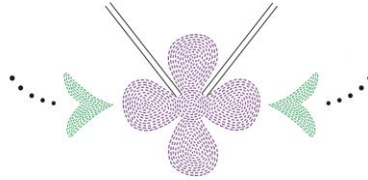


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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 I Public Hearings
Sheraton Vancouver Airport Hotel
Elmbridge Room
Metro Vancouver, British Columbia**



Public

Sunday April 8, 2018

Public Volume 114:

**Shelley Joseph & Robert Chamberlin,
In relation to Elizabeth Marie Lagis & Janet Henry**

**Heard by: Commissioner Qajaq Robinson
Commission Counsel: Meredith Porter**

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II

APPEARANCES

Assembly of First Nations	Non-Appearance
Government of British Columbia	Non-Appearance
Government of Canada	Donna Keats (Legal Counsel)
Heiltsuk First Nation	Non-Appearance
Northwest Indigenous Council Society	Non-Appearance
Our Place - Ray Cam Co-operative Centre	Non-Appearance
Pauktuutit Inuit Women of Canada	Non-Appearance
Vancouver Sex Workers' Rights Collective	Non-Appearance
Les Femmes Michif Otipemisiwak / Women of the Métis Nation	Non-Appearance

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Clerk: Bryana Bouchir	
Registrar: Bryan Zandberg	

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1 Metro Vancouver, British Columbia

2 --- Upon commencing on Sunday, April 8, 2018 at 15:05

3 **MS. MEREDITH PORTER:** Good afternoon,
4 Commissioner Robinson. I am here today with Shelley Joseph
5 and Robert Chamberlin. And providing support is Melissa
6 Louis.

7 Shelley and Robert are here to speak today
8 about Elizabeth Lagis and also Janet Henry. But prior to
9 their giving their evidence, I'd ask that they be promised
10 in.

11 **COMMISSIONER QAJAQ ROBINSON:** The clerk
12 can't come so I will be administering the promise.

13 In proceedings like this, provincial law
14 says an oath has to be provided. The intention of an oath
15 is to demonstrate an appreciation for the solemnity and the
16 importance of something. That demonstrates that a
17 conscience is bound.

18 Here at the Inquiry it's done many different
19 ways; with a feather, a Bible if people want or choose, or
20 just a promise.

21 Coming here talking about your family, to
22 me, there is nothing more sacred than that, so in coming
23 here, in speaking of what you're speaking of, I acknowledge
24 that we're all here with an understanding that it binds our
25 conscience, mine as well.

1 So I receive your promise as you want to
2 express it.

3 **MS. SHELLEY JOSEPH:** I commit and promise to
4 speaking from my heart with the truth as I understand it as
5 though my loved ones were here with me.

6 **MR. ROBERT CHAMBERLIN:** I'm in agreement. I
7 will speak the truth today, as Shelley has said, as if my
8 family was here to witness my words and carry the dignity
9 that's expected of us within our family and our culture.
10 Thank you.

11 **MS. MEREDITH PORTER:** Okay, thank you.
12 Shelley, I'll ask you to begin, maybe
13 telling the Commissioner a little bit about Elizabeth and
14 what you remember of her.

15 **MS. SHELLEY JOSEPH:** Elizabeth, we called
16 her Gunny. She was the youngest daughter of my Auntie
17 Beverly. Auntie Beverly gave birth to her when she was 49
18 so Gunny was really a blessing because my aunt was so up in
19 her age at the time of birth and her other children were a
20 lot older than Gunny. So she was really something special
21 from the time she came into all of our lives. So she was
22 really cherished by a whole lot of people.

23 Our family is huge, the Wilson family. Her
24 mother is a Wilson. And Gunny kind of brought it out in
25 people, you know, just the love and care. She knew she was

1 special so she treated other people like they were special
2 because that's how -- that's what she knew.

3 And so I seen Gunny and I treated Gunny as
4 my little sister. I think she was three years younger than
5 I was.

6 And Gunny grew up in Kingcome Inlet, a tiny
7 village, isolated. You can only get in there by plane or
8 boat. And she grew up in a very traditional life, in
9 community, helping with food preservation and family
10 gatherings.

11 And because her mother was so on in age,
12 towards the end of Gunny's life, she was home taking care
13 of her mother, which, you know, nobody was really surprised
14 by that, just by the love that the two of them had for one
15 another.

16 As well, Gunny by that time had her daughter
17 Serita, who in turn became the apple of Gunny's eye and the
18 rest of us as well. And Gunny was so deeply connected to
19 Kingcome Inlet, the village where she grew up, where the
20 family was from.

