted out if my father didn't leave the  
25                  family that he had and go with my mother to save me from

1 being scooped into the system.

2 I grew up in darkness in a very alcoholic  
3 home. My father, he was a functioning alcoholic. He took  
4 care of us the best that he could. My mother, she was the  
5 alcoholic that took us as children to where she went  
6 drinking, so all through downtown Dartmouth I know all of  
7 the old drunk houses as they call it.

8 In one of those houses I was raped at the  
9 age of nine by my mother's drinking buddy. We went to  
10 court and the man walked out of the courtroom with six  
11 months' probation and 500 metres -- to stay away from me.  
12 He lived in the same area, downtown Dartmouth.

13 I -- I grew up very insecure, you know,  
14 fighting about -- my mother and my father always fighting  
15 about that she wanted to be home with her family and take  
16 me home to my people so I could get to know them, and he  
17 wanted me to stay in the city away from my people because  
18 the -- what had happened to my mother. He didn't want the  
19 same thing happening to his daughter, so he didn't believe  
20 in the reserves. I was kept away.

21 At the age of nine after being raped and the  
22 man walking out of the courtroom, I -- as a confused young  
23 lady, I acted out. I acted out in school. I was basically  
24 my little brother's protector. At the age of 11, Social  
25 Services, because I acted out and the schools called and I

1 got kicked out of school so much and I -- they walked in  
2 when my father was working -- see, my mother and my father  
3 were not ever married, and I didn't know that at that age,  
4 but I remember being put in a car with a suitcase and a  
5 teddy bear and watching my mother stand in the doorway with  
6 my little brother and being drove away. I didn't know what  
7 I did or felt I did anything wrong to be taken. I just was  
8 angry because I was hurt. I was alienated. My spirit was  
9 taken.

10 I -- I was put into the children's ward of  
11 the Nova Scotia Hospital because they didn't know where to  
12 stick me, looking *Ilnu* with a white name -- I truly believe  
13 that -- so they stuck me in the Nova Scotia children's ward  
14 where I went through abuse. I was stuck in -- they used to  
15 call them time-out rooms when I acted out because I missed  
16 my family. You know, they'd throw me in rooms with a bed  
17 and prayers on the walls, and I still can remember the  
18 clock ticking outside that room because you had 15 minutes  
19 in that room and you could hear the clock ticking minute by  
20 minute. You know, I didn't understand.

21 My mother was across the street in the  
22 hospital when I was 12. She was dying, cirrhosis of the  
23 liver. I got to be taken over there once before she  
24 passed. She was in a coma, and about two weeks later, she  
25 passed. I, by then, was a ward of the court because at one

1 time before my mother went into hospital, my father came to  
2 take me on a Sunday. I packed my bag, sat in the hallway  
3 of the MacKay Unit, and they took us in the room and they  
4 manipulated my father into coming back the next day and I  
5 was like, "No, Daddy, take me now. Please take me now."  
6 He said, "No, we do it the right way. We come back  
7 tomorrow and we talk to these people."

8 My father come in. As a functioning  
9 alcoholic, he had to have his drink. They could smell the  
10 liquor. The police were called, and I became a ward of the  
11 Province of Nova Scotia at the age of 12, so I went and did  
12 whatever they told me. I acted out. I was abused. They  
13 called it reprimand -- or being reprimanded for your  
14 behaviour. It was abuse, period. When you hit a child,  
15 where you pull her hair, it's abuse. I -- I grew up with  
16 the attitude of, "You're not my mother. You're not my  
17 father. I'm not listening to you. You're not my people."  
18 So that was my attitude I grew up with.

19 You know, my mother passed. I was put into  
20 a Catholic foster home. He was a deacon of the Catholic  
21 Church. She was the Archbishop's secretary for the  
22 Province of Nova Scotia. I was the middle child. I felt  
23 out of place.

24 I remember when, after my mother was  
25 buried -- because I never made my mother's burial. There

1 was a storm come up and Social Services wouldn't take me to  
2 my mother's funeral, so I never got to say my good-byes to  
3 my mother, so I went down afterwards in the foster home.

4 They pull into the yard down in Cambridge.  
5 We have our own graveyard there. I never knew where my  
6 mother was. There was nobody around. They looked at me  
7 and they said, "Go say good-bye to your mother," by myself,  
8 a 12-year-old child, very confused, very sad and very  
9 lonely, and I did not know where in the graveyard my mother  
10 laid. Today, still, we're not sure. My uncle takes me,  
11 Vincent Toney. He's my last living Elder of our clan. He  
12 took me there and showed me where my mother was buried.

13 At the age of 14, I was in junior high  
14 school and the foster family I had well-adapted into by  
15 then. My foster sister -- being like I was older than my  
16 younger foster sister because I had failed grades in  
17 school, I was in the lunchroom one time and as girls, we --  
18 girls at the age we were, we were -- we were testing out  
19 makeup, so I put a little bit of eye shadow on my eyes, not  
20 a big bunch, just a little bit because I didn't want to get  
21 in trouble because in a Catholic foster home, we weren't  
22 allowed to wear makeup, but I was like, "I'm going to hang  
23 out with my girls, I'm at school. I won't get in trouble."  
24 And the foster sister walked in and she swiped her hand  
25 across my eyes and she goes, "Oh, what's this?" and for the

1 first time in my life I was like, "Oh, what's this?" and I  
2 hauled off and I slapped her because I was tired of people  
3 putting their hands on me. They have no right.

4 I went home to the foster home and I was  
5 reprimanded, put in the bedroom. Before that, they did not  
6 know -- the foster home did not know that Uncle Vincent --  
7 see, Rita Smith is my aunt -- was my auntie. She was chief  
8 of Horton Reserve. She was the chief of Cambridge Reserve  
9 first and then she was chief of Horton Reserve. They  
10 started Horton Reserve. She wanted me -- the government to  
11 put me with her. They wouldn't. They wouldn't allow any  
12 of my people, so my -- I was shoved so into the system  
13 after my mom died and my father didn't know where I was  
14 either. He was in the valley.

15 My uncle became part of council in  
16 Shubenacadie Reserve and he held the title of community  
17 service worker, which held the title that you could get  
18 into the computers, into the government, to find out  
19 his -- where his sister's daughter was. He came to my  
20 school at 14. He -- I was called to the office. I figured  
21 I did something wrong again, "Here we go," you know, and I  
22 walked -- I remember walking into the office and looking  
23 and I was shocked. My -- my uncle was there and he put the  
24 face on (unreportable sound), as to say nothing, "Don't say  
25 nothing," so I didn't. The principal said, "There's a

1 social worker here, Darlene, that wants to take you for  
2 lunch." "Okay." My uncle took me to a lady that was  
3 Aboriginal, Ida MacLeod (ph). He said, "If there's any  
4 time that you need to get a hold of your family, you come  
5 to this lady. She'll take you to me. She knows where I  
6 am," so when that happened with the Catholic foster home,  
7 that's where I ran.

8 Within a couple of weeks, the government  
9 system was looking for me because I am a ward of the  
10 province until I'm 19, I was told at 16, so I started  
11 running at 14. I became a runner because I wanted to be  
12 near my people. I felt safe, I felt part of.

13 From there, I went to another foster family  
14 and I got in with my cousins and started partying and  
15 drinking, and I acted out as I started drinking at 16.  
16 Even though I swore I would not ever be like my mom, the  
17 alcoholic that she was, I did turn into her.

18 At the age of 16 -- 15, I was put -- I was  
19 allowed to -- to go home. They figured the best place for  
20 Darlene would be with her grandmother, which was really not  
21 my grandmother. It was a black community that my brother  
22 was fostered across the street, Patrick, and my little  
23 brother and my father lived there with -- so I called her  
24 my grandmother. She raised my mother when she got out of  
25 residential schools. She gave her a place to live where

1 she had a job off reserve.

2 I lived there for a while. My grandmother  
3 went to Maine to visit her daughter, and on the trip, she  
4 left my -- her son to watch the house and she had boarders  
5 there and stuff besides me and my brother, so he had to  
6 make the breakfast and get the house ready and stuff  
7 and -- for the boarders and breakfast in the morning for  
8 us. And that day I woke up, it was -- he was drunk. And  
9 as I come down the stairs, he seen my mother. He didn't  
10 see me. He seen my mother because he was drinking and he  
11 called my mother every name in the book except for her  
12 name, and no matter what I thought of my mother, nobody got  
13 that chance to disrespect her, nobody, so I packed my stuff  
14 and I was ready to leave and I told him I was leaving  
15 because I wasn't staying here and he slapped me across my  
16 face.

17 I went across the street to my brother and  
18 he told me to go to the school and tell them what happened.  
19 I went to the school and told them what happened. A social  
20 worker came and picked me up. They never told my father  
21 that they were taking me. They never told anybody they  
22 were taking me. They just scooped me and took me to the  
23 Nova Scotia Colored Home for Children. I was 16.

24 I got there and it's on the number --  
25 Highway -- Highway 101 -- 102 -- 101. Oh, I can't remember



1 James and one of the workers -- I'm not going to mention no  
2 names right now -- one of the workers, he answered the  
3 phone and, see, he couldn't get at me. He was one of the  
4 abusers in the home, but he couldn't get at me because I  
5 was in the younger unit. He wasn't in my unit. He wasn't  
6 working in my unit. So he answered the phone and he said,  
7 "Hey, Darlene, how you doing?" I'm like, "Good," you know,  
8 had a little conversation with staff, and being in the  
9 government system, it's -- you get into the cars or the  
10 police put you in the cars, but you don't have a choice,  
11 okay? My choices are taken. So he says, "Darlene, want to  
12 have coffee? Do a check in." Sure enough, "Sure, when,  
13 we'll go up by the home." So I figured, okay, I could go  
14 out there and I'd talk to him and find out if Jimmy had any  
15 other girlfriends. I was 16. I was naive. I wanted to  
16 know if he had any other girlfriends. The staff could tell  
17 me that, you know, if I was just more than one of his  
18 girlfriends. And we drove out to the number -- out to  
19 Number 7 Highway, that's what it is, and we passed the  
20 Colored Home, the units that I was in, and I said, "Where  
21 are we going? I thought we were going to (indiscernible)."  
22 He goes, "Yeah, we're going up here to this one."

23 When we pulled in that long driveway in  
24 front of the old Colored Home, my stomach dropped. I knew  
25 what was next. I always put myself into a position where I

1           couldn't get out of. We drove around the back of the  
2           Colored Home. He basically said to me, "You know, front or  
3           back, I'm going to get me some, you know it," and I was in  
4           a position where I had no one. There was nobody. Where  
5           was I going to run to? There was woods around me. I could  
6           run into the woods. The highway was down there, but who  
7           would say that I would make it back safe? So I got out and  
8           I got in the back of the car.

9                            To this day, I don't remember that man's  
10           face. It's blocked. I live in the City of Halifax with  
11           this man that walks the streets. I don't remember his  
12           face, which caused me to go into a mental breakdown a  
13           couple of years ago. But after that, I went back. I  
14           figured -- he told me, "Nobody's going to believe you. I'm  
15           a staff member. You're a kid. Who's going to believe  
16           you?" It's true, you know, because through my life when I  
17           told stuff -- see, I learned how to manipulate at a very  
18           young age. When I went to see the shrinks in the Nova  
19           Scotia Hospital, MacKay Unit, I would tell them the way  
20           that my parents were. I would tell them my bringing -- my  
21           upbringing and I would hear all the time, "That's wrong.  
22           That's wrong. That's wrong. No, that's wrong," so I'd go  
23           home to MacKay Unit after visiting this shrink or  
24           psychologist, whatever she was, Pat, and I thought, "How  
25           can I make this woman stop saying that my family was so

1 bad?" so started to make up stories of -- good stories of  
2 my family. I started to agree with them, not that I wanted  
3 to or to believe what they were saying, but it helped me  
4 not have to hear that it was wrong, you know, so I learned  
5 to manipulate. I learned to people please.

6 After the rape, I -- I was at the Johnson  
7 House. I was trying to figure out how to get out of the  
8 system and everybody told me, "You know what, Darlene? You  
9 can go a long way on your looks," so I'm like, "Okay,  
10 modelling. I think I can do modelling. Read the right  
11 people, I can get out of here and get a life and" -- but at  
12 the same time, that modelling, okay, phone call came in  
13 that day. Right after it came, "Darlene, you're pregnant."  
14 I planned to have a child. It was the only way to get out  
15 of the system. They couldn't take my child. I wouldn't  
16 let them. They were not taking mine, and that's the only  
17 way I could get out of the system.

18 My son was born September the 1st, 1983.  
19 The law passed to get out of the -- to get into the  
20 community service system to 19 that year, a day before, so  
21 I was still in Social Services for another year. I was put  
22 back at the home. Within two weeks, I didn't -- I took any  
23 dive I could get downtown Dartmouth, north end. Moved into  
24 a building where, again, I got into the wrong crowd, and I  
25 couldn't get out unless I took a beating, and I took that

1 beating. I had a knife thrown at my head, above my head,  
2 and I took that beating from these people.

3 I met my daughter's father shortly  
4 afterwards and he was leaving Nova Scotia, and I was like,  
5 "Yeah, there's nothing here for me," so I left Nova Scotia  
6 with a -- I left Nova Scotia and I went to Toronto.

7 I buried my father at the age of 20 from  
8 throat cancer. He was 53. He told me when I told him I  
9 was moving to Toronto, he said the next time he'd see me,  
10 "I'll be in a wooden box." I couldn't understand what he  
11 was talking about. I went like, "No, Dad, I'm not going  
12 that far. I'm not going that long. I'll be home." He  
13 didn't tell me he had cancer, so the next time I came home,  
14 he was in a wooden box.

15 When I left there to Nova Scotia with my  
16 son, I brought him. I don't remember getting on the plane.  
17 I went into an emotional blackout. I don't remember  
18 getting off the plane. I remember walking into my  
19 apartment and putting him to bed. There at the table sat  
20 my partner that I was with at the time, my daughter's  
21 father, and a bunch of friends of his and they were doing  
22 crack, and I was warned about cocaine, never touched it  
23 before that. I was scared of it, but at that point in time  
24 in my life, I felt I had nothing left and I thought, "Screw  
25 it," and I said, "To hell with everything," and I picked up

1           that pipe.

2                                 With that pipe came a lot of abuse on the  
3           streets. Within a year, I was out on the street supporting  
4           my habit, supporting my -- my child and into the hostels.  
5           Abuse -- the abuse from my partner, it was real. I called  
6           my -- I say, you know, they say you're solid in the world  
7           that we were in. You know, you had to be solid. You  
8           couldn't be a rat. You couldn't, you know, be scared. You  
9           had to be solid. You had to watch what you say, how you  
10          say it, and if you didn't, you got beaten. If you didn't  
11          bring home -- if you didn't come home at the right times,  
12          you got beaten, you know, so I'd say I was beat solid. I'd  
13          say today, I was beat solid.

14                                I -- I don't give out much information about  
15          my life too much. This is the first time really except for  
16          the common-law suit. I -- I believe that when I was out  
17          there in Toronto on the streets, I had somebody watching  
18          over me because there's many times I should have been dead.

19                                I tried to quit addiction by thinking,  
20          "Okay, I'm going to have another child. I'll stop using.  
21          I can do this." And I couldn't. I have a 26-year-old  
22          daughter now with a five-year-old granddaughter. I am  
23          blessed, very blessed, and she's well and that was no  
24          do -- no part of mine.

25                                So my two children grew up in an abusive,

1 drug-infested house where there was lots of violence. My  
2 son was taken at the age of 12. He was abused by my -- his  
3 stepdad. My daughter, I lost her when I made a choice one  
4 day between the drugs and my daughter, and I lost her.

5           Within two weeks of that, I had looked in  
6 the mirror and I seen my mother. At the time, the pig  
7 farmer was out there in Vancouver on the streets. I know I  
8 was in his car. The only thing that saved me was I was  
9 taught not to go outside of my territory. We had  
10 boundaries. It was explained to me, "You have two children  
11 at home you need to come home to. If you go out of your  
12 area, the money that you make, you're going to spend it on  
13 a cab to get home, so what you've just done, you've done it  
14 for free or you can hike and maybe you'll make it home," so  
15 I stayed in my territory. I wouldn't go outside of  
16 Burnaby, and I truly believe that's the thing that -- that  
17 saved me.

18           At the same time that the pig farmer was out  
19 there, I -- I was up at Hastings and -- it wasn't Main. It  
20 was farther up. They called it kiddie corner because I was  
21 young. I look young for 52, so I -- I looked really young.  
22 When I was 30, I looked like I was about 22. There was a  
23 man that was going around that was grabbing the girls and  
24 beating them. That was another fear that was out there at  
25 that time for our girls. Girls were disappearing. I could

1       see -- I have people drive up in cars and say -- show me  
2       pictures -- "Have you seen my sister? Have you seen my  
3       daughter?" "No, I'm sorry. I seen her a couple of days  
4       ago. I haven't seen her since," so our sisters were  
5       disappearing.

6                       That lifestyle out there was hard enough  
7       after I lost my son and my daughter that I decided that I  
8       didn't want to die. I wanted to live, so I went into  
9       recovery. I went to 12-step programs. I got myself a  
10      sponsor. I went to a treatment centre, and I worked the  
11      program, and I changed my life for 17 and a half years. I  
12      came home with my children. I have a recovery baby. She's  
13      15. I love her so much. I -- I brought my children home  
14      because it was time, and it's -- it's when I got connected  
15      with my family again.

16                      My life really alters at Vincent Toney.  
17      He's been my rock, you know. He sat at a table one day.  
18      At my Auntie Regina Toney's funeral, we were all sitting  
19      out in the back of my Uncle Lawrence's house and we're  
20      around the table and I was clean and sober. I was five  
21      years. And he looked at me, and he says, "Do you want to  
22      know why your mother was the way she was with you? Do you  
23      want to know why your mother was the way your mother was,  
24      no feeling, cold? Because she was raped by the priests."  
25      I couldn't understand that, but I could understand why she

1 was the way she was, why she drank, she -- the way she  
2 drank. Why I used and drank the way I used, it's because  
3 of systemic abuse, generational abuse, the government  
4 trying to change who we are.

5 You know, I -- I remember when I was five  
6 going into Dartmouth Library and I used to hear being  
7 called the dirty Indian and a squaw, and I'm like, "Why are  
8 these people, you know, so mean to our people?" I went to  
9 the library, Dartmouth Library, and I sat in a corner and I  
10 opened a book and I'm amazed. The books that they had back  
11 then had us scalping people. I remember that. I remember  
12 saying to myself, "That's not who we are. That's not who  
13 we are." You know, so I grew closer to my spirit, I  
14 believe. Even though they tried to break me, the  
15 government, I knew who I was because miwangii (ph). I  
16 feel -- feel it in our spirit who we are. We know. We  
17 feel it.

18 With the Colored Home lawsuit, it  
19 was -- like I say, it was a 17 years claim. I went into a  
20 lawyers' room with a violence worker as a witness to what I  
21 was talking to the lawyers about. The lawyers basically  
22 told me, "You know, we believe you, Darlene, that you were  
23 raped by this person, but what's two weeks in and two weeks  
24 out?" See, the law that they had passed with this is if  
25 you were not in the home, but you were in the home, but you

1           were not in the home at the time of the rape, even though  
2           it was a government worker and you -- this is how you met  
3           this man, it don't count, so once again, Darlene didn't  
4           count.

