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Robin Rain, In relation to Isabella Rose Rain-Ayala

Heard by Commissioner Brian Eyolfson
Commission Counsel: Thomas Barnett
II

APPEARANCES

Assembly of First Nations

Government of British Columbia

Government of Canada

Heiltsuk First Nation

Northwest Indigenous Council Society

Our Place - Ray Cam Co-operative Centre

Pauktuutit Inuit Women of Canada

Vancouver Sex Workers’ Rights Collective

Les Femmes Michif Otipemisiwak / Women of the Métis Nation

Non-Appearance

Leah Greathead (Legal Counsel)

Lucy Bell (Legal Counsel)

Non-Appearance

Non-Appearance

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Non-Appearance

Non-Appearance
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MR. THOMAS BARNETT: My name is Thomas Barnett and I'm Counsel for the Commission. I'm from the Lac La Ronge Cree Nation.

This morning we are here to listen to the story of Robin Rain. I'm going to just give a quick introduction of everyone that's here for Robin in support and Robin herself.

So to my right is Robin Rain. And then directly beside her is her daughter Washteno Rain. Her mother-in-law is sitting right beside Washteno. That's Theresa Point Campbell and then her father-in-law, Mike Kelly, is sitting beside her.

Directly behind Mike we have her mother, Esther Alexis and then also her son, Ashton Rain. You might be able to see his beautiful ponytail poking up back there.

And then directly behind him we have Juanita Desjarlais. She is her ceremonial sister, and then her son Pavel Desjarlais is here as well.

The family and her ceremonial sister and her son today are here all in support of Robin.

Commissioner, I understand that Robin would like to be affirmed on the eagle feather and she has
brought her own eagle fan for those purposes today.

REGISTRAR BRYAN ZANDBERG: Good morning, Robin.

MS. ROBIN RAIN: Good morning.

REGISTRAR BRYAN ZANDBERG: Do you solemnly affirm to tell your truth -- sorry, I'll start that again. Do you solemnly affirm to tell the truth, the whole truth, and nothing but the truth?

MS. ROBIN RAIN: Yes, I do.

REGISTRAR BRYAN ZANDBERG: Thank you.

MS. ROBIN RAIN: You're welcome.

MR. THOMAS BARNETT: So Robin, we are here to listen to your story. For you, where does the story begin?

MS. ROBIN RAIN: My name is Robin Rain. I am Nakota Sioux woman from Alberta. I am from Paul First Nations Reserve and Alexis First Nations Reserve. My mother is Esther Emily Connie Alexis. My father is Darryl Rain. My grandparents were William Alexis and Rose Alexis, maiden name Kootenay. On my father's side, my grandfather's name was Peter. I come from mostly Stoney lineage but my grandmother was half Cree, so I have a little bit of Cree and I'm mostly Sioux.

I am a daughter. I am a sister. I am an aunt and a mother. I am an Aboriginal woman. I'm part of
Robin Rain
(Isabella Rose Rain-Ayala)

a family, part of a community. I have hopes, dreams, and aspirations for myself and each one of my children.

Okay. On December 2005, my life was shattered when my oldest child, Isabella Rose Rain-Ayala was murdered by my then partner, father of my second child, Davina Monique Rain-Sunshine.

The perpetrator and murderer to my child was David Carl Sunshine from Fishing Lake, Saskatchewan and he confessed to the murder of my daughter seven months later.

I'm here because I want to talk about the injustice, discrimination, and continued suffering the investigation around my daughter's murder has perpetrated, how I was prevented from mourning one daughter's murder and how another daughter was stolen from my arms at the most vulnerable moment of my life. A mother with empty arms is the most devastating position to be in.

You know I love you and it may hurt to hear some of the stories that I'm about to share today, but it's stuff that needs to be said.

My future was pre-determined in many ways. All of my grandparents attended residential school. They were severely alcoholic. And when I was a child growing up, when I lived in Alberta, there's not a time that I remember seeing any one of my family members sober.

