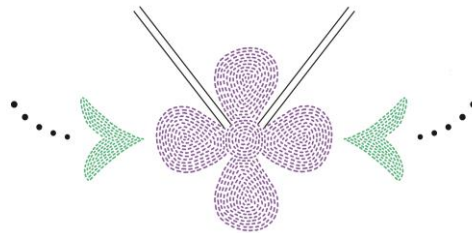


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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
Radisson Hotel, Ambassador B
Winnipeg, Manitoba**



PUBLIC

Thursday October 19, 2017

Public Volume 14

**Cecil James, Sharon James & Grace Campbell,
In relation to Shirley James, Noella Belanger &
Kinew James;**

Tim Henderson, In relation to Marjorie Henderson

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II

APPEARANCES

Assembly of First Nations	No Appearance
Les Femmes Michif Otipemisiwak /Women of the Métis Nation	No Appearance
Government of Canada	Anne Turley (Legal counsel) Amber Elliot (Legal counsel) Christine Ashcroft (Legal counsel)
Government of Manitoba	Coral Lang (Legal counsel) Heather Leonoff (Legal counsel) Samuel Thomson (Legal counsel) Kendra Jarvinen (Legal counsel) Mitch Kredenster (Legal counsel)
Manitoba MMIWG2S	Angie Hutchinson (Representative) Leslie Spillett (Representative)
Manitoba Moon Voices	No Appearance
Pauktuutit Inuit Women of Canada & Manitoba Inuit Association	Beth Symes (Legal counsel) Rachel Dutton (Representative, Manitoba Inuit Association)
Winnipeg Police Service	Shannon Hanlin (Legal counsel)

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 Radisson Hotel, Ambassador Rooms A & B (i.e. the two main public hearing spaces).

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LIST OF EXHIBITS

NO.	DESCRIPTION	PAGE
Witnesses: Cecil James, Sharon James and Grace Campbell Exhibits (code: P01P03P0404)		
1	Copy of black-and-white photograph of woman on 8.5 x 11" paper.	50
2	CBC news article "Kinew James spent years in solitary confinement, inquest hears" by JasonWarick, posted May 15, 2017 3:40 PM CT; last updatedMay 15, 2017 3:40 PM CT (two pages).	50
3	CBC news article "It's so insulting: Kinew James's mother wants apology..." no author cited, posted May 9, 2017 10:26 AM CT; last updatedMay 9, 2017 10:26 AM CT (two pages).	50
Witness: Tim Henderson Exhibits (code: P01P03P0405)		
1	Globe and Mail article "Tribunal can't enforce Indigenous child-welfare ruling, Ottawa says" by Gloria Galloway, published April 14, 2017(two pages); Winnipeg Free Press article "Removing indigenous activist from police board called 'suspect'", by Kristin Annable and Aldo Santin, public 07/13/2016 10:49 AM, last modified 07/13/20164:27 PM (two pages).	92
2	Seven pages of various documents.	92
3	List of recommendations, first line "TO RPC, That there be an auditory recording of all cells through the Dynatrol System"; no title or author information; three pages, typed.	92
4	CBC News article "How many more lives do we have to lose?: MP urges Senate to pass PTSD bill after Mountie's death"; no author or publication date (two pages).	92

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LIST OF EXHIBITS

NO.	DESCRIPTION	PAGE
5	Series of five news and blog articles about whistleblowers in various publications; ten pages combined.	92

1 Winnipeg, Manitoba

2 --- Upon commencing on Thursday, October 19, 2017 at 16:12

3 **Hearing # 4**

4 **Witnesses: Cecil James, Sharon James and Grace Campbell**

5 **In Relation to Shirley James, Noella Belanger and Kinew**

6 **James**

7 **Heard by Commissioner Brian Eyolfson**

8 **Commission Counsel: Christa Big Canoe**

9 **Registrar: Bryan Zandberg**

10 **MS. CHRISTA BIG CANOE:** Good afternoon.

11 Commissioner Eyolfson. I would like to present you with
12 the next family that will be sharing their story with you.

13 Beside me -- I'm just going to let you know their names,
14 and just a brief reason why they're here today. Right
15 beside me is Cecil James, and beside him is Cheryl James --
16 Sharon James. And, at the end there is Grace Campbell.

17 And so, the James family and Campbell family
18 will be telling the story of three women in their family.

19 The first two deaths we'll be talking about include their
20 mother and their stepmother being killed at ages 27 and 33.
21 Also, with Cecil and Sharon, they'll be talking about their
22 sister, Kinew James. And, Kinew is Grace's daughter.

23 So, I was just going to ask the people that
24 are supporting the family, behind me, just to take a moment
25 to introduce yourself, and explain how you're related, or

1 who you're here for support.

2 **MR. PERRY WILLIAMS:** Good afternoon. My
3 name is Perry Williams. P-E-R-R-Y, Williams, W-I-L-L-I-A-
4 M-S. And, I'm a sun dancer with my brother, Cecil. I'm
5 here to support the family.

6 **MS. JUSTINE JAMES:** (Speaking in Native
7 language). My spirit name is White Cedar Wind Woman, and
8 I'm from the Bear Clan. My English name is Justine James,
9 and Sharon James is my mother. I also have my daughter
10 here. This is Kenzie James.

11 **MS. KENZIE JAMES:** (Speaking in Native
12 language). And, I'm here to support Cecil, Sharon and
13 Grace.

14 **MS. CHRISTA BIG CANOE:** The family would
15 like to make a statement of promise that I can administer
16 them for truth. And so, do you all promise to share your
17 truth in a good way today?

18 **ALL:** Yes.

19 **MS. CHRISTA BIG CANOE:** Thank you. And so,
20 the family has decided that they will start their story
21 with Shirley James. And, I would actually like to ask
22 either one of the two of you, whoever's most comfortable,
23 to tell me about the strengths --the strengths, the
24 contributions. Tell me a little bit about who Shirley was?

25 **MR. CECIL JAMES:** Hello. I really don't

1 have a living memory of my mom. She passed away when I was
2 very young. I have to be quite honest, I didn't have any
3 intention of participating in the inquiry because -- well,
4 I have my reasons, and there's no really -- there's no
5 real, no relevant reason for me to bring those up here.

6 But, my sister, Cheryl, is having a real
7 hard time with this. And, she couldn't be here, so we
8 thought it was important that our story, my mom's story,
9 our stepmom's story was still heard. So, my sister,
10 Sharon, and I decided to soldier on.

11 And, it's just quite -- it's really -- it's
12 ironic because we had thought that Grace knew -- Kinew's
13 mom, Grace -- knew that we were going to be here today.
14 She walked in a few minutes prior to us walking into this
15 room, and she agreed to come and help us share Kinew's
16 story.

17 My mom, Shirley (speaking in Native
18 language), was murdered March 22nd, 1975. I was two years,
19 eight months. My late brother was eight months old. She
20 left -- she left behind five children for my dad to try and
21 raise, and he did the best he could. And, we're
22 appreciative of her contributions while she was here.
23 We're appreciative of my dad trying to keep us together.

24 I guess that's -- those are my thoughts. I
25 don't know if Sharon wants to share anything?

1 **MS. SHARON JAMES:** I, too, being very young,
2 have vague memories of my mom. And, the memories I do have
3 of her, I don't share very many of them, because they're my
4 memories, and I hold them close -- close to me.

5 I do remember a couple of days after, I
6 mean, before her pass -- before her death was very -- a
7 very confusing time, because something had happened and --
8 since they were away. They were here in Winnipeg to visit
9 my grandfather. He had a stroke a few days before, and
10 that was the reason why they came to Winnipeg. And, they
11 left us in the care of an uncle, and then we ended being
12 taken into care that weekend. I believe it was a Saturday.

13 And, we found -- we were in a home when my
14 dad came and got us, and it was a couple days after. And,
15 he came to get us, and that's when he told us that -- he
16 told us mom wasn't coming home; that she had died, but that
17 he was going to take care of us. And, being that young,
18 you just knew that something was wrong when you're being
19 told your mother's not coming home, and that you're not
20 going to see her.

21 But, back then, we didn't really know too
22 much about the circumstances surrounding her death, and
23 over the years, not really wanting to ask my dad that
24 question, because you could see in his eyes that it hurt
25 him, that there was a lot of hurt for him also, and trying

1 to keep us together. Like my brother was saying, our
2 youngest brother was eight months old. Thank you.

3 **MS. CHRISTA BIG CANOE:** And, I'm only going
4 to ask that you share as much as you're comfortable
5 sharing. But, you said you didn't have an awareness when
6 you were little, but what did you come to learn or know
7 about your mother's death?

8 **MR. CECIL JAMES:** Well, for myself -- geez,
9 I must have been about 11 or 12. I used to like to go to
10 the library downtown. We found those photo scan machines,
11 my brother and I. And, we used to come down. We didn't
12 know any better, just started scanning, scanning different
13 things on the paper machine, just trying to figure out what
14 happened.

15 And, I think we only found two articles on
16 what happened. And, I can't really remember whether it was
17 just one woman, or if both women were convicted. And, I
18 can't remember if it was manslaughter or something, the
19 particular charge. But, it wasn't -- I think they only got
20 like five or six years.

21 The circumstances, she was out, basically
22 walking down the street and got into an altercation with
23 the women. The officers apparently thought she was drunk,
24 but she wasn't. And, I guess this must be prior to the --
25 prior to there being a drunk tank. So, they took her home.

1 They said, "Oh, she's drunk." But, she wasn't. She had a
2 brain injury. They took her home, she fell asleep, and
3 basically didn't wake up.

4 So, that's -- this is just what -- what I
5 discovered, like, from going to the library and fishing
6 around for myself. And then, of course, talking to -- I
7 think it was uncles that I talked to. I needed to know.
8 And, like my brother and I, as we got older, started asking
9 questions. And then that's -- that's what we found out
10 about the circumstances of her death.

11 Like I said, my brother was eight months
12 old. I was two years, eight months old. No -- yeah,
13 something like that. Yeah, two years, eight months old.
14 And, we just -- it's not something that we discussed as a
15 family. I couldn't go to my sisters, and I wouldn't, you
16 know what I mean? I wouldn't put -- I wouldn't want to put
17 my dad through that, I wouldn't want to put my sisters
18 through that. So, we just fished around for a -- and it
19 was always my brother and I together that did this, right?

20 So, we went to -- like I said, we went to
21 the library, and we asked uncles. I don't think we asked
22 our aunties. But, you know, we wouldn't -- it's not
23 something that we discussed as a family, so, yeah. And,
24 that's -- that's all I've got to say.

25 **MS. CHRISTA BIG CANOE:** And, I think, you

1 know, based on what you told us about the age, there's some
2 obvious things that you'd be impacted, like losing your
3 mother at such a young age. But, can you share with us any
4 of the impacts her loss had on your family? And, you've
5 already talked about your dad, but more particularly on the
6 family as a whole unit?

7 **MR. CECIL JAMES:** Well, of course from a
8 young age we're involved with CFS. I don't know. I always
9 thought, even though we were in CFS, I also thought that we
10 had a very close family, because we depended on each other.
11 So, as a young man, and my sister was already raising kids,
12 if we couldn't find our feet, she was always there for us,
13 you know? We always depended on our sisters. My younger
14 brother and I always depended on our sisters.

15 And so, I don't know. In a way, they raised
16 us, and we could -- we knew we could depend on them. So,
17 while there are a lot of things that were hard, it drew us
18 close together, and I know I could depend on my sisters and
19 my brother.

20 **MS. CHRISTA BIG CANOE:** Thank you. If we
21 can, can we talk a little bit about Noella now? Okay. So,
22 can one of you explain, or help us understand how Noella
23 Belanger came into your lives, and how you were related to
24 her?

25 **MR. CECIL JAMES:** Well, my dad ended up

1 marrying Noella. I can't remember when. I think it was
2 late '80's. Late '80's. It had to have been '85, '86,
3 something like that. She moved to the community at this
4 point, where we were staying in Rose River, our First
5 Nation community. And, she came -- she came out and helped
6 -- helped out with -- I guess it was just the younger ones
7 at that point. It would be myself -- myself, my brother
8 George, and my sister Kinew at that point. And then they
9 had children as well. They had three children; my late
10 brother, Jimmy; my sister, Carly; and my brother, Sandy.

11 So, she came into our lives and did that.
12 And, she -- she had some difficulties with substance abuse,
13 and stuff like that. And, at that point, my dad was really
14 trying hard to keep our family together, out of foster
15 care. So, he asked her, you have to make a choice. We're
16 going to build this family or you're going to have to
17 leave. And, at that time, she chose to leave.

18 And we were -- I would say, my sister Cheryl
19 and I were particularly close with Noella because, well, we
20 were young adults. So, Cheryl must have been about 25, 26
21 or so. No, she couldn't have been that old. She's got to
22 have been -- yeah, she's -- 24. And, I was about -- I was
23 about between the ages of 18 and 20 by the time I started
24 really getting to Noella after she left the family and the
25 community. So, it's like we'd run into each other, like, at

1 bars or whatever. And, she was -- she tried her best,
2 then, I guess, being young adults. She'd say, well, no
3 stay away. Stay clear of this, and this and this.

4 And, I guess I could say that Noella was
5 close -- I was close with Noella, because she would call me
6 son, and it's not an easy thing to be a -- to be a child
7 that never knew his mom, to have somebody call you son and
8 accept it. So, like I said, we'd see each other in bars,
9 and stuff like that. And, she'd always tell me steer clear
10 -- steer clear of drugs. I mean, we're already sitting
11 across a bottle of beer and chatting, but she always told
12 me to steer clear of drugs.

13 And, thankfully, I never really got into
14 hard drugs, and I think I can credit her with constantly
15 saying, "Don't mess with that stuff," you know. So, like I
16 said, she called me son and I appreciated it. And, I
17 occasionally called her mom, but that was after like a few
18 beers, I guess.

19 **MS. CHRISTA BIG CANOE:** And so, can either
20 one of you tell me about when Noella went missing?

21 **MS. SHARON JAMES:** There was this one day
22 when my sister -- my sister came to where I was staying.
23 And, she shared her concerns with me about not seeing
24 Noella around, and nobody had been seeing her around for --
25 for a bit, for a few days, and she was getting worried.