5                           My integrity was questioned. I was told to  
6           lie if I want to get paid for the rape. I don't lie. I  
7           won't lie about what is truth, so -- for money. It's not  
8           who I am, but that was put on me. As lawyers, a lawyer,  
9           how can a lawyer say that to you and ask you to -- to do  
10          that to yourself, to lie, which caused me to go into an  
11          emotional, mental breakdown. I relapsed. I picked the  
12          alcohol back up.

13                           I remember going to Avalon. They told me,  
14          "Don't go to mental health. Don't go to mental health. Go  
15          to your family doctor." I went to my family doctor. He  
16          put me on pills which caused -- with the alcohol. Didn't  
17          tell me not to mix them with the alcohol, knew I was in  
18          relapse, but still gave them to me and I had a mental  
19          breakdown.

20                           I -- my children have been through a lot in  
21          my life because I -- I picked up the same -- I picked up  
22          the same things that my mother did, that people did to me  
23          growing up, so I abused my children. I beat them. I yell  
24          at them because I was yelled at my whole life. They say,  
25          "Mommy, why you yell at me?" "It's just me. I speak

1           loud," I say. Really, I don't.

2                       The girls are there. The government needs  
3           to understand that we're not out there because we want it.  
4           We're not whores. We're not addicts. We're not junkies.  
5           We're people that are hurting because of what has gone  
6           through us. We're hurting because of the way we were  
7           treated and this is a form of acting out, and acting out is  
8           that we take it out on ourselves because nobody suffers as  
9           much as I suffered in addiction. We all suffer in  
10          addiction and we suffer hard.

11                      I'm grateful today to say that I'll be four  
12          months sober by the grace of my Creator Thursday again. I  
13          went to the Anishinaabe people, Delico Treatment Centre.  
14          Where I found my spirituality again and strength was  
15          through the Elders, the teachings, being able to go in and  
16          grieve the way that I should have been able to grieve as a  
17          child, but I was 52 years old when I finally got to grieve  
18          with an Elder.

19                      Our children, I believe, and the system  
20          needs to be changed. The system needs to be changed for  
21          our children because when you take us into the system, you  
22          take away our culture and you take away our souls and you  
23          take away who we are, you know, and we need that in order  
24          to live. We need that in order to be whole. I teach my  
25          children today. I teach my grandchildren Mi'kmaq. I don't

1 know my language. It was never taught to me, but I know a  
2 few words. My granddaughter runs around up in Ontario and  
3 she's a Tgiglasí (ph).

4 **MS. JENNIFER COX:** What does it mean?

5 **MS. DARLENE GILBERT:** I spoke to her last  
6 night. She says, "Nanny, I miss you." These are the  
7 things that keep me going now today, to know that I am a  
8 (indiscernible), that I can make a difference, but I can  
9 say that bringing my children up was not easy because I had  
10 to teach them streets. I had to teach them to be aware of  
11 men. I still have to teach my children to be wary of men  
12 and their intentions.

13 You know, I have a 15-year-old daughter  
14 that's going through her own trauma while I was in relapse.  
15 We're healing together. I call it healing together, and  
16 I'm going to continue to teach my child to heal  
17 because -- because men stole my spirit, I won't let them  
18 steal hers. I'll help her get hers back. You know, I have  
19 faith in the Creator. I -- that's the only thing.

20 Many signs through my life have shown me the  
21 Creator and the grandmothers and grandfathers are with me  
22 because I truly believe I shouldn't be here. I should have  
23 been either dead on the side of a road or I should have  
24 OD'd somewhere, but I didn't. So any message that I can  
25 carry to this is the children's system needs to change and

1 we need to understand why our women are out there abusing  
2 themselves. Have some empathy. We don't want sympathy.  
3 We don't want you to feel sorry for us. We want you to  
4 have empathy for us and understanding why we are who we  
5 are. And that's about all I have to say. Wela'lin.

6 **MS. JENNIFER COX:** So, Darlene, just a  
7 couple of questions I have just to clarify some of the  
8 things that you said. So you mentioned that you were at a  
9 treatment centre --

10 **MS. DARLENE GILBERT:** Yes.

11 **MS. JENNIFER COX:** -- and what's the name of  
12 that treatment centre?

13 **MS. DARLENE GILBERT:** Delico.

14 **MS. JENNIFER COX:** Delico?

15 **MS. DARLENE GILBERT:** Delico, yeah, in  
16 Thunder Bay.

17 **MS. JENNIFER COX:** In Thunder Bay?

18 **MS. DARLENE GILBERT:** Yeah.

19 **MS. JENNIFER COX:** And in terms of the  
20 community that you belong to, what's the name of the  
21 community that you -- the First Nation or Indigenous  
22 community?

23 **MS. DARLENE GILBERT:** Annapolis Valley First  
24 Nations.

25 **MS. JENNIFER COX:** Okay. And that's here in

1 Nova Scotia?

2 **MS. DARLENE GILBERT:** Yes.

3 **MS. JENNIFER COX:** Okay. Those are all my  
4 questions.

5 **COMMISSIONER MICHÈLE AUDETTE:** *Merci*  
6 *beaucoup Me Cox.* Thank you very much. You're beautiful,  
7 very beautiful, and full of hope.

8 You mention in your testimony when you  
9 shared to us -- you shared so many things, but there were  
10 moment -- not long ago, you said -- how do we say in  
11 English if I can do something or if I can change something?  
12 You did a long time ago -- a long time ago. And we have  
13 some student in this room, Canadian student from  
14 university, and you give them a gift of resilience, not  
15 giving up, but most of all, to share a truth that it's not  
16 known enough here in Canada, how the women were treated and  
17 still treated today, and it's happening everywhere and  
18 they're here witnessing, so I hope the mind and the heart  
19 are very open. And they'll be nurses pretty soon, so the  
20 health system, it's something we need to study also.

21 **MS. DARLENE GILBERT:** Yes.

22 **COMMISSIONER MICHÈLE AUDETTE:** So hopefully  
23 we'll have good people.

24 We have good people everywhere. I believe  
25 in that and you're one of them and I know your warriors

1           beside you, surrounding you, are amazing women.

2                           **MS. DARLENE GILBERT:**   Yes.

3                           **COMMISSIONER MICHÈLE AUDETTE:**   So -- and  
4           knowing that you're having your children back and  
5           grandchildren, as mothers, it's -- it's important, so  
6           thanks for your gift.  And to change the system, you have  
7           me on that, that's for sure.  Am I going to be able to do  
8           it?  There's four of -- four of us Commissioners.  We're  
9           not magicians, but if we had that magic stick, we would  
10          change it, but your testimony will help us to bring that to  
11          the governments, not only one, but we have to remember also  
12          we have First Nation, Métis and Inuit governments.  We have  
13          municipalities.  There's so many, you know, that are making  
14          things for us or -- wants to help, so your voice, we'll  
15          make sure that we bring your voice and your spirit.  And I  
16          was honoured and I'm still honoured to be in this circle  
17          with you.

18                           **MS. DARLENE GILBERT:**   Thank you.

19                           **COMMISSIONER MICHÈLE AUDETTE:**   You can  
20          follow us.  You can ask us questions until the end.  
21          We -- we will make ourselves available, technology now, so  
22          if you have more, you know, to share to us, I'm here  
23          somewhere in Canada, but I'll be there.

24                           **MS. DARLENE GILBERT:**   I -- I went to the  
25          sacred fire last night to pray for today and I was gifted

1 by an Elder the turtle shell. I was gifted in Thunder Bay,  
2 my second day in, my golden eagle feather from the shores  
3 of Lake Superior. That's where I draw my strength from  
4 today.

5 **COMMISSIONER MICHÈLE AUDETTE:** Yes.

6 **MS. DARLENE GILBERT:** Thank you.

7 **COMMISSIONER MICHÈLE AUDETTE:** And from this  
8 land, I have a gift also for you, eagle feathers that they  
9 prepared and we have beautiful grandmothers who will come  
10 and give it to you.

11 **MS. DARLENE GILBERT:** There's a sweat  
12 afterward tonight at 8:00.

13 **COMMISSIONER MICHÈLE AUDETTE:** Where?

14 **MS. DARLENE GILBERT:** Out back. I requested  
15 a sweat.

16 **COMMISSIONER MICHÈLE AUDETTE:** Yeah? *Merci.*

17 **MS. JENNIFER COX:** So that would conclude  
18 this matter. We can adjourn this matter.

19 --- Upon recessing at 11:58 a.m.

20 --- Upon reconvening at 2:32 p.m.

21 **Hearing # 3**

22 **Witness: Natalie Gloade (In Relation to Nora Bernard)**

23 **Heard by Commissioner Michèle Audette**

24 **Commission Counsel: Jennifer Cox**

25 **Grandmothers: Elders, Knowledge Keepers: Bernie Skundaal**

1           **Williams, Katy McEwan, Jane Meader, Lotti Johnson, Pauline**  
2           **Bernard**

3           **Registrar: Bryan Zandberg**

4           NOTE:       Natalie Gloade is drummed in by Cathy Martin.  
5                       Silence from circa 2:35:00 to 2:37:30 (no audio  
6                       feed) during which time Natalie Gloade is  
7                       introduced, affirms with an eagle feather and  
8                       begins with several sentences of testimony about  
9                       her mother, Nora Bernard. This portion was  
10                      captured on film by the pool cameras.

11                     **MS. NATALIE GLOADE:** -- at the tender age of  
12                      nine, she wasn't quite ten yet, and at that time, she was  
13                      mentally, emotionally, physically and sexually abused.  
14                      They tried to beat the Mi'kmaw language out of her. They  
15                      tried to kill the Mi'kmaw in her, which they didn't. Mom  
16                      was one of the young ladies that took care of the younger  
17                      siblings as her -- her -- as she was one of the oldest  
18                      girls in her family to be there; then her siblings  
19                      followed.

20                     Her sisters were Matilda -- Linda Maloney,  
21                      Matilda Bernard, Leitha Shoppie (ph). There was Lemuel  
22                      (ph) Bernard, Albert Bernard, and she had another sister  
23                      from PEI, and she had a brother, Dunnan. She had  
24                      many -- she had many siblings, and I guess there's more out  
25                      there that weren't accounted for, but she was in there.

1 She said it was like prison.

2 As a young woman when she left the  
3 residential school, the nuns had told her to go and become  
4 civilized, marry a man in uniform, so when she left the  
5 residential school that's exactly what she did. She  
6 married an army man who was my father, Douglas Eldridge  
7 MacLeod, with whom -- was an alcoholic and beat her  
8 severely.

9 On their wedding day, mom was telling us  
10 girls that she even took him in his uniform back to the  
11 residential school to show the priest and the nuns, these  
12 ones that beat her, that she "became civilized," and she  
13 took him there as almost like a trophy, I guess, to prove  
14 to them that she was somebody. She -- she was an amazing  
15 lady.

16 Dad left us when I was only three years old  
17 or almost three years old. We grew up poor. She did the  
18 best she could with what she had. I always talk about the  
19 magical stew pot that she had. I don't know how many  
20 bones, ham bones, turkey bones, whatever it was, it went in  
21 that pot and it was always enough just to feed one more  
22 mouth with whomever came through that door. Her door was a  
23 revolving door. She never turned anyone away.

24 I was -- I was born October 22nd, 1964. I  
25 was born two weeks after my grandfather, Alexander Cope

1 (ph), they say, was murdered. My mom went into post-  
2 traumatic stress disorder, I guess, depression. I guess I  
3 was the blonde-haired, blue-eyed, white child, I guess.

4 And reading through the book of Isabel/Tony  
5 Shay, there was a part there that she said about when  
6 Christmas gifts were taken to the residential school and  
7 very few and far between were gifts brought, but when they  
8 were brought, the Indian agent's daughter, who was blue-  
9 eyed, blonde hair, got the first pick. And Mom and I  
10 struggled back and forth and after I read that, because I  
11 was in school at that time, and I said, "Is that why," I  
12 said, "we struggle, Mom? Do you look at me as the blonde-  
13 haired, blue-eyed Indian agent's daughter that gets all the  
14 gifts?" She said, "I never thought about that," you know,  
15 and I was the child with the big mouth.

16 I was the child that was kind of awkward. I  
17 was the child that had learning disabilities. You know,  
18 even as a baby, she said I had asthma. She'd wrap me up  
19 and kind of put me outside, but as the years came along, we  
20 began to bond more, and I felt the love that she couldn't  
21 give me, she gave to my children, my birth children, James  
22 and Danielle, as well as my -- my stepchildren, Frank and  
23 Richard, and my foster son, Alvin, which Alvin called her  
24 Nanny Timbuktu because we adopted him through Mi'kmaq  
25 Family, which Mom called another second coming of the

1 residential school because children should never be taken  
2 out of their homes. The parents should be helped to  
3 manage. Don't take children out of their home, you know,  
4 and, anyway -- and he was scared of the phone, so my Mom  
5 told -- told me -- she said, "When the phone rings, let him  
6 pick it up," and so that's what we did. And the phone was  
7 ringing. He'd kind of panic and I said, "No, it's all  
8 right. Pick the phone up," so he picked it up and he said,  
9 "Hello. Who's speaking?" and that's where Mom got her  
10 name, Nanny Timbuktu. She said -- he said, "Oh, Nanny  
11 Timbuktu is on the phone." I said, "Okay." I said, "Oh,  
12 okay, so we'll go see Nanny Timbuktu," so that's how -- she  
13 absolutely adored him. She adored all my children.

14 I -- I gave birth to this big boy June 8th,  
15 1983. His name was James Douglas Newell Augustine at that  
16 time. That was from my first marriage, and he's the little  
17 boy that wherever Mom went, he was sure to follow her.  
18 He's the one that helped carry the -- the bags and whatever  
19 or when he was a baby and if he was crying too much and I  
20 breastfed him and if I became empty, I couldn't -- I didn't  
21 have no more milk, Mom would say, "Give him -- give him to  
22 me. I'll give him the rubber soother," so she'd wash her  
23 breast up and give it to him and then he'd fall asleep.  
24 And he was like just -- he was so in love with his  
25 grandmother.

1                   Then my daughter, Danielle, came. She was a  
2                   very sick baby. Mom would take my breast milk back and  
3                   forth to Halifax to the IWK because she was a preemie. She  
4                   was the first one to hold her. She's the -- she -- we  
5                   thought that she was the only one going to be born, so Mom  
6                   got to name her Danielle Dawn, and it means, God is my  
7                   judge at the break of Dawn.

8                   Mom said she had wonderful things.  
9                   She -- it was three times that they had to revive her and  
10                  she made it and Mom said, "There's -- she's going to do  
11                  great things in this world. She's going to be somebody,"  
12                  and she is somebody. She's a teacher in New Glasgow. She  
13                  teaches grade 3. She's got a heart of gold, smart as a  
14                  whip.

15                  When James -- when James was born, like I  
16                  said, he was 9-15. It was the -- he was the little boy  
17                  that taught me how to love because I really didn't know  
18                  what love was all about. He was mine. I could cuddle him,  
19                  bath him. He'd go to sleep and he thought that I was  
20                  everything, and I thought he was everything.

21                  The marriage was bad. I was abused a lot  
22                  and I moved with my first husband to Burnt Church, New  
23                  Brunswick, and I remember walking down the road and I  
24                  remember hearing people saying, "Oh, she's (speaking in  
25                  Native language)," or, "(speaking in Native language),"

1           like a raw-eating fish something, and they didn't know that  
2           I was Mi'kmaw from Millbrook First Nations. I don't  
3           imagine a lot of people realized who I was because the blue  
4           eyes, the blonde hair.

5                         So, like I said, the kids -- my kids  
6           were -- were everything to my mother and my James would  
7           help her hang her clothes. He'd go to the Co-op with her,  
8           help her get her groceries, but he always hit her up for  
9           five bucks or he knew she was cooking some food and he  
10          was -- he was going to be the one that was going to be fed  
11          first.

12                        It was just -- you know, if my -- my Douce,  
13          Danielle, was acting up -- I called it acting up. She was  
14          on a moon time when she was a young girl; she'd get on my  
15          nerves and she'd say, "I'm calling -- I'm calling Nanny,  
16          Mom." "Go ahead," I'd say. Mom would come right up. Mom  
17          would pick her up. Mom would say, "Don't even look at  
18          them, Douce. Just keep going," so she'd take her out and  
19          take her home.

20                        And then Frank, my Frank and my Richard and  
21          Alvin, she absolutely loved them too. She got to meet my  
22          two grandsons, Richard -- or Aiden and Colby. Colby was  
23          the first great-grandson; Aiden was the second. She never  
24          did get to meet my Douce, Ellie. Sometimes I look at Ellie  
25          and -- and I wonder. I know Mom -- that would have been

1 Mom's sidekick. Sometimes she's got a big mouth and she  
2 acts just like Mom. She's there. She does her thing. She  
3 calls you out on stuff. She thinks she knows it all.  
4 She -- and, you know, when I'm saying things, "Oh, no,  
5 Grammy. This is -- you know, this is what it is," and  
6 she's beautiful. She's got this long dark hair. She's got  
7 these beautiful dark eyes, and there she is, and we call  
8 her -- we call her Boss Ellie. And she sings and she tries  
9 to teach Grammy to Koju'a -- Koju'a dance and she tells  
10 Grammy, "No, you're not doing it right. You have to  
11 practice, practice." Oh, I tell her, "My feet get sore,"  
12 but, anyway, that's -- yeah, she's -- she's beautiful.

13 Anyway --

14 **MS. JENNIFER COX:** Do you want to sit?

15 **MS. NATALIE GLOADE:** No, thank you.

16 So I -- December 24th, Christmas Eve, I took  
17 my first grandson, Mom's first great-grandson, Colby, and  
18 my Alvin, our youngest boy, down to see Mom. It was  
19 Christmas Eve and I knew she was making stuff and she  
20 always made stuff on Christmas Eve, so I -- we were down  
21 there carrying on and Colby, which is my son  
22 James -- that's his son and James was the one that was  
23 convicted of my Mom's murder. He was charged manslaughter  
24 for 15 years in prison, and it was a shocker.

25 When -- when we were -- when we were

1 standing there, just before I left -- and I never look  
2 back. Every time we were ready to go, I'd get them all  
3 ready and head out and get things done, and I never look  
4 back and I never did, but this time, I looked back and Mom  
5 was like -- and I'm looking and she wanted me to kiss her,  
6 so I went back and then she gave me a kiss and then she  
7 reached down and she had a -- she took a chunk of her stuff  
8 and she said, "Here, nay, Douce," and she put it in my  
9 mouth and -- and I said, "Oh, My God, Mom, that tastes  
10 good," and she made the best stuffing ever. Anyway -- and  
11 then she hugged me so tight and the little  
12 grandson -- great-grandson, Colby, come between us and we  
13 were teasing him. We said, "We're going to sandwich you,"  
14 like put him right in -- anyway, she hugged me so tight and  
15 she said, "I'm going to put all my strength in you, Douce,"  
16 she said and she rubbed my back and she just held me. And  
17 then I went to the door and I said, "I love you too, Mom,"  
18 and that was the first time I -- that was the last time I  
19 seen my mom alive.