My mother was raised in violence,
experiencing physical and sexual abuse throughout her childhood. I don't know much about my father because he left my mother when I was very young. I vaguely remember my father's father, but never really knew him well.

The only father figures I had were the men that came into my mother's life and continued the abuse she had already known her entire life.

Thankfully, I had not experienced abuse at the hands of my mother's partners, but drug addiction was also an issue with my mother and the men that came into our lives.

In spite of this, when I was a teenager, I was a scholarship student preparing for university and college. I was highly academic and I wasn’t drinking or using drugs.

These are some of the things from my past that laid the path that brought me into this situation where I shared my life with a man who could murder my child.

I wanted to escape from the pain of my childhood. I wanted a home of my own where I could feel safe, would feel safe. I was 15 years when I had Isabella. Her father was a 19-year-old drug addict who was trying to live clean. Because I grew up watching my mother being physically abused, I allowed this to be part of my
relationships too, believing it was somewhat normal that I accepted it.

David Sunshine came into my life after I had Isabella. I had left Rose's father because he returned to drugs and he left us homeless in the middle of winter, and without that financial help, I had to stay in a shelter, a homeless shelter. I went to Covenant House and I left Isabella with her paternal grandmother because I didn’t have any other options at the time.

I was 16 years old when I met David. He was physically abusive towards me prior to my pregnancy with our child Davina, but the abuse began again after she was born.

So one incident was when I caught him being unfaithful and he left for a few days. And he came back and I confronted him about it and he was enraged. I don't know why, because he was caught or -- but he beat me pretty severe with his steel-toed boots. And he did it while I was breastfeeding our child. And I limped around for about a month.

But history was repeating itself. My abusive relationship was mirroring what my mother had suffered for years. But I truly believed that the abuse would never happen to my children.

I stayed with him through all this because I
Robin Rain
(Isabella Rose Rain-Ayala)

had nowhere to go. I was 17 years old with two children, very few resources, no sober family, and no support, no other options.

There's a story I'd like to share. The final straw was a severe beating that caused me to go to a battered women's shelter. I didn’t want to be abused any more and no woman does. I tried to get back on my own two feet and started receiving regular assistance, paying my own rent. This left me with $170 to survive on with two children because I had not done my taxes and I was young. I didn’t know that taxes were done for free. Someone said I had to pay for them so I just never did it.

So off $170 a month I had to buy diapers, wipes, formula. I had to buy whatever food I could. But at the end of the day, we were starving. I reached out to David for help. He said we could be a family again and that he would work and provide for us as a family. I went back because I didn’t think that we could survive without his financial help, and I didn’t have the resources to raise my children alone.

The violence would continue but never with the children. I never thought that my children would be at risk and I would suffer anything for them to have what they needed, even if it meant being abused. I would be abused so they could eat.
I was interrogated by the police for about 12 to 18 hours after my daughter had passed away. No one believed that I didn’t know how my daughter died. Even when I was sitting in the hospital beside my daughter's corpse, the detective told me to get away from her body. He stood guard over her body to make sure that I didn’t touch her. I couldn't even hold her hand. I could only sit across the room and look at her little lifeless body.

I wanted to express to the Chief of Police how much that affected me. They wouldn't allow me to touch her, to begin mourning her passing. The most unnatural thing is for a mother to lose a child, but then to not be able to reach out and touch that child in those last moments with her body -- I couldn't touch her again until the autopsy was completed which took over a week.

I called the Coroner every day looking for answers but he said that he'd been told by detectives not to tell me anything about how she died. They didn’t release how she died for six months.

This led me to self-destructive and self-abusive behaviour because no one would tell me how my daughter died. I became severely alcoholic and attempted suicide three times and I was successful at dying, but I was successfully revived.

Until David actually confessed, I wasn’t
Robin Rain
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told anything, presumably because I was under investigation myself. My life completely deteriorated over those months and I lost myself.