1 And, she asked me. She said, "I want to go -- I want to go
2 check the bars. Can you come?" I had young children, and
3 I needed somebody to watch my children for me, so that I
4 could go, because I could see that it was -- it was really
5 bothering her.

6 And so, I got a babysitter, and I said okay,
7 let's go. And so, we started. We started our walk right
8 from Selkirk Avenue -- and it was The Merchants back then
9 -- and made our way down Main up to Portage. And, I think
10 there was that -- that old bar. I can't remember what it
11 was -- what it was called. It was on Portage, and I
12 believe it was Colony -- it's Colony at Memorial. There
13 was a bar there, and we made our way all the way through
14 there. And Cheryl would run into people that knew Noella,
15 and people that Cheryl knew. And, she'd say, "Have you
16 seen Noella around?" And, they told her, "No, actually I
17 haven't seen her for a few days."

18 And, by the time we got to the last bar, I
19 said I really need to go home. So, we made our way back to
20 my place. And, she said there's something wrong, you know?
21 Somebody has got to see -- somebody has got to have seen
22 her or knows where she is.

23 And, from what I can recall, we were -- she
24 said that she was going to continue looking for her. And,
25 I think it was a couple days later that I heard on the news

1 that a body was found on the banks of the Red River by, I
2 think, it would be near Riverview Health Centre, where that
3 is located now, around that area. And, the feeling I got
4 was, oh, my God, because Cheryl had said that she still
5 hadn't seen her anywhere.

6 I don't remember how I got in touch with
7 Cheryl, but I told her, "You've got to phone the police."
8 And, from there, that's when -- I don't remember who it was
9 that went to identify the body, but it was confirmed that
10 it was Noella that they had found.

11 **MS. CHRISTA BIG CANOE:** Do you recall if
12 anyone was ever charged with her murder?

13 **MS. SHARON JAMES:** Yes. Her name is Corinne
14 Braun. She was charged with second-degree manslaughter and
15 was eventually convicted of it.

16 **MS. CHRISTA BIG CANOE:** And, what was the
17 family's experience when they reported Noella missing?

18 **MS. SHARON JAMES:** Cheryl would have been
19 the one to have tried to call the police, or -- or -- I
20 cannot -- I can't recall at this moment exactly what had
21 happened at the time. But, I sat there and listened to my
22 sister as she made her statement. And, still, it's just --
23 I don't know. It's just -- I just can't remember.

24 **MS. CHRISTA BIG CANOE:** That's okay. When
25 you guys were going to the different bars and looking for

1 her, did you hear anything from people about where she may
2 or may not be, if she's probably just out? Like, what was
3 the general feedback or were you only speaking with her
4 friends?

5 **MS. SHARON JAMES:** We were just speaking
6 with her friends; people who knew her and people who knew
7 Cheryl. And, they were saying that it was kind of odd for
8 her not to be around, that nobody had contact with her or
9 knew where she was. She was always in contact with
10 somebody.

11 **MS. CHRISTA BIG CANOE:** So, Cecil, you just
12 told us that your dad and Noella had other children, right?

13 **MR. CECIL JAMES:** Yes.

14 **MS. CHRISTA BIG CANOE:** Once they lost their
15 mom too, what happened with the kids?

16 **MR. CECIL JAMES:** My dad kept them for as
17 best he could. And, eventually, they ended up -- they
18 ended up leaving and being with CFS for a very long time.
19 And, I know it affected them pretty -- it affected how they
20 related to the family up until a couple years ago,
21 actually.

22 My sister, Carly, she found her way back to
23 the family first and, you know, she embraced the family.
24 And, she seen how close we were, and we tried to take her
25 in as best we could, and offer her guidance. But, my

1 younger brother, Sandy, had a really bad experience with --
2 maybe not bad, but just -- to hear him talk about it now is
3 -- how CFS basically -- CFS and foster parents basically
4 lied to him. They had led Sandy to believe that my dad
5 murdered his mom. So, he held a grudge for a very, very
6 long time. And, I think he's only been with us now for
7 just over two years that he's come back. So, he's come
8 back to the family.

9 And, it took a while for him to talk about
10 why he didn't come home, but he shared -- he shared these
11 things with us, anyways. We said, "Well, we can show you
12 in black and white. Like, there's a person that's been
13 convicted of it now. Your dad -- our dad was never a
14 suspect, and he did his best to raise you." And, we'd kind
15 of take him back to the time he when he was a kid. "Do you
16 remember staying with Dad in the community?" And so, it
17 started to come back to him, and that resentment started to
18 fade.

19 He's back with family now, and we're very
20 glad to have him, and that he opened his heart and his mind
21 to us, and would listen to us. And, that he'd cheer us up,
22 because obviously if I'd heard those things about my dad
23 and my family, I'd hold a lot of resentment with -- so,
24 he's back now.

25 And, we -- I shared with him a few times. I

1 remember sitting in the courtroom with -- in regards to his
2 mom's trial, and I wanted to do this because I didn't have
3 that opportunity to do that with my mom. So, I wanted to
4 sit there and see what happened with -- in regards to the
5 court case. And, it was Noella's sister, Sharon was there,
6 and my sister, Cheryl, was there, and myself.

7 And, we -- it was a really awful experience
8 the way I -- I couldn't imagine a victim's family coming
9 into the courtroom, and having a defence attorney, Crown
10 attorney, judge and the accused basically seeming so damn
11 chummy. They were laughing all the time, constantly, at
12 the beginning of the court day. It was really frustrating.
13 I guess my resentment for the justice system, and
14 establishment, and type of things like that. That's where
15 that comes from because I couldn't imagine if that had
16 happened at my mom's trial what my reaction would be. It
17 was disgusting. I was like holy smokes.

18 There was no type of -- back then, I guess,
19 there was no real type of any Victim Services, and nobody
20 you could speak to. We weren't comfortable speaking to the
21 Crown attorney, like, "Well, why are people acting like
22 this when this woman's on trial for killing our
23 stepmother?" As I said, it just -- it just still leaves a
24 bad taste in my mouth, the way they treated us and the
25 attitudes they had in open court. Prior to the proceedings

1 for the day, I just can't believe they would do that, treat
2 people like that. And, yeah, it just -- it still leaves a
3 bad taste in my mouth.

4 And then to have her get off with, like,
5 five years. I believe it was a five -- she got a 5, 6-year
6 sentence. And, she dragged Noella -- she and somebody
7 else. It had to have been her and somebody else. Noella
8 wasn't a small woman. She was 6', 6'1", 6'2". She was a
9 tall woman, a big woman. And, this lady was supposed to
10 have carried her from her place, which is a few blocks from
11 the river bank -- river bank, all the way to the river
12 bank, and actually out into the -- onto the snow out of the
13 river.

14 So, she didn't -- it wasn't just like a
15 fight or something that happened that -- she dragged her
16 away from her home, cleaned up her home, dragged her out on
17 to the riverbank, she was covered in snow, and then to have
18 such a weak charge? I guess that would be a weak charge, a
19 manslaughter charge brought against her when she moved the
20 body from a crime scene, cleaned up the crime scene, tried
21 to conceal the body in snow. And, to have such a weak
22 charge of just -- and then, to see those attitudes in the
23 courtroom, it's just -- still to this day, it just pisses
24 me off. So, there's nothing I can do to further state how
25 pissed thinking about it now.

1 **MS. CHRISTA BIG CANOE:** Mm-hmm. And, can I
2 ask a question about that too. How was the family able to
3 participate, other than just watch the trial at the time?
4 Do you recall?

5 **MR. CECIL JAMES:** I don't recall. Do you
6 recall? I just remember being there. We knew that the
7 trial was on, I don't know. I think it was Cheryl and the
8 sister that were in contact with, I guess, the Crown or
9 whoever. And, we were told, we went there and we were
10 never approached by the Crown attorney or anything like
11 that.

12 **MS. CHRISTA BIG CANOE:** Mm-hmm.

13 **MR. CECIL JAMES:** I don't recall any Victim
14 Services coming to speak with us, any court workers coming
15 to speak with us. We were just there.

16 **MS. CHRISTA BIG CANOE:** I want to -- oh,
17 sorry. Go ahead.

18 **MS. SHARON JAMES:** That was one of the
19 things I also noticed, because I also attended the -- to
20 the court when -- and I do remember that there was a lot of
21 people around their family, around Corinne's family. And,
22 to have -- I was standing in the hallway, and I just
23 happened -- I just found myself by myself, just for a brief
24 moment. And, to have the family members come up to me, and
25 tell me, "If you loved her so much, how come you didn't

1 look for her?" And, that was her grandmother that said
2 that to me. Somebody came and took her by the arm, and
3 kind of ushered her away. And, I'm standing there, I'm
4 looking. I'm like I'm not even bothering anybody. And, I
5 couldn't believe that, you know, that she said something
6 like that.

7 **MS. CHRISTA BIG CANOE:** And, you mentioned
8 there was no Victim Services. And, you've talked earlier
9 too saying we didn't have any, really, counselling
10 services. Is it fair to say there was some unresolved
11 grief and lack of services available for either of these
12 two murders?

13 **MR. CECIL JAMES:** I would say so. Like I
14 said, that's not something that I ever discussed with
15 anybody, except for my brother. It's not something that we
16 discussed openly as -- as siblings. I didn't discuss it
17 with my dad. And, being -- and being a child that came
18 through Child and Family Services, no type of therapy or
19 counselling was ever offered. No explanation was ever
20 offered. We just knew our mom wasn't there. It was -- it
21 was different, I guess. We tried to -- we knew that -- we
22 had known the questions to ask if somebody had approached
23 us, but nobody approached us.

24 **MS. CHRISTA BIG CANOE:** And, again, I mean,
25 it may seem obvious, but what was the impact on your father

1 or any of the other family members in terms of either of
2 the deaths, the murders?

3 **MR. CECIL JAMES:** Like I said, my dad did
4 the best that he could. He always tried to provide us a
5 home. I can remember various homes where we stayed for a
6 long time. And, I can recall various schools where we were
7 there for a couple of years. I recall living in Portage,
8 Brandon, Winnipeg, Gross River, and we always had a good
9 home, a clean home.

10 Until I was older, as a teenager, I don't
11 recall my dad drinking much. Well, we'd understand that
12 he'd take off occasionally, so I don't recall alcohol being
13 in the home until I was older, like I said, until I was
14 like a teenager. But, I'm guessing he might have taken his
15 alcohol abuse someplace else. He didn't -- well, gladly,
16 when I was younger, he didn't bring it around.

17 He was a strong man. It's good to be out
18 and about in the holidays, and hear people reminisce about
19 the things that my dad did. Whether it be a march to
20 Ottawa, or taking over INAC offices in the late 70's to try
21 and further Aboriginal education. To hear people remember
22 him like that in the capacities that we do now, it's really
23 comforting. So, obviously -- well, he was strong. He did
24 have his faults, and he did -- there was -- there was -- he
25 was a drinker, is what I'll say. But, for the most part I

1 don't recall him drinking around us too much when I was
2 younger. It was obvious to me -- it was obvious to me when
3 I was a teenager though.

4 **MS. CHRISTA BIG CANOE:** If I can, one more
5 question about the impacts on this, and both of you can
6 feel free to answer this. You talked about the fact that
7 your younger siblings said they're coming back into the
8 fold, but it's taken this many years to do that. What was
9 the impact of being separated from siblings in this
10 circumstance -- these circumstances? And, how did you guys
11 begin to journey back to reconnecting?

12 **MR. CECIL JAMES:** Just having -- just having
13 -- just being older, I guess, and being able to make our
14 own choices. My younger brother, Sandy, didn't come home
15 until he was 20 -- 20, 22. Well, he was an adult. He was
16 an adult when he came and sought us out. And, my younger
17 sister, Carly, was also an adult when she sought us out.
18 So, just being able to make the choices for themselves and
19 us being able to make the choice for ourselves to become
20 involved in each other's life without restrictions from
21 either foster parents or CFS, so...

22 **MS. CHRISTA BIG CANOE:** Great, thank you.
23 Before I move on and actually ask Grace to talk a little
24 bit about Kinew, is there anything missing or anything you
25 want to add about either Shirley or Noella? We can come

1 back around when we talk about recommendations, for sure,
2 but I just want to make sure I'm not missing anything now
3 before we move to talk about Kinew.

4 **MR. CECIL JAMES:** I guess the most
5 significant impact, and it's -- you'll hear it again and
6 again during this inquiry, or across the country, is that
7 these were mothers. They left -- they left the children
8 behind. And then, those children will go on to have
9 struggles with CFS and school, alcohol, drug abuse and
10 those types of things.

11 Maybe down the line, I think we've all -- as
12 siblings, we've all had our struggles and -- but I'd like
13 to think that we've persevered. You'll hear it again and
14 again. These -- these were mothers. They were needed.
15 They were needed in their child's life.

16 **MS. SHARON JAMES:** The impacts of losing a
17 mother as a young girl were significant. You lose that
18 connection to -- to the -- to your mother, the nurturing
19 and the loving. And, you struggle with that, not having
20 that -- that female role model that you need in your life
21 to -- to become a woman yourself. If that's not there, you
22 -- it's -- it's very hard. I struggled as a -- as a young
23 woman -- as a teenager, as a young woman, as a young mother
24 raising my children, trying to remember what it was that --
25 that she gave me when I was a little one that I could

1 remember.

2 I saw my younger sister, Carly, struggling
3 also with being taken away by CFS, and the lies that were
4 being told to her, and struggling with what they were
5 telling her, saying that my father had killed her mother.
6 And, seeing her fighting with her -- her little self,
7 saying, "No, that's my daddy. That's my daddy. You're
8 lying," you know? And, having that struggle within
9 herself, and seeing her struggle as she -- as she kept
10 running away from CFS, and wanting that connection with my
11 dad, but it was too late because he had passed on.

12 And then seeing her become a young mother
13 and struggling with that also, not having that -- that
14 connection with her mother; right? But, as Cecil said, she
15 -- from my perspective, she did keep reaching out to the
16 family. She kept trying to get a hold of us and wanting
17 that connection and needing it. But, still struggling
18 with, like I said, the stuff that she was being told where
19 she was -- she was placed. Thank you.