20 That night she -- not that night, the next  
21 night she called me. I -- I became sick. I don't know why  
22 I got sick, but I got sick and I couldn't go down. She was  
23 having a family dinner. Anyway, I -- she said, "There's  
24 somebody up in the back, Douce." She said, "I see lights,"  
25 she said, "flashing." I said, "Call the police, Mom," I

1       said, "or I'll just come down." I said, "Let me come  
2       down." She said, "It's like they're flickering their  
3       lights," and I said, "Well, come up here," I said, "if you  
4       don't want me to go down there," and she said, "No, I'm all  
5       right," she said. "I was out to your sister's earlier." I  
6       said, "Okay." And she said, "I like my teapot -- or my  
7       coffee pot," she said, "but you know I drink bedelway  
8       (ph)," and she just kind of chuckled about it.

9                   And so, anyway, she just said she was just  
10       going to get ready for bed and head to bed and I told her,  
11       "Keep your doors locked. Keep your doors locked.  
12       Don't -- don't open your doors, Mom." But if anybody came  
13       to my mother's door the middle of the night, during the  
14       day, it didn't matter, she would always, always open that  
15       door because my mom was very loving, kind. She would help  
16       anybody. Her house was a place for people to come and sit  
17       and cry and talk, take a deep breath, to get fed or maybe  
18       have a nap or take a shower or just to get a hug or just  
19       somebody to sit and listen.

20                   Now, don't forget this lady grew up -- she  
21       grew -- she brought us up, five girls and one boy. She  
22       chopped her wood. She carried her wood. A lot of times we  
23       didn't have electricity. We'd help her bring in the wood.  
24       We didn't have no running water. We had a big basin, and I  
25       was one of the younger ones, so we kind of got left with

1 the -- it looked like milk. It was all dirty water, but at  
2 least we got bathed up. We had to carry our water from up  
3 the road.

4 I used to feel bad for mom because mom would  
5 say, "Here I am, a Mi'kmaw woman looking into my own  
6 reserve that I was born on and I have non-Native women that  
7 have band numbers," she said, "that are living there with  
8 heat. They don't have to chop wood. They have washers,  
9 dryers, nice warm beds," because she used to have to pile  
10 coats on us. We didn't always have nice big thick  
11 blankets. Before her house was moved up, you could see  
12 right out through the cracks.

13 We had a honey bucket that, boy, I'm telling  
14 you, you could clean -- you could -- we cleaned it so well  
15 that you could have ate out of it. We were always emptying  
16 it, cleaning it.

17 Can you imagine having five daughters on  
18 your moon time? Having -- having pads were a luxury.  
19 She'd take all these old sheets and cut them and every  
20 month they were soaked, scrubbed, rinsed, hung out on the  
21 line, then folded all back up for -- for the next girl that  
22 had to go on her moon time.

23 And if we were lucky enough, because mom had  
24 to work two -- two jobs at a time, taxi driving. She  
25 worked for the Rural Native Housing, helping people get

1       their houses fixed when she couldn't even get her own  
2       fixed.

3                       She helped organize and start up the Native  
4       Women of Nova Scotia. She was involved with the Native  
5       Council of Nova Scotia. She was always doing and she was  
6       always helping people. My mother, the late Mi'kmaw  
7       activist, born September 22nd, 1935, was one of the largest  
8       class action suits in the history of the Canadian  
9       government, helping more than 79,000 students. There's  
10      nothing in place to suggest that she even did that. And  
11      Harper, Harper's full of shit. His apology -- excuse my  
12      language -- was nothing. It meant nothing.

13                     And I tell you, Phil Fontaine was asked to  
14      come to my mother's funeral, but he couldn't come. He said  
15      he was too busy with his family. It was Christmas. Who  
16      does that? Who does that? They were leaders. They were  
17      supposed to be there. They were supposed to help.

18                     There was nothing put in place in Millbrook  
19      First Nations for our family. There was no liaison person  
20      there. There was no emergency response team to put in  
21      there for crisis to help us. There was nothing. There was  
22      nothing there, but, thank the Creator, I had strong family  
23      members that stood by me. I had so many people that tried  
24      to knock me down. They couldn't knock me any further than  
25      I was already knocked -- knocked down. I was lower -- I

1 was lower than Mother Earth itself.

2 I apologized to the Nation as a whole for  
3 what my son did, but in saying that, I wanted my mother's  
4 case re-opened because I know there was other individuals  
5 that were involved in her murder. It's been the hardest  
6 thing, the hardest thing to stand up and hold your head up.

7 My mother stood alone for many years and I  
8 know that this big body came out of her body and she said,  
9 "The blood that -- that flows through my body came through  
10 all of my children." That's how you know a Mi'kmaw woman  
11 having a Mi'kmaw child. You cannot become Mi'kmaw through  
12 a card. It has to come through the blood, the bloodline.  
13 She said, "Douce, I know," she said, "that you have blue  
14 eyes and blonde hair, but," she said, "you know what?  
15 You're like the bridge that help our people to get over, to  
16 make that connection."

17 December 27th, 2007, I was in bed. The  
18 phone rang. All I could hear on the other line was, "Your  
19 mother has passed on." I said, "What?" It was my brother-  
20 in-law, Alex MacDonald. He said, "Your mother has passed  
21 on." Well, from that moment on, I went into total shock.

22 I remember getting to the -- my truck,  
23 heading down and flashing lights, red, clear, blue. They  
24 seemed like they were everywhere, and it was so bitter cold  
25 and I had my nightdress on, but yet I couldn't feel

1 anything. And the snow was just gently coming down, but I  
2 don't know if that was my shock that everything seemed slow  
3 motion. And I remember thinking, "This is -- this can't be  
4 real." And I remember running as fast as I could, and I  
5 almost made it to the top of the step when we had an  
6 officer that could outrun me. Thank goodness he could  
7 outrun me. He -- he could outrun me. Darren Sylvester was  
8 his name, one of the best RCMP officers we have from  
9 Membertou. He -- he knew what was in there. He knew the  
10 shape. I didn't know. We had thought that she had -- mom  
11 had passed from natural causes.

12 We couldn't understand. We couldn't think.  
13 We couldn't -- we were wrapping our heads around and we  
14 knew that she was going through this commission,  
15 this -- for the residential school. There was compensation  
16 money. People were getting their monies, and then we knew  
17 that there was hate phone calls coming through to her,  
18 telling her off and she'd say, "I'm going to -- I'm going  
19 to pray for them. You know, their hearts are hurt, you  
20 know." She was always about forgiveness and always about  
21 helping people. She said, "You know, Douce, you always got  
22 to turn the cheek. When somebody does you wrong, you pray  
23 for them," she said, "and keep going," but yet sometimes  
24 she -- she would get mad and then -- and then sometimes it  
25 seemed like she was -- it would take her a little while to

1 get over it.

2 I remember sitting across the street because  
3 they wouldn't let us in front of her house. It was kind of  
4 all blocked off and it seemed like there was thousands of  
5 crows. They were just squawking and they were, like,  
6 flying. They were dipping down and they were -- they were,  
7 like, everywhere. It was just like a horror movie to me  
8 and everybody was just bringing me tea. I didn't want tea.  
9 I wanted coffee, and I just couldn't understand what was  
10 going on and I thought, "God."

11 So early that morning, the priest with whom  
12 my mother and him had words and she told him off -- anyway,  
13 he was the one apparently that was called to go in and  
14 bless her. I remember standing out there and I said, not  
15 realizing what I was saying -- excuse me -- I said, "Can  
16 you go and put a blanket on her to keep her warm?" and they  
17 said, "Yes." They said, "We have. We put a blanket on her  
18 and she's warm," and now I know the difference, but I guess  
19 to help us along, that's what was saying -- what was said.

20 I seen my sisters, Leanna and Janice. Those  
21 were mom's favourite girls. And I pray that they're --  
22 they have some sort of peace. And my sister, Gail, she's  
23 in Winnipeg. I hope she has some sort of peace as well.  
24 We lost our sister, Juanita, the oldest girl, almost three  
25 years ago. That was -- she was our sleeping beauty. She

1           was absolutely beautiful. And my brother, Jason, he's the  
2           one that found her. Come to find out that she was -- her  
3           throat had been slit.

4                           They took my brother into lockup.

5           They -- because they said they weren't sure. I remember  
6           trying to get down to the police station to tell them,  
7           "What are you doing? Why are you -- why do you have him  
8           there? There's no way Jason would hurt our mother."  
9           Anyway, they -- it was about 20 minutes, I think, later,  
10          but it could have been -- it could be a little longer. I  
11          remember sitting out on our front lawn and somebody -- I  
12          don't know who it was -- somebody said, "You'd better get  
13          up. It's getting cold." I said, "I'm not cold," but I  
14          didn't realize that was the shock.

15                          Anyway, the police cruiser pulled up and my  
16          baby brother was in the back, crying, shaking. They put me  
17          in the back with him and he -- he could hardly get words  
18          out, just that mom -- mom was gone, mom -- mom was dead,  
19          and remember, he's the only boy. So now, we're -- we're  
20          outside and this woman comes and knocks at the window and  
21          she said, "They're saying in Shubie that James murdered  
22          your mother." I said, "What? What are you talking about?"  
23          They said, "Yeah, there was -- that's what they're saying  
24          anyway," and from then, I just -- it was like, "Oh, my  
25          God." I didn't know what to say. I didn't -- didn't know

1           what to think.

2                                 Anyway, I had to get a message to -- to  
3           James, and I know that I text him and asked him -- and I  
4           told him, I said, "They found Nanny, but she's dead."  
5           There was no response. I had to text my daughter,  
6           Danielle, in Cape Breton because she was going to Cape  
7           Breton University, to let her know that her nanny mom had  
8           passed. She tried to contact her brother, James, who  
9           wasn't answering. They were on their way back to Truro.  
10          Frank and Richard, they got word that their grammy  
11          had -- grandmother had passed. Alvin was in total shock.  
12          Everybody seemed to be in total shock that this -- that she  
13          was gone. "How can she be gone? She was our matriarch,"  
14          the lady that -- you know.

15                                 Let's face it, I -- I'm not a good cook.  
16          I -- I cleaned. I -- I can sew. She taught us how to make  
17          sweetgrass dolls. We peddled that to get our food. She  
18          sewed. She made dolls. She knitted. She made lots of  
19          luski (ph). When funerals came around, mom was always  
20          making sandwiches and sending them to the family to help,  
21          with stew, and there was nobody. We didn't have Native  
22          Women of Nova Scotia. Nobody stepped in. We didn't have  
23          Native Council of Nova Scotia to step in to offer any  
24          guidance. We didn't have a liaison officer or somebody to  
25          bridge a path to begin a healing journey for my son, James,

1           which I started speaking to him approximately four years  
2           ago.

3                           I tried to hate my son. I prayed that the  
4           Creator would take him. When I stood up in front of the  
5           judge and I addressed my son, I said, "Life is life. You  
6           took your grandmother's life and you should be given life,"  
7           but because it was manslaughter, there was no  
8           premeditation. He got 15 years. Every time it came up for  
9           him to go up for a hearing for early parole, he denied. He  
10          wouldn't go. He wouldn't go. He said, "There's not a day  
11          that I don't think about my Gram. My Gram was everything,"  
12          he said. "Mom," he said, "you know, I was even closer to  
13          Gram than you," he said.

14                          He told me what he could remember, and it  
15          wasn't money that he was after. There was \$20 -- a 20  
16          dollar bill still in her wallet. People have written all  
17          over the place, "Oh, it was about money." No, he was  
18          wrecked. He was just -- it was drugs. There was four  
19          different drugs found in his system. The people that sold  
20          him the drugs, why weren't they in prison too?

21                          The trickle down effect of the residential  
22          school system still prevails today. Everything that has  
23          happened prehistorically is still continuing, the abuse on  
24          women and children. Our stories are not being told, and if  
25          they're being told, they're only being told halfway. And



1 would recommend a centre in memory of my mother and the  
2 thousands that she's helped, I hope and I pray that there's  
3 a room put in there for Ben Martin, who has stuck -- who  
4 stuck by my mother no matter what. Evelyn Francis (ph), a  
5 strong powerhouse. She used to tell me, "Douce, don't  
6 matter what anybody says. They don't have to walk in your  
7 moccasins. You don't even have to pay attention to them,"  
8 he [sic] said. She said, "Don't even listen to them. Keep  
9 going. Put your head up."

10 I've even gone into grocery stores where  
11 women have come up and, "Mother of a murderer." Well, I  
12 guess, you know, in a way it's true, but, you know, I'm not  
13 the first nor will I be the last, and it's about  
14 forgiveness-forgiveness. I had to find it deep within  
15 myself. I used that basket of tools that my mother taught  
16 us all to use growing up, empathy, honesty, loyalty, love,  
17 sharing, truth, and money's not everything. Peace, love,  
18 sharing, living off the land.

19 What I try to -- when I do my subbing at LSK  
20 in Indian Brook, I see many, many different  
21 little -- little people that I am -- I just fall in love  
22 with them. It seems to me the ones that are the most  
23 rowdiest are my favourite. They stick like glue to me  
24 and -- and it's just like nobody else wants them, but I  
25 want them and I try to -- I try to love them and show them

1           that even with a learning disability, you can -- you can go  
2           anywhere.

3                       **MS. JENNIFER COX:** For the benefit of the  
4           Commissioner, Natalie, LSK is a school?

5                       **MS. NATALIE GLOADE:** It's the -- it's the  
6           Mi'kmaw school in Shubenacadie Indian -- or Shubenacadie  
7           Reserve.

8                       **MS. JENNIFER COX:** You're a teacher?

9                       **MS. NATALIE GLOADE:** I'm -- I'm a teacher,  
10          but I'm subbing and I'm doing my masters degree.

11                      **MS. JENNIFER COX:** So, Natalie, I'm  
12          wondering if we could go back and talk a little bit about  
13          your mom's -- where your mom lived. She didn't live on the  
14          reserve, did she?

15                      **MS. NATALIE GLOADE:** No, she didn't. She  
16          lived about -- I don't know if it was -- 30, 34 feet or  
17          something away from the Millbrook First Nations sign. My  
18          mom was actually born right on the reserve. Her  
19          grandmother and her aunties helped deliver her, and yet  
20          when she turned 16, they took her status card away from  
21          her, which wasn't even her status card. It was her  
22          mother's status card, so how can they take Grammy  
23          Cope -- Mary Cope's band number from mom when it wasn't  
24          even mom?

25                      Mom wasn't legal age to get a band number,

1 and it wasn't until 1985 that she was able to get her  
2 status back under Bill C-31 and we still have -- and they  
3 wouldn't even welcome her back to her home reserve. She  
4 had to go on these referendums and she had to go to these  
5 different people, the non-Native people on the reserve, and  
6 ask them and beg them for their signature, which some of  
7 them wouldn't even give, and it's like, "How can you do  
8 that? Here, you're talking to a real Mi'kmaw woman that's  
9 got to beg you for your signature." She had to have, I  
10 think, a 51 percent plus in order to go back on, but then  
11 mom and her other cousins and her relatives that were in  
12 the same boat as her, they weren't accepted back on either.  
13 It became like a personality contest or a congeniality  
14 contest or whatever. If they liked you, then they put you  
15 back on, but if you didn't do what they wanted, then they  
16 weren't letting you back on, but shame on them. Shame on  
17 them.

18 We have many women that are living off the  
19 reserve that should be on their home reserves and not  
20 living in squalor, you know, or feel that they have to  
21 always be working so hard. I mean, they're getting up in  
22 age. Why do they have to be scrubbing floors or, you know,  
23 making crafts all the time just to make ends meet, you  
24 know? And a lot of our women -- we still have women  
25 walking the street thinking that the only way that they're

1 going to make that little bit of ends meet is to give a  
2 part of their soul to the devil in order to make a little  
3 bit of change to pay for the rent, pay for maybe their  
4 kids' things or whatever, so it was -- like, it was hard  
5 because when mom looked out her window, she seen Millbrook  
6 First Nations Reserve. How ironic is that? It just  
7 doesn't make sense, but that's the government, that's the  
8 Canadian government trying to cause part of the  
9 assimilation, the colonization.

10 Mom said, "You know what? The way that the  
11 government is going and what -- the traps that are people  
12 are falling into, one day there's not going to be no  
13 reserves anymore. There's not going to be First Nations."  
14 Then the money that they owe us -- the government owes us  
15 money that was in trust for us that still sits there and  
16 they steal the money out of that to pay for this  
17 organization, to pay for that organization, and then the  
18 little bit of monies that's in there that  
19 they're -- they're building -- what do you say when  
20 money's -- money's in there and it's -- it's  
21 building -- interest --

22 **MS. JENNIFER COX:** Escrow?

23 **MS. NATALIE GLOADE:** -- the interest money,  
24 then is given as a little offering here and here and here.  
25 She said, "That money all up there belongs to all of us,

1 but," she said, "sometimes our people" -- she said, "And  
2 the males, our males," she said, "they had to come to us."  
3 The mothers, the grammys were the matriarchs. They came to  
4 us for comfort, love and support and to get direction of  
5 where we should go, and we have a lot of strong men that  
6 are misguided.

7 **MS. JENNIFER COX:** Natalie, I think it would  
8 help the Commissioner to understand why your mom was  
9 involved with the Native Women's Association, particularly  
10 in Nova Scotia, and was there other women that were  
11 involved in that?

12 **MS. NATALIE GLOADE:** There was other Native  
13 women's -- Native women that were involved in that. There  
14 was Viola Robinson. There was Lorraine Cox. There was  
15 Clara Gloade. There was Cathy Smilie (ph). There was  
16 Sarah Gloade -- Sarah Fettes (ph), Theresa Moore. There  
17 was --

18 **MS. JENNIFER COX:** They all had something in  
19 common, all of those --

20 **MS. NATALIE GLOADE:** -- and there was a  
21 Martin lady. Helen Martin was the original one that  
22 started --

23 **MS. JENNIFER COX:** And those women all had  
24 something in common, right?

25 **MS. NATALIE GLOADE:** Yeah, they had -- their

1 rights were taken. They -- they didn't have homes. They  
2 were fighting for our Mi'kmaw women to have stable homes,  
3 secure homes because we as young children -- my cousins  
4 could go to the band office and get free school supplies  
5 and whatever. We -- we didn't get that, but there was one  
6 gentleman, Mr. Paul. He was the janitor at Millbrook Band  
7 Office and he always called us Nora's girls, so he'd take  
8 us after the place closed at night and he'd say, "Okay,  
9 open your arms up," and he had -- gave us scribblers,  
10 pencils, erasers. We thought it was like Christmas. And  
11 then, "Off you go. Go right home," you know, so...

12 And for me to be here, I have a very strong  
13 husband. His name is Ricky Gloade. He's seen me at my  
14 worst and he's seen me at my best, and he supports me 110  
15 percent, and there's not too many people that can say they  
16 have a support system, plus I have my Cathy. I have  
17 Marilyn, Lotti. I have my spirit world that's around me.

18 **MS. JENNIFER COX:** Natalie, I'm wondering if  
19 we could talk a little bit about the memorial that you  
20 talked about. You have some ideas about what you think the  
21 memorial and -- and the services that -- in your mom's  
22 name. That would probably be helpful.

23 **MS. NATALIE GLOADE:** Well, I was -- I was  
24 hoping that there could be a centre put up that would be a  
25 traditional place for basic needs to teach our women to

1 keep their families together, whether it be cooking,  
2 shopping, cleaning, being a voice for their children, not  
3 taking home -- not allowing Mi'kmaq Family and Children  
4 Services to apprehend the children and take them. They  
5 spend thousands and thousands of dollars apprehending these  
6 children, and it's -- it's hard to believe that they'll  
7 take a child out of a home, put them in another home, but  
8 they're going to pay, like, \$5,000 for new beds, new  
9 dressers, new clothes, some food, whatever. Why can't they  
10 take that \$5,000 or whatever, buy them brand new beds in  
11 their own home, buy some food for their own home, help the  
12 parents, get *Ilnu* support, you know?