I feel that one daughter was murdered and another daughter's life was irreparably altered. I was raped of my parental rights with Davina. Even though David had confessed to the murder, the Ministry told me that I would have no contact with Davina until after the trial, which took five years. Davina was not allowed to meet any of her siblings because they couldn't believe that I wasn't part of the murder of Isabella.

I was eventually allowed to visit Davina but she was bonded with another family and I could never rip her away from the only life that she had grew to know.

When my sister had children, I wasn’t allowed to go to the hospital to meet them. I was told I would be arrested if I went to the hospital grounds. I was treated like a criminal for years before the trial although there was no evidence against me in the murder of my child and David had confessed.

At times during those years, I didn’t care if I lived. I was very close to suicide often. Now I know that the purpose of my life is to speak to this Inquiry and to share my story, to let people know how racist the system is toward Aboriginal women.
At the time of David's trial, I asked for him to be placed on a predator list, which would have informed me of his whereabouts after his release. I was told that I hadn't applied for this. My rights were not explained to me properly or thoroughly.

Even today I have no idea where this man is or if he's living in my community. He is the murderer and I have these allegations hanging over my head for the rest of my life. I believe that a non-Aboriginal person would have been better informed of their rights in this matter and that the criminal justice system has let me down over and over again and continues to do so.

The system was so involved with investigating me as a potential offender, even though David confessed, that they did not recognize me as a grieving mother of a murdered child. This has compounded and perpetrated, perpetuated the grief and pain of an already unimaginable painful event.

I returned to Paul First Nation when Isabella Rose Rain-Ayala died but I buried her on my mother's reserve, Alexis First Nation. I had no surviving grandparents at that time but I had my mother's family to share my pain.

**MR. THOMAS BARNETT:** Commissioner, I do have some questions for Robin. Before that happens, at her
request, if we can stand down for about perhaps five
minutes and take a quick break before we do that?

COMMISSIONER BRIAN EYOLFSON: Yes, let's
take a five-minute break then.

MR. THOMAS BARNETT: Thank you.

--- Upon recessing at 11:46
--- Upon resuming at 11:54

MR. THOMAS BARNETT: I have very few
questions for you. I understand that you would like to
share some stories about your memories with your
grandmother.

MS. ROBIN RAIN: Yes. I remember when I was
very young, very, very young, I was left alone with my
grandmother. She was babysitting for me. And I remember
her standing in the middle of the kitchen, the bottle of
whiskey, singing an old folk song. But I remember I
thought it was funny, you know, but the same time, I was
afraid. Now that I'm older I know it's because my
grandmother was very drunk and at the moment in time, I had
no idea.

I remember when I lived in Edmonton, all my
family, they were alcoholic but they'd often come home at
the end of the night. And I knew that they were drinking.
I knew that they were drunk, and I knew that where there is
alcohol there is also violence.
So I remember hearing them come home partying, and going into the room, closing the lights, and just being in the closet and just embracing and preparing myself because I knew at the end of the night that there was guaranteed to be violence in my house.

**MR. THOMAS BARNETT:** Robin, could you perhaps share some stories or experiences from your life growing up?

**MS. ROBIN RAIN:** Yes. I remember watching my mother being abused physically by her partners to the point where it was absolutely terrifying. It was petrifying. There was times when she would be being abused so bad that she would scream, scream for us to dial 9-1-1.

But in turn, her partners would threaten us and say, "If you pick up that phone, I guarantee you will never see your brother and sister or your mother again."

As a child, you don’t know what that means. He was already so physically abusive, you didn’t know if that meant is he going to kill my brother and sister and my mother? So you don’t call the cops. We just watched him kick the shit out of our mother.

And we felt bad, but at the same time, we loved our brother and sister. It was almost like a choice between your siblings dying or your mother getting beaten up and you choose your siblings not to die. And you're
forced to watch your mother get beaten up.

MR. THOMAS BARNETT: Robin, when you were growing up, was Child Protection, the Ministry, were they ever involved?