20 **MS. CHRISTA BIG CANOE:** Thank you. Is it
21 okay if we start to talk about Kinew? Yes? Can I start
22 with Grace? Grace, can you tell us about Kinew?

23 **MS. GRACE CAMPBELL:** Where do I start?

24 **MS. CHRISTA BIG CANOE:** Well, can you tell
25 us about her strengths, her contributions?

1 **MS. GRACE CAMPBELL:** I'm one of the wives of
2 John James, and my -- I was married to him before -- I
3 mean, right after -- not right after, but two years, I
4 guess, after their mom passed on. I didn't know anything
5 about it. Nobody said anything to me. And then one day, I
6 guess, at the time that I met their dad, I -- I was by
7 myself, and I had a daughter -- I have a daughter. And, he
8 told me he wanted me to meet his family and that they were
9 little. And then because he had kids, I wanted a kid too.
10 He seemed to love his kids. So, Kinew was born, and we
11 struggled. But, he was a very strong person, like he --
12 it's all about family, and he'd cooked for us when I was
13 sick. I looked after the kids as best I can, and I would
14 run away, I would run home. At the time, like, I had my
15 own issues like from -- my mother was in residential school
16 and that kind of thing, and was a single parent, my mom.

17 So, I -- I was -- now I had Kinew, and then
18 I ran away with her once. Nobody came there. Their dad
19 came there and brought us back home. The last time, he
20 took her, and I -- I didn't know what to do. I turned to
21 the bottle. I was drinking straight five years. Then, I
22 come to the realization, you know, that I got to -- I miss
23 my girl.

24 And then, I was raising two grandkids, and
25 there was a knock on the door. She came and visit me. She

1 did visit me once in Ontario, but this one time here she
2 wanted to come and live with me. And, I told her, like,
3 "If you come and live with us, you have to go to school."
4 She didn't want to go to school. And, now, I got a call
5 that night. She had joined the gang. But, you know, she
6 did a lot of good things. She was a good cook, and she --
7 before she went to jail -- like she was a princess, Ms.
8 (indiscernible) Princess. We have a picture here
9 somewhere. And, she went to ceremonies in Black Hills,
10 South Dakota. She went across Canada for the youth. She
11 did lots of good things.

12 And then one day my -- my sister phoned me
13 because she was out doing her thing. She told me that,
14 "Kinew phoned me 2:00 in the morning. She said, 'Auntie, I
15 didn't do it.'" She got charged for murder. I want to
16 tell everything because it's very important for how -- how
17 she came about being in jail. Like, well she took the rap
18 to go to jail, even though she didn't do anything. Well,
19 she did. There was three other girls besides her. Right
20 now they're, what, in their 40's and they're living their
21 life free, and she was the only one that went in. And, the
22 way I see it, not only did the penal system kill her, she
23 got killed by these women, by gang, and I want justice for
24 these women, like I want them to be caught.

25 And, I don't know who they are. And, all

1 she told my sister, "They told me to get rid of the body."
2 But, she wasn't really good at -- good at stealing or
3 anything like that, you know, or any crimes. And, she
4 wanted to turn around to be a criminal. She wants to be a
5 criminal. And, like, she just laughs when people are doing
6 something wrong. "I don't want to be like that," you know?

7 So, anyways, she ended up in prison system.
8 And, I have pictures of her. She only -- she must have
9 weighed about 110, 120. See this, when she was young, when
10 she went in. She got into a lot of trouble, and she got
11 six years. And, she got -- she weighed over 300 pounds the
12 day that she passed on, and she developed diabetes,
13 schizophrenia from being -- from getting in trouble and
14 being segregated.

15 Last May, I went to an inquest with these
16 two and their sister, Cheryl. Cecil, Sharon and Cheryl.
17 And, we heard all the -- all the evidence prior to her
18 passing away. It was really hard. I didn't -- I kept
19 thinking about those three other girls, (indiscernible)
20 what's going on, and she was supposed to be coming home in
21 June, in 2013. Sorry.

22 And, she -- they -- then another thing that
23 I didn't like when they -- when I was contacted, the
24 Chaplain from there, that place in Saskatoon, said that,
25 "Sorry to tell you, but your daughter, Kinew, has passed

1 on." That's one thing I don't want to hear anybody go
2 through that again. They should have sent somebody to my
3 place because it's hard to take when I'm by myself -- when
4 I was by myself. And, she was so happy to be coming home.

5 And, there was -- in the testimony, there
6 was a lot of "I don't recall." I forget how many witnesses
7 there, but there was quite a few. Every one of them was,
8 "I don't recall," except for one person, one guard. There
9 was a nurse. He told everything. He was very
10 straightforward and told everything that happened, and the
11 other ones were all lying. So, it was hard.

12 And, you know, she went through a lot. She
13 graduated -- this picture, she graduated in Ontario. She's
14 -- she was our baby. I didn't expect to be sitting here
15 today talking like this, but I always wanted to, and I'm
16 glad I came because I was just going to drop in and, you
17 know, maybe support somebody else. And, I didn't know
18 anything about these -- Cecil and Sharon's other -- their
19 mom and how it happened. I didn't know anything about the
20 other lady, Noella. I didn't know anything. I'm just -- I
21 just happened to be there too, but not knowing; you know?
22 So, I don't when -- I don't know when that hurt is going to
23 stop. No one else does.

24 **MS. CHRISTA BIG CANOE:** Thank you. I just
25 wanted to offer the other two a chance to talk a bit about

1 their sister, if that's possible, please?

2 **MS. GRACE CAMPBELL:** Can I say something
3 about that -- the nurse?

4 **MS. CHRISTA BIG CANOE:** Oh, absolutely.

5 **MS. GRACE CAMPBELL:** There was one nurse
6 there that testified. He said giving her -- giving Kinew
7 -- how do you say it? First day just -- I can't say.

8 **MS. CHRISTA BIG CANOE:** Okay.

9 **MS. GRACE CAMPBELL:** I can't say. I can't
10 say it. I can't say it. I can't say it.

11 **MS. CHRISTA BIG CANOE:** That's okay. You
12 don't have to. That's okay. In a few minutes, if you do
13 want to say something again, we're happy to let you share
14 what you'd like to. Can I ask you guys to share a little
15 bit about your sister and -- before we talk about the
16 inquest that Grace is talking about? Thanks.

17 **MS. SHARON JAMES:** I remember Kinew being
18 very lively, very -- she was a funny little girl. She was
19 always teasing, playing, you know, helping out where she
20 could.

21 **MR. CECIL JAMES:** I remember Kinew was being
22 -- like everybody says, she is funny, she loved to joke
23 around. My brother and my late brother, George, and Kinew
24 and myself would -- from time to time, if we're in foster
25 care we'd share foster homes, and then for whatever reason

1 they would separate us. And, we'd go home once in a while,
2 and we'd be at -- we'd be with my dad, and I believe Noella
3 at the time, together.

4 Just funny and smart. She's really smart.
5 She's -- she was -- after she had graduated and while she
6 was in jail, she started looking into taking law courses.
7 But, when I'd speak to her once in a while -- she'd be able
8 to catch me at work within the last year and a bit that she
9 was with us. She would catch me at work and we'd chat.
10 And, she's, "Oh, yeah, I'm doing this, and reading up on
11 pre-law." And then she'd start using terms that I didn't
12 understand. So, being in front of a computer, I'd cheat
13 when I was talking to her on the phone. I'd have to punch
14 in the word. I said, "Oh, yeah, yeah," trying to act like
15 -- I didn't want to -- I didn't want to seem like -- I
16 didn't want her to lose me, I guess. So, I'd try and
17 comprehend what she's telling me.

18 And, yeah, she was really smart. To have
19 her go in at such a young age, and then be in -- and be
20 gone in jail for such a long time, and to have her still
21 have the ability to want to learn stuff, and to be able to
22 out talk you, to teach you something, that really, really
23 impressed me about my sister.

24 **MS. CHRISTA BIG CANOE:** Can I ask you a
25 couple of questions? In terms of -- we heard Grace talk

1 about the fact that Kineu spent a lot of time in solitary
2 confinement, and that originally she went in for six years,
3 but ended up being in there much longer. Can you tell me
4 anything you know about that?

5 **MR. CECIL JAMES:** My knowledge of what
6 happened -- well she was -- she'd get into fights; you
7 know? She was strong willed, and she'd get into fights.
8 And, she'd fight with guards, she'd fight with inmates, and
9 then she'd be put into segregation for extremely long
10 periods of time. I think at one point she was there a
11 year-and-a-half or over two years. At that point, when
12 you're segregated that long from people, you're obviously
13 going to develop mental health issues. And, that's what
14 happened with Kineu. She developed schizophrenia, and
15 depression and anxiety. She -- from what we're told. And,
16 what she said she -- after a while, she felt more
17 comfortable in solitary confinement than being out with
18 people.

19 **MS. CHRISTA BIG CANOE:** Can I give you this?
20 And, we'll pass up a copy momentarily. This is an article
21 from the CBC News, and it's talking about -- the title is,
22 actually, "Kineu James spent years in solitary confinement,
23 the inquest hears." And, the one paragraph, I'm just going
24 to read for you, and then you can comment on it, please?

25 "The inquest heard Monday that James spent

1 much of the period from 2006 to 2011 in solitary
2 confinement, as well as other lengthy periods. She was
3 placed there after any conflicts with staff or fellow
4 inmates, for destroying property or for multiple incidents
5 of self-harm." And then, a couple paragraphs lower, it
6 talks about the fact that one lawyer asked if James' time
7 in solitary, her 35 transfers, her childhood trauma or
8 other factors were likely causes when, you know, when they
9 were looking at the inquest to death. And so, can you talk
10 to either of the transfers or the excessive use of solitary
11 confinement?

12 **MR. CECIL JAMES:** In regards to her -- in
13 regards to the -- her extended period in solitary
14 confinement or her 35 transfers, that was one of the things
15 that really pissed me off about the inquest. And, I guess
16 it might lead into how I feel -- really feel about the
17 inquiry itself. But, the reality is they control the scope
18 of the inquest. They control it so much where we couldn't
19 hear from -- we couldn't really -- there was no --
20 basically no cross-exam of guards, any statements they
21 made. They wanted to keep their scope as tight as they
22 could. They wanted to keep it from basically December --
23 early December to July 19th, July 20th when my sister
24 passed. They wouldn't allow us to talk about -- they
25 wouldn't allow us to talk or ask questions regarding the 35

1 transfers. They wouldn't allow us to ask questions
2 regarding her lengthy stints in solitary confinement. It
3 was -- it was really, really frustrating. They controlled
4 the scope so much that we -- I really don't feel that we
5 got the answer that we needed.

6 And, the reason -- the reason we wanted to
7 talk about the 35 transfers and her stints in solitary
8 confinement is because she was at the RPC on numerous
9 occasions. She had -- she had relationships with these
10 guards, these doctors, these psychiatrists, nurses, and all
11 of that. And, it's human nature that if she has an -- if I
12 have an interaction with anybody in this room, outside of
13 this room, they'll look at me a certain way, even though
14 I'm sitting here trying to share my pain with you guys.
15 You'd still -- there would be a prejudice. There would be
16 a prejudice because of the way you interact with people
17 prior to a certain incident, and that's what really pissed
18 me off.

19 I mean, like I feel that the 35 transfers
20 speaks volumes as to the way they responded to my sister's
21 -- the incident of her passing. I feel that there's -- the
22 way they treated her, and why she went to solitary on so
23 many occasions for such length of time, that -- that it --
24 it prejudiced them in how they responded to her. So, I
25 mean, like we're left without answers and we're left with

1 hurt.

2 And, me, I don't think -- I don't qualify
3 mine as hurt. I qualify mine as anger because I'm still
4 left without answers. We're talking about 35 transfers,
5 and it should speak to how they responded to her on that
6 occasion. They were unwilling to open up different
7 reports, and things like that. It would just -- they
8 controlled the witnesses, and just -- it's frustrating. We
9 didn't get answers as to why she was transferred so much.
10 We didn't get good answers as to why she was in solitary.

11 **MS. CHRISTA BIG CANOE:** And, I'm just going
12 to take a step back too, Cecil. You obviously looked up a
13 lot of the words when Kinew was talking to you because
14 you're using language some of us might not all be familiar
15 with and very eloquently. One of the things you said was
16 the RPC. That's the Regional Psychiatric Centre in
17 Saskatoon, right?

18 **MR. CECIL JAMES:** Yeah.

19 **MS. CHRISTA BIG CANOE:** But, when we're
20 talking about transfers -- when we're talking about
21 transfers in, like, the correctional context, so she -- we
22 know she was in custody. Were they transferring her just
23 in the building or were they transferring her to different
24 institutions?

25 **MR. CECIL JAMES:** Different institutions. I

1 know she was in Edmonton, I believe, on occasion. She was
2 at Grand Valley in Ontario on occasion. Juliette. She was
3 at various institutions across the country, constantly
4 transferring.

5 **MS. CHRISTA BIG CANOE:** And, each of these
6 facilities, were they putting her into solitary
7 confinement?

8 **MR. CECIL JAMES:** On a lot of occasions they
9 were.

10 **MS. CHRISTA BIG CANOE:** And, I'm going to
11 ask you, because I understand that you were at the inquest
12 and you were actually the family's representative at the
13 inquest; is that true?

14 **MR. CECIL JAMES:** Yes.

15 **MS. CHRISTA BIG CANOE:** Okay. So, you'll
16 probably have the best recollection of this. Do you recall
17 it ever coming up in the evidence that, or by argument,
18 that the reason they kept transferring her is so they could
19 keep her in solitary confinement?

20 **MR. CECIL JAMES:** I don't recall whether
21 that was said specifically, but my guess is she would have
22 to be out of solitary for a little bit to request a
23 transfer. I'm not sure how many voluntary transfers and
24 administrative transfers there were.

25 **MS. CHRISTA BIG CANOE:** And so, if I can

1 talk to you a little more about the inquest. I mean, I
2 hear your anger and -- but I think it's important to
3 understand too, the inquest process that happened, it
4 happened in Saskatchewan?