13 We have allies that are still out there that  
14 are not *Ilnu* that understand where we're coming from and  
15 they believe this and they -- and we have to acknowledge  
16 that. I have great professors that -- from Mount Saint  
17 Vincent. Dr. Sharpe, who -- he's very knowledgeable and he  
18 tries to listen to what I -- what I have to say.

19 In -- in this healing place, I would like  
20 for it to be a place that -- like a resource centre that  
21 they could -- people could come to, but I'm hoping  
22 that -- that they could have it on her property, her late  
23 property, and to have an Elders' room in there. Have our  
24 Elders come in, teach, tell stories, you know, help -- help  
25 our women and children, you know, because our young

1 children are going to grow up one day. They're going to be  
2 adults. We want them to be healthy, mind, body and spirit.  
3 The heart and the mind have to connect and we have to be  
4 the stepping stones for them to reach that point. Elders  
5 are very important in our life. Even if we could have  
6 some -- some rooms there in case our -- our Elders need to  
7 lay down and have a rest; you know, even if our families  
8 need a place to stay, you know, have a couple of rooms, you  
9 know.

10 After they opened the door back up for mom's  
11 home when the keys were passed over, we walked in, the  
12 house wasn't cleaned. You seen the markings of where the  
13 footprints went and whatever. As you stepped into her  
14 house off to the left was the outprint [sic] of her body  
15 where it laid. I went to that spot, and I laid in that  
16 spot. I put my head down where her head was and her  
17 hand -- where her hand was and when I looked up, there was  
18 a mirror in her living room, and through that mirror there  
19 was a picture off to the wall -- off to the side and that  
20 picture was five of us girls, so I hope and I pray that the  
21 Creator -- that's the last thing that she would have saw.

22 Life is a strange thing and we all have to  
23 live it, but I know that I'm not the only one that's lived  
24 this life. I know there's many people out here that have a  
25 truth to tell.

1                   **MS. JENNIFER COX:** Do you think you have  
2 anything else that you want to talk about? I think you've  
3 pretty much --

4                   **MS. NATALIE GLOADE:** I think -- I think I'm  
5 done. *Wela'liog.*

6                   **COMMISSIONER MICHÈLE AUDETTE:** *Merci*  
7 *beaucoup.* Thank you. And I -- you brought me in -- in a  
8 space where you talk about all the women, recognizing the  
9 women, your mom, the centre having them. Was it like  
10 making statue, monument of -- it would be so beautiful,  
11 very, very beautiful.

12                   And you mentioned some names that -- the  
13 history of Canada is missing so much and they would -- they  
14 would learn -- would learn from our beautiful warriors, our  
15 beautiful keeper of the knowledge or the culture. And when  
16 we walk and we see pictures, it's always our men, even  
17 here, our leaders who did the first shovel or -- and the  
18 women are part of the history and what I -- when I was  
19 listening to your truth, you were reminding us, the  
20 Inquiry, the people who works for you, that the  
21 history -- we have to make sure that the women are  
22 officially in the history of our different places across  
23 Canada, and I say thank you for that.

24                   And something that we didn't hear a lot  
25 across Canada, it's the impact. Yeah, we talk

1 about -- about the colonialist, okay, that impact, but to  
2 say *Indian Act* and to say your mom lost her status, I would  
3 like you to explain. We have some Canadian here listening  
4 and why your mom and many -- many other women lost their  
5 rights.

6 **MS. NATALIE GLOADE:** They lost their rights  
7 because once you marry a non-Native -- or once a Native  
8 woman marries a non-Native man, then she lost her rights or  
9 if you -- you became educated, you lost your rights,  
10 so -- and it took many years. But then you have the -- the  
11 *Ilnu* man that marries the non-Native woman and, magically,  
12 she becomes a Mi'kmaw with a status card. I don't know how  
13 that happens, but again that's the government, a part of  
14 assimilation. That's how they're trying to make us to  
15 become the same as them. And my truth is that every non-  
16 Native woman that carries that band number should have them  
17 taken from them. They took our First Nations women and  
18 they didn't -- their status cards and they did not have one  
19 problem doing that, so now they have to get rid of the  
20 *Indian Act*, take those cards away from them, give them to  
21 our women that are rightfully so Mi'kmaw. They're *Ilnu*.  
22 Let them go back to their -- let them go back home where  
23 they belong.

24 **COMMISSIONER MICHÈLE AUDETTE:** So for you,  
25 Natalie, that discrimination or -- based on women because

1 we were women, because we marry out, we lost the status,  
2 but it stopped in '85. Do you believe that impact is still  
3 going on?

4 **MS. NATALIE GLOADE:** Oh, absolutely,  
5 absolutely still to this day. There's the first  
6 generation, they got their status, but their children, they  
7 can't get them registered and then they're trying to go  
8 back to the grandmother's law, but still they're still  
9 having a hard time getting them registered. Those children  
10 should be registered.

11 **COMMISSIONER MICHÈLE AUDETTE:** All right.

12 **MS. JENNIFER COX:** Madam Commissioner, I  
13 think one of the things too that we should talk about is  
14 not only status, but membership. So one of the things that  
15 your mom struggled with as well was membership in  
16 Millbrook. So she got her status, but she didn't  
17 automatically become a band member, right, of Millbrook?

18 **MS. NATALIE GLOADE:** Oh, with -- well, when  
19 the referendum was agreed upon, that if she got 51 -- or 51  
20 plus, then they said that automatically she would come back  
21 to her First Nations -- her reserve, her home, and I think  
22 she went through three or four of them, but -- and every  
23 one, "Nope, nope," and she had 51 plus, but the band  
24 council, I believe, was fearful of my mother because she  
25 was a strong Mi'kmaw warrior that wasn't going to let

1 things slide under the rug. She was going to bring them  
2 forth, and I believe she was going to bring all those cards  
3 that were given out to the non-Native women, she was going  
4 to see that the government brought -- took them, rightfully  
5 so, but the children still would be status -- would have  
6 their status.

7 **MS. KATHY MARTIN:** So each time that the  
8 referendum happened, the Elders of the community presented  
9 to the band council, right, why -- who they -- that they  
10 knew her, how they knew her and that they wanted her back  
11 along with -- I remember the last referendum. I think  
12 there was three or four women that the Elders went and  
13 said, "These were our people. We grew up with them, were  
14 born with them. We want them to come back," and they  
15 wrote -- brought it to the band council, so I just wondered  
16 if you remember how that decision was made. So the -- so  
17 there was a referendum and --

18 **MS. NATALIE GLOADE:** And mom had to go on  
19 the referendum. Mom had to go on that referendum and by  
20 the skin of her teeth, she got in, I think, by one vote,  
21 the fourth referendum, and there were people that were not  
22 happy. There were people that were ecstatic, and she was  
23 just in the process of picking out land to build her home.

24 **COMMISSIONER MICHÈLE AUDETTE:** If I can ask,  
25 you said that it -- it is still very there. Give me an

1 example, share, so you -- you can educate the rest of  
2 Canada who, for the first time, hear about this  
3 legislation, how women were treated under the *Indian Act*.  
4 Do they -- what it does concrete, you know, the impact on  
5 your children or your grandchildren.

6 **MS. NATALIE GLOADE:** Well, I know on our  
7 First Nations reserve, the houses go into the males' names.  
8 They're not in the females' names. The -- it's all run by  
9 male, and we have -- we only have one councillor, Lisa  
10 Marshall, on the board, but we have another referendum  
11 that's -- or not a referendum -- we have another election  
12 coming up in February, but it'll be the same.

13 **MS. JENNIFER COX:** If I phrase it this way,  
14 if you're a band member, which is different than having  
15 status, right --

16 **MS. NATALIE GLOADE:** Yes.

17 **MS. JENNIFER COX:** -- so if you're a band  
18 member, you have -- that's the only way you can get a  
19 house; is that right?

20 **MS. NATALIE GLOADE:** Yes, you have to be a  
21 band member to get a house.

22 **MS. JENNIFER COX:** So there would be a lot  
23 of women who might have gotten their status, but are still  
24 not able to get through the referendum?

25 **MS. NATALIE GLOADE:** They might be band

1 members elsewhere, but living on our First Nations reserve.  
2 They won't get a house. They have to be band members with  
3 status cards living on our reserve and you get more points  
4 if you're married and if you have more kids, so it's almost  
5 like them pushing them into having more kids just to get a  
6 house, so...

7 **COMMISSIONER MICHÈLE AUDETTE:** *Merci*  
8 *beaucoup.* So my last question/comment to you, you talked  
9 about a centre for -- to teach or traditional with Elders.  
10 What for you the importance of teaching or giving that  
11 culture to our next generation?

12 **MS. NATALIE GLOADE:** It's about healing  
13 through trauma --

14 **COMMISSIONER MICHÈLE AUDETTE:** Okay.

15 **MS. NATALIE GLOADE:** -- and we've all gone  
16 through trauma. We've -- this is like a historical trauma  
17 right from the residential schools straight up through the  
18 Indian agents, through the -- the Eurocentric colonialism.  
19 I want this to be trauma -- living through trauma, the  
20 Indigenous ways of knowing, that's what I would like to  
21 see. We need to know that big fancy cars, big fancy homes  
22 and all that, that's all materialistic. We have to know  
23 that the basic of living and loving -- loving, truly loving  
24 yourself and connecting from your heart and your mind,  
25 making that. Meditation. We have to connect with our

1 spirit world because they were here before we were, you  
2 know. Let's make it better for the rest of our people.  
3 Let's help them heal, you know.

4 It seems like we've been talking about this  
5 for years and years and years. It's like beating an old  
6 bush and it's like the poor thing is all splintered and  
7 whatever and now we've got to revive it. We have to  
8 get -- grow some fruit from it.

9 **COMMISSIONER MICHÈLE AUDETTE:** *Merci*  
10 *beaucoup.* How do we say in Mi'kmaw, *wela'liog?*

11 **MS. NATALIE GLOADE:** *Wela'liog.*

12 **COMMISSIONER MICHÈLE AUDETTE:** *Oui, merci.*  
13 (Speaking in native language) You're very strong, very,  
14 very strong and thank you very much for your message and  
15 testimony and your truth.

16 **MS. NATALIE GLOADE:** *Wela'liog.*

17 **MS. JENNIFER COX:** So if we may adjourn?

18 **Exhibits (code: POP04P0201)**

19 **Exhibit 1:** Electronic folder with 25 images displayed  
20 during the testimony of the witnesses

21 **Exhibit 2:** Two news stories, three pages total

22 --- Upon recessing 3:49 p.m.

23 --- Upon reconvening 4:19 p.m.

24 **Hearing # 4**

25 **Witness: Becky Michelin (In relation to Deidre Michelin)**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**Heard by Commissioner Qajaq Robinson**  
**Commission Counsel: Joseph Murdoch-Flowers**  
**Grandmothers, Elders, Knowledge Keepers: Louise Haulli,**  
**Katy McEwan, Jane Meader, Lotti Johnson, Pauline Bernard**  
**Registrar: Bryan Zandberg**

**MR. JOSEPH MURDOCH-FLOWERS:** Commissioner, I have the pleasure today of working with Becky Michelin from -- from my territory. We grew up in the same area. She's from Rigolet, Nunatsiavut, and is now in Happy Valley, Goose Bay, and she'll be solemnly affirming before she speaks.

**MR. REGISTRAR:** Great. Becky, did you want to solemnly affirm with an eagle feather or without?

**MS. BECKY MICHELIN:** Without is good.

**MR. REGISTRAR:** Okay, great. Well, welcome this afternoon.

**BECKY MICHELIN, AFFIRMED**

**MR. REGISTRAR:** Thank you.

**MR. JOSEPH MURDOCH-FLOWERS:** Commissioner, in preparing -- in preparing for today, Becky has written her statement, so she's going to read from that, and I'll just leave it at.

**MS. BECKY MICHELIN:** Could I start? All right.

1           I just wanted to show a picture. This is my  
2           parents and myself and siblings. I think it's important  
3           when we're remembering our loved ones that we see, you  
4           know, there's a face behind who we're talking about and a  
5           loved one, so I'm just going to lay this photo over here.

6           My name is Becky Michelin. I am the  
7           daughter of Deidre Marie Michelin. My mother was a  
8           beautiful person inside and out. She was a mother, a  
9           daughter, a friend, a family member to many. I know she  
10          was loved. I hear people speak so fondly of her. She was  
11          easygoing and loved the outdoors.

12          I remember going to the cabin with her when  
13          I was a child and my fondest memory was just being loved.  
14          Her friends all told me that she had a great sense of  
15          humour and her smile would brighten a room. I know she had  
16          great love for those around her.

17          My mom was shot and killed at the tender age  
18          of 21 by my father, who then turned the gun on himself. It  
19          was a murder-suicide in my home in Rigolet in 1993. I  
20          remember being awakened by a loud bang. I remember after  
21          that, nothing could be heard in the dark cold winter night  
22          over the cries of my siblings and I as we were to watch  
23          this tragedy unfold.

24          I remember what she was wearing. I remember  
25          the blood that surrounded her long curly hair. I remember

1 shaking her with my tiny hands as I cried, "Wake up, Mom,  
2 wake up," but she wouldn't wake up. There were no  
3 movements, no breathing, just death.

4 I remember finding my father briefly, who  
5 had shot himself after he had murdered my mother. I  
6 remember the smell of the blood and the gun powder, which  
7 still haunts me to this day. I remember thinking that my  
8 mom had hit her head off the wood stove because my young  
9 self could never imagine that something so tragic could  
10 happen to my family.

11 My sister and I knew that we had to get  
12 help. There were four of us children left at the home, but  
13 we knew we would have to leave our two younger brothers to  
14 get help. We walked to my uncle's house and told him what  
15 happened. I remember him saying, "You're lying. This  
16 isn't true," and it didn't take long for him to realize  
17 that this was serious.

18 In Rigolet, at the time of the murder-  
19 suicide, there was no police stationed in our small  
20 community. The closest RCMP detachment was in Goose Bay,  
21 which was 45 minutes by plane. My mother needed help, but  
22 help wasn't there. The system had failed her. It has  
23 failed us as a family and it has failed our little  
24 community of Rigolet, as it has many other families who  
25 face the same battles.

1                   My mother was stolen from us. She never had  
2 a chance to reach her full potential in life. She never  
3 got to experience life after 21. She never got to watch me  
4 and my siblings grow up. She never got to celebrate  
5 milestones and birthdays. She didn't get to be  
6 where -- there when I had my daughter and when my siblings  
7 had their children. And she won't get to watch me walk  
8 down the aisle if I get married.

9                   So much was stolen from us when the system  
10 failed our family. It's not -- it's not all the big things  
11 that are missed, but the small things too. When people go  
12 on trips, they call their mom to let them know that they  
13 made it safely. I don't get to do that. I don't get to  
14 call my mom to ask for advise or to call for support when  
15 needed.

16                   It hurts to see everyone with their  
17 beautiful families, sharing special moments together and  
18 creating beautiful memories. One of the last memories I  
19 have of my mother is lying in a pool of -- a pool of her  
20 own blood, lifeless on the floor. One of the last words I  
21 said to her as a child was, "Mommy, wake up." Losing both  
22 of my parents that night was life-changing. Things would  
23 never be the same.

24                   I remember as a child, I was afraid of loud  
25 noises. When most people enjoyed fireworks, I was

1           terrified. I would cry because every time the fireworks  
2           banged, to me, it was a gunshot.

3                       I remember Halloween being fun for those who  
4           surrounded me, but the sight of seeing fake dummies on the  
5           ground covered in blood brought me back to the very moment  
6           of finding my parents dead. I would wake up with  
7           nightmares more often than not and cry to see my mom and  
8           dad again.

9                       Things weren't okay. I had no help to get  
10          me past this part of my life. I never seen a counsellor.  
11          I never spoke with anybody that was able to understand what  
12          this done to me. My whole world shattered and life just  
13          went on.

14                      I was sent to live with a family in another  
15          community after the death of my parents. My siblings and I  
16          were separated into different homes, living with different  
17          families and some in different communities. We didn't know  
18          each other well after this happened.

19                      One brother lived in Goose Bay, one in  
20          Rigolet, and my sister was also in Rigolet. I used to  
21          speak to my brother that lived in Goose Bay sometimes, but  
22          back then, it was long distance, so I wouldn't be able to  
23          speak to him often. I remember visiting him sometimes.

24                      My other siblings are in Rigolet. I never  
25          went back to Rigolet until 1996. I went down for two weeks

1 with my grandmother, who also happened to be raising my  
2 sister. I had a hard time living away from my family and I  
3 hardly knew my brother when I seen him. I remember asking  
4 which child he was because I no longer knew him.

5 It was in North West River that I started  
6 calling the family that raised me mom and dad. When I  
7 moved there, nothing that happened was ever talked about.  
8 It was like everybody forgot that it happened, but I knew.  
9 I also knew that at some point, I needed to try and start  
10 over, a new beginning at life, one that I hoped would  
11 better me and lead me to success and to fill the void which  
12 was so fresh in my heart.

13 At the age of ten, I'd gotten very ill. I  
14 was diagnosed with idiopathic thrombocytopenic purpura. My  
15 platelets had become dangerously low, and I would fight  
16 with this condition for two years. I was back and forth to  
17 the Janeway Children's Hospital numerous times within this  
18 timeframe. After trying all forms of treatment, the final  
19 decision was made and I had a splenectomy.

20 It was six months within -- it was within  
21 six months of recovering from my condition that the sexual  
22 abuse started in foster care. Every time there was nobody  
23 around, I was sexually abused. The first time, I thought  
24 it was an accident. It didn't take long before I realized  
25 that this was no accident. It happened more and more. I

1        stood there holding back tears while fear overcame my body.  
2        I was too scared to say anything. This went on for two and  
3        a half to three years. I had written everything that was  
4        happening to me in an old notebook.

5                    When it was discovered that I was being  
6        sexually abused, I went back into the social service system  
7        and was moved around from place to place, and I had my own  
8        apartment at 16. The police visited to take statements. I  
9        once again had lost everything that I had. They just left  
10       me there like I was a nobody. All I ever knew was gone  
11       again. I used to get nasty messages on Facebook. This was  
12       a very difficult time for me in my life. I had now lost my  
13       real parents to a murder-suicide and then faced sexual  
14       abuse in the foster care system.

15                   I went through the court system from the  
16       time I was 15 until I was 17 dealing with the sexual abuse  
17       case. I ended up losing the case because there was no  
18       physical evidence of the sexual abuse. I was emotionally  
19       and mentally drained. I felt as though I had nothing left  
20       to give. Everything had already been taken.

21                   My whole life was a whirlwind of tragedy,  
22       hurt and abuse and once again the system had failed me. I  
23       spent a lot of time feeling sorry for myself, thinking of  
24       my own funeral because I felt like my life didn't matter.  
25       It felt like it didn't matter from the start. I was born

1 just to face tragedy. I didn't see a future. I felt angry  
2 and I felt finished. I always thought to myself none of  
3 this would have happened if my real parents were still  
4 alive. My whole life, I was brought back to the moments of  
5 being loved by my parents and the moment my whole world was  
6 snatched away from me. I spent many nights crying myself  
7 to sleep, depressed, angry and hurt.