MS. ROBIN RAIN: Yeah, they were involved. In Alberta, we were taken away from our mother and we were placed in a foster home. They sent us to a farm. It was a (Sioux word) family, a non-Aboriginal family.

The old woman would say, "Call me Grandma."

And I remember telling her, "No, you're not my grandma. I'm not going to call you Grandma."

And she just backhanded me, just slapped me to the floor and she told me, "You will learn to call me Grandma."

I remember being absolutely petrified and I was forced to call her Grandma even though I didn’t want to. I just didn’t want to get backhanded again so I called her Grandma.

But we weren't allowed to use the washrooms in the upper floors. We had to go down to the basement any time we wanted to bathe or use the washroom. Even if it was in the middle of the night we had to go three levels up all the way to the basement. It was scary and I was only like, three and a half, but I vividly remember that. Yeah.

MR. THOMAS BARNETT: So you went back to
Robin Rain (Isabella Rose Rain-Ayala)

live with your mother after that?

MS. ROBIN RAIN: Yes.

MR. THOMAS BARNETT: And how long did you live at home with your mother for?

MS. ROBIN RAIN: We moved around from province to province and then we finally settled here in Vancouver. I've been here since I was seven.

MR. THOMAS BARNETT: How old were you when you moved out?

MS. ROBIN RAIN: I started running away at 11, 12 years old, and then I finally moved out at 14. I stayed with Frank, Isabella's father.

MR. THOMAS BARNETT: Can you tell us perhaps about some experiences or perhaps some stories about your life when you moved out with Frank?

MS. ROBIN RAIN: With Frank?

MR. THOMAS BARNETT: What was life like for you at that time?

MS. ROBIN RAIN: At the time I moved out with Frank, I was tired of being at home. There was so much illness of addiction in the house that I just -- I didn’t want to be there any more. I wanted to be grown up and I wanted to start my life and I wanted to start my life how I wanted to start my life. Pretty much I felt forced to go because there was really nothing at home for me.
MR. THOMAS BARNETT: How old were you and how did you meet David Carl Sunshine?

MS. ROBIN RAIN: I met David Carl Sunshine when I left Frank and I met him at Covenant House in Vancouver. Yeah.

MR. THOMAS BARNETT: Can you tell us what life was like for you with David?

MS. ROBIN RAIN: Prior to children or with children?

MR. THOMAS BARNETT: Prior to children, just after meeting him.

MS. ROBIN RAIN: It seemed like we were teenagers. Didn’t really know what the heck we were doing. I found my own place. He had his own apartment and then we conceived a child and just moved in together. There was no marriage, just kind of felt like we had to be together now because we were having a child. Yeah, definitely I did.

MR. THOMAS BARNETT: So you had two children?

MS. ROBIN RAIN: Yeah.

MR. THOMAS BARNETT: And how old were you at that time with your two kids?

MS. ROBIN RAIN: I was 17 years old with two children.

MR. THOMAS BARNETT: And can you perhaps
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share a bit about your experiences being a young mother, what it was like?

MS. ROBIN RAIN: I was so poor in poverty that I was driven to excel in school because I knew that if I didn’t go to school that I would be raising my children exactly how I was raised. And I didn’t want to raise my children like that. That's what drove me to be a scholarship student. That's what drove me to want to go to school. I was driven to be free from poverty.

There's a couple of stories in here that I'd like to share because when all this was happening, the way the media portrayed me as a negligent, filthy, dirty, mother.

In the newspaper they said, "Her whole house was strewn with garbage." The media told the world that I was unfit and negligent.

Yeah, my daughter had a staph infection but she had a staph infection because when I was raising my two children at 17 years old, I used to access three different food banks in the city and one of the food banks I accessed was extremely dirty. People used needles. But I didn’t care because if that meant feeding my children, even to walk into an environment like that, I would do it. And I know that that's where we contracted the staph infection from.
And it just seemed like every time one person in my family got rid of it, another person got it. And then once that person got rid of it, another person got it. And it was in my children and it was on my body and it was on David Sunshine's body. And when my daughter passed away, my youngest child did have a staph infection near her diaper rash.