5 **MR. CECIL JAMES:** Yes.

6 **MS. CHRISTA BIG CANOE:** Okay. And, that's
7 because when she died it was at the RPC?

8 **MR. CECIL JAMES:** Yes.

9 **MS. CHRISTA BIG CANOE:** Now, can you tell us
10 -- we understand how frustrated you are with the process.
11 Can you tell us a little bit about what generally happened
12 in that process and sort of what the outcome was?

13 **MR. CECIL JAMES:** Well, we -- we got the --
14 we got the news of my sister's passing a little later than
15 Grace did. So, I started -- I started looking into what
16 type of actions would be taken to review, because I knew it
17 was a death in custody. And so, I started reviewing the
18 *Coroners Act* of Saskatchewan. I realized, okay, well
19 they'll be contacting family members to -- family members
20 and other organizations or people that might have -- might
21 want or need standing.

22 And, I was waiting for a call, and basically
23 something came across my social media where they -- I see,
24 oh, it's the inquest coming up. I said, oh, that's funny.
25 I didn't get a call. So, I checked with my sisters, and

1 they said, no, they didn't get a call. So, I called the
2 coroner's office. I said, "Well, this inquest," and I
3 said, "I haven't received any notification, neither have my
4 siblings."

5 So, we called. We called and we started
6 writing letters to request standing. They suggested to us
7 that we would need a lawyer, and it just didn't make any
8 sense. Like, I thought it was -- for my sisters and
9 myself, I thought it was very important, if we were granted
10 standing at this inquest, that one of us would sit at the
11 table and ask questions, view the materials and stuff like
12 that. So, it was agreed that I would do that for my
13 siblings and that's what happened.

14 Like I said, we didn't -- we didn't receive
15 no notification initially of the inquest, and we ended up
16 seeking that out. So, we sought that out, and it was -- I
17 thought it was pretty challenging, because to view the
18 evidence I either needed to get a lawyer, which would mean
19 then I couldn't ask questions of the witnesses or view any
20 -- view much of the -- the evidence, or reports, or -- that
21 they put forward for the inquest.

22 And then my wife and I, it was -- they said
23 that I could view the evidence at the coroner's office.
24 So, my wife and I went out the week before the -- the first
25 time the inquest was supposed to -- was supposed to

1 convene. We went out there, and I did the best I could
2 over two-and-a-half days, looked over some documentation,
3 made some notes, and then came home. And then we ended up
4 going out to Saskatoon the following week, and meeting with
5 other people who were standing, like the Elizabeth Frye,
6 Kinew's mom's lawyer, Canada Human Rights.

7 Right away, the question -- as soon as I
8 walked into the inquest, the first time I was going to
9 start, I had questions about the scope, but I didn't know
10 how about -- to go about addressing them. So, I was happy
11 that there was other people with standing that would lend
12 me a hand, and I could discuss that, I could ask questions
13 of. They felt the same way I did. They're just trying to
14 have a very narrow view of this incident.

15 And, it goes back to, like I said, her past
16 interactions with staff at the RPC and how they reacted to
17 her. And, of course, it's going to be affected by those
18 relationships over time. And so, we ended up getting it
19 adjourned, and it was adjourned for just over a year, I
20 believe, a year and a month -- a year and a month. New
21 documentation was going to be put forth by E. Frye. And,
22 it took the coroner that entire time to say, well
23 basically, no, we're not going to expand the scope.

24 So, we go out the second time in May, this
25 past year, and that's -- it was -- yeah, it was just so, so

1 frustrating to go there. I was assured, when I got there,
2 by the coroner, the coroner in charge of the inquest that,
3 well, if you have any questions or you need any assistance,
4 you can call on coroner's counsel and they'll help you.
5 But, the fact of the matter is that that wasn't the case.

6 We see them -- we seem them controlling the
7 witnesses. And, it was from the very first day, I knew
8 what it was going to be like, and I was pissed off to begin
9 with. And, the -- you pass by witnesses outside in the
10 hallway, and you know -- you basically know who they are,
11 and the coroner's counsel, and Correction Service Canada
12 counsel are there telling them, "Keep your answers short.
13 Don't volunteer anything." And, we're walking by, and we
14 hear this, and I'm supposed to be assured by the coroner
15 that's holding the inquest that these people are here to
16 help. It was obvious from Day 1 they were only there to
17 cover their asses.

18 And, it's -- like I said, I'm still angry
19 and that fight isn't over yet. But, it's just they're
20 going to -- it's just -- that's why -- the experience that
21 I had at the inquest -- my siblings and Grace had at the
22 inquest is why I didn't want to be here. But, I understand
23 that it's important to, at the very least, share these
24 stories so that people gain understanding with my -- in
25 regards to my sister. Like I said, that fight isn't over

1 yet, and it was just -- there was just so much disrespect
2 shown to the family again.

3 There was -- there was one of the -- and I
4 know why it was done, why it had to come out. There was
5 comments made by a nurse that said, "Oh, it's like
6 performing CPR on a waterbed," they said of my sister, and
7 this is something that will be passed around a little
8 later. And, Kinew's mom still -- and as a sibling still
9 deserves some type of apology for that because that was
10 very hurtful. And, if that doesn't shine the light that
11 past interactions with my sister -- past interactions with
12 my sister affected how these nurses and staff members dealt
13 with her in her time of crisis, then I don't know what
14 does, you know what I mean? Why would he say that to
15 somebody in crisis, "It's like performing CPR on a
16 waterbed." Disrespect like that, you know what I mean?

17 And, the following day, the coroner's
18 counsel, they brought it up again -- they brought the quote
19 up again. "Were you there? Did you hear when this nurse
20 said it's like performing CPR on a waterbed?" The
21 coroner's counsel gets up. "Oh, no, no. I don't think the
22 family needs to hear this again." But, by that point, I'm
23 pissed off at the whole process, and I got up and said,
24 "That's not fair. I mean, if it has to be brought up again
25 and again, the family is willing to hear it because --

1 because you guys are controlling the scope of this. You're
2 telling us we can't do this, we can't do that." And, that
3 was really the first time that I'd got up and objected to
4 anything at the inquest. I think it was the third day.
5 Third or second day. And, it's like you're showing so much
6 disrespect, and you're trying to -- basically, I told them,
7 "You're trying to sweep things under the rug here," and she
8 got very offended and heated with me at that point.

9 She said, "You're implying there's a cover
10 up?" I says, "Well, you're the people that control all the
11 evidence. You control the witnesses." I said, "So, for
12 you to try and say you're here for us," I said, "I don't
13 believe that for a second. If it needs to be said, if
14 these hurtful comments need to be brought up in this
15 inquest again and again, then let them be brought up. But,
16 don't sit there and pretend that you're here for our
17 benefit. You're here to cover your ass," I said. I
18 probably could have gotten a lot of trouble, but those were
19 my exact words.

20 Again and again, over the course of the
21 inquest, it was just so frustrating. They controlled the
22 lining -- they controlled the line of -- they controlled
23 the line of witnesses so that, okay, well, we're going to
24 start at the back, and basically go back to the front, and
25 then go over here. Meanwhile, if they had actually thought

1 -- gave it any thought towards how questions could be
2 answered? I mean, they've got all the documentation.
3 They're the lawyers.

4 They brought in -- they brought in a whole
5 bunch of different staff members and responders, police
6 officers. And then, towards the end, they bring in the
7 nurse that initially responded. So, well, if we'd heard
8 her testimony first, we would have asked so many more
9 questions of all those other people, is what I'm saying.
10 And, we had no -- no ability then to call any of those
11 witnesses back. It would have changed entire lines of
12 questioning. And, I asked that of the other lawyers. E.
13 Frye, Canada Human Rights, says, "Well, could we call this
14 witness back?" And, they said, "No, we can't." Wouldn't
15 it have made more sense to call the very first responder
16 first in an inquest instead of near the end?

17 It was just so frustrating. And, yeah, it's
18 just getting my blood boiling here just talking about it
19 again. I mean, it was frustrating. Just -- like I said,
20 our fight isn't over yet.

21 **MS. CHRISTA BIG CANOE:** Mm-hmm. And, I
22 don't want to get your blood boiling anymore, but can I
23 just ask a couple more questions? What was the final
24 outcome? Like, what did the inquest actually find about
25 how Kinew died?

1 **MR. CECIL JAMES:** I don't believe it was --
2 that's the thing about the Saskatchewan *Coroners Act* in
3 regards to inquests. It's not a fault-finding process.
4 So, they just try and lay out the facts as they see them, I
5 guess. Like I said, they're there to cover their asses.

6 They could -- they say that it was due to a
7 cardiac -- a cardiac incident in regards to a diabetic
8 episode. But, like I'd said and Grace had said -- well,
9 Grace said that when she went in, she was only like 110
10 pounds, 120 pounds. She didn't have diabetes. She had no
11 cardiac issues. But, because of the diet that they fed
12 her, and long, inactive stints in solitary confinement,
13 that these became issues. And, they didn't -- they found
14 no -- they basically found no issues. From what I'm
15 hearing is they found no issues in the response, the way
16 they responded to the -- to my sister's crisis.

17 **MS. CHRISTA BIG CANOE:** Yes. And, one of
18 the things that an inquest does is they come out with
19 recommendations. And, you sent me a document that has 23
20 points on it. Can you tell me what that is?

21 **MR. CECIL JAMES:** On the -- one of the last
22 days, they said that we would get an opportunity to put
23 forth recommendations that we saw fit. So, we sat down as
24 siblings, and put down 13 recommendations that -- that we
25 -- because at the end of the day, we wanted -- we wanted to

1 make sure that it didn't happen to other people's loved
2 ones, so that's the way we approached it. We wrote down
3 recommendations and tried to -- tried to wrap our heads
4 around how a crisis like that could be better responded to,
5 better attended to.

6 So, we put together 13 recommendations, and
7 they chose three of the recommendations. The
8 recommendations I made are eight, nine and ten. But, like
9 I had said, I try and do -- I try and research as much as I
10 can. So, with the days leading up to the closing of the
11 inquest, I started to look at familiar -- familiar -- other
12 familiar inquests, like the ones in Ontario, B.C., Alberta.
13 And, I started to see -- well, these recommendations are
14 made over here, but they're also made over here. So,
15 they're made in Ontario, they're made in B.C.

16 So, when -- we left at -- we left -- at the
17 end of the day, we left the inquest early, my siblings and
18 myself. We still -- we wanted to go home because we were
19 just sick of the process. I get an email with the 23
20 recommendations. And then, I'm looking at -- even just
21 scanning over it, and I say, "Well, you know, I've seen
22 these recommendations from an inquest they held three years
23 ago in Ontario. I see the same recommendations that they
24 held at an inquest in B.C. a year ago." And, this is a --
25 the RPC is a -- is a federal institution as a lot of the

1 other -- the one in B.C. and the one in Ontario are federal
2 institutions, and they make the same recommendations.

3 So, the problem I had -- the big problem I
4 had with the process is we make the recommendations, we get
5 studied, we get inquest, we get inquiry, and at the end of
6 the day, it's common sense. You take a look at the 23
7 recommendations that are made and you see that, well, it's
8 already been proven that it's a problem over here, so why
9 isn't it across the board, you know? Then do it two years
10 after that inquiry, they held one in B.C., basically, the
11 same recommendations. Happens again to my sister. The
12 inquiry comes there. Basically, the same recommendations.
13 It's pathetic. It's a waste of time and money.

14 They let it happen to a girl in Ontario,
15 they let it happen to a girl in B.C. -- a guy in B.C., they
16 let it happen to my sister, and nothing changes. So,
17 that's the frustrating part for me for these things. It's
18 just like why make recommendations if you're not going to
19 change anything?

20 **MS. CHRISTA BIG CANOE:** And, just so it's
21 clear, Cecil. You guys did a list of 13, and they only
22 took up three. But, these 23 -- this list of 23, is this
23 the final recommendations that came out of the inquest?

24 **MR. CECIL JAMES:** Basically, yeah, but I
25 haven't seen the final report. I'm not -- I'm -- this is

1 the way that I'm seeing it. Like I said, they're covering
2 their ass. And, us as a family, we have a 5-year window to
3 sue them in civil court. I guarantee you, that report will
4 not come out until that 5-window year has passed; you know?
5 An inquest like that is designed more to cover their ass
6 than anything.

7 **MS. CHRISTA BIG CANOE:** Before -- before I
8 move on or -- and turn to maybe some ideas or
9 recommendations the family would have for the Commission,
10 is there anything else you wanted to add about any of the
11 loved ones you've lost, these three beautiful women?

12 **MS. SHARON JAMES:** Well, you mentioned when
13 -- Kinew's childhood trauma, she experienced that trauma in
14 care. She was supposed to have been placed with people who
15 were going to take care of her. I don't know exactly what
16 happened to Kinew, but she came back different. I
17 experienced the same thing myself. I was supposed to be
18 placed somewhere safe. It didn't happen.

19 **MS. GRACE CAMPBELL:** The lawyer I had, she's
20 going to be sending me all the paper and all the
21 recommendations, but it's going to take time she said. So,
22 I don't know how long that's going to take, and I'm in
23 contact with her just about on a daily basis, so...

24 And, I'm -- what I'm -- when Kinew was in
25 there, she sent me a design to make her a jingle dress. I

1 got to make that. I've been putting it off and putting it
2 off, but I got to make it. For me, I probably will give
3 that jingle dress to somebody in the summertime.

4 So, like -- I don't know, it's really --
5 it's hard because there's something missing; you know?
6 Somebody's not here, somebody's not calling because she was
7 the kind of person that will just pop up -- pop up, right?
8 When you least expect her, she would be right at your
9 doorstep. She's not anymore. And, the kids always talk
10 about their sister. I have two daughters, two other
11 daughters myself, and they always talk about her, and bring
12 her up and, "How is everything going with her," you know,
13 when she was in there.