21 In Kingcome Inlet, there's education up to
22 Grade 7 and then you have to leave the village to pursue
23 education any further. And Gunny, when she thought she
24 wanted to try education other than being home schooled from
25 her mom, she came to live with me in Campbell River. At

1 the time, I was 20 and I had my first daughter, so our big
2 plan was that she would come and go to school and then help
3 with my baby at the time, with you know, her education let
4 -- gave her permission to do so.

5 She only lasted about three months and she
6 just wanted to be home and she went back home. But I can't
7 say we didn't try and you know, we had a lot of learning
8 experiences in that three months that she did come to live
9 with me.

10 Us being sisters, it was hard for me not to
11 turn into a bossy mother role and you know, we had our
12 little spats about that, but it never changed how much we
13 loved one another or really changed.

14 After she went back home, everything kind of
15 fell back into the same dynamics. But yeah, getting up in
16 the morning and making sure she was up and driving her to
17 school and you know, we'd put the baby in the back, go to
18 school, come home. I was really grateful for those three
19 months.

20 And Gunny, she moved back home, was taking
21 care of her mother and you know, she grew up and had Serita
22 when she was 20 as well. She became a mom at the age of
23 20.

24 And the relationship with Gunny's biological
25 father, it didn't last very long. And throughout her life,

1 Gunny kind of got caught in alcoholism and drug use, but
2 always kept trying to stand up again. Every time, she
3 stood up, got back up to fight the addictions and to be a
4 good mom to Serita.

5 And at the time of her death, she was living
6 in Kingcome, taking care of her mother, taking care of her
7 daughter. She flew out for medical appointments in
8 Campbell River and that evening she got her hotel room and
9 had a phone call with her daughter Serita at about 10:30
10 that night. And that was the last that anybody had heard
11 from her.

12 The next morning, Serita was asking if
13 anybody had heard or seen from her mom. She was worried
14 because it wasn't like Gunny not to be in touch all the
15 time.

16 And I believe that was May 7th. And on May
17 9th, you know, after so many people were concerned and
18 asking around and looking around for Gunny, a passerby on
19 the highway found Gunny's body lying on the side of the
20 highway just outside -- or between Campbell River and
21 Courtney, in a ditch. It was over 16 kilometres from the
22 hotel where she was staying. And she was already gone by
23 then.

24 I remember watching the news before they had
25 identified her. And I was praying so hard it wasn't her.

1 And kind of the next few days are a blur. I
2 don't remember a whole lot. I remember finally getting to
3 Campbell River to be with our family, her mom and her
4 daughter and everybody else that came.

5 And we wanted to have a ceremony for her so
6 that her spirit wouldn't get stuck where she lost her life.
7 And we got in all these cars and we caravanned out of
8 Campbell River, the 16.8 kilometres or whatever it was to
9 where she was found. And we had a ceremony for her. And
10 our cousin Coyote (phonetic) had made a marker and we put
11 that up.

12 And I just remember clearly her mom, she was
13 crying. She couldn't get out of the car. And she said,
14 "What was my baby doing way out here in the middle of
15 nowhere?"

16 There's literally nothing around there, and
17 that just broke my heart.

18 And when we were finally able to go and see
19 Gunny -- we were preparing for her funeral -- my cousin and
20 I went in before the rest of the family to make sure that
21 she looked presentable before her mom came in to see her
22 body. And we were just floored at the bumps and bruises
23 that were -- she had a big bump on her head and bruises on
24 her arms and marks around both of her wrists. And she just
25 looked like she had been beaten really bad or -- yeah.

1 And the police didn't have a whole lot to
2 say at that time.

3 But after -- I can't remember how long after
4 the police came back and said that they didn't really have
5 a cause of death, that she probably had wandered or
6 staggered out to where she was eventually found and either
7 fell and couldn't get up and then succumbed to the
8 elements. And none of it ever really sat well with me
9 because I seen what her body looked like before we buried
10 her.

11 And it still makes me really angry that it
12 doesn't make any sense that she would be so far out in the
13 middle of nowhere with her body in the condition that it
14 was that she just wandered there and died. That makes no
15 sense at all. And I always get really angry and frustrated
16 thinking of -- it just seemed like they didn't care enough
17 to put more effort into finding out well, why did she
18 wander out there? And why was her body so badly bruised
19 and bumped?