8 I still to this day wonder what life would  
9 be like if my parents were still here. I often wonder if  
10 my mother was able to get help, would she still be here to  
11 raise us and create memories? Would life have been normal?  
12 I would have had the opportunity to grow up with my  
13 siblings and a real family.

14 There was no mental health help from the  
15 murder-suicide to the sexual abuse. I didn't get the  
16 chance to talk to anybody. I felt like I had nobody to  
17 relate to. My siblings and I weren't close. We didn't  
18 talk about what happened. It was a very sensitive part of  
19 our lives that we would move on from and brush under the  
20 rug.

21 I've always said my mother is more than what  
22 happened to her. She was a beautiful person. She was a  
23 beautiful person we were blessed with to call mom if even  
24 for a short period. I miss her every day. I live day-by-  
25 day without that special bond that a mother and daughter

1       should share, and without her to share special occasions  
2       with, and without her to grow older with. I miss her  
3       terribly. I wish she could have been helped and I wish the  
4       system didn't fail us.

5                   At the time of the murder-suicide, there  
6       were [sic] no police station in Rigolet. My mother had  
7       nobody to call for help. There were no mental health  
8       facilities. My father had nowhere to turn when he needed  
9       help. There were no shelters in Rigolet for my mom to go  
10      to, and there were no social workers to help my siblings  
11      and I. After this happened, we never got to speak with  
12      counsellors or social workers to help deal with the  
13      aftermath of what had happened. We were to pick up the  
14      pieces and move on ourselves.

15                   The lack of resources for the Aboriginal  
16      communities has a lot to do with the suffering that -- that  
17      families go through. Because many northern families face  
18      geographic barriers and -- and inadequate funding, many  
19      services are not accessible in these northern communities;  
20      therefore, residents have to leave their hometown to  
21      receive the help they need.

22                   Many men face intergenerational trauma  
23      leading to risk -- living high-risk lifestyles and more  
24      likely to partake in riskier behaviours. Many men that are  
25      behind these cases have faced and deal with unresolved

1 trauma themselves, this being one of the root causes of  
2 violence against women. We need to make more resources  
3 available for these men to get help, whether it be  
4 rehabilitation for substance abuse, counselling for mental  
5 health issues or a program for younger men to show them how  
6 to cope with trauma. If we can help the men who live these  
7 high-risk lifestyles, we can better help the women by  
8 fixing -- helping fix the root of the problem.

9 So in my recommendations, I've recommended  
10 more safe houses; more funding for awareness programs; more  
11 programs for youth to teach coping skills and awareness and  
12 warning signs and red flags, and what to do if you should  
13 find yourself in crisis; more rehabilitation services  
14 within the region; more mental health services available  
15 within the Aboriginal communities; translators for 911  
16 calls because if you only speak Inuktitut and you call 911,  
17 you're getting somebody English; social workers and  
18 counsellors available to help deal with the aftermath of  
19 trauma; better protocol for those who experience trauma  
20 with an initial visit and follow-up and later appointments.

21 I just wanted to say that I'm doing well  
22 now. My boyfriend and I have been together for ten years.  
23 We have a beautiful daughter named Mackenzie (ph). She's  
24 eight years old. And I'm an LPN and I'm hoping to -- when  
25 I get enough hours at my job, to do the Post-LPN BN

1 program, so that's just some of my goals and, you know,  
2 life gets better.

3 **MR. JOSEPH MURDOCH-FLOWERS:** I don't have  
4 any follow-up, Commissioner. I don't know if you have  
5 questions.

6 **COMMISSIONER QAJAQ ROBINSON:** Do you mind if  
7 I ask you a couple of questions?

8 There's a couple of photos on -- on the  
9 monitor behind you and behind me, I think. Do you want to  
10 talk about those photos, explain them a bit?

11 **MS. BECKY MICHELIN:** Pardon?

12 **COMMISSIONER QAJAQ ROBINSON:** Do you want to  
13 talk about and explain those photos?

14 **MS. BECKY MICHELIN:** This photo was  
15 taken -- I was approached by the Observer Magazine and they  
16 had asked me to submit a few photos to go with my story, so  
17 I sent in a bunch of photos, and I think that might have  
18 been one they chose.

19 And that picture is my mother I seen with my  
20 sister because she's the one that got all the photos.

21 And this here photo, that's the only family  
22 photo I have of us all together and, you know, I try to  
23 keep it close.

24 **COMMISSIONER QAJAQ ROBINSON:** How long  
25 before your mother was killed was this photo taken?

1                   **MS. BECKY MICHELIN:** I don't actually know,  
2                   but it wasn't too long before because we, in that photo,  
3                   look around the ages that this happened.

4                   **COMMISSIONER QAJAQ ROBINSON:** You were  
5                   saying at the time in Rigolet there was no police.  
6                   There's, you know, people listening and watching who have  
7                   no idea where Rigolet is or -- can you describe Rigolet at  
8                   the time?

9                   **MS. BECKY MICHELIN:** It's a very remote  
10                  community of, I would say, less than 500 people. At the  
11                  time, there was no RCMP officers. My mother called for  
12                  help numerous times that day, but they wouldn't send the  
13                  police until something actually happened, from what I was  
14                  told.

15                  **COMMISSIONER QAJAQ ROBINSON:** And where  
16                  would she have called the police, in Goose Bay?

17                  **MS. BECKY MICHELIN:** Yeah.

18                  **COMMISSIONER QAJAQ ROBINSON:** Okay.

19                  **MS. BECKY MICHELIN:** So they would have had  
20                  to fly into Rigolet.

21                  **COMMISSIONER QAJAQ ROBINSON:** What other  
22                  services were there? You said there were no social  
23                  services. All those services were --

24                  **MS. BECKY MICHELIN:** You had to travel  
25                  outside to get access to any of the help.

1                   **COMMISSIONER QAJAQ ROBINSON:** So  
2           when -- when your parents -- after they died and social  
3           services got involved, it was social services from Goose  
4           Bay?

5                   **MS. BECKY MICHELIN:** Yeah.

6                   **COMMISSIONER QAJAQ ROBINSON:** And -- and why  
7           was it -- how was it decided that you guys would be in care  
8           and would go to these different communities? Was your  
9           family involved at all in that or --

10                  **MS. BECKY MICHELIN:** I'm not really sure how  
11           we ended up where we ended up. I think they wanted to keep  
12           us all together, but my aunt was adamant that she wanted my  
13           brother, so -- so we just went -- after, my grandmother did  
14           take us for a little while, but she had my sister and her  
15           daughter as well, who were -- we were all really close in  
16           age and I can imagine having three young children running  
17           around the same age, so...

18                  **COMMISSIONER QAJAQ ROBINSON:** I've been to  
19           Goose Bay. I haven't been to the other communities in  
20           Nunatsiavut yet, but I have some familiarity with the  
21           history and I know that there were -- a lot of the  
22           communities were relocated and there's quite a history  
23           of -- to the impacts of colonialism and -- and there was  
24           residential schools there and day schools, I think. I  
25           don't remember some of the names.

1                   But can you share with us at all -- sort of  
2                   you said that -- you know, that your family was failed,  
3                   that your father didn't get the help that he needed, that  
4                   your mother didn't get the help that she needed. What was  
5                   the help that you think they needed?

6                   **MS. BECKY MICHELIN:** Well, my mother  
7                   definitely needed the police that day. She definitely  
8                   needed somewhere safe to go. And I assume for my father to  
9                   have done this, he would have had some mental health issues  
10                  that, you know, could have been helped before it got that  
11                  far. I think there was just a lot of -- a lot of things  
12                  that weren't in place that could have been, and I mean, I'm  
13                  not saying it wouldn't have happened if it was there, but  
14                  had the option been there, it might not have, you know, and  
15                  it always -- the wonder is always there.

16                  **COMMISSIONER QAJAQ ROBINSON:** It's been a  
17                  number of years since. Has the situation changed in  
18                  Rigolet since?

19                  **MS. BECKY MICHELIN:** Yeah, they do -- they  
20                  have a police station down there now. They have the -- I  
21                  don't know how to pronounce it -- Kirkina House, so that's  
22                  like a women's shelter. And I'm not sure. I think they  
23                  might be open full time now, but I know that there's one  
24                  there anyways for people to get help, go somewhere safe.

25                  **COMMISSIONER QAJAQ ROBINSON:** And you said

1 when people call 911, there isn't Inuktitut available. For  
2 those that don't know, the Labrador coast is Nunatsiavut,  
3 Inuit territory. So when you call 911 in Nunatsiavut or in  
4 Rigolet, those calls are in the community picked up or how  
5 does that --

6 **MS. BECKY MICHELIN:** No, it's -- I think if  
7 you call 911, you -- I think it calls to Newfoundland and  
8 then they send it to the detachment here, and then they do  
9 whatever they've got to do --

10 **COMMISSIONER QAJAQ ROBINSON:** Okay.

11 **MS. BECKY MICHELIN:** -- but it's all  
12 English.

13 **COMMISSIONER QAJAQ ROBINSON:** Just a couple  
14 more questions. Goose Bay, I understand, is -- is outside  
15 of Inuit territory?

16 **MS. BECKY MICHELIN:** Yeah.

17 **COMMISSIONER QAJAQ ROBINSON:** When you were  
18 put in a -- in the foster home, was that an Inuk family?

19 **MS. BECKY MICHELIN:** Partially --

20 **COMMISSIONER QAJAQ ROBINSON:** Okay.

21 **MS. BECKY MICHELIN:** -- yeah.

22 **COMMISSIONER QAJAQ ROBINSON:** Did you have  
23 exposure to your -- your culture and language through that  
24 time?

25 **MS. BECKY MICHELIN:** Not my language, but I

1 still done some of the things that I would have done in  
2 Rigolet. Like, I still went fishing and --

3 **COMMISSIONER QAJAQ ROBINSON:** Okay.

4 **MS. BECKY MICHELIN:** -- out on the land and  
5 stuff.

6 **COMMISSIONER QAJAQ ROBINSON:** So you were  
7 able to maintain --

8 **MS. BECKY MICHELIN:** Yeah.

9 **COMMISSIONER QAJAQ ROBINSON:** -- some of  
10 that? That's good.

11 I -- I don't have any more questions. Is  
12 there anything else you want to say or add?

13 **MS. BECKY MICHELIN:** I don't think so.

14 **COMMISSIONER QAJAQ ROBINSON:** Okay. I -- I  
15 want to -- we've met before and I know your *anaanatsiaq*,  
16 your grandmother, and -- and I know that you and your  
17 *anaanatsiaq* have been activists on this issue for a long  
18 time and some of your *anaanatsiaq's* work since her daughter  
19 was taken has caused some of these changes, and I just want  
20 to acknowledge that and -- because those acts and fighting  
21 and standing up and speaking out do cause change, do make  
22 change, and I just really wanted to acknowledge that and  
23 acknowledge you and thank you so much.

24 **MS. BECKY MICHELIN:** *Merci*. Thank you.

25 **COMMISSIONER QAJAQ ROBINSON:** Do you have

1 anything based on my questions?

2 **MR. JOSEPH MURDOCH-FLOWERS:** No, no follow-  
3 up. No follow-up other than thank you for your story.  
4 Thank you for being here.

5 **MS. BECKY MICHELIN:** Thank you for the  
6 opportunity to be here to share.

7 **COMMISSIONER QAJAQ ROBINSON:** We have  
8 some -- a couple of gifts for you. I'm going to put the  
9 microphone down because I'd rather talk to you than -- out  
10 there, but I'll explain real quickly.

11 The matriarchs of the Haida Gwaii Nation as  
12 we started our work after Whitehorse and -- wanted to send  
13 their love and give strength to -- to families and  
14 survivors who were taking part in this process, so I have  
15 an eagle feather that they -- I am just the lucky one who  
16 gets to give it to you so that it's from them.

17 And then from us, we have *muna* (ph) or  
18 *supoday* (ph), the wick for the *Qu'liq*. Some of that that  
19 has been gathered, some of it I gathered, some of it our  
20 staff gathered and different people in different  
21 communities across Inuit -- Nunavut have gathered and I  
22 want to give you some of that.

23 **MS. BECKY MICHELIN:** Thank you so much.

24 **MR. JOSEPH MURDOCH-FLOWERS:** Okay. Thank  
25 you. So I would just ask to adjourn to tomorrow.

1                   **COMMISSIONER QAJAQ ROBINSON:** At the end of  
2 the day, we -- we like dim the *Qu'liq*. Like I don't know  
3 what the word is -- put out the flame.

4                   **Exhibits (code: POP04P0203)**

5                   **Exhibit 1:** Electronic folder with images displayed  
6 during the testimony of the witnesses

7 --- Upon recessing at 4:48 p.m.

8 --- Upon reconvening at 9:52 a.m.

9                   **Hearing # 5**

10                   **Witnesses: Georgina Doucette and Joe Michael (In relation**  
11 **to Kate Michael and Tradina Marshall)**

12                   **Heard by Commissioner Qajaq Robinson**

13                   **Commission Counsel: Fanny Wylde**

14                   **Clerk: Christian Rock**

15                   **Registrar: Bryan Zandberg**

16                   **MS. FANNY WYLDE:** Commissioner Robinson, I  
17 would like to introduce you to our first family of today.  
18 We have here Joe Michael and Georgina Doucette. They are  
19 here to share the story of their loved ones, of two Mi'kmaw  
20 women, and with their husband who suddenly disappeared on  
21 March 30, 1936.

22                   **MR. JOE MICHAEL:** 1936?

23                   **MS. FANNY WYLDE:** Yes. So before -- before  
24 they share their --

25                   **MR. JOE MICHAEL:** 1936?

1                   **MS. FANNY WYLDE:** That's what I said, 1936.

2           Yeah --

3                   **MR. JOE MICHAEL:** Not 1938.

4                   **MS. FANNY WYLDE:** -- 1936. So before they  
5           share their story, I'm going to ask Mr. Rock, the  
6           registrar, to please swear in the witnesses. Both of them  
7           will like to give oath with an eagle feather, so the eagle  
8           feather is -- with the Bible too.

9                   **MR. REGISTRAR:** With the Bible?

10           **JOE MICHAEL, SWORN**

11                   **MR. REGISTRAR:** Thank you.

12           **GEORGINA DOUCETTE, AFFIRMED**

13                   **MR. REGISTRAR:** Thank you.

14                   **MS. FANNY WYLDE:** Thank you. So thank you  
15           for being here this morning. We can start with both of  
16           you, if you could introduce yourself and what is your  
17           relation to Noel Marshall, Judina Marshall, Joseph Michael  
18           and Kate Michael? We could start with Joe Mike. We can  
19           start with you.

20                   **MR. JOE MICHAEL:** My name's Joe Michael.  
21           I'm from the community of Shubenacadie, but the original  
22           clan or the original families came from Eakasoni, my  
23           father. The relationship between the -- the missing people  
24           are my grandparents and her sister also was also missing,  
25           my grandmother's sister, so the two women that went missing

1 in March 29, 1936, and I'll continue on later on after.  
2 That's my relationship there, but I have another story,  
3 just Georgina now.

4 **MS. FANNY WYLDE:** So, Georgina, can you  
5 introduce yourself to Commissioner Robinson and just give  
6 us details on what is your relation to the missing loved  
7 ones?

8 **MS. GEORGINA DOUCETTE:** Okay. I'm Georgina  
9 Doucette and Judina and Kate were my aunts, my mother's  
10 sisters, and that's my relationship with the two missing  
11 women, and their husbands were my uncles through marriage,  
12 and I'm here to tell the story. So many years has gone by,  
13 and I think it's time the story surfaced. It's been hidden  
14 too long.

15 This morning when I had -- after I had my  
16 breakfast, I had like a mini-meltdown just thinking about  
17 this inquiry. So many years has passed and through my  
18 lifetime I've always thought, "Will this ever come to  
19 surface? Well there be -- will there be anybody that will  
20 care enough to bring it up?" And I have older sisters in  
21 Maine and they call me and they give me little stories of  
22 what they heard over the years when my -- when they were  
23 young about our aunts and, you know, it's a long wait, but  
24 I'm here. Joe and I, we're cousins and we're here to tell  
25 our story of what -- what little we -- we have learned over

1 the years about our families.

2 I'm hoping that I'll have the strength to go  
3 through this, this morning, because I've been involved in  
4 missing murdered Aboriginal women's quilt-making, so last  
5 year Mount Saint Vincent gave me 21 pieces to do and I'm  
6 working on them as -- as much as I can do. They're not  
7 very big, but my God, the people that come into my home, in  
8 my sewing room, and they tell me their stories of what  
9 happened and I'm there all alone listening, taking it all  
10 in, trying to sew these pieces together and I have no one.  
11 No one is there to help me, you know, because I'm absorbing  
12 everything from all these poor women. They bring their  
13 loved one's pictures to me. I've never taken so long  
14 making 21 quilt pieces, and I've been quilting over 30  
15 years and this just took me down, and this morning I -- I  
16 just couldn't function too well after breakfast. I had to  
17 pray and I smudged and I prayed for strength. I asked the  
18 Creator if you could hold me up another day so I could see  
19 these through and have my aunts and my uncles and our  
20 unborn cousin -- because one of my aunts was eight months  
21 pregnant. This -- oh, I can't even find the words for  
22 this.

23 They were hardworking people. They were out  
24 there bartering with their baskets and flowers and axe  
25 handles and trying to make a living for their children.

1       Between the two families, they left behind 16 children and  
2       most of them ended up in residential school, which they  
3       suffered more, but I always find the Indigenous people of  
4       this country suffer a lot more than the people that landed  
5       here years ago. If only they knew what damage has been  
6       done. I don't know if they'll ever understand, but our  
7       people are very close and we try to help one another even  
8       though we don't always have the tools.

9               I always talk about mental health. I work  
10       with the Eskasoni Health Board and I'm also on ML SN and  
11       now they asked me to join Mi'kmaw Family Services, and the  
12       stories I hear on a daily basis wipes me out, but I think  
13       I'm getting my strength from my Creator and my people in  
14       Eskasoni because when they come to me to talk to me, they  
15       give me strength.

16               And I would like to know who was responsible  
17       for the murder of my aunts and my uncles and put it  
18       all -- put it all together, and if we're lucky enough to  
19       find their remains, bring them home and have a burial. So  
20       with that, I'm going to let Joe talk to you. Thank you for  
21       listening.

22               **MS. FANNY WYLDE:** Thank you, Georgina. So,  
23       Joe, maybe you can give us details on what happened, that  
24       event.

25               **MR. JOE MICHAEL:** I want to thank Georgina

1 over the years that I entered her house and put me up, you  
2 know.

3 So there's more to it. When the gentleman  
4 there -- or the whole thing started here, I had to swear  
5 into an oath to tell the truth. How could I tell the  
6 Commission, yourself or anybody around here that I am  
7 speaking the truth, so I took the eagle feather and the  
8 Bible, both of them, to say that what I word -- my words  
9 will be true. It's gone beyond -- it's hard to describe  
10 that. I'm not here to -- to rose-colour any things. I'm  
11 not here to -- to elaborate on something that -- what  
12 happened.