14 She wrote a lot of letters, a lot of
15 pictures, and send me all -- everything that she -- you
16 know, she's just -- I miss that. You know, I didn't get to
17 raise her, but she came looking for me when she was 8 years
18 old. She plead her dad, I guess, to come and bring --
19 bring her to me, so -- and I was struggling -- like, at the
20 time, I was sober already and I have worked out my own
21 problems with my own family members too. And, like I'm --
22 I've been sober now 32 years going on 33 years. Somewhere
23 along the way I realized, you know, I have kids. I've got
24 to do something, but it took a while.

25 I have struggled with my life because I came

1 from a single family. I didn't have a father. My father
2 was killed when I was 3 months old. So, you know, there's
3 always something missing when you're -- when you're raised
4 like that. And, for me, I didn't know how to be a parent;
5 you know? And, I tried with these kids, like John's kids,
6 and they were, you know, they were good kids. Then, when I
7 was with them, I was -- like it was that, being their dad;
8 you know? He has nothing to do with the kids.

9 So -- and I just hope that it doesn't happen
10 with -- I -- they asked me what I wanted in that thing,
11 what I would recommend, it doesn't happen to anybody else,
12 like going to segregation and be kept there, and all this.
13 There's services. They must have services. They have --
14 they get paid. The government gets out -- puts a lot of
15 money to get -- you know, to help all these people that end
16 up in jail, or in an institution, in penitentiaries. Where
17 is that money going? Are they sitting around and just
18 watching somebody deteriorate in there? Because that's
19 what happened with my girl.

20 So, I get a bit -- I've got to control my
21 anger. I -- my prayers, I have to pray a lot; you know? I
22 have -- I wish it didn't happen, but it did happen. Can't
23 turn the clock back. I miss my girl.

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

25 **MS. SHARON JAMES:** With everything, it's

1 important to remember that these women were loved. They're
2 mothers, they're sisters, you know, cousins, daughters, and
3 there's a deep sadness that never goes away.

4 **MR. CECIL JAMES:** Like -- like my sister had
5 just said, these women were all mothers. My mom left five
6 young children, Noella left two young children and my
7 sister, Kinew, left a son, somebody that we're still trying
8 to bring into -- bring into the fold. She had a
9 conversation with the young man, Kinew's son, and he was
10 looking forward to meeting his mom, spending time. Like, I
11 mean, she passed away in January 2013, and she was supposed
12 to be out during the summer of that year. He was looking
13 forward to that and he regrets that time will never come
14 for him.

15 So, I guess in regards to recommendations, I
16 try not to hold my breath in regards to recommendations. I
17 mean, you're going to hear so many recommendations from so
18 many different families, and anything that I say to you,
19 you're probably going to hear it again, and again, and
20 again. But, the one -- the one example that -- from
21 recommendations and a man or a person in your position, I
22 can look at -- I can look at, like the TRC with Murray St.
23 Clair and the work that he did there. You know, I
24 understand that you're going to be -- your mandated to do
25 things a certain way. And, when that mandate is over, like

1 with Murray St. Clair -- I have so much respect for him,
2 because he advocates for those recommendations now.

3 So, no matter what happens here, or what you
4 hear, how much people can be upset with you, when this
5 mandate is done, your job isn't done. It's up to you to
6 see through -- make sure that recommendations are seen
7 through. I can't -- I won't hold my breath for that to
8 happen right now, but I'm interested to see when -- the end
9 result, after your title is gone, what you do with these
10 recommendations, and how you -- how you put them for us and
11 how you advocate for them. But, I'm not going to hold my
12 breath for now.

13 Yes. Maybe -- Justine, did you want to say
14 anything?

15 **MS. JUSTINE JAMES:** Being here today, this
16 is the first time that, you know, a lot of it is really
17 sinking in about my grandmother, and my other auntie and
18 uncle's mother. You know, I would once in a while hear
19 about what had happened, but I think it's all just really
20 sinking in now. And, I know being a young, Indigenous
21 woman, I have to be really strong for my siblings, and for
22 my mother, and for my daughter, because my daughter is
23 going to grow up, and she's going to look back on this day,
24 and she's going to ask me how I felt and what did I do,
25 like on my part, to help those families of the missing and

1 murdered. So, I know that there is more responsibility on
2 me being an Indigenous woman and, you know, raising a
3 daughter. I think that's all I want to say.

4 **MR. CECIL JAMES:** It's been really -- it's
5 been, I guess, a lot harder on my sister, Cheryl, and I
6 just want to acknowledge her. She is the one that put our
7 family forward to tell our story. She's not here. She
8 couldn't be here. It was just too much for her. Sorry.
9 Yeah, I just -- this inquiry has been a long time coming,
10 and I hear from other families that they've -- they've had
11 loved ones that have waited too long. Sorry. I just want
12 to acknowledge my late brother too. He advocated for this.
13 He was always out supporting other families, and he's not
14 here to have his voice heard.

15 But, this -- it's -- this is a long time
16 coming, and I've met so many wonderful, strong families
17 through this movement. And, I just want to say from my
18 family to yours that we love you guys, and we thank you for
19 your strength and that you're able to share your story with
20 us as we're sharing our story with yours. Thank you.

21 **MS. CHRISTA BIG CANOE:** Commissioner
22 Eyolfson, I was wondering if you had any questions or
23 comments for the family?

24 **COMMISSIONER BRIAN EYOLFSON:** Thank you,
25 Christa. I don't have any additional questions, so I just

1 want to thank you for coming here today and sharing your
2 truths with us. I think, Sharon, you spoke of having
3 memories that are a gift, and I think you've all given us a
4 gift here today by coming here and sharing those, whether
5 it's memories that are dear or your frustrations, but
6 telling us your experiences, that's what supports the work
7 of the inquiry, and I just want to thank you for that.
8 And, for showing your strength, and I want to recognize
9 that, and coming and contributing and sharing. I really
10 appreciate it. Thank you.

11 **ELDER BLU:** So, the Commissioner would like
12 to offer you this small token as a thank you. One is an
13 eagle feather, so that that feather can help you continue
14 on your journey, and to help you receive healing and to
15 help you with what you've been through. The second is some
16 package of seeds, and we hope that when you plant those
17 seeds they continue to grow. And, just as you shared with
18 us, we will remember your story and it will continue to
19 grow with us so that we can hopefully do something about
20 that and make changes in the inquiry. So, *migwetch*, I
21 thank you for sharing your story with us.

22 **MS. CHRISTA BIG CANOE:** So, I ask that we
23 now adjourn, and I ask that we come back at 3:20. So, it
24 will be adjourned until 3:20, please.

25

1 manslaughter and aggravated assault, not with homicide. He
2 was released on bail, and eventually the Crown stayed the
3 charges. The family has never received a reason why the
4 charges were stayed from the Crown or the police, and Mr.
5 Henderson first -- only first became aware of this day when
6 he attended the trial, and no one was in the courtroom.

7 And so, today, we're going to ask Mr.
8 Henderson to share the story of his mother and talk about
9 her strengths and her contributions. And, we're also going
10 to ask that anyone that's here in support of him just take
11 the time to introduce themselves, even if by first name,
12 please.

13 **MS. MERLA:** Hi, I'm Merla.

14 **MS. ANNE-CAROL:** Anne-Carol.

15 **MS. LORRAINE:** Lorraine.

16 **MS. VELMA:** Velma.

17 **MS. CHRISTA BIG CANOE:** So, Tim, I'm going
18 to start with a couple of questions, and then we can -- and
19 then I'm just going to let you start telling the story as
20 you see fit. So, if I understand, as a young child you
21 actually, yourself, attended Indian Residential School in
22 the '70s?

23 **MR. TIM HENDERSON:** Yes, that's true.

24 **MS. CHRISTA BIG CANOE:** Do you want to tell
25 me just a little bit about that, with as much detail as you

1 are comfortable?

2 **MR. TIM HENDERSON:** From what I can
3 remember, it was quite a while back. I might have been
4 four up to about nine or eight. I attended two different
5 residential schools. One was what they call a "day
6 school", and that was at Brandon -- no, it's Fort Alexander
7 Residential School. And, the second one, where I actually
8 resided, was the Brandon Indian Residential School for a --
9 at least three years.

10 **MS. CHRISTA BIG CANOE:** And, you have nine
11 siblings. That's a lot of siblings.

12 **MR. TIM HENDERSON:** Yes, it is.

13 **MS. CHRISTA BIG CANOE:** Do you want to tell
14 me a little bit about your siblings and your family?

15 **MR. TIM HENDERSON:** Yes, there's nine, and
16 one I never met. I had a sister, her name was Jean
17 Henderson, and she passed this summer. And then I have a
18 brother named -- I'll go with the oldest, is Les, and Reg,
19 Dennis, I already mentioned. And then there's Anita,
20 Vernon and Trish. And, myself, so that -- and my father
21 passed away shortly after my mother.

22 **MS. CHRISTA BIG CANOE:** So, I also
23 understand that Marjorie was the aunt to Kelly and Glenda
24 Morrisseau, who are also both missing and murdered
25 Indigenous women.

1 **MR. TIM HENDERSON:** Yes, that's true. I was
2 very close with both Glenda and Kelly, and that still
3 weighs really heavy on me and the family. And, it's really
4 hard, you know, to be up here, you know, speaking about
5 something that happened almost a quarter century ago, and
6 it takes you right back there. Well, it's taking me right
7 back there, and it's -- to get where I am now is -- it's
8 been a rough road.

9 **MS. CHRISTA BIG CANOE:** Can you share with
10 us some stuff about your mom? Like, what you do remember
11 or some of the strengths and contributions you know about
12 -- about her?

13 **MR. TIM HENDERSON:** One that I remember, I
14 was in Red River College about ten years ago. And, there
15 was this book, and it was a case study of businesses on
16 reserves, Canadian reservations, and the challenge that
17 individuals face trying to start a business on the reserve.
18 And, I remember my mother and my aunt, Joyce Koshain
19 (phon), they started a sewing factory to make garments,
20 like winter clothing. And, I vaguely remember it, but when
21 I was -- this book was being used as a case study, I don't
22 even remember the author, but he was from Germany, and he
23 changed all the names and where it happened, but the story
24 was still the same. And, that's when I started to
25 recognize that, you know, she had accomplished a lot. She

1 was a business entrepreneur.

2 Of course, she was a mother, grandmother,
3 sister, aunt. You know, it's like -- and, I know she was
4 well liked in the community. She worked in the band office
5 for a number of years, alongside Phil Fontaine, in the
6 '80s, late '70s and the '80s.

7 **MS. CHRISTA BIG CANOE:** I noticed there's a
8 picture of your mom up now. Do you know when that might
9 have been taken?

10 **MR. TIM HENDERSON:** No, there's -- well we
11 do know it's at the -- there was a bus terminal just
12 (indiscernible) there, you know, one of those little photo
13 booths in the black and white, and that's all -- that's all
14 I can get, all I can remember about that.

15 **MS. CHRISTA BIG CANOE:** So, can you share
16 with us, in as much detail as you're comfortable sharing,
17 the story of your mom and what happened to her?

18 **MR. TIM HENDERSON:** Well, it's -- I've got
19 to start from -- from what I can remember it was just any
20 other day. It was summer. It was bright, sunny. It was a
21 beautiful day. My mother lived on Furby, near the Health
22 Science Centre, and I lived on Manitoba, just by Salter.
23 Not too far away. And, because she had a restraining order
24 against her partner, we would check on her.

25 And, one day I went, and the -- her partner

1 that was on the restraining order was in the apartment.
2 And so, I was telling her to phone, and then she went in
3 the room and showed me the phone. And, it wasn't on the
4 wall, it wasn't attached to the wall. It had been ripped
5 out. So, I was pretty intimidated.

6 He had a bar in his hand and a knife in the
7 other. So, I immediately, you know, went close to the door
8 as I could, and then I made a dash down the stairs. She
9 lived on the second floor. I went out, and on the corner
10 of Furby and William there is a pay phone. So, I went
11 there, and picked it up, dialled 911 and proceeded to tell
12 the male on the other end that a crime was being committed.
13 There was the person that was on the restraining order
14 against my mother, and I gave him the address, her name,
15 was in there. And, his exact words was, he said to me,
16 "She has to call." I said, "What?" And, I heard *click*.
17 That was it.

18 And, I was in shock. My mind was racing.
19 And, I ran down William thinking, "Well, I'll go another
20 pay phone," and, you know, get someone else who will
21 respond accordingly, you know, according to the oath that
22 they have taken to protect. And so, I got to that phone,
23 dialled 911, and I heard someone answer it, and I said,
24 "Yeah, I'd like to report a crime," and I recognized that
25 voice again and they did the same thing. So, that was

1 pretty frustrating. I was -- I probably looked insane as I
2 was running up and down the street trying to get help.

3 So, I went to my friend's place to get help.
4 We came back. We couldn't get in. There was no back door.
5 And, on the front door they had it barricaded with 2x4's
6 and reinforced by steel braces. And, it was short little
7 steps, like you could take one step, that was it. There
8 was no railings or anything. We couldn't get it down. So,
9 we left again. And, I sent someone else back to check --
10 we were thinking of what we could -- what else could we
11 try. And, not even 5 minutes went and gone by, and that
12 person came back. And, they got out of the car and they
13 fell down. I thought something had happened to that
14 person. Like, maybe they got stabbed or hit. Went to
15 them, they couldn't speak. The person was hysterical,
16 crying. And then I had asked them, "What's wrong? What's
17 wrong," not thinking that something had happened to my
18 mother.

19 And, after a few minutes of that, that
20 person just said, "It's your mom." And, that's when they
21 said, "The police found her." So, some time had passed, I
22 don't know how much time, it's a while ago, but I know if
23 that officer that answered my two calls, had he responded,
24 you know, and sent out a cruiser, or whatever, other police
25 officers maybe, to come out and check on the safety of my

1 mother, that that wouldn't have happened to her. It was
2 totally, in my heart, preventable.

3 And, it's sad because, you know, I have
4 children that have never seen her. Just in the picture
5 that is up there. You know, we talk about her, but we
6 never go into the details of what happened. We just say
7 she passed; you know? It's really ugly what happened and,
8 you know, I don't wish it upon anybody, and that's why I'm
9 here today.