20 Yeah, just, I felt like we were -- that she
21 was dismissed.

22 **MS. MEREDITH PORTER:** Robert, do you want to
23 speak a little bit? We've had conversations and discussed
24 a little bit about what you think are some of the factors,
25 I guess, that contributed to the circumstances of

1 Elizabeth's death. Do you want to speak a little bit to
2 those factors that you see as being in play?

3 **MR. ROBERT CHAMBERLIN:** Yeah. Beth or Gunny
4 was part of my family and I remember, like many people in
5 today's society, the struggles that they have with life
6 circumstance and issues that arise from those situations
7 and the methods of coping that often occur.

8 You know, when I think of Beth, I remember
9 attending 12-step meetings, Narcotics Anonymous in Nanaimo
10 when Beth was attending Tsow-Tun Le Lum Treatment Centre.
11 And at that time I had become one of the singers for our
12 people. And so her and I got to talk and I transcribed the
13 (Kwak 'wala word), a song which is a very critical portion
14 of our potlatch ceremony, our (Kwak 'wala word).

15 And I remember her and I laughing when I
16 gave her all the words that I'd written out. And all I
17 could say to her was, "I'm sure glad I don't have to learn
18 this song," because it was so complicated, and yet she
19 learned it for the potlatch. And you know, I was really in
20 awe to know that she put the time in to pick up this song,
21 even as she was working on her own personal wellness.

22 But I often reflect back and I think about
23 the overall life experience of Beth and others from our
24 communities in Kingcome and Gilford.

25 You know, as Shelley has mentioned, after

1 Grade 7, Beth had to relocate from a very tightknit,
2 remote, isolated community to Campbell River and go from a
3 transition from home schooling and what schooling is
4 available in Kingcome to you know, to a small city in
5 comparison to others, but it's quite a transition. And so
6 her homesickness and wanting to be home kept her from
7 continuing on.

8 And then with the employment opportunities
9 or lack of employment opportunities as they are in isolated
10 communities, again this just perpetuates that coping
11 mechanism which is often filled with alcohol and drugs.

12 The police considering that somehow she
13 wandered to this isolated stretch of highway between
14 Courtney and Campbell River is illogical. It just does not
15 make sense. If we were to drive that distance today from
16 Campbell River to Courtney, we're looking at between 30 and
17 40 minutes of driving. And Beth didn't have a driver's
18 licence. She had no vehicle. And for her to wander out 16
19 kilometres on an isolated stretch of highway to meet her
20 passing just does not make sense.

21 And for the police to arrive at that was
22 really troubling for me and the family. And as Shelley has
23 mentioned -- and I can remember having conversations with
24 Auntie Beverly -- that she said, "What was my daughter
25 doing way out there?"

1 And my thoughts have always been that she
2 has passed away more locally in Campbell River and her body
3 was disposed of out on that stretch of highway. And that
4 would explain the bruising, it would explain the bumps and
5 so on that were found on her body.

6 But how is it that we can come to that
7 belief and understanding with very limited resources and
8 information, and the police with all of their wherewithal
9 were able to just write this off as someone that wandered
10 off and died? And I worry that that is a further signal of
11 the systemic issue that the RCMP have towards Aboriginal
12 people. In this instance, we're talking about our family
13 from Kingcome, but I also have an instance with one of my
14 cousins from Gilford Island.

15 And I think about the issues of access to
16 education where children are removed after Grade 7 from
17 their homes and have to travel elsewhere for education.
18 And if they're able to return home, often they find
19 isolated communities with very little economic opportunity,
20 very little opportunity for employment.

21 And this of course is First Nations not
22 having the necessary resources to provide the education for
23 our children at home, wherever that may be and by whatever
24 means works for the community, but also to know that
25 industry makes a lot of activity and a lot of revenue from

1 our resources in our territories and the Nation does not
2 benefit from those.

3 And so we lose out on economic opportunity
4 of employment for our people within these industries,
5 adequate sharing of profits that are made, which we could
6 then turn and meet the needs of our community in a fulsome
7 way, whether it's education or health services or
8 employment opportunities.

9 And so until some of the bigger systemic
10 issues that need to be addressed are addressed, we're in a
11 really tough cycle right now. And with the recent
12 grindings of the justice system in Canada and the
13 disservice that's been arrived at for First Nation people,
14 the victims, it's really difficult to see, without some
15 very broad systemic changes within society and institutions
16 such as the RCMP and the justice system, that First Nations
17 people will have a reasonable opportunity to make life for
18 themselves as they see in their own communities.