13 In -- in my career as a Mounted Police, I  
14 spent 28 years doing investigations, and I dealt a lot with  
15 violence with women, men, children. I seen that and it  
16 came to a point where that's enough. I'm -- like Georgina  
17 said, a meltdown, but I had to be strong. I had to be like  
18 a rock, but yet I was an eggshell.

19 The incident that we're talking about this  
20 morning is about my grandparents and my uncle and great-  
21 aunt. I never knew who they were in growing up. Our  
22 parents moved from Eskasoni to Shubie, Shubie to Eskasoni  
23 and so on like that, and my father never spoke of his  
24 parents, so I didn't know. When you're young, it becomes  
25 complacent. You don't know. You just only -- you only see

1       your mother's -- my mother's side of grandparents. But  
2       when we went to Eskasoni, we met this lady that -- and she  
3       was blind and sitting in a corner and -- and my father  
4       would call her Gram, but I thought it was out of respect as  
5       we do. I didn't realize that that was my grandmother's  
6       mother and that -- that didn't click in until I got  
7       involved in -- in this murdered missing women and men.  
8       As -- as a policeman, it -- it never leaves you. It never  
9       leaves you. Your training and your -- and your -- it's  
10      always there with you because it's quite a -- to me it's an  
11      asset.

12                        So what took place after that, the late Greg  
13      Johnston contacted me and he said, "Would you like to help  
14      me?" I said, "What?" He said, "Your grandparents."  
15      Nothing more said after that. I came to Eskasoni to talk  
16      to him and we went over -- we went over 45 or 50 years of  
17      documentation that he had, that he did, and also the late  
18      Charlie Morris -- both of them made a dedication of trying  
19      to find out what happened to my grandparents, my aunt and  
20      uncle.

21                        The story they told was very interesting.  
22      The documents they had, to me, it was a -- it was a puzzle.  
23      They -- they weren't policemen, so they didn't have the  
24      experience or -- or the logistics of investigation, but  
25      they had very important information.

1 I started placing -- putting the pieces  
2 together and I went out to different places, and I  
3 interviewed Elders and I interviewed people, what they  
4 thought. In three and a half years, I -- sometimes I was  
5 chasing my tail, going in a circle, but you had to -- you  
6 know, you had to look at that -- that new information that  
7 comes to light. What happened after that, I -- I just  
8 filtered them out, "No, this is redundant. It's just, you  
9 know, the same thing," so I -- I had a quicker adapt to it,  
10 myself, because I knew what -- what was a fact and what's  
11 just fictional and part of that I need to know -- I need to  
12 know where did my grandmother come from. I need to know  
13 where my grandfather come from. Where did they come from  
14 in order to -- then from there, I took the -- a look at,  
15 okay, these grandparents -- my grandparents made that  
16 journey over to Big Pond several times -- several times.  
17 They made their baskets, their -- they went eeling. They  
18 made (indiscernible), so that was not the first trip they  
19 made over to Big Pond.

20 On March 29, 1936, they left children  
21 behind. You know, my father is one of them on the shores.  
22 They went to sell baskets and at the time of the -- the  
23 baskets was Easter. They were going to sell Easter baskets  
24 and part of the investigation I did is that  
25 monetary -- money was nothing. The concept was -- was the

1 barter system. They would take those baskets and they  
2 would trade bread, flour, clothes or whatever. That was  
3 their barter system because money had no value in here,  
4 like the First Nations here back in 1936. Not too many  
5 First Nations were -- really looked upon going in the  
6 stores. You know, it's just there was lots of -- it's a  
7 harsh word, but it's a true word, racism. Everybody in  
8 this room is prejudice because I don't like drugs. I don't  
9 like people who abuse people. That's prejudice. But  
10 racism is a strong, powerful word. If you're going to use  
11 it, you'd better be correct, and to me that's what happened  
12 in 1936. There was so much racism.

13 So, anyway, and I looked, then we found out  
14 through investigation and stuff like that. I -- I  
15 retracked -- I tracked them, and I literally went on the  
16 shores where they left and I went over to the shores where  
17 they arrived, part of the -- that's what I did.  
18 Like -- like it's almost re-investigating the -- the scene  
19 of a crime.

20 So they left 7:00 in the morning roughly --

21 **MS. FANNY WYLDE:** Joe, can we just take a  
22 step back. They left from where to where exactly --

23 **MR. JOE MICHAEL:** From Eskasoni.

24 **MS. FANNY WYLDE:** Thank you.

25

1                   **MR. JOE MICHAEL:** They left 7:00 in the  
2 morning from Eskasoni, got their baskets and eeling pole  
3 and they were going to Big Pond. That was -- that's  
4 probably not -- but they're rowing and they got four people  
5 in that rowboat. And Georgina mentioned one of them was  
6 eight months pregnant, that was my grandmother. She was  
7 pregnant. So they kind of -- they went across the  
8 Bras d'Or Lake and then they arrived on the other side, but  
9 the story of the missing family member stopped there. What  
10 happened? Did they go into some kind of a time dimension?  
11 Did they -- did they -- they disappeared. There was  
12 nothing more. All they seen was four couples going across  
13 Bras d'Or Lake and that was it.

14                   It was not until -- so the -- our searches,  
15 the Mi'kmaw searches, they were good in water. They were  
16 good on land. These -- these individuals, they lived off  
17 land, our people, as your -- your family members did. They  
18 survived. They were survivors, but all of the communities  
19 went out and searched the -- the waters and --

20                   **MS. FANNY WYLDE:** Besides the community that  
21 went to look for the family, was there any law enforcement  
22 that were looking for them?

23                   **MR. JOE MICHAEL:** At the time when  
24 they -- when they searched, they -- there was nobody else  
25 involved. People knew that they were missing. The

1 enforcement side of it was -- was never involved.

2 **COMMISSIONER QAJAQ ROBINSON:** Were there  
3 police in the region?

4 **MR. JOE MICHAEL:** Oh, yeah.

5 **COMMISSIONER QAJAQ ROBINSON:** RCMP or --

6 **MR. JOE MICHAEL:** Yeah. In 1936, you got to  
7 look at it too. I -- I look at it too. In 1936, there  
8 might have been one or two posted here, but now, 2017, they  
9 got about 20 or 30 people posted in one area, so I -- I  
10 took that into consideration in part of the -- well, what  
11 happened.

12 I -- I went back to 1936, that's what I did.  
13 So, anyway, there was no police involved. There was  
14 no -- no Aboriginal searches. It was just all Aboriginal  
15 Mi'kmaq. They scoured the water. They searched the land  
16 and they found out -- they found where they arrived on the  
17 shores, not far -- not far from where -- where they went to  
18 a couple's house that they visited all the time and it  
19 wasn't until much later -- much later, 25/30 years later,  
20 that that same individual said, "Those people that went in  
21 Bras d'Or Lake didn't drown. They didn't drown. They had  
22 tea at my house at 11:00," time -- time factor. Those are  
23 all documented. So at ten -- at 11:00, they had tea as  
24 part of the traditional and -- and they -- and they left  
25 and they had a prearranged location where they were going

1 to go and -- and meet after the women settled -- sold their  
2 baskets in barter and the men went eeling. That  
3 was -- that was the arrangement.

4 Still missing. What happened? So in  
5 my -- my investigation -- I called it an investigation  
6 because I looked into it. So I -- I found out that  
7 they -- they did meet back not far from where we -- that  
8 location where we -- Georgina and the whole community, we  
9 did a ceremony and bringing the spirits back and it was  
10 documented in -- in the news, stuff like that, but  
11 that's -- that's where they camped. That's where they were  
12 camping and it was probably too late to cross the Bras d'Or  
13 Lake, so they -- you know, like I said, they could survive  
14 anywhere.

15 So while they were there -- and I'm not  
16 going to sugar-coat this, okay -- they had some what you  
17 call sappier (ph), some homemade brew or whatever. That's  
18 the evidence I gathered. So, anyway, they were drinking  
19 and stuff like that, but not intoxicated, but that's in  
20 1936. So -- so an individual came down, confronted them.  
21 He got -- he sort of got -- wants to fight and he went back  
22 to his house and he came back with a rifle -- gun  
23 and -- and shot them. The women took off. He shot the  
24 women. They put them in one massive grave, put all four  
25 people, and they made a fire. Why they made -- you know,



1 have been solved -- could have been solved.

2 **MS. FANNY WYLDE:** In 1964?

3 **MR. JOE MICHAEL:** 1964. The chief, the late  
4 Chief Charlie Francis, was approached by individuals to  
5 tell him that this is the information they received and  
6 they all spoke Mi'kmaw, so there was no misunderstanding,  
7 no -- you know, no whatever. There was no  
8 misunderstanding. That information was taken to the -- the  
9 police. And I even thought about it. Was it a language  
10 problem? Was it a culture problem or was it, "I don't want  
11 to be bothered with it"? I don't know.

12 So when they went to the police in Sydney,  
13 the -- the RCMP had had jurisdiction, they -- they didn't  
14 look into the information that they -- they had.

15 **MS. FANNY WYLDE:** And what kind of  
16 information did they have; do you know?

17 **MR. JOE MICHAEL:** Oh, yes. In -- in 1964,  
18 there was a woman that was in the hospital that was  
19 suffering -- well, today it would be stress or whatever,  
20 but there was another lady in hospital that the  
21 late -- she's passed away now, but they got a medical  
22 release form, the information, but that was the late  
23 Allison (ph) Bernard's mother spoke to this individual in  
24 hospital and this lady approached her and said, "I've got  
25 something -- I've got something to get off my chest, like

1 I've got to talk to somebody," and she said, "Are you from  
2 Eskasoni?" She said, "No, I'm from We'koqma'q, but -- now,  
3 I married a man in Eskasoni," and she said, "Okay, I'll  
4 tell you what happened. My husband killed those people and  
5 burned their bodies," and, wow, you know, like,  
6 here -- here's the testimony even though it's second-hand,  
7 but to me that's a statement, the same as what you're  
8 writing down. It's a statement that was live, verbal, so  
9 that information -- that's where the information came from  
10 in 1964, that (indiscernible), the -- the late Mrs.  
11 Bernard. Anyway, she -- she relayed that information  
12 to -- to the Michael family and the Marshalls and Francis,  
13 the chief.

14 So, anyway, I -- I went to the Sydney  
15 hospital to -- to get that because I had the consent form.

16 **MS. FANNY WYLDE:** Just before, Joe -- I'm  
17 sorry. So when the chief took that information to the law  
18 enforcement, to the police officers, what happened then?

19 **MR. JOE MICHAEL:** When -- when the chief  
20 went to the law enforcement, they didn't -- they didn't  
21 look into it and they -- they just didn't do it. They  
22 didn't do nothing. They --

23 **COMMISSIONER QAJAQ ROBINSON:** They didn't  
24 talk to Ms. Bernard's mother?

25 **MR. JOE MICHAEL:** Nobody. They

1 didn't -- they didn't do no investigation at all and  
2 sometimes the -- the word back then would be -- it would be  
3 like something -- they -- they didn't -- they said they  
4 had -- had enough information or whatever. They  
5 have -- that's what -- the question is this. Why? Why did  
6 they not go and -- and look -- talk to Mrs. Bernard? In  
7 1964, 95 percent of those witnesses that they could have  
8 interviewed were still alive, 94 percent of them -- 95.

9 **MS. FANNY WYLDE:** And were they interviewed  
10 by --

11 **MR. JOE MICHAEL:** No --

12 **MS. FANNY WYLDE:** -- the police forces?

13 **MR. JOE MICHAEL:** -- none of them was  
14 interviewed. None of them was never interviewed by the  
15 police, but the police didn't -- didn't look into it at  
16 all.

17 **MS. FANNY WYLDE:** And, Joe, can we please  
18 take a few steps back? When you -- when you did your own  
19 investigation and found out that one man went to see the  
20 family in their camp and went back to his house and shot  
21 the family when he got out, where did you get that  
22 information from?

23 **MR. JOE MICHAEL:** I got that from the --  
24 his -- his wife.

25 **COMMISSIONER QAJAQ ROBINSON:** What the wife

1 had told Mrs. Bernard's mother?

2 **MR. JOE MICHAEL:** Yeah, yeah.

3 **COMMISSIONER QAJAQ ROBINSON:** Okay.

4 **MR. JOE MICHAEL:** So, you know,  
5 these -- these are live testimonies that -- they're  
6 horrible, sure, but they're -- they're true. It's the same  
7 as like I spoke -- like when I -- with that Bible and the  
8 eagle feather. It's the truth. It's not fabricated or  
9 anything like that. It's the truth. I'm convinced without  
10 a doubt what happened that day.

11 **MS. FANNY WYLDE:** And, Joe, I remember you  
12 shared that the father, as -- as they were searching for  
13 the family, went to Big Pond and was looking for  
14 information. Can you tell the Commissioner what happened  
15 to the father as he was looking for the family?

16 **MR. JOE MICHAEL:** When John -- when John  
17 heard, he went -- was concerned for his daughters and  
18 there's no vehicles, so he walked around to the Big Pond  
19 to -- to see what happened.

20 When he got over to Big Pond, he was  
21 confronted by an individual and he was told to, "Go back to  
22 your reserve. Don't look for those people," or he -- he  
23 made a threat to them, to John Herney. It would be my  
24 great-great-grandfather. Made a threat to them and said,  
25 you know, to, "Get back on your -- your reserve and

1 don't -- don't bother coming back here and looking for  
2 those people," you know, and the guys never said they were  
3 dead. He said, "Don't come back looking for," so he was  
4 threatened. The relationship back then was like he, you  
5 know, looked upon -- the Aboriginal people back then, there  
6 was fear. They -- they were afraid of non-Indigenous [sic]  
7 people, the white people or whatever because they -- they  
8 were very dominant and our people were very easygoing, you  
9 know, like, you know, it was a community thing. Everybody  
10 looked after themselves. So when he was told to get out of  
11 there, that was it, you know.

12 I kind of suspect (indiscernible) grounds,  
13 that was the murderer that he confronted or he was  
14 confronted by the -- that was the individual that -- that  
15 killed my grandparents and the two men [sic].

16 But the relationship back then, it wasn't  
17 very good and it's -- and when I sat down in the sweat  
18 lodge or a pipe ceremony or a smudging, I looked -- I  
19 looked upon all that information. I went back to Greg,  
20 "I'll be there Saturday." He passed away Friday before I  
21 was going to go up, cancer, and I didn't have the chance.  
22 Give me a minute.

23 **MS. FANNY WYLDE:** Maybe, Georgina, maybe you  
24 could tell us about --

25 **MS. GEORGINA DOUCETTE:** No.



1 call him. These are the Elders that were around and I told  
2 him what happened.

3 And finally I went to this Elder, Sylliboy  
4 Popo (ph) (indiscernible) Denny, was the last surviving  
5 witness. I went to him, and I told him what happened. All  
6 he said, "I knew they were murdered," confirmed. All I did  
7 was -- all he did was confirm what I did and -- and I  
8 confirmed what he was talking about, so he was right, so  
9 that's -- that's basically what happened. You know,  
10 they -- they were murdered.

11 And the biggest thing that I find very  
12 disheartened or saddened, the police never did anything.  
13 When I did -- I went to the -- the Mounted Police. I had a  
14 36-page report to present to them. I knew the lingo. I  
15 knew the -- the procedure. They went -- they're -- you  
16 know, it was -- I don't know. After -- after a while, I  
17 found it was a soother effect, "Here." I was like a child,  
18 "Here. Here's -- here's" --

19 **COMMISSIONER QAJAQ ROBINSON:** A pacifier?

20 **MR. JOE MICHAEL:** Yeah, to keep you quiet.  
21 So they went up there with what they call cadaver dogs,  
22 searching where they -- where the bodies were.

23 **MS. FANNY WYLDE:** And what year was that,  
24 Joe, when you went to show your 32 -- 32-page [sic]  
25 of -- report?

1                   **MR. JOE MICHAEL:** Well, they -- they took it  
2                   and they read it and then they said they're going to assign  
3                   the Major Crime Unit.

4                   **MS. FANNY WYLDE:** And when was that exactly?

5                   **MR. JOE MICHAEL:** That was last year. So,  
6                   anyway, they -- and I felt -- when they brought the dogs  
7                   out and they're searching and -- it was like -- it was just  
8                   like, "Well, what do you want to know?" Go there, search  
9                   there, search there, whatever, and they -- and they -- it  
10                  was just -- it was -- I don't know. It just -- I didn't  
11                  feel -- there was nothing there. They were just there  
12                  because they wanted to satisfy me to search with a dog, but  
13                  they didn't use no other means of equipment like -- like  
14                  you can search on the depth in the -- the ground and stuff  
15                  like that. They had a sonar up in Chapel Island on the  
16                  reserve at the mission. They found bodies in a road at six  
17                  feet and they -- and they took this machine that -- and  
18                  they found about 12 -- about 12 bodies in -- in 12  
19                  different coffins six feet under.

20                  The ones in Big Pond, my grandparents and my  
21                  aunt and uncle, are not even close to that. They're  
22                  probably only about a foot, a foot and a half in the ground  
23                  and -- and covered with rock. That same instrument could  
24                  have -- could have been used. I even made the comment,  
25                  "Well, how come you're not using that?" "Oh, no, they'll

1 use a big pole and they poke a hole in the ground and  
2 the -- the" -- that's almost like buying a ticket. You put  
3 a hole in the ground and you've got to hit that right on.  
4 You've got to be perfect. If it doesn't work, you could be  
5 three inches away from the -- from the decayed body or  
6 bones or the -- or the gases. You could be that close.  
7 But with that instrument that they use, I would be -- I  
8 think we would have a disclosure right there, Georgina, I  
9 now (indiscernible). It would have a disclosure of those  
10 bodies. We know what happened and we know the spirits came  
11 back to Eskasoni and we -- we released them, but to have  
12 that tangible thing, the bones, it may not be much, but  
13 with the DNA -- but with the DNA -- but with the DNA that  
14 we -- we have just today, it's awesome. So that's --  
15 that's where it stays.

16 **MS. FANNY WYLDE:** So what was the reason why  
17 they didn't use that sonar thing that you suggested? What  
18 did -- what did they responded [sic] to your suggestion?

19 **MR. JOE MICHAEL:** I can't answer that.  
20 There was no response, but I made -- I made a suggestion to  
21 them and they -- it was unheard or they didn't want to  
22 answer or they didn't want to nothing.

23 **MS. FANNY WYLDE:** So you mentioned that you  
24 brought the spirits back. Can you give details to the  
25 Commissioner about that? What did the family and the

1 community do for the missing loved ones?

2 **MR. JOE MICHAEL:** Well, I think I'll let  
3 Georgina answer this one.

4 **MS. FANNY WYLDE:** Okay. Georgina? Do you  
5 feel comfortable to share with Commissioner Robinson what  
6 are the things that you did to bring back the -- the  
7 spirits to the community?

8 **MS. GEORGINA DOUCETTE:** Well, we went across  
9 to Big Pond and we had a ceremony on the shore and we  
10 carried five pairs of moccasins, one for each member. We  
11 even had the baby's moccasins with us.

12 And after the ceremony, we -- we had, we  
13 offered tobacco to the water and prayed and smudged and we  
14 asked the spirits to come with us, that we were taking them  
15 home. It was very emotional for all of us because it took  
16 us that long to do this and we did bring them home. Joe  
17 set up -- he made wooden crosses for the shoreline where  
18 they left in 1936. He put up crosses there and they were  
19 wrapped in purple for healing.