It doesn’t mean I was dirty. It means that I did what I had to do to survive and we did pick up a staph infection. But that didn’t make me a dirty human being.

MR. THOMAS BARNETT: Robin, would you be able to tell us a bit more about the circumstances of your daughter's passing?

MS. ROBIN RAIN: Yeah. The ambulance came into my house and they checked my daughter's vitals. They went to get a stretcher and they asked for her care card. I didn’t know the number of her care card off the top of my head and we didn’t have a family doctor. But the ambulance insisted that they needed the care card before they drove her to the hospital. And it was like, they refused to leave my house unless I had her care card to go to the hospital.

So I went into every drawer in my house and I ripped everything else out of the drawers. I ripped
everything off the shelves. I ripped everything open. I was panicked. I was scared. And my house was in disarray after. I ripped apart my house looking for the damn care card because the ambulance said they wouldn't leave unless they had that number.

Yeah, she passed away. The detectives went to my house and that's when they said that my house was strewn with garbage.

MR. THOMAS BARNETT: You had mentioned that you had spoken to the police while you were at the hospital. You were there for quite some time. Can you tell us a bit about what happened when you returned home?

MS. ROBIN RAIN: When I returned home, within an hour they came to my place and they took my child from my arms. Even though I was grieving, even though I had just been interrogated for 18 hours, they came and they stole my child from me. They stole my child.

MR. THOMAS BARNETT: During the period following, you mentioned that the trial was five years away and that MCFD were not going to give your daughter back until after that was through. Did you have visitation with Davina?

MS. ROBIN RAIN: I had a few visitations completely supervised. I wasn’t allowed to leave the Ministry office. I had to have a camera on us 24/7.
And by that time, my life had fallen apart. I was completely alcoholic. I would even show up to my visitations completely fucking -- pardon my language -- obliterated.

I couldn't live with myself because I honestly thought that my daughter died from drinking cleaning solvents. When it happened I blamed myself because no one would tell me how my daughter died. And the only thing in my house that could have killed her would have been the cleaning solvents under my kitchen sink. So I drank myself to death thinking that it was my fault that I left my cleaning solvents there and if I had put them up high that she would still be alive because no one would tell me how my daughter died. And that's how I thought she died. Yeah.

**MR. THOMAS BARNETT:** Okay. You had mentioned that seven months after, David had made a confession. Did that in any way change what was happening with the Ministry?

**MS. ROBIN RAIN:** I had hope because I thought in the moment in time there is the evidence, there's all the evidence that the MCFD needs. There's all the evidence that the detective needs. Like, this guy has made a confession and I honestly thought that now I can work on getting my child back. Like, this is my moment
because he's going to be going and paying the price for his crimes.

And so I went to the MCFD and I said, "He confessed. Like, I want my child back. Give me my child back."

I know it wouldn’t happen overnight or right then and there, but I for sure thought there would be some plan put in place where I could slowly work at getting my child back, and I would have done anything. I would have gone to treatment, I would have done anything they asked.

But then they told me that, "Well, we're not 100 percent certain that you had nothing to do with the murder of your child. We want to wait til the trial."

The trial took five years. So at that moment in time, I just told myself that they're never giving my child back. Didn’t matter what they said or what I did, that they just stole my child and that was it, and there was no chance that I would ever have at getting her back.

Those five years passed, the trial happened, and I went to the MCFD and I said, "Give me my child back."

No, they -- I was irate and I was angry. I walked in there and they forced me to do anger management because I demanded that they give me a plan to get my child back.
They said, "No, do anger management and get your certificate and come back and prove that you have done anger management before we talk."

I did the first anger management. It was eight weeks. I went back with my certificate, yelled at the social worker again, and she made me do another 12-week program. So for about five months I was in anger management.