19 **MS. MEREDITH PORTER:** So you've spoken a
20 little bit about Elizabeth leaving the community or
21 children in the community having to leave to access
22 education.

23 And it's my understanding, as you said,
24 Shelley, that Elizabeth had left for a medical appointment
25 alone. Can you talk, like, a little bit about that, the

1 fact that really any services that are needed, you know,
2 that -- and really, the lack of opportunity in accessing
3 those services, education? And just sort of describe that
4 cycle, I guess, and some of the risks that that brings.

5 **MR. ROBERT CHAMBERLIN:** The challenges that
6 our people face in isolated and rural communities is it's
7 very broad in nature. And it's like, in Kingcome and
8 Gilford, it's a fly-in community or you boat in. And so
9 there's no medical professionals just down the street, as
10 many people in urban settings and even rural settings can
11 access. And so whether that's prevention services, whether
12 it's reactionary services, whether it's a doctor, therapy,
13 counselling, what have you, it's just really difficult to
14 access that in one's home community where you have your
15 built-in supports of your family to ease you through if
16 you're dealing with different issues and counselling and so
17 forth.

18 And this continues today. And we realize
19 that Canada has made the decision from a few decades ago to
20 freeze First Nation funding, whereas every other envelope
21 of funding from the federal government has had various
22 increases each and every year. And so it's a conscious
23 decision of government to limit resources available to
24 First Nations to meet the needs of the communities.

25 And this is what I mentioned earlier about

1 that need to have that broader, more systemic change to how
2 Canada accepts the appropriate space for First Nations
3 people within this country, because with Beth having to
4 travel out of Kingcome alone, that relates to policy and
5 funding and the lack of space within that to allow for
6 someone to travel with her.

7 And this is something that plays out, I'm
8 assuming, everywhere. I know it plays out in Gilford
9 Island and Kingcome Inlet and other places. And so if you
10 don't have services in your community when people are
11 dealing with whatever, it's a physical ailment, an
12 emotional mental challenge that needs to be overcome, it
13 means travelling away from that support nest of your home
14 and your family to access.

15 And I was fortunate that I went to a Round
16 Lake treatment centre when I did. And I was able to move
17 through a number of circumstances in my life in a safe and
18 supported environment.

19 You have to picture a young lady leaving an
20 isolated community, flying into an urban setting, into a
21 hotel room, and then having to go back to that hotel room
22 alone. It is not a recipe for success.

23 And for my experience, I was very fortunate
24 when my personal bottom arrived that I was able to get into
25 an alcohol and drug treatment centre literally eight days

1 after I submitted the forms, which is a miracle in itself
2 because today, it's often that people will receive a six-
3 month waiting list. And what that means in reality is,
4 gee, I hope that person that has hit bottom and started
5 their work and filled out the application survives for six
6 months to make it in and get that safe, supported,
7 investigation and healing.

8 When I attended the treatment centre that I
9 did, I learned some culture that was not my own people's.
10 And it sustained me for a period of time until I got
11 involved with my own culture, my own teachings, which was
12 foundational to my views of self-identity, self-worth, and
13 self-esteem, things that were just utterly absent prior.
14 And that's when I was able to put my feet as roots in my
15 own culture.

16 And so when I think about that in today's
17 terms about looking at waiting lists to get into treatment
18 centres that have teachings that's not of my people, it's a
19 common experience, I believe, for many First Nations.

20 So I believe that if Canada truly wants to
21 have a way forward for the betterment of our people as a
22 result of the Missing and Murdered Indigenous Women as well
23 as the Truth and Reconciliation Commission, that Canada
24 needs to identify the available resources to construct
25 wellness centres within the Nations, whether it's an

1 alcohol and drug treatment, whether it's a trauma base
2 because of the impacts of residential school.

3 And then people that want to seek help have
4 it within their own context, with their own people's views
5 of our place in this world. And we could then bring it
6 down to the teachings of our peoples, of our lands,
7 strengthening our identity and strengthening our community.

8 And that would be in a direct response to
9 what the government's intentions were with the residential
10 school of removing us from our lands, removing us from our
11 culture, traditions, and families. So we could then see
12 programs which are appropriate to each peoples.

13 As I mentioned, I was very fortunate that
14 what I did learn in the treatment centre sustained me until
15 my own culture came about. But then when I think about the
16 structure of programs at treatment centres, whether they're
17 five week or six week, I think that that needs to be
18 rethought, because I think the most critical time in
19 anyone's journey of wellness is when they've hit their
20 bottom and they need help. That's the time to capture that
21 momentum and get help, not in three weeks if you go to this
22 many meetings and see our counsellor and fill out these
23 forms and then maybe in eight months we'll get you into a
24 centre. We're losing too many people that way.