20 We got through the ceremony and then we went  
21 to the church and we gave out the moccasins to each family  
22 members. Joe took a pair. I took a pair and other family  
23 members, the Marshall family, and Joe asked us to take  
24 those moccasins and bury them on top of loved ones who  
25 passed away years ago, so one of the women, Mary Jane

1 Sanipass, I gave her a pair of moccasins and I asked her if  
2 she could bury them on top of her mother's grave because  
3 her mother was the daughter of one of my aunts. She was  
4 very emotional. And everything that we asked them to do  
5 was carried. That was the best way we know how to honour  
6 them and bring them home, but I was so overwhelmed that it  
7 took us that long to do something like that, and I do give  
8 a lot of credit to Joe, Gregory Johnston, Charlie Morris  
9 for all the help that they -- for all the research that got  
10 done in 40 -- 45 to 50 years. That's a lot of work.

11 And at times over the last -- when we  
12 started this, over the last few years, each time we -- Joe  
13 would tell us something new that was in the report that  
14 Greg did, you know, we've always known in our hearts that  
15 they didn't drown and that they were murdered.

16 And one of my first cousins, Bridgette  
17 Marshall, was -- her mother was Judina, and she used to ask  
18 me about 20 years ago -- she says, "Georgina, you speak  
19 pretty good English." She said, "Why don't you talk to CBC  
20 and bring up this story?" so I did it twice, and it never  
21 went anywhere.

22 But I'll tell you another story about this  
23 young woman that went to CBU and she did a write-up of how  
24 our aunts and uncles, Joe's grandparents -- she did a  
25 write-up and she put it out there and she got threatened

1 because she was married to a -- a white person from East  
2 Bay and whoever threatened her, threatened to go to her  
3 home and harm her family, so this young woman moved back to  
4 Eskasoni, took her children and left, left her home in East  
5 Bay, Northside East Bay, so I'm pretty sure there's  
6 somebody out there that knows the whole story. And when  
7 you start rattling cages, people will, you know, attack and  
8 I think this young woman was too close for comfort because  
9 of her -- her paper.

10 I never got to talk to her about it fully.  
11 She just told me the story of -- of her paper and why she  
12 had to move out of East Bay. Maybe that would be a good  
13 thing to do, to add on more to our story because there's  
14 somebody out there that knows, you know, still has -- carry  
15 that story in their hearts, their minds for a long time.

16 And one time there was a lab technician that  
17 used to come to Eskasoni doing blood work, and one morning,  
18 I got a call from the receptionist at the Hill Centre. She  
19 said, "Do you want to come down to the Hill Centre?" I  
20 said, "What for? Is there a meeting?" She said, "No, the  
21 lab technician has brought a basket in and she wants to get  
22 a hold of the Marshalls and the Michaels and all the Herney  
23 descendants of John Herney." She said, "Come on down. She  
24 brought a basket. It's here. She wants you and your  
25 family members to look at it," so we did that.

1           I went down with Mike Marshall, my cousin,  
2           and I think Bridgette and her daughters went down. We  
3           looked at the basket. The story this technician told us,  
4           that her father-in-law found that basket in the water years  
5           and years ago and he kept it in his house and he  
6           told -- that was his daughter-in-law, that was the  
7           technician. He told her that it was after the  
8           disappearance of -- of our family members when he found  
9           this basket, so I guess he was trying to say they drown. I  
10          don't think they drown. We all know other -- you know, a  
11          different -- we know the difference. We know what happened  
12          because eventually if they did drown, they would have  
13          floated up eventually, but that didn't happen.

14                 So I got this woman's name. I just got it  
15          recently, and I was kind of hoping maybe I can speak to her  
16          and find out what she did with that basket.

17                 So my cousin, Mike Marshall, he held the  
18          basket. I didn't dare to touch it. I was so overwhelmed.  
19          I just looked at it. I said, "Maybe that is one of my  
20          aunt's baskets," but my cousin, Mike, touched it. He said  
21          when he did, he got chills all over his body, so I'm sure  
22          as I sit here, their spirits are out there.

23                 We need to put a closure. We need the truth  
24          to be said loud and clear that our people didn't die in  
25          vain, that we as descendants will try to get answers

1 because there's younger generations that only hear a little  
2 bit of what went on, and I think all of Mi'kmaq Nation  
3 deserves to know. It's just not our families that went  
4 missing. There are a lot of people out there and, like I  
5 said earlier, I hear a lot of stories in there. We need to  
6 do something. We need to find out what we could do to  
7 help.

8 It's a Canadian problem, people. It's not a  
9 Mi'kmaq Nation problem. It all lands at our feet, each and  
10 every one of us. We are on this planet and we are  
11 responsible to what happens to each and every one of us.  
12 If we have any love and care and respect and honour for  
13 each and every one of us here on Mother Earth, we'd better  
14 get some answers soon and we'd better stand up and take  
15 control of what goes on this planet, what goes on, not only  
16 protect our people, but also protect the land and the  
17 earth, Mother Earth, the land we live on, we depend on.  
18 It's bad enough we abuse each other. Now, we're abusing  
19 the land.

20 For me, I'm getting on, and I would like to  
21 see closure for my family and other family members, and I'm  
22 going to drop it on your lap. Help us out. Thank you.

23 **MR. JOE MICHAEL:** The thing that Georgina  
24 was talking about, to me is about culture, traditional --  
25 traditional values, family -- family ties.

1 I'm looking at that boat there. The  
2 individual -- when the Mi'kmaqs go out there on the waters,  
3 they know that they're looking for the bodies, but that  
4 boat was brand new, my information was. It was a keeper.  
5 But if he ever got caught with it, then all hell would have  
6 broke lose. You're guilty. So he took that boat and he  
7 moved it down to -- about a mile down shore near Ben Eoin  
8 and -- and the boat -- now, this is evidence there. The  
9 boat was -- the bottom of it was cut with an axe, like  
10 downward, not -- not from the bottom of the boat, but  
11 downward. And they took the eeling pole and they tied a  
12 woman's scarf on there. That is not a Mi'kmaw distress  
13 signal. That is a European -- for a mariner signal, you  
14 tie it there. That's not Mi'kmaw. And -- and there was a  
15 woman's scarf on there.

16 **COMMISSIONER QAJAQ ROBINSON:** Is that how  
17 their boat was found?

18 **MR. JOE MICHAEL:** Yeah, yeah. And -- and  
19 the -- when the boat was found, the -- you know, it was  
20 placed there by an individual and the individual that put  
21 it there was the murderer, so it -- it wasn't talked about,  
22 this eeling pole with a scarf on there. He didn't know  
23 the -- the culture. He didn't know our ways. It's just  
24 like in the far north, they pile the rocks up, "We were  
25 here," and some people will take a mark on the tree this

1 way. Our people have a different meaning to say that we're  
2 here or whatever. They will leave a campsite. They won't  
3 tear it down. They'll leave it for somebody else, share.

4 What I find in this whole Commission -- and  
5 I'm going to make a statement right now. And each province  
6 has law enforcement, whether it be federal or municipality,  
7 the cities and towns, the counties, the RCMP, whatever, OPP  
8 or whatever. Each province should have a specialized unit  
9 of First Nations. If I went up north, I wouldn't know too  
10 much about the -- the customs of the Inuit or -- or the  
11 people of the land. I only could do that because of what I  
12 think it is, but what I think could be wrong, and the same  
13 thing in Mi'kmaq territory. Some kind of a specialized  
14 section that -- that's carefully selected to investigate  
15 these missing and murdered people. Have them trained by  
16 experienced -- to me, I have 28 years of service, you know.  
17 Could I offer my service? Oh, damn right I would. I would  
18 pick the best, not because they're good -- they're good on  
19 paper, but I would pick -- I would really pick the best in  
20 the -- for the Mi'kmaq, say, "Look, this is what we're  
21 looking for. This is the criteria," instead of somebody  
22 saying, "I have Aboriginal ancestors," and all of a sudden  
23 they're there. That's not what -- that's not what this  
24 whole thing is all about. It's finding out the truth. How  
25 can we find our people, whether they be missing, murdered

1 or anything? This specialized section could go in a  
2 different province, Newfoundland, PEI, you know, or if  
3 they're on Mi'kmaq territory, then they could cover those  
4 things, and -- and also up in different areas.

5 I found a very interesting culture, your  
6 culture. I found it very interesting. I learned more  
7 and -- and it kind of -- I got obsessed with it. I really  
8 like it, family orientated. I really like that culture.  
9 As a matter of fact, some of them moved in Shubie.

10 **MS. FANNY WYLDE:** Can I ask a question about  
11 this police taskforce or these specialized units? When you  
12 talk about this, is it something that is specific to the  
13 issue of missing and murdered Indigenous, that this is a  
14 taskforce that should do this work specifically or just  
15 generally that that's how policing should be done?

16 **MR. JOE MICHAEL:** No, no, policing -- this  
17 is a different avenue. The policing is -- is part  
18 of -- you know, it probably will start for the policing.  
19 Look, you know, Jane is missing or John Doe is missing or  
20 whatever. Then that's -- they'll do their own  
21 investigation, like, you know, like whatever, but at some  
22 point in -- in time, they will get involved. It's like a  
23 Major Crime Unit. They do --

24 **MS. FANNY WYLDE:** So a Major Crimes Unit  
25 type that specializes in --

1                   **MR. JOE MICHAEL:** First Nations or like  
2                   they -- they could get details. And they're -- and they're  
3                   closer to the families when it comes with information  
4                   instead of, "Oh, sorry, we got nothing new right now," and  
5                   all of a sudden they're brushed aside. And the same thing  
6                   what happened to -- in 1964, when -- when the late great  
7                   Charlie Francis went to the police, he was brushed aside.  
8                   This unit would -- would be nice.

9                   **COMMISSIONER QAJAQ ROBINSON:** M'hm.

10                  **MS. FANNY WYLDE:** Joe, I think I would have  
11                  a final question. Why do you think there was never any  
12                  investigation regarding that story?

13                  **COMMISSIONER QAJAQ ROBINSON:** That was my  
14                  exact question. *Merci.*

15                  **MR. JOE MICHAEL:** Which one, 1964?

16                  **COMMISSIONER QAJAQ ROBINSON:** Yeah, why in  
17                  1964 --

18                  **MS. FANNY WYLDE:** In 1936 and 1964, and then  
19                  again in 2015 when you went to see the police enforcement,  
20                  why do you think there was never any investigation nor  
21                  interest in that story?

22                  **MR. JOE MICHAEL:** 1936 and 1964 are a copy,  
23                  both a copy of each one, "No, sorry, we can't do it."  
24                  1936, "I ain't even bothering going out there." This is  
25                  the mentality of the police, you know. "Oh, they drown,"

1 and -- and that's all. When -- when they said, "Oh, they  
2 drown," that's what -- and that never came from a First  
3 Nation. That came from a non-Aboriginal that said, "Oh,  
4 they drown." Maybe the person that was responsible told  
5 them they drown. That's a little piece on -- on the Cape  
6 Breton Post, "Four Couples Drown at Bras d'Or Lake," that  
7 was it.

8 And when -- and when the -- or when I went  
9 there, they kind of treated me with kid gloves. They knew  
10 I knew the lingo. They knew that I was sort of -- part of  
11 their family and they knew that they weren't trying to help  
12 me, but --

13 **MS. FANNY WYLDE:** But why do you think there  
14 was no investigation?

15 **MR. JOE MICHAEL:** One second. Excuse me.  
16 Excuse me.

17 **COMMISSIONER QAJAQ ROBINSON:** We can take  
18 a --

19 **MS. FANNY WYLDE:** Can -- can we have a  
20 recess of five minutes, please?

21 **COMMISSIONER QAJAQ ROBINSON:** Yeah,  
22 absolutely.

23 **MS. FANNY WYLDE:** Thank you. We'll take a  
24 five-minute break.

25 --- Upon recessing at 10:55 a.m.

1 --- Upon reconvening at 11:06 a.m.

2 **COMMISSIONER QAJAQ ROBINSON:** Fanny, the  
3 last question was about in 1936 and 1964, you said, you  
4 know, that really no investigations were done. Why do you  
5 think that is?

6 **MR. JOE MICHAEL:** I -- I really think they  
7 didn't care. They have no (indiscernible) of -- "So what?"  
8 so to speak, "So what?" They didn't really -- had any  
9 emotions. They didn't have no feelings. I can't say they  
10 were hardcore -- well, kind of they're hardcore, but they  
11 didn't know about culture. They didn't know about the  
12 effects that -- they just didn't understand our people.  
13 They -- I can't say there was no love. I'm just saying  
14 there was no respect for -- for our first people and that  
15 goes across Canada.

16 Now, there in 1964 is the same -- basically  
17 the same thing, but our people were starting to speak their  
18 language, the English, and probably when they started  
19 speaking English, there was a culture difference, so  
20 that -- that played a part even though we spoke -- they  
21 spoke English, they could get along with it, but the main  
22 thing was their -- their train of thought was Mi'kmaw, so  
23 that happened in 1964. Again, there was just no concern.  
24 It's like -- it's almost like again repeated 1936, "So  
25 what?" you know. "We don't have enough information," but

1           then -- and in -- when I get my timeframe, when I went to  
2           the -- the police, there was an individual -- I'll be  
3           honest with you. There was an individual in the RCMP, a  
4           lady, and she was ranked pretty good. I think she was a  
5           lovely woman. Her heart was there. Her understanding of  
6           culture developed. She took that time and she was Chief  
7           Superintendent. Can I use her name? Can I say her name?

8                           **MS. FANNY WYLDE:** Yeah.

9                           **MS. GEORGINA DOUCETTE:** Her -- her name is  
10          Marlene Snowman. She took the time to understand what is  
11          the culture of Mi'kmaq. She took the time to go and visit  
12          you instead of saying, "Well, I'll see you at 10:00 and at  
13          10:15 we're done. Oh, I've got a meeting to go to." She  
14          came to my house. She even came to a place where  
15          we -- where I had a gathering for the Elders. She  
16          took -- she understood culture and understood Mi'kmaq.

17                         Now, an individual like that is a godsend.  
18          It's something that, wow, you know, if -- if that  
19          individual -- if there's individuals out there, they're out  
20          there, but they have to be trained and they have to  
21          understand our culture a little bit more or the cultures up  
22          north or any Ojibway, and I can't even pronounce it --

23                         **MS. FANNY WYLDE:** Inuktitut.

24                         **MR. JOE MICHAEL:** -- Inuktitut, the culture  
25          there -- from there.

1                   So when -- when I went there, she -- she  
2                   took the -- basically, she took the bull by the horn and  
3                   said, "Hey, I want you -- this is what you're going to be  
4                   doing," and this is what the -- this is how the cadaver dog  
5                   got -- cadaver dogs got involved. But when she passed on  
6                   that information to the -- to the people that were looking  
7                   after the dog and -- and whatever and -- and there was  
8                   another guy that was -- that's where it became -- I said  
9                   earlier, it came -- it became a soother effect.

10                   Now, what they put on the report, they never  
11                   said. They never -- they never contacted me or whatever.  
12                   It didn't matter to me anyway because I was there, but  
13                   that's where a soother effect come. Do -- do those members  
14                   really care? They knew me because I worked alongside of  
15                   them and I worked in different things with them.  
16                   They -- they were more respectful for Joe Michael as an ex-  
17                   RCMP, but how respectful would they be if it was Georgina,  
18                   you know, so it -- it would be like, "Okay, well, it's just  
19                   Georgina, you know. We'll just -- you know, we'll look  
20                   into it," or, "We've got no information, but we're" -- I  
21                   had -- I don't know. I can't say it was a pole, but they  
22                   better have their ducks lined up when they're dealing with  
23                   me, you know, because I -- I would have -- you know, I knew  
24                   what to expect.

25                   But it boils down to, in any police, from

1 Nova Scotia, tip of BC, tip to Inuktitut, yeah,  
2 Inuktitut -- you know what I mean -- you know what I mean.  
3 So even -- even in Alberta, Ontario, they -- they have to  
4 have a little compassion for our people. They have to have  
5 some kind of understanding. Don't use that soother effect  
6 across Canada. As Georgina said, it's like what this  
7 blanket is. It's -- it's before your feet with all the  
8 culture and it's like that lovely lady, Marlene Snowman.  
9 She took that time to say, "Hey," you know, but it took  
10 somebody from a higher rank for -- to -- to take effect and  
11 as a mere somebody in a clog [sic] in a wheel, all he does  
12 is spins and spin and spin and, "I get through this and I'm  
13 going to retire," and that's it. I never retired, I don't  
14 think, from the police, you know. But there's -- there's  
15 no understanding. There's no -- I don't know. I can't  
16 even say -- I shouldn't even use the word love,  
17 but -- love -- it's respect. There's no respect for  
18 culture.

19 And when this came out, when my grandparents  
20 were missing, in -- in the *Cape Breton Post*, I was  
21 contacted by a family and -- and they said, "Can you  
22 investigate about our missing -- our murdered -- an  
23 individual?" I -- I didn't want to talk to them on the  
24 phone, but they phoned me. I didn't want -- because it  
25 was -- to me, it wasn't personal. I said, "Where do you

1 live at?" They -- they told me where and I said, "I'll be  
2 there in an hour."

3 I just happened to be in Sydney and so I  
4 went and talked to them. They kind of knew a little bit  
5 about culture and they said -- they offered me tea and I  
6 drank tea and -- and they told me about their loved one,  
7 murdered. I -- I just let them go. I let them -- I let  
8 them vent, you know, and then I had to tell them that I'm  
9 not an investigator, a private investigator. "Well, can't  
10 you get -- can't you get a licence?" I said, "Oh, I can  
11 get a licence," but I had to tell them that there's more to  
12 it than -- than what their request was, to knock on doors  
13 and stuff like that, because I -- I kept telling them -- I  
14 had to repeat myself several times that I'm not a private  
15 investigator. I don't have the legality -- the  
16 legal -- legal background to protect me if something  
17 happens, you know, and for me to go and get a private -- a  
18 private investigator, I'm -- I'm looking at a high cost and  
19 they're not going to cover it and I don't --

20 **MS. FANNY WYLDE:** That happened after you  
21 retired?

22 **MR. JOE MICHAEL:** Yeah, it happened after I  
23 retired and this happened after when they -- it was last  
24 year this happened.

25 Then some other people kind of said,

1 "Look" -- something else happened, and I'm telling them I'm  
2 not a private investigator. If I find out something and I  
3 kind of like hold it back, I told them that I -- I could  
4 be -- I could be charged for obstruction or whatever, but  
5 the common person at that level, without no knowledge of  
6 the legality of it, they didn't (indiscernible)  
7 obstruction. "We want the truth." They're right. They  
8 want the truth. Unfortunately, I'm not in a position  
9 to -- to give them the truth because I'm -- I'm not a peace  
10 officer. I don't have a badge and I -- I did that for 28  
11 years. Do I want -- you know. It's like one of  
12 those -- it's like one of those TV series, like "Matlock,"  
13 or somebody. You know, I'm not that. I'm better than  
14 that, you know, because I'm not an actor. I'm a real  
15 person. You know, I don't have an hour to solve a case.  
16 It would take a while, but that section I'm telling you  
17 about on division ever gets off the ground, ever gets  
18 foundation, that's when -- that's when things start to  
19 happen for our people.

20 **MS. FANNY WYLDE:** Thank you, Joe. I think I  
21 would like to ask Georgina if she has any recommendations  
22 to give to the Commission.