Then I finally bit my tongue and I walked in there. And they let me see my child. But I was just Robin at that time. Her mother was her foster mother. That was her family that she had grown to love. And I told myself I could never rip my child away from the family she loves so I made the decision right then and there to just let her go. It would be better for her mental state if she was raised in one family and not just keep jumping in and out of her life and demanding to get her back, because she will know now, she will see this Inquiry film and she will know the truth when she is ready.

**MR. THOMAS BARNETT:** Robin, you had mentioned that the trial took place five years after. Can you tell us about your experiences at that trial?

**MS. ROBIN RAIN:** So there was Crown counsel fighting for my daughter's justice and there was me. And I've never had any lawyer or applied for a lawyer, nothing,
because there was Crown counsel. They told me that Victim Services would contact me, and Victim Services, what a joke. You are a joke in Vancouver. There is rights that I had that I was never informed of because they had put all their faith that Victim Services would contact me and let me know.

At the pre-trial I was supposed to apply for a child predator list for him. No one told me that. At the trial I told Crown counsel, "I want this guy put on a child predator list so when he gets released the world will know the disgusting stuff that he has done."

And they looked at me like, you were supposed to do that pre-trial.

It's like, why didn't I know? Why were my rights not given to me? Why everyone else would have known those rights? Is it because I'm a First Nations woman? Is it because the justice system feels like I don't deserve those rights? I deserve those rights just like anyone else in this country, you know? I have rights.

MR. THOMAS BARNETT: Were there any other things that you've since found out, rights that you may have had at the time?

MS. ROBIN RAIN: There was a compensation period for the first 12 months that I didn’t know for people who are in a major crimes as a victim. There was a
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compensation window and no one ever told me about something like that. There was like, a 12-month period where you could apply for it.

No one ever came to help me fight for my rights. Had I known that, maybe I could have had a better coffin or maybe I could have had the letters done. Maybe I could have had a service, you know?

I could not afford -- my reserve paid for what they could pay for, do, Indian and Northern Affairs of Canada. And that is a very limited fund. They could only do what they could do which was pretty much have a coffin and bury them in my reserve. Like, they kicked in and did the rest but I mean, I couldn't afford a service at a funeral home, I couldn't afford the cards. All that had to come out of pocket and I didn’t have that kind of money. I was 18 years old at the time.

MR. THOMAS BARNETT: When did you find out about that compensation package?

MS. ROBIN RAIN: About two or three years after, right around the pre-trial period.

MR. THOMAS BARNETT: Do you have any other experiences from that trial period that you would like to share?

MS. ROBIN RAIN: From the trial? I walked into the trial. I was a subpoenaed witness. And some of
the stuff that he did to my daughter, I was not told about prior to the trial. Some of the abuses that he was doing to my child while I was at school all came out in the trial.

What I heard, I couldn't live with myself. How do you prepare as a human being to listen to how your loved one was murdered or being treated and you had no idea? And you walk in there and you have to listen to how they were murdered, listen to their last terrified days on this planet, and you have no idea. And I don't know if they expected me to know or if they thought that I'd just know, but I had no idea. It was the hardest time in my life was sitting in that trial.

And because I was a subpoenaed witness, I wasn't allowed to sit through the whole thing. I was only allowed to sit through the time that I was to give my testimony.

And even when I gave my testimony and I sat up there and David Sunshine was there, I froze. I couldn't believe that I was sitting in the same room with the man who murdered my child was in. They had to screen the trial. They had to put a screen in front of me so I couldn't see anybody but yet they could see me perfectly.

MR. THOMAS BARNETT: When you initially went into that courtroom, was there the screen there?
MS. ROBIN RAIN: No, there was no screen. I had to walk up on the stand and they offered the screen after I froze.

MR. THOMAS BARNETT: Robin, do you have any recommendations to the Commission?

MS. ROBIN RAIN: I think as a young Aboriginal mother in the moment in time that I would have benefited a lot from a program that was not Ministry related, someone that would have seen me through to my adulthood to make sure that I would have been financially okay or even had food in my cupboards.