10 And, like, you know, to come up here and
11 share that, and hear other families share their grief, you
12 know, the courage it takes for them to come up here,
13 knowing that, you know, more than likely they're going to
14 cry, because it's real. You're reliving it.

15 **MS. CHRISTA BIG CANOE:** Can I take a little
16 step back, because you had mentioned that your mother's
17 partner had a restraining order against him. I understand
18 he's deceased now?

19 **MR. TIM HENDERSON:** Yup. Yes, he is.

20 **MS. CHRISTA BIG CANOE:** And, is it okay if
21 we just call him "W" for now?

22 **MR. TIM HENDERSON:** Sure.

23 **MS. CHRISTA BIG CANOE:** Okay. So, when did
24 W come into your mom's life? Or, when do you remember
25 first meeting W?

1 **MR. TIM HENDERSON:** Shortly right after I
2 got out of residential school I got home and I had a sister
3 I never had before, when I left. And so, I guess, during
4 my stay at the residential school in Brandon, and right up
5 until '93.

6 **MS. CHRISTA BIG CANOE:** So, when you got
7 home, your mom had a new partner. And, can you tell me
8 what that was like? How was their relationship over all
9 those years?

10 **MR. TIM HENDERSON:** Oh, it was real rocky
11 and very abusive. A lot of drinking.

12 **MS. CHRISTA BIG CANOE:** So, was W often
13 abusive with your mother?

14 **MR. TIM HENDERSON:** Yes.

15 **MS. CHRISTA BIG CANOE:** You had mentioned
16 there was, like, a restraining order type -- was that his
17 first one ever that you recall?

18 **MR. TIM HENDERSON:** I think it was his
19 second one. There was one, maybe, when I was about 13 or
20 14. I was going to Gordon Bell, and we were living on
21 Sherbrooke, near Sergeant. And, I don't know what happened
22 with that one. I didn't stick around long enough. I was
23 already -- I didn't want to be around him, so I -- I didn't
24 stay home much.

25 **MS. CHRISTA BIG CANOE:** And so, given that

1 there was abuse over time and some protective orders in
2 place throughout the years, what would happen if -- like,
3 were the police ever called during any of these incidents
4 of violence?

5 **MR. TIM HENDERSON:** Well, I remember one
6 that stands out was, we were living on Stafford and Taylor,
7 I don't remember the address anymore, but he had assaulted
8 my mother and the neighbours had called the police. They
9 came in, and all they would do, it was a pattern, was they
10 would take him, you know, a few blocks away I'd have to
11 presume because he'd be right back there right after they
12 were gone, like, less than 5 minutes. And, he seemed to
13 know that that was going to happen; you know? It was a
14 pattern, and that's how they dealt with it, with my mother,
15 in terms of the assaults that were happening to her.

16 **MS. CHRISTA BIG CANOE:** So, you would have a
17 neighbour that would likely call, that were trying to make
18 sure that she was okay. But, then, as a pattern, he would
19 just keep coming back immediately. So, does that make you
20 feel, like, that maybe he wasn't going all the way to the
21 police station or being charged, or something?

22 **MR. TIM HENDERSON:** No, he -- I don't know
23 how many times he was charged. I would have to say at
24 least those two times that I can remember. But, there's
25 probably about -- at least three or four incidents from my

1 early childhood through my teens where he was just taken
2 down the street and dropped off; you know? And, he would
3 show back at the door and he would have no paperwork; you
4 know? And, I know if you get charged with something you're
5 not going to be back in 5 minutes.

6 **MS. CHRISTA BIG CANOE:** So, after all of
7 this happened and you got the devastating news about your
8 mom, W was actually charged?

9 **MR. TIM HENDERSON:** Yes.

10 **MS. CHRISTA BIG CANOE:** And then I
11 understand he got bail, so he was out again. But, how did
12 you understand what was the next step, what was going to
13 happen next?

14 **MR. TIM HENDERSON:** Well, after I was told
15 that my mother was deceased, I went to the -- where she
16 was, and the police were there. There was, like, about
17 five cop cars there and 20 police officers. And, I'm
18 yelling around, you know, like, I'm angry because of what
19 had transpired earlier that day when I was phoning the 911
20 emergency number and being hung up on.

21 When that was happening, like, I didn't even
22 know -- like, there's terminology for that now, you know,
23 because -- but when you're in the moment you're not
24 thinking about that. You're just thinking about, you know,
25 what's going on, what's happening here and you're just

1 trying to get what you think you should be getting, but
2 you're not getting that, that protection; you know? And,
3 she even had, you know, court documents, you know, the
4 restraining order, his name on it. You know, he's not
5 supposed to be there and all that other stuff. It's just
6 being ignored, purposely. You know, it's...

7 **MS. CHRISTA BIG CANOE:** So, you said the
8 "terminology", do you want to expand for us a little?

9 **MR. TIM HENDERSON:** Well, you know, today we
10 call it racial profiling, and I agree with that. And,
11 it's, you know, systemic here. And, I can speak in -- for
12 Winnipeg. I live in the core area, like, the inner city,
13 central, and I try to ignore it, you know, when the police
14 drive by. You know, I have a bag, they will pull me over.
15 One time I was driving my bike, I came from a baseball
16 game, and I had my bat in my bag and I was on my bike, and
17 I started to notice I was being pursued because I was
18 driving fast. Like, not speeding, but fast for a bike.
19 And then I started to notice these cars drifting in and
20 out, and what's going on?

21 So, I didn't know who they were. They
22 didn't have, you know, Winnipeg Police on them. Then, I --
23 so I start, you know, trying to evade, I guess, you know,
24 get away from them. All of a sudden, I hit Furby and
25 Ellis, and they had it all -- I was surrounded and they

1 drew their guns. And, they said, "What's in the bag? Is
2 that a gun?" They made me get off my bike, hands in the
3 air, and I told them, you know, "It's my bat. I just came
4 from baseball." It wasn't dark. It was in between. You
5 know, evening, early evening. And, you know, it's just --
6 it continues to this day. Like, I'll say I'm not carrying
7 no bag because I just don't have any faith in the police
8 here.

9 **MS. CHRISTA BIG CANOE:** And, when you were
10 talking about the 911 operator not taking you seriously,
11 how would you -- how did that make you feel?

12 **MR. TIM HENDERSON:** I don't think I would
13 call it not taking me seriously. You know, I would put it,
14 you know, he was an accessory to murder. He allowed that
15 to happen. He didn't uphold his oath to the office that he
16 had taken, he sworn to -- to protect the public, not a
17 select group that he felt. It was all inclusive when he
18 took that oath. That meant everybody, anybody who needed
19 it, needed that protection.

20 **MS. CHRISTA BIG CANOE:** And, I mean, you've
21 given us that feeling you had, but do you think his actions
22 were discriminatory? Do you think he knew -- like, how he
23 would know it was you? Was it because you were so upset on
24 the phone? What makes you think he was being so
25 discriminatory towards you?

1 **MR. TIM HENDERSON:** I think from the call
2 itself he was able to -- you know, I don't know what they
3 had for computers back then, or if they even had them, but
4 I'm sure that he was able to pull up the file, and even
5 with me saying there was a restraining order, that is --
6 should have warranted, you know, officers to come to the
7 house to check on her wellbeing, to make sure that she was
8 safe and protected. That didn't happen that day.

9 **MS. CHRISTA BIG CANOE:** Can I ask you a bit
10 more about some of your background and past? You had
11 mentioned the school you went to when you were -- you said,
12 in your, like, maybe pre-teen, early teens?

13 **MR. TIM HENDERSON:** I'm pretty sure I was in
14 grade 6. It was at the Laura Secord School.

15 **MS. CHRISTA BIG CANOE:** Okay.

16 **MR. TIM HENDERSON:** So, that would place me
17 around maybe 11.

18 **MS. CHRISTA BIG CANOE:** Do you want to tell
19 me a little bit about your days there and maybe contrast or
20 compare that to your experience at Indian Residential
21 School or other schools?

22 **MR. TIM HENDERSON:** This was after the Indian
23 Residential School in Brandon. I remember going home.
24 What I don't remember is how I got to the foster home I was
25 living at. That was on Garfield. And, I remember the

1 school, Laura Secord, because something wonderful happened
2 there.

3 I was a very shy, young boy there. My
4 fellow students were always encouraging me to try this, do
5 this; you know? And so, I would try things, and I became
6 captain of the school guards, the patrols. I became the
7 assistant captain of the Laura Secord hockey team. And, I
8 had a few families ask me if they could adopt me. And,
9 these were -- I would have to say, without a doubt, I was
10 the only Aboriginal in that school, but I was embraced and
11 I was accepted, and it was wonderful. It was great.

12 I was one of the popular students in the
13 school. Like, I was always going out for dinners. I was
14 even taken to cottages in the summer. I was always going
15 out on outings with other families that where I, you know,
16 became friends with the hockey team, my fellow players.
17 And, it was just a thriving environment for me, having come
18 from, you know, I guess, the brutality of the residential
19 schools that I attended.

20 **MS. CHRISTA BIG CANOE:** And, I asked you
21 about that school because of the contrast, but also because
22 going to that place and seeing that, as opposed to having
23 lived previously in poverty and overcoming obstacles and
24 barriers, what did it make you think, like in addition to
25 the good things that happened there?

1 **MR. TIM HENDERSON:** See, when I was in it,
2 when I was -- I guess, I didn't know that I wouldn't have
3 that again, and I didn't know that -- but, in retrospect,
4 you know, I embrace it, and it gives me hope that it can
5 happen to other people, other Aboriginal people that, you
6 know, they come to the urban centres, wherever it may be,
7 and that, you know, they get accepted and they, you know,
8 have the same opportunities that everyone else has.

9 **MS. CHRISTA BIG CANOE:** And, is that because
10 -- you know, following that school experience, following --
11 you know, leading up to and following your mother's death,
12 is it fair to say that you've struggled some with poverty
13 and other obstacles?

14 **MR. TIM HENDERSON:** Yes. I -- I had
15 addictions quite early with alcohol, and I was placed in
16 foster homes and group homes, and I would just leave. You
17 know, I would just get up and leave.

18 And, I just want to go back to the school
19 for a second. Here's where I went to family court on
20 Kenaston, and there was a judge there, and he had asked me
21 where I wanted to go. And, I told him I wanted to go home,
22 back to my mother. And, he sent me back to the foster
23 home, and I wasn't happy with that. But, I became happier
24 with the placement later, and when I went back again, I
25 guess they do a review, I don't know if it was six months

1 or a year, he asked me again where I wanted to go. I said,
2 "I want to stay here in the foster home where I am. I'm
3 doing great and I have lots of friends. I'm playing
4 hockey." And, he sent me home.

5 I thought -- I just thought I'd mention that
6 just because it seemed to me that, as a young person, they
7 were asking me where I wanted to go and, you know, I was
8 being truthful with them, with the judge. And then he
9 would turn around and send me exactly where I didn't want
10 to go. So, there was already -- I was starting to already
11 develop a mistrust. It was already there, it was just --
12 it was becoming bigger. I was starting not to trust anyone
13 in authority.

14 **MS. CHRISTA BIG CANOE:** Are there any other
15 obstacles or barriers that you want to talk about that
16 either your mother experienced or that you've experienced?

17 **MR. TIM HENDERSON:** Well, I've been in
18 Winnipeg at least 40 years, and throughout that time I've
19 been dealing with many different provincial, federal
20 government agencies, institutions, if you will. Like,
21 Revenue Canada. I had been called in for four audits in a
22 row where I had to bring in all my receipts, and I would
23 meet with the officers, whatever they would call
24 themselves. So, on the fifth time I asked -- it was a
25 lady, I asked the lady, I said, "What are the odds of it

1 happening twice? You get called in twice, you know,
2 consecutively?" She gave me some number, and I said, "What
3 about three times?" She gave me a higher number. And, I
4 said, "What about four?" She says, "Never happened." I
5 said, "Well, okay, I'm here for the fifth time." She
6 looked at me, and said, "I'll be right back. I'm just
7 going to go upstairs." She went upstairs, she came back
8 down, like, a few minutes later and said, "I'm sorry, Mr.
9 Henderson, you can go home." That's one example.

10 And, other -- one other example that I did
11 have was with Employment Income Assistance. I went to an
12 orientation, and after you're done your orientation, I
13 guess you can go to the phone, they have a phone there,
14 then you can phone and you get your appointment for when
15 they're going to assist you. So, I got on the phone. I
16 was the first one out, and got on the phone, and the first
17 thing they asked me was my case number. I said, "No." I
18 said, "Can't you just give me an appointment date?" She
19 said, "No, I've got to get your case number first." So, I
20 was thinking about that and I was going, oh, I need -- so I
21 gave my case number. And, she said I had an appointment
22 three weeks down the road. I said, "All right. Wow,
23 that's quite a ways."

24 There was a young lady behind me, and she
25 got on the phone next, she didn't take too long, and she

1 got off the phone. She looks at me and says, "I come in
2 tomorrow morning." Wow. And, I was kind of in a little
3 bit of shock because she was behind me. She wasn't
4 Aboriginal. And, I was trying to think, well, there is
5 something going on here, and there's no way I can prove it,
6 but it just happened to me anyway.

7 It wouldn't be until last year that I
8 actually figured out what had happened. There is this
9 database that they use, so when you call in and you give
10 your case number, it pops up. And, in there, there is a
11 racial identifier, I'll call it, you know, where it says,
12 "race". And, I think that's what they did to me that day.
13 It has to be what they did.

14 And, I have -- well, I'll speak more to that
15 later, I guess. That's just a few examples, and -- but
16 this has been going on throughout my life. I don't go in
17 there trying to argue with them or give them a hard time,
18 it just happens that way, just right from the get-go, right
19 after my numbers are given or my name is given. You know,
20 it's that racial profiling. I'm not doing it.

21 **MS. CHRISTA BIG CANOE:** So, we talked about
22 the fact that W, when you went to -- he got out on bail,
23 but when you went to trial, or you went to go watch his
24 trial, what happened?