23 **MS. GEORGINA DOUCETTE:** I would like to see  
24 a lot of mental health coming to our communities. There  
25 are a lot of women and young men out there that are

1 streets -- that are on the streets. And addictions, they  
2 have a lot of addictions. I spoke to the chiefs about  
3 three -- three weeks ago about getting better mental health  
4 for our communities, so nobody responded. They all looked  
5 at me. And it's not going to get better. Each and every  
6 one of us have to step up and help.

7 And I know the funding is hard. I hear that  
8 because I'm -- I'm on the health board, but all the  
9 resource money that Canadian government hangs onto for  
10 our -- for our Nation, they should release it. I think  
11 it's high time, you know.

12 **COMMISSIONER QAJAQ ROBINSON:** And where  
13 should they put the money --

14 **MS. GEORGINA DOUCETTE:** Where it's  
15 needed -- where it's needed, you know. Education is a  
16 priority, mental health, to be self-sufficient. There's a  
17 lot of young people out there. They graduate grade 12 and  
18 then they're stuck because they're afraid to venture out  
19 because of racism and here it goes again. You know, I'm  
20 going to keep saying it until it doesn't hurt anymore.

21 I went through residential school and, my  
22 God, I had one hell of a time, but I'm recovering slowly  
23 and I get all my energy and support when I try to help the  
24 younger generation so they don't have to suffer the way I  
25 did and mental health, education, better health, more money

1 from the government for our Indigenous people because  
2 there's no need for anybody in this country to be  
3 suffering.

4 When the Europeans came over, guess who was  
5 there? The Mi'kmaq fed them, sheltered them, helped them.  
6 What did we get in return? A lot of misery. And I don't  
7 want to go in my grave knowing that I didn't speak up when  
8 I could have. I have so much bad experience and this is  
9 what's coming out of me now. What I'm doing now is part of  
10 my healing and I'll be damned if anybody is going to keep  
11 me down. There's a residential school survivor, Sister  
12 Dorothy Moore. Hats off to you, Sister. We came a long  
13 ways, but my recommendations will be for all the Mi'kmaq  
14 Nation to have good education and to have good support,  
15 mentally, physically and spiritually, and for all of us to  
16 be proud of who we are without any backlash from  
17 the -- from the white people.

18 And for years we suffered. Time to end it.  
19 Time to end it, Canada. Stand up, take responsibility.  
20 I'm trying. *Wela'liog.*

21 **MS. FANNY WYLDE:** Thank you, Georgina and  
22 Joe. I will now leave to Commissioner Robinson if she has  
23 any final questions or comments.

24 **COMMISSIONER QAJAQ ROBINSON:** I have a habit  
25 of doing this. I ask my questions as we were talking, so I

1 don't have a lot of questions. I do want to express my  
2 gratitude for -- for sharing with us today.

3 I want to make sure that as -- as I listen  
4 and as -- as the people -- because this is being  
5 televised -- are listening that they understand what it was  
6 like in 1936 and in 1964.

7 The -- your relatives, your loved ones, were  
8 in Eskasoni and they went to Big -- Big Pond; is that  
9 correct? Was that a non-Indigenous community, a settler  
10 community, Big Pond, or when they went to go trade, where  
11 were they going? What was that environment like there?

12 **MR. JOE MICHAEL:** It was a non-Indigenous  
13 group/family there and the houses were probably more back  
14 then, but -- but they're a distance apart.

15 **COMMISSIONER QAJAQ ROBINSON:** M'hm.

16 **MR. JOE MICHAEL:** And back then in 1936, our  
17 people were -- were always -- almost considered beggars.  
18 When they'd go knock on a door and sell their basket, they  
19 were begging and then that's the way they looked upon us  
20 all in 1936, all, you know, and this happened not only in  
21 Big Pond, but it probably happened down in the valley, down  
22 in Yarmouth, Halifax and so forth.

23 Our people had special talents in -- in  
24 making baskets and they -- they were beautiful baskets and  
25 flowers just like the carvings up in Inuit, beautiful blue

1 carvings.

2 **COMMISSIONER QAJAQ ROBINSON:** Is that an  
3 example that we were gifted --

4 **MR. JOE MICHAEL:** That would be probably an  
5 example, yeah, sweetgrass on there. Those -- those things  
6 were -- were probably -- back then, probably it'd be a loaf  
7 of bread, homemade bread. To go into a store now to buy  
8 that, you -- you could buy -- you could buy a truckload.  
9 It's like two, \$300 now. That -- that's probably what it  
10 cost and -- and bigger ones are more.

11 And the other thing they had too, skills, is  
12 in their sales and when they go to a place like Big Pond,  
13 they had porcupine birch bark, stuff like that. That was  
14 an art, but that was a fine art, stuff like that, but then,  
15 you know, people they'd look on it -- but our people were  
16 very gifted when it comes to art, and -- and they deal a  
17 lot with non-Indigenous people.

18 Part of my training -- I got to a point  
19 where when I first started in the RCMP, I -- I kept saying,  
20 "White guy," and then all of a sudden I -- I got corrected  
21 a couple of times, not -- not by words, but on paper, "You  
22 shall not say that." "What? Where am I anyway, in  
23 residential school or Indian day school?" because I'm not  
24 used to a culture of that, so now it got to a point where  
25 I'll say non-Aboriginal, you know, and that's -- that's

1       what I say now, but I make fun of them. I -- I say  
2       Caucasian or -- or European. They don't like that, but I  
3       don't like being called Indian either or savage, you know.

4                   **COMMISSIONER QAJAQ ROBINSON:** Fair enough.  
5       You said that you believed it was racism, the reason why  
6       they -- they were killed. Can you tell me a little bit  
7       about why you think it was racism? Was it what witnesses  
8       have told you? Was it the climate there at the time?

9                   **MR. JOE MICHAEL:** What happened back then at  
10      the time and when I say it was racism, a lot of things  
11      became very possessive back then and, "This is mine. This  
12      is my land. This is part of my property and you guys stay  
13      out of there. You -- you people stay out there," but when  
14      they were camping with a fire and stuff like that, that  
15      enraged that individual, you know. He went down there very  
16      verbally and then -- then, "You guys" -- you know, then  
17      that's where -- that's deep-rooted racism, you know. It  
18      was like, "You Indians get out of there," or whatever, you  
19      know. I don't know the word verbatim what he said, but the  
20      logistics are, "You get out of there" --

21                   **COMMISSIONER QAJAQ ROBINSON:** Right.

22                   **MR. JOE MICHAEL:** -- so a competition, but  
23      it does -- and when you go in 1936, back then even one  
24      thing there, they went, oh, yeah, you know, they  
25      were -- they were beggars and that's what our people were

1 looked upon, they were beggars. They -- they weren't  
2 beggars, you know. They were trying to survive and, you  
3 know, they -- they never stole, you know, but all of a  
4 sudden they're called beggars. That's just -- that's not  
5 right, you know.

6 **COMMISSIONER QAJAQ ROBINSON:** Just one final  
7 question. You said you believed that the murders were  
8 based on racism. Do you think racism played a role  
9 in -- in the policing, in them not taking action?

10 **MR. JOE MICHAEL:** That's -- I'm going to  
11 have to live with that comment. Was it racism by the  
12 police? Yes --

13 **COMMISSIONER QAJAQ ROBINSON:** Yeah.

14 **MR. JOE MICHAEL:** -- damn right it was. It  
15 was racism, but it was so masked so -- so beautiful, so  
16 nice, deep inverted masked. It just was covered pretty  
17 good, you know. It was racism. And you got realize too  
18 these same police back then, the RCMP, forcefully  
19 took -- what Georgina was saying about residential school.  
20 The police were literally taking -- taking the children  
21 away from the mothers to place them in residential school.  
22 This happened throughout Nova Scotia and it happened out  
23 through the Atlantic region and it probably happened up  
24 north.

25 **COMMISSIONER QAJAQ ROBINSON:** It happened

1 across the country.

2 **MR. JOE MICHAEL:** Country. You know, a  
3 policeman -- excuse me. You know, a policeman  
4 taking -- taking a child away from their mother, that's got  
5 to be hard. That's taking her heart away from her. So was  
6 there racism there? Sure, there was. There was no  
7 compassion.

8 You know, racism to me is when -- when I  
9 show respect for non-Indigenous people, when I show respect  
10 for somebody that's on the street and they're bumming a  
11 quarter or whatever. I'll give them enough money to buy  
12 coffee or a sandwich. I have done that. I have gone to  
13 McDonalds and bought -- Tim Hortons, a coffee and -- and I  
14 see -- I know they're there and I'll roll the window down.  
15 And the big thing that my -- my thing is that he said,  
16 "Thank you." You know, I wasn't -- I did my thing, you  
17 know, so that's -- that's -- you know, that's what should  
18 be done, but racism is a terrible ugly monster and it's so  
19 hidden. It's so well hidden.

20 I could put racism in that basket and  
21 cover -- and cover it up. You're just going to see a  
22 basket, but once I uncovered it, then you're going to see  
23 the -- the turmoil. You're going to see the negative  
24 attitude, the "I don't care" attitude or "Let's just get  
25 rid of them," or just, you know, whatever. There's

1       such -- such a big variety of negative stuff in that  
2       basket.

3                       It's -- I seen prejudice. I seen prejudice  
4       in -- in my -- while working with the RCMP, in uniform,  
5       "What's that Indian doing here?" you know, and I was  
6       saying, "Wow," you know. "This Indian here got a badge  
7       and -- and a uniform," that's what I told him and, of  
8       course, they kind of, "F-you, Indian," and stuff like that  
9       and -- and that -- that's racism.

10                      Then I went to buy -- I went to buy a dog in  
11       uniform, and I went with a non-Indigenous person. I bent  
12       over to look at that puppy. This individual said, "I'm not  
13       selling him a dog because he's an Indian," you know, and he  
14       came back, and he didn't want to say that to me. We got in  
15       the car, "Joe, I've got something to tell you. That woman  
16       wasn't going to sell you a dog because you're Aboriginal,  
17       but she said Native or Indian." And I said, "Well, I got  
18       used to that." You know what he did? He called Human  
19       Rights and a woman come out and interviewed me, and I  
20       didn't know what -- what was it all about [sic] and I said,  
21       "Oh, that was that woman," I said. Anyway, they -- they  
22       fined that woman for making that comment. They fined her  
23       and I don't know what the fine was, but the minimum was  
24       \$10,000, so is racism out there? It's always been out  
25       there, whether I'm in uniform or I could have a title or I

1           could be with -- with Georgina. Racism is out there.

2           It's -- it's a reality, people.

3                           **COMMISSIONER QAJAQ ROBINSON:** Georgina, do  
4           you -- I ask you the question too. Do you think racism was  
5           involved in -- in the murders and -- and in the  
6           investigation?

7                           **MS. GEORGINA DOUCETTE:** Yes, I do.

8                           **COMMISSIONER QAJAQ ROBINSON:** Can you tell  
9           me more about that?

10                          **MS. GEORGINA DOUCETTE:** Well, we've had  
11           racism since people landed on these shores and it's still  
12           alive and well. We can't even stand up for -- for our land  
13           anymore, for the water, for the land, for -- you know. You  
14           get thrown in jail. You get beaten just because you're  
15           Indigenous and just because you're trying to protect  
16           something that we respect and love. And we have to get it  
17           out there with the non-Aboriginals that they have to  
18           respect where we all live. It's not just Indigenous, but  
19           guess who's digging for oil, gas, polluting the waters?  
20           It's not the Indigenous people, mind you. It's the non-  
21           Aboriginals -- and to put us in a situation where we cannot  
22           stand up for what we believe in and what we love, which is  
23           our land. Racism will always be here unless we all stand  
24           up and join hands and try to wipe it out.

25                          Now, I look at the Americans. Our racism is

1 hidden like Joe said. Like that basket, it's well hidden,  
2 but up there, it isn't. I watched the Sioux Nation fight  
3 for their -- for the safety of the land, for -- to keep it  
4 clean. You know, it was horrible. You'd think they were  
5 doing something wrong and that's all for the almighty  
6 dollar, so we're up against the almighty dollar and the  
7 non-Aboriginal people who want to make millions and  
8 millions.

9 When it all comes down to it, nobody is  
10 going to be able to eat that dollar bill. When the water  
11 is gone, the land is polluted, then what? Eat that mighty  
12 dollar. We'll have to boil it, I guess, but --

13 **COMMISSIONER QAJAQ ROBINSON:** It's plastic  
14 now, so it'll be a long time boiling.

15 **MS. GEORGINA DOUCETTE:** Oh, My God. We are  
16 cornering ourselves. We are. And if we don't get along  
17 together as non-Aboriginals and the Aboriginal people, this  
18 place is not going to be -- it's not going to be a decent  
19 world, that's for sure. It's got to stop.

20 Eighty-one years ago it happened to my  
21 family and that's -- I believe deep in my heart it was  
22 racism that took my family out, left behind 16 children,  
23 which some of them ended up in residential school and some  
24 were taken in by our family members. And back in 1936,  
25 there was no money. We had to survive on what

1 little -- back then, my father made 50 cents a day and he  
2 was trying to help, taking Michaels -- so racism is an ugly  
3 thing.

4 The only -- we need to educate Canada.  
5 Everybody has to put in their two cents worth if we're to  
6 survive and if we don't do that, we're not going to be  
7 happy people.

8 **COMMISSIONER QAJAQ ROBINSON:** Thank you so  
9 much. Thank you, both of you.

10 **MS. GEORGINA DOUCETTE:** You're very welcome.

11 **COMMISSIONER QAJAQ ROBINSON:** Before we end,  
12 I want to present you with a -- with a gift to honour and  
13 recognize what you've given us. I don't want to hold this.

14 And the matriarchs in Haida Gwaii -- the  
15 matriarchs in Haida Gwaii have been gathering eagle  
16 feathers from the west coast to give to families across the  
17 country, so from the West Coast Grandmothers, the  
18 matriarchs, an eagle feather for you.

19 **MS. GEORGINA DOUCETTE:** Thank you.

20 **COMMISSIONER QAJAQ ROBINSON:** And throughout  
21 the country, we've been giving packets of seeds and a bit  
22 of red willow as a gift as well, the seeds being, you know,  
23 something that you can plant and see it grow.

24 **MS. GEORGINA DOUCETTE:** Yeah.

25 **COMMISSIONER QAJAQ ROBINSON:** So we're

1 hoping that --

2 **MS. GEORGINA DOUCETTE:** Red willow?

3 **COMMISSIONER QAJAQ ROBINSON:** I believe this  
4 is red willow, and the seeds are white yarrow seeds.

5 **MS. GEORGINA DOUCETTE:** My son would grow  
6 these.

7 **COMMISSIONER QAJAQ ROBINSON:** And if you  
8 want, your son can take pictures and email them to Fanny or  
9 to us and we can see --

10 **MS. GEORGINA DOUCETTE:** M'hm, yeah.

11 **COMMISSIONER QAJAQ ROBINSON:** -- we can all  
12 see together what this -- what this work turns into --

13 **MS. GEORGINA DOUCETTE:** Yeah.

14 **COMMISSIONER QAJAQ ROBINSON:** -- yeah.

15 **MS. GEORGINA DOUCETTE:** We've got to put  
16 back what we take.

17 **COMMISSIONER QAJAQ ROBINSON:** Yeah. Thank  
18 you. I offer you the same. Thank you. And an eagle  
19 feather as well.

20 **MR. JOE MICHAEL:** What -- what we went  
21 through this morning with everyone here, with the  
22 recommendation, I hope it goes (indiscernible). Find  
23 those -- find those Aboriginals that had the same  
24 (indiscernible) as that woman had and -- and they could  
25 prevent more -- they could prevent more Aboriginals from

1 being murdered, and if they're murdered, they'll know  
2 why --

3 **COMMISSIONER QAJAQ ROBINSON:** Yeah.

4 **MR. JOE MICHAEL:** -- whether they're in the  
5 sex trade, drug trade or sexual abuse, whatever. Those  
6 individuals that are trained First Nations will have your  
7 answers. You will not have this Commission like this. You  
8 will have answers just because -- just because of what  
9 you're doing here. You're doing a good job.

10 **COMMISSIONER QAJAQ ROBINSON:** Thank you.

11 **MR. JOE MICHAEL:** You're doing a good job.

12 **COMMISSIONER QAJAQ ROBINSON:** I don't want  
13 to give this to you in an improper way.

14 **MR. JOE MICHAEL:** No, no, I'll accept it.

15 **COMMISSIONER QAJAQ ROBINSON:** Okay.

16 **MR. JOE MICHAEL:** I accept it with honour,  
17 you know. I have a special place at home. I have an eagle  
18 feather and I have gifts, but that's a place there nobody  
19 touches and nobody in my home knows it. I'm -- I'm what  
20 they call a pipe carrier, a traditional person. I speak  
21 (indiscernible).

22 **COMMISSIONER QAJAQ ROBINSON:** I guess my  
23 name is I-ah (ph), and I was named I-ah by Elders in my  
24 community. In Inuit tradition, you name children after  
25 people who have passed away.

1                   **MR. JOE MICHAEL:** Yeah, be --

2                   **COMMISSIONER QAJAQ ROBINSON:** And I-ah was a  
3 man. He was a special constable.

4                   **MR. JOE MICHAEL:** Yeah.

5                   **COMMISSIONER QAJAQ ROBINSON:** He was one of  
6 the first special -- Indian special constables who worked  
7 with the RCMP in Northern Baffin Island, and when he passed  
8 away in '96 -- I was born in '77 and my parents originally  
9 named me Evelyn -- don't tell the cameras -- and  
10 (indiscernible) -- (indiscernible) sister came to my house  
11 and said, "Your daughter is my brother," so I guess in the  
12 way I was raised, I do have a spirit name.

13                   **MR. JOE MICHAEL:** Yeah.

14                   **COMMISSIONER QAJAQ ROBINSON:** He is my  
15 spirit.

16                   **MR. JOE MICHAEL:** I accept that as good.  
17 That's really good. Thank you.

18                   **COMMISSIONER QAJAQ ROBINSON:** And I'll give  
19 you some seeds as well.

20                   **MR. JOE MICHAEL:** Okay. Yarrow is used for  
21 internal medicine.

22                   **COMMISSIONER QAJAQ ROBINSON:** Okay.

23                   **MR. JOE MICHAEL:** You drink it and  
24 it's -- it's so powerful that I would take the first cupful  
25 (indiscernible) and then you drink it. It cleans all your

1 (indiscernible).

2 COMMISSIONER QAJAQ ROBINSON: Okay.

3 MR. JOE MICHAEL: That's what yarrow --

4 COMMISSIONER QAJAQ ROBINSON: And is it the  
5 root that you boil up?

6 MR. JOE MICHAEL: Yeah, yeah, yeah.

7 (Indiscernible), I think.

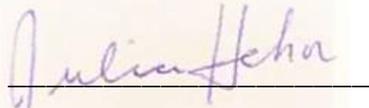
8 COMMISSIONER QAJAQ ROBINSON: Thank you.

9 MS. FANNY WYLDE: Thank you. So we can now  
10 adjourn this hearing.

11 --- Upon recessing at 11:43 a.m.

LEGAL DICTA-TYPIST'S CERTIFICATE

I, Jane Baniulis, Court Transcriber, hereby certify that I have transcribed the foregoing and it is a true and accurate transcript of the digital audio provided in this matter.



Jane Baniulis

January 31, 2018