But I felt like I was all alone at the time. I didn’t have anybody. And maybe if I had more support, maybe it wouldn't have happened the way it did. I wouldn't have felt alone, I would have felt taken care of. I would have felt like I had family.

But the family I had were all drug addicts and they weren't people to be relied upon in the moment in time. So all I had was myself and my children and whatever resources I could reach out to.

And I was afraid of the Ministry, so afraid, especially being First Nations. I was always on edge, like, my children were going to be taken even though they weren't. It was just the fear that was bred into me from being apprehended as a child.
I definitely think that young First Nations parents, especially underage, could benefit from a program like that that's not Ministry involved.

And I also think that there should be Victim Services for First Nations people because the Victim Services that are here now, I think they're not for us. They are not. And I think that if there's a Victim Services geared towards First Nations people that give us all of our rights, then we could definitely find our way and navigate through the justice system, knowing we have those rights.

MR. THOMAS BARNETT: Commissioner, those are my questions. Perhaps I understand that you might have some questions for Robin, but I understand that Washteno, her daughter, actually has something that you'd like to say as well.

MS. WASHTENO RAIN: Everybody at this Inquiry I know has lost someone very important in their life. Even though you have lost someone very important in your life, it does not mean we fall down and break. My mother, she was a strong woman. Even though her daughter passed, she managed to step on her two feet. Even if you lost a person in your life that was special doesn’t mean you break down and fall apart. You stand up strong, you fight for your rights.
MR. THOMAS BARNETT: Commissioner, if you have some questions for Robin?

COMMISSIONER BRIAN EYOLFSON: Thank you very much. If you could just let me look at my notes for a minute, I might have a question or two if you don’t mind.

So Robin, I was maybe just had a couple of follow-up questions about some of the recommendations that you just talked about. You talked about being a young mother and feeling alone and that maybe if you had more support -- it was just you and your children -- and earlier you had talked about you had gone to a battered women's shelter and you tried to get back on your own two feet. But you were only left with $170 a month to care for your children.

And so I think -- I'm wondering in particular if you had any further comments about being in that type of situation where you have so little money to manage on your own?

MS. ROBIN RAIN: Well, prior to getting custody back of Rose -- because I actually had to fight for the custody because her paternal grandparents tried to adopt her -- I was on a Youth Agreement, but they told me that they wouldn't support me if I had my children in my custody, which forced me to go on regular Assistance.

And I was mad at the Ministry because with a
Youth Agreement, I had about $1,000 for rent and support and clothing and bus money. And then it went right from like, $1,000 support right down to like, 600 with two kids, yet I had $1,000 for myself on a Youth Agreement, but then I had to survive off that money with my two children. And I just -- it was -- I begged and pleaded, like, keep me on the Youth Agreement, at least until I was 19.

But they said, "No. Since you have children, you have to go onto Welfare."

And so I was forced to be put on Welfare with my two children.

COMMISSIONER BRIAN EYOLFSON: You also made a recommendation about Victim Services. And you're suggesting that -- you're recommending that having Victim Services that's particular for Indigenous people or First Nations people.

MS. ROBIN RAIN: Yes.

COMMISSIONER BRIAN EYOLFSON: And I'm wondering if you would just comment a little bit more on that?

MS. ROBIN RAIN: I've sat in here and I've listened to a few testimonies now, and one of the biggest things that we all have in common is Victim Services. Victim Services, it seems like, do not -- if you're Aboriginal, it's like they want to hide your rights from
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you. They don’t want to give you all your rights.

I don't know what it is. Is it -- like, I think about it. I don't know why they treat us so badly. And I've heard, like, the First Nations people say, "It's because I'm First Nations." I think, like, there's racism there for sure. There is huge discrimination.

And I feel like okay, there's the MCFD and there's VACFSS. VACFSS gives you all your MCFD rights and they don’t really hide it from you. They tell you what you're eligible for.