25 **MR. TIM HENDERSON:** I went to the trial at

1 the law courts, and I went in and there -- but prior to
2 that I had spoken with a Crown who told me they would
3 contact me if anything happened, any changes in the case at
4 all. And, I left feeling good about that. And, that day,
5 when I went in there and it was just empty, I thought maybe
6 I had gone in the wrong room. So, I went back, there's a
7 court docket on the wall, I went through it again and,
8 sure, I went back, I'm in the right room.

9 So, I was sitting in there. Someone
10 actually came in, and they asked me what I was doing there.
11 I said, "Well, there was supposed to be a trial here
12 today." And, they told me where the Crown's office was.
13 So, I went there and told them who I was. A lady came out,
14 and I don't know why, but she thought I was W's son. And,
15 when I informed her that I was Marjorie Henderson's son,
16 she said, "I don't want to talk to you." She went behind
17 this locked door, she closed it, said, "I don't want to
18 talk to you." I could still hear her.

19 And, there was nothing to do there. It's
20 just -- it's locked, you can't do anything, so the only
21 thing you can do is turn around and go back out. So,
22 that's what I did. Then for the next, I guess, four or
23 five years I was -- because I still don't have answers, I
24 was trying to find out what happened, and to this day I
25 still don't know what happened.

1 **MS. CHRISTA BIG CANOE:** Sorry, I was just
2 double-checking. I wanted to make sure I had something
3 right in front of me. So, throughout all of this, so
4 between your experience as a child in an Indian residential
5 school, the loss and trauma you faced when you lost your
6 mother, what type of supports were available for you, in
7 terms of if you want to access counseling, or -- were there
8 any -- what type of supports were there for you?

9 **MR. TIM HENDERSON:** I was never offered any.
10 I was never -- even from the police, the investigators. I
11 only met them once, and they didn't say nice things about
12 my mother. And, it was a couple years of -- every time I'd
13 phone in there would be a new -- new detectives on it. So,
14 I never got any answers about anything, and I was never
15 offered any types of services to deal with my grief, my
16 anger. In fact, no one wanted to listen. Nobody wanted to
17 -- as soon as I would open my mouth, bye; you know?
18 They're gone.

19 So, what I'd like to see, like, I guess, for
20 families of missing, murdered Indigenous women and girls is
21 that, you know, they'd be offered that help that they need.
22 And, could you -- well, we'll go with what they have up
23 there. I might have to go off track here a bit.

24 **MS. CHRISTA BIG CANOE:** Sorry, we're looking
25 at number two up there. There you go.

1 **MR. TIM HENDERSON:** If you -- yes, go on
2 number two and just click on that. I guess you can't open
3 both. But, this is just an example of what's happening for
4 the Mounties, and I think it's a good thing. They have
5 their own MP putting forth a bill to help them with their
6 post-traumatic stress disorder. And, this is -- why I'm
7 sharing this is that this should be happening for the
8 families of the missing, murdered Indigenous women and
9 girls, and this needs to happen, you know, now. As soon as
10 possible.

11 Like, I know that I -- in 2011, I was
12 diagnosed with PTSD. But, prior to that, throughout my
13 whole -- my entire life, my childhood, my young adult life
14 and my adult life, I've been drifting in and out of PTSD.
15 And, that was because of the residential school and what
16 had happened to my mother. These were traumatic events
17 that happened in my life, and I'm sure for anyone, the
18 families that are here, it's just as traumatic, if not
19 more. And so, my recommendation is that, you know, we have
20 the same consideration given to the families, you know,
21 where they can get those health supports, a psychiatrist, a
22 psychologist, even traditional healing ceremonies.

23 Like, they held one here last night, and it
24 was a good event, and I showed up, and it did help me. It
25 gave me more strength to show up here today and share my

1 story with, you know, everyone that is her and whoever is
2 watching.

3 **MS. CHRISTA BIG CANOE:** Can we please have
4 number three pulled up?

5 **MR. TIM HENDERSON:** Yes, these are -- there
6 is a whistleblower Act here in the Province of Manitoba,
7 and there's a federal whistleblower Act for the federal
8 employees of Canada. And, why I'm bringing this up here is
9 because I'm on the inside and, like, the other families,
10 and whoever else has been -- we are on the outside, and
11 there's a broken system, and currently when people at the
12 provincial level or the federal level, they are not
13 protected. So, there is no -- there is no change coming.
14 The change has to come from within these government
15 agencies that are allowing these things to happen.

16 I know for the -- for example, the Province
17 of Manitoba here, there was this East Side Road Authority,
18 and a lady made a whistleblower report, and in her -- it
19 was found that she did have merit. Her allegations had
20 merit. She was -- but that -- it didn't protect her.
21 People knew it was her, she didn't -- she lost her job.
22 She now works in the private sector. And, at one point
23 they had even offered her a settlement, and I'm sure in
24 that settlement it had a nondisclosure agreement. And, if
25 we have -- if we allow those types of things to continue,

1 change is not coming.

2 So, I would recommend that, you know, they
3 protect the anonymity of the person; they not allow any
4 more compensation with a nondisclosure agreement; and,
5 three, if they break that anonymity that they compensate
6 the whistleblower. I would like to see something that --
7 because each province has their own jurisdiction on this, I
8 would like to see a federal bill come in so that there is
9 no more interference.

10 **MS. CHRISTA BIG CANOE:** So, I just want to
11 ask a question to follow-up on this because I think some
12 people might be like, "Okay, we're talking about
13 whistleblowing legislation now and how does that relate to
14 this issue?" But, if I understand correctly, part of what
15 you're saying is -- so say something happens in
16 institutions, or in hospitals, or places, and people don't
17 feel empowered to report, am I understanding that's part of
18 your thinking on this?

19 **MR. TIM HENDERSON:** Yes, they -- what they
20 are doing -- like, if someone wants to -- let's say someone
21 wants to report something that they feel is wrong, they are
22 putting their career at risk, their livelihood, their
23 house, their marriage. They are laying everything on the
24 line. And, it's just not working, both at the federal and
25 provincial level.

1 We have -- currently our current premier,
2 Brian Pallister, when he was the opposition leader, he was
3 -- wanted to make amendments. And, at the federal level,
4 the same thing is happening there, where they're not
5 protecting the whistleblower.

6 So, if change is supposed to happen or it
7 needs to happen, where -- like, for example, we'll take any
8 police force, and people see something that is not
9 happening or is happening that shouldn't be happening,
10 there is nothing for them to say, "Well, okay, if I say
11 something, I'm no longer here. I'm not working here, I'll
12 probably not work for the government again and, you know,
13 I've already invested 20 years in here, 30 years even."
14 You know, "There goes my pension." So, there's no -- when
15 there's no protection, you know, why? Why should I risk
16 that?

17 I'm looking at all these government
18 institutions, and if I look at -- back at my life, right
19 from my early age, and I'm still in them, and I'm still
20 getting racially profiled. And, I know how they're doing
21 it, and I'll come to that in a minute.

22 **MS. CHRISTA BIG CANOE:** Can we bring up one,
23 please?

24 **MR. TIM HENDERSON:** This is from a
25 University of Manitoba website. It's a sample of a

1 database. What I'm trying to demonstrate here is that when
2 you pull up the database, you can suppress certain
3 information. And, if you look here, there is a demographic
4 there. It says, "race," but it doesn't show anything here
5 because it says "suppressed".

6 And, I think for -- when you phone in
7 somewhere, where you need services or you're reporting
8 something, I'm not saying all of them, but let's -- for
9 example, welfare, EIA, you give them your case number and
10 that isn't going to show up anymore.

11 I actually have an example of a -- it's
12 called the Social Allowance Management Information Network.
13 It's called the SAMIN database. And, in there, like, you
14 have all these fields, you've got your name, your address.

15 **MS. CHRISTA BIG CANOE:** What does SAMIN
16 stand for?

17 **MR. TIM HENDERSON:** Security Access
18 Management Information Network, and it's all public
19 information on the University of Manitoba website. You
20 just punch in "SAMIN", and it will bring up all that. And,
21 what's interesting about that is on their description of
22 their own database, they don't list -- in the demographics,
23 they don't list the race. But, when you're actually
24 looking at the database set where they have -- where
25 they're collecting the data, you know, it will say "race".

1 And, it wasn't until I saw that data set on a database file
2 that it all became clear, like what happened to me that day
3 when I was mentioning that the lady behind me got an
4 appointment the very next morning, whereas mine was three
5 weeks down the road.

6 And so, this -- if we can move to the next
7 one? No. Okay, I can talk about this one. Okay, this one
8 right here? If we go to the next page, this was taken this
9 morning.

10 **MS. CHRISTA BIG CANOE:** Is this the one you
11 want or the first one?

12 **MR. TIM HENDERSON:** Let's go back to the
13 first one, maybe. I can't see it.

14 **MS. CHRISTA BIG CANOE:** Is it the one about
15 the phone, the Winnipeg Police Service one, or the -- is it
16 that one you're after?

17 **MR. TIM HENDERSON:** All right. Okay, if we
18 can move to the next one? Next one, please? Here is a
19 list of all the databases that are -- they call it the
20 Research Data Repository at the University of Manitoba, and
21 it just lists all the databases that are -- there's two
22 pages of them. I only put one. And, if we could go to the
23 next one? What's this one? Oh, yeah, this is the one that
24 I needed before, it was the SAMIN database, and it says
25 "Include personal identifiers, demographics", but it

1 doesn't say "race" in there, but it is right on the
2 database set when you pull up a file, and that's how they
3 deal with you.

4 When they call in they'll ask you for your
5 file number, not your name. And, when they see that, those
6 -- I don't know what to call them. They're frontline
7 workers, I guess. So, I don't think they should have
8 access to that type of information. I know that this
9 information is used in a good way, for data, and -- but I
10 don't think it belongs at the -- for the frontline workers
11 to have access. And then when they do, that they -- I was
12 treating -- treated -- I was racially profiled. And, when
13 I left there I was thinking, "Well, what was different?" I
14 had my son under my care, she had her daughter under her
15 care, and really the only difference was -- was our race.

16 Can we go to the next one, please? That's
17 just more databases that they have at the U of M, that the
18 Province of Manitoba administers. And, all the databases
19 that are overseen by the province here for data collection
20 were created at the University of Manitoba. Next page?

21 Okay. This one is the -- this was taken off
22 the Winnipeg Police Service website when you want to report
23 a crime. And, the only reason I'm bringing this up is,
24 even in here when you have the suspect, you know, it says
25 right there, "race". So, I think it doesn't belong there,

1 and I'm just bringing that up as an example that it's
2 current and it's still happening. Next?

3 And, this is just an overview of -- that
4 they're all connected, like, right from justice, social
5 housing, income assistance, that would be EIA. And, I'm
6 not saying they -- that everyone racially profiles.
7 They're -- like anywhere else, there's -- you know, there's
8 a few bad apples in the bunch, and -- but once you take
9 that out of the equation, it's no longer accessible, then
10 you don't have that racial profiling anymore. It's not
11 happening anymore, you've taken that away from them, and it
12 doesn't allow for them to victimize. Next one?

13 **MS. CHRISTA BIG CANOE:** I noticed on this
14 slide presentation it was the second page. No, sorry, it
15 was -- yes, still that, but the second page. Yes. Let me
16 ask you a question on this one. And so, this is the 911
17 operator sheet. It's crime prevention, reporting
18 emergencies, make the right call, and part of it is, like,
19 messaging, when you should call 911 versus when it's not
20 really an emergency.

21 **MR. TIM HENDERSON:** Yes.

22 **MS. CHRISTA BIG CANOE:** And so, it talks
23 about all calls being important, but not every call is life
24 threatening. And so, it actually lists what emergencies
25 are defined as. And so, you know, any crime in progress,

1 like a break and enter, robbery, et cetera. Any situation
2 where people or property are at risk, whether that's fire,
3 children on the ice and any medical emergency.

4 So, on the bottom of -- "When dialing 911,"
5 that last bullet point says, "If you're unsure if something
6 that is happening is actually an emergency, dial 911."
7 And, you know, the day that you were making that call and
8 you happened to get the same operator twice, you were
9 fairly clear with what the circumstance was, which was any
10 situation when people or property are at risk.

11 And so, you know, part of what you were
12 feeling was that the person, and please correct me if I'm
13 wrong on this, was being discriminatory or using, sort of,
14 racial profiling, instead of answering your question; is
15 that fair? Is that a fair -- and can you please explain
16 more?

17 **MR. TIM HENDERSON:** Well, when you -- when I
18 made the call, he was asking me, like, "What's happening?"
19 And, I said, "Well, my mother has a restraining order
20 against Mr. W. He's there. He's ripped the phone off the
21 wall. He's got weapons in his hand. She wants me to call.
22 I'm calling on her behalf. He's not supposed to be there,
23 that's a crime." And, *click*; you know? That's just wrong.
24 Like, I'm sure that that officer, you know, might be gone
25 but, you know, I'm sure he's collecting pension and, you

1 know, and -- I just want to say, like, I don't hate the
2 guy. I don't hold nothing against him. You know, I'm just
3 here to -- to try and bridge the gap, and bring all the
4 parties to the table so that we can work together on this
5 and become allies; you know? This has been going on too
6 long and we've got to stop it somewhere, somehow, together.

7 And, if anything comes out of this, I'd like
8 to see, you know, an end to this types of discriminatory
9 practices where you phone in -- and with technology, the
10 way it can actually help, you know, where you can suppress
11 things, you can -- when you have a database, you can't
12 enter any information in there other than what's in the
13 fields? You know, when you tab over to the next one, to
14 the next one? And, I think those things are a step in the
15 right direction, but there's still a lot of work that has
16 to be done.

17 **MS. CHRISTA BIG CANOE:** So, can I ask you
18 one more question?

19 **MR. TIM HENDERSON:** Yes.

20 **MS. CHRISTA BIG CANOE:** So, when you go into
21 a hospital and you have to fill out a form, is there a
22 check box for race or ethnicity often? And, if so, do you
23 fill it out? Is that true, also, of things like college
24 applications, social assistance? How often are you seeing
25 the Aboriginal or Indigenous check box? And, do how do you

1 feel about checking it off?