But when you're with the regular MCFD, it's like if there's a veil there and they hide all the rights that you have. They don’t really tell you. You have to keep jumping through hoops just to get to a visitation with your child.

But with VACFSS, they give you your First Nations rights. If we had something in place, like, a Victim Services for First Nations people, I believe that we would be better informed of our rights, especially when God forbid, a crime should happen to you and you should be a part of it. At least if you had all your rights, you could navigate your way and be better informed of those type of lists that you want to get the perpetrator on.

Because that's where I feel betrayed. I feel like David Carl Sunshine should be put on a child
predator list. He did, in fact, murder a child that was 2 years old and 10 months. And to me, that should -- he should just automatically been put on that list.

Why do I have to fight to get him on that list, and why weren't my rights given to me at the pre-trial to have him on that list? I was not informed of that.

That guts me, even today, because now he's free. He walks out there. There's no label on his head. No one knows if they run his name in a system, there's no label like, "Child Predator". It just says "David Carl Sunshine", maybe incarcerated X amount of years. But there's no like, reason why, you know?

Like, there's certain places he would not be eligible to go had he been on that list: elementary schools, community centres, pools. He would not be allowed to any of those places. But because I was not informed of my rights, he can walk freely in society and go wherever he pleases.

COMMISSIONER BRIAN EYOLFSON: Thank you.

MS. ROBIN RAIN: You're welcome.

COMMISSIONER BRIAN EYOLFSON: So I don't have any other questions unless you have any other comments or recommendations. But I do want to thank you immensely for coming and sharing your story with us, the very, very
horrible thing that happened.

I know it's difficult but I want to
acknowledge your strength and resilience and say thank you
for sharing your truth with the Inquiry because this helps
us with our work, and for sharing your recommendations.
And I also want to acknowledge your family and support and
your daughter, Washtano, is it?

MS. ROBIN RAIN: Washteno.

COMMISSIONER BRIAN EYOLFSON: Washteno,

thank you for sharing with us as well.

So before you go, as reciprocity for giving
us the gift of your truth, we have a small gift in exchange
for you that I'd like to ask Grandmother "Blu" to help
with.

MS. ROBIN RAIN: Thank you.

GRANDMOTHER LAUREEN "BLU" WATERS-GAUDI: So

I'm going to get the Commissioner to present some eagle
feathers here. This is for the mom and this is for the
daughter.

So in with the first one for you is
fireweed, one of our plant seeds. And that is for rebirth
and healing. So we'd like to give you that eagle feather
with that package of seeds so that you can continue your
healing and it will help you as you do your prayers, that
eagle feather being the one that flies the closest to the
Robin Rain
(Isabella Rose Rain-Ayala)

Creator.

And for your daughter, there's a package of wild strawberries, so we're hoping that just like you, you're so bright, you're so -- you're an old soul in a young body and I really appreciated your words. And we're hoping that this eagle feather will help guide you on your journey and it will help you to support your mom because you have been a great support here for your mom.

So we'd like to honour you with these for your testimony.

**MS. EUNICE McMILLAN:** Again, my name is Eunice McMillan. I'm from the Homalco Nation. I just wanted to sing a journey song for this wonderful family to help them through with their healing journey.

--- **HEALING SONG AND DRUMMING BY EUNICE McMILLAN**

**MR. THOMAS BARNETT:** Commissioner, if we could adjourn this matter.

**COMMISSIONER BRIAN EYOLFSON:** Yes, let's adjourn. I think it's lunch now so we'll adjourn over lunch break. Thank you.

**MR. THOMAS BARNETT:** Thank you. Thank you, Robin.

--- **Exhibits (code: P01P15P0204)**
--- Exhibit 1: Folder containing seven digital images displayed during the public testimony of Robin Rain

--- Exhibit 2: Written statement of Robin Rain (three pages)

--- Upon adjourning at 12:37
LEGAL DICTA-TYPIST’S CERTIFICATE

I, Karen Noganosh, 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.

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Karen Noganosh

April 17, 2018