2 **MR. TIM HENDERSON:** Well, one time I was
3 trying to take a business course. It was on Graham. And,
4 they had those racial identifiers in their application.
5 And, it was greyed out and it said, "For voluntary purposes
6 only." So, I didn't check it off or fill it out because I
7 didn't want to. I just wanted to come into the program as
8 another Canadian citizen, another human being.

9 And, the first -- after we filled that out,
10 and we're sitting there and going through the orientation,
11 one of the instructors came up to me and said, "Oh, you
12 didn't fill this out." And, I said, "Well, it's voluntary.
13 I don't have to fill it out. I'm just here as everyone
14 else." And, he goes, "No, you have to go somewhere else.
15 Take your training somewhere else." And, I was told to
16 leave; you know? So, I left. I didn't want to be around
17 that type of environment anyway.

18 Sure, it was only one instructor, but he was
19 the head instructor, and it's just like -- the way things
20 work is, if your supervisor is, you know, treating someone
21 poorly and with no protection, you are not going to report
22 that. Why? Why would you? You know, even at the
23 provincial or federal level, there's no point. It's --
24 you're going to lose everything you fought for. You went
25 to university to get that job, you invested maybe five to

1 six years of schooling to get there, and maybe you have
2 seniority in there. You're going to be putting all of that
3 at risk.

4 Can we go back to -- can we go right to the
5 beginning? No. The folders. One back. Okay. I can't --
6 that one didn't work. Can we go back and -- go back to the
7 whistleblower. I want to give the -- go in the provincial
8 folder, and open up -- this was the -- everything I have is
9 on the internet, and I've had to convert all these HTML
10 files to PDF, and then from PDF to PNG so that we could
11 view them today. So, it was quite the -- quite the
12 challenge, but I'm glad that I have some other IT guys here
13 to -- helping out, and really -- I think to have visuals
14 and source documentation like this is key, and it's really
15 important so that you actually see.

16 This lady here, in -- after she went through
17 this she -- this was the one I was talking about with the
18 East Side Road Authority. And, she reported it, and she's
19 saying she wouldn't do it again. She lost her job with the
20 government and, luckily, she works for -- she works in the
21 private sector now, but her anonymity wasn't protected.
22 They did find that she had merit in her -- what she
23 disclosed under the whistleblower Act.

24 And, if we could go back to the federal one
25 -- oh, wait, there is one more we need to see here. It's

1 -- no, next one. Next one. This one here. This was
2 Brian, our own -- our premiere, when he brought up they
3 should make amendments to the existing provincial
4 whistleblower Act. And so, I challenge Mr. Pallister to,
5 you know, maybe partner with me, or whoever, other focus
6 groups, who would like to see that type of change happen.
7 Because, you know, I still -- I feel very strongly that in
8 order for change to happen, it has to come from within.
9 And, right now, I just don't see happening -- anything --
10 change happening from the outside. And, like this -- that
11 lady that we saw previously, it just demonstrates that
12 there is a lot more people that want to come forward but,
13 you know, when they see that it just doesn't -- it's not
14 working, then it's -- there's no point.

15 If you go to the federal one, please? So,
16 the heading pretty well says it all, the whistleblower --
17 the federal -- this is the federal one for federal
18 employees. It doesn't protect the people who, you know,
19 make complaints against their government agencies. It
20 doesn't protect them, their anonymity. You know, they're
21 putting everything at risk. And, I think that, if
22 anything, for me, for anything that had to come out of
23 here, my number one would be this, that, you know, the
24 Prime Minister, you know, put forward a federal law that
25 does all those things, that protects the people.

1 Can we go back to the root folder? Okay,
2 yeah, number five. And, I think that would be it. I had
3 one on body cams, but unfortunately that data got
4 corrupted. This is just to showcase the harsh realities of
5 Aboriginal people in their plight to right the wrongs.

6 Cindy Blackstock here, I think it was about
7 eight or nine years for her to get the ruling that she got.
8 It had to do with the discriminatory practices of funding
9 to First Nations Child and Family Services. And, in the
10 end, after that battle, and she went through a lot of
11 turmoil to get there, in the end, Ottawa ruled that the
12 tribunal doesn't have the authority. It was just a sham.
13 And, that's shocking to me. Like, we have all these things
14 to -- mechanisms to try and make things right, and they're
15 failing miserably. Can we go to the next one? And then
16 one other -- this one here.

17 When I saw this one, I was really shocked.
18 In fact, the lady is sitting here. And, I guess I was
19 speaking, like -- there was -- she's on a board. The
20 person there in the picture is Leslie Spillet, and she's
21 on the board, in this Aboriginal board that has to deal
22 with -- I can't even read it. I just got new bifocals
23 here. First pair.

24 I guess she was on the police board, and
25 they were having -- I guess they were trying to mend

1 Aboriginal relations with the -- because we have such a
2 high demographic of Aboriginals in Winnipeg here. I think
3 it's the highest in all of Canada. And, I think to, you
4 know, try and get things on the right track, she was
5 appointed on there. And then I think after there was a --
6 a new government was voted in, and she was removed. And,
7 I'm going, wow, here we are saying we're working towards --
8 you know, this is shortly after the TRC, and we're trying
9 to work towards reconciliation. So, I'm sure that when she
10 was put on the board, it was -- you know, it was front
11 page. I didn't even know this happened and it's sad.

12 And, that's the -- the reason I bring this
13 up is, this is the -- we have our Indigenous leaders, you
14 know, leading the way in their activism and trying to make
15 things better for the future of our children, our
16 children's children, and it's really concerning that, you
17 know, that they're doing this.

18 And so, why bring this up? Is that if
19 anything -- you know, maybe they have a standing committee
20 that -- I don't know how it's going to work, or maybe --
21 what's another word for that? Standing committee or,
22 people who are mandated to try and act on the
23 recommendations, I guess, that they would have -- hopefully
24 they would have, at least, you know, a minimum
25 representation from the families, from the MMIWG, because

1 they were on the inside. You know, I was on the inside, we
2 know where the faults lie. And, I think that's an
3 invaluable resource right there. And, not to lay blame,
4 you know, but to work towards, you know, viable solutions
5 that work for everybody.

6 **MS. CHRISTA BIG CANOE:** Can I ask a
7 question? So, just to get a concept on this, too, and I
8 didn't answer you, because I can't put words into your
9 mouth when you're talking about stuff like this. But, just
10 to check I'm understanding correctly. So, for example, if
11 or when the Commission comes out with recommendations or
12 are working toward recommendations, are you talking about
13 like a steering committee that includes, like, the local,
14 on the ground, people that are Indigenous with knowledge
15 working from the inside? Is that what I'm understanding or
16 hearing?

17 **MR. TIM HENDERSON:** Yes, because when you
18 look at governments, they're always appointing someone to
19 hold this portfolio or to sit on this board. And, if
20 that's going to happen, I'd like to see, you know,
21 participants that were involved here and presented, be
22 considered to sit on those committees, standing committees,
23 whether, you know, that's for provincial or federal level,
24 or panels, or the -- the phrase just eludes me at the
25 moment, but I know it will come to me later.

1 **MS. CHRISTA BIG CANOE:** Okay. So, I'm just
2 going to ask a couple more questions about recommendations.
3 It seems apparent to me that you've really, kind of,
4 thought very seriously about some of the issues that you've
5 experienced and that you've tried to look at and provide us
6 examples of how we can address those issues.

7 But, just more generally, some of the
8 recommendations, based on your lived experience and the
9 loss of your mother, what were, like -- without even
10 looking, what are some of the basic things that need to
11 happen to make change, the necessary change that addresses,
12 you know, the issues of poverty or education, or the racial
13 profiling, the lack of, like, the local knowledge? What
14 are the things that we should be thinking about doing to
15 make that change?

16 **MR. TIM HENDERSON:** That's a real good,
17 tough question. Like, for me, and I hope for others that,
18 you know, they -- they listen. I know it's hard to listen
19 and, you know, embrace something, but I hope they embrace
20 that, you know, a lot of the change that we're -- at least
21 I'm wishing for, that needs to happen that, you know, we
22 empower the very people that have sworn oaths to protect
23 us. And, when that -- they see any types of things that
24 are not living up to their mandate, that they can report it
25 and have no fear of, you know, reprisal, and that they will

1 get that protection so that they can report it without, you
2 know, fear. And, I think that's one of the key things
3 that, at least for me, that out of all of them, everything
4 I spoke of, this is the number one for me.

5 **MS. CHRISTA BIG CANOE:** I just want to make
6 sure I haven't missed anything, whether it's impacts or
7 recommendations, or just anything you want to say about
8 your mother, you know, in terms of -- I just don't want to
9 miss anything. So, is there anything you want to add, Tim?

10 **MR. TIM HENDERSON:** Yeah. I just want to
11 share that when that happened that day, I carried around a
12 lot of guilt. I always blamed myself for -- well I should
13 have done this, maybe I should have ran to another phone;
14 you know? But, when it's happening, and it's life
15 threatening, it's just so quick. And, it was really hard,
16 especially, like, when you're trying to tell your -- tell
17 people what you're going through and you've got no
18 documentation whatsoever -- like, still to this day, I
19 haven't received anything. Nothing. Other than her not
20 being here, that's all I know.

21 I mean, yes, someone was charged. I don't
22 know what happened there. It was like -- I had an
23 investigative reporter try to dig up some documents, and
24 they just told me there was nothing. They couldn't find
25 anything. Absolutely nothing. And, I know that's -- you

1 know, that was quite some time ago but, hey, they have my
2 records from residential school, foster home. Those
3 haven't gone missing; you know? And, you look at that, and
4 you go, "Well, what's the difference?" The difference is
5 they didn't do their job. They didn't honour their oath.
6 That person didn't honour that oath that day. And, it has
7 nothing to do with me. That was his choice. And,
8 unfortunately, it impacted our family.

9 We were already a fractured family from all
10 the residential schools that we were placed in and foster
11 homes. And, a lot of those things were out of her control,
12 out of my mother's control. The government of the day had
13 total autonomy -- control over that. And so, when this
14 happened, and there was no supports, nobody came in and --
15 I don't even think it was reported. I don't even remember
16 if it was reported. And, I fought long and hard to get her
17 on here. And, the thing that really impacted the family
18 was we didn't get anything. We didn't get any support. No
19 one ever came and said, "Hey, here. You know, we can help
20 you guys." No.

21 So, it really fractured the family right to
22 the point where it's almost non-existent. I know where
23 they are. I know they're here. I don't know where they
24 live. You know, I love them, you know, just like I love my
25 mother. So, I still think it's imperative that, you know,

1 that we be allowed access to the health supports that we
2 need. I know for the Indian Residential School, they
3 already have a preauthorized list, and I'm sure they can do
4 the same here.

5 **MS. CHRISTA BIG CANOE:** Thank you. I'm
6 going to see if the Commissioner has any questions or
7 comments for you.

8 **COMMISSIONER BRIAN EYOLFSON:** Thank you. I
9 don't have any additional questions. I just want to thank
10 you for coming here today and having the courage to share
11 your truths about what happened to your mom, and some of
12 the other experiences that you had in your life. I also
13 want to thank you for the thought you put into
14 recommendations to share for us -- with us and for
15 contributing to the work of the inquiry that way. So,
16 thank you very much.

17 **MS. CHRISTA BIG CANOE:** And, if I just may
18 have -- I know that Elder Blu here is going to say
19 something, but I just wanted to say something briefly
20 because you told the whole public here today you have post-
21 traumatic stress disorder, and once I started working with
22 you I knew that too. And, I missed one of your
23 appointments, and I realized that I panicked you, so I
24 immediately apologized. And, it just made me so acutely
25 aware of the level of commitment that's needed when working

1 with families, and not just from health teams, but from
2 everyone. And so, I wanted to thank you for that second
3 opportunity to let me keep working with you. And, that it
4 was a lesson that was really important for me to learn.
5 So, *Chi-Migwetch*.

6 **ELDER BLU:** Tim, Commissioner Eyolfson is
7 going to give you a small gift, and that gift is a small
8 eagle feather that will help you on your journey as you
9 continue to heal. There's also a package of seeds there,
10 hopefully that you can plant and watch them grow, and you
11 can appreciate that beauty that was taken away from you.
12 Maybe this will help you continue your journey. You are a
13 brave man who was put in a very bad circumstance, and we
14 want to honour you for coming here and being so brave, to
15 tell your story so that this information can be collected
16 and changes can be requested so that these type of things
17 don't keep happening. So, we want to thank you very much
18 for sharing your story with us.

19 **MR. TIM HENDERSON:** *Migwetch*. Thank you.

20 **MS. CHRISTA BIG CANOE:** Commissioner
21 Eyolfson, that actually concludes the hearing schedule for
22 Ambassador B today. And, I believe that for today, I'd
23 like to adjourn this room. I understand that in A there is
24 ongoing -- oh, no, I'm sorry, I've just been informed that
25 A has also closed for the day. And so, adjourn until

1 tomorrow in the main hearing space at 9:00 a.m. Thank you.

2 --- EXHIBITS (code: P01P03P0405)

3 **EXHIBIT 1:** Globe and Mail article "Tribunal can't
4 enforce Indigenous child-welfare ruling,
5 Ottawa says," by Gloria Galloway, published
6 April 14, 2017 (two pages); Winnipeg Free
7 Press article "Removing indigenous activist
8 from police board called 'suspect'", by
9 Kristin Annable and Aldo Santin, public
10 07/13/2016 10:49 AM, last modified 07/13/2016
11 4:27 PM (two pages).

12 **EXHIBIT 2:** Seven pages of various documents.

13 **EXHIBIT 3:** List of recommendations, first line "TO RPC,
14 That there be an auditory recording of all
15 cells through the Dynatrol System"; no title
16 or author information; three pages, typed.

17 **EXHIBIT 4:** CBC News article "How many more lives do we
18 have to lose?: MP urges Senate to pass PTSD
19 bill after Mountie's death"; no author or
20 publication date (two pages).

21 **EXHIBIT 5:** Series of five news and blog articles about
22 whistleblowers in various publications; ten
23 pages combined.

24 --- Upon adjourning at 15:00

LEGAL DICTA-TYPIST'S CERTIFICATE

I, Shirley Chang, 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.



Shirley Chang

January 23, 2018