25 And then once treatment is completed, I

1 think that there needs to be strong supportive services as
2 follow up, and so that that teachings has a safer net to
3 carry them forward until the person becomes stronger within
4 those teachings.

5 And I think the -- I mean, we must learn
6 from the mistakes of Canada in the past. Residential
7 school has been commented on by the Truth and
8 Reconciliation Commission. I know for Shelley and I, both
9 our parents had attended residential school so we know what
10 it's like to grow up a second generation.

11 But we need to understand what was the focus
12 of that effort by the Canadian government and how
13 successful it's been in disrupting and destroying families
14 and communities and then really understand what we need to
15 do to reverse that. And today, with children leaving
16 isolated communities to go to school, with children going
17 in care, the same scenarios continue and we have to find
18 systemic ways to stop that from happening.

19 **MS. MEREDITH PORTER:** Okay. Thank you,
20 Robert.

21 I know, Shelley, you have -- there are some
22 recommendations that you want to make specifically, but I
23 think maybe before moving to those recommendations --
24 because they pertain to Elizabeth -- they also pertain to
25 your Aunt Janet.

1 Before moving into those recommendations, do
2 you want to -- can you tell the Commissioner about Janet
3 and what you remember and her story?

4 **MS. SHELLEY JOSEPH:** Yeah. My Auntie Janet
5 Gayle Henry, she was my mom's baby sister, so much younger
6 than my mom that when she lived with us when I was growing
7 up, we thought she was our sister because my mom raised her
8 for quite a few number of her years throughout her life.

9 And what I remember of her is she would join
10 us on the living room floor and watch cartoons and you
11 know, giggle and laugh at the same things that we thought
12 were funny. And she just had a really kind, gentle, soft,
13 naïve spirit. And yeah, I can still hear her giggle, you
14 know, when we were watching cartoons or we did something
15 funny and she thought it was funny too. Like, she was more
16 of a sister than an aunt.

17 And you know, I didn't learn until later,
18 you know, as our whole family began healing from certain
19 things with -- on my mom's side and my dad's side -- my mom
20 shared stories of when she was growing up. Her father died
21 when she was quite young and so my mom, she was the second
22 oldest and she was kind of charged with helping raise all
23 of her siblings.

24 And she was telling me when Janet was born
25 their mom needed surgery and so she was hospitalized for

1 the first four months after Janet was born, so my mom was
2 at home raising Janet. She named her Janet.

3 But when Janet was four months old, my mom
4 was still a teenager at the time and she says they -- I'm
5 assuming it was, I don't know who, social workers or -- she
6 said "they" came and took me out of the home and made her
7 go to school in the Fraser Valley. She was put in a
8 boarding home. She had no choice, my mom, was put in a
9 boarding home.

10 And because her mom was still in the
11 hospital and my mom wasn't there to care for the rest of
12 the kids, everybody was taken. And so for some years, my
13 Auntie Janet spent time in homes, foster homes.

14 And when my mom was -- I can't remember how
15 old -- 16 or 17 when she met my dad and started having us
16 and she had a home, so she brought as many of her siblings
17 as she could back so she could finish raising them. And so
18 Janet came back. And that's when I remember her being with
19 us, and you know, until she grew up and thought she was
20 adult enough to go on her own and she moved out.

21 And my mom -- you know, she came to
22 Vancouver, she met and fell in love with her husband and
23 they moved to the interior of B.C. They have one daughter
24 together. And when she left her husband, she came back to
25 our home for a little while, a short stay, and was sharing

1 stories with me of how abusive he was and how he treated
2 her like a pet in their home. When she was having her
3 period he made her sleep under the table with the dog. And
4 yeah.

5 And she -- I don't even know how many years
6 she stayed with him. But it was quite abusive and she
7 lost, you know, even more self-esteem. And when she left,
8 she moved to the Downtown Eastside and had turned to drugs
9 and alcohol to numb the pain and try to stop her memories,
10 those hurtful and painful memories, and consequently turned
11 to prostitution.

12 But again, you know, she struggled with
13 trying to pick herself up again. She never stopped trying
14 to turn her life around. And she was quite close with my
15 other aunt, Sandra. They would talk every day on the
16 phone, no matter what. My Auntie Janet called Auntie
17 Sandra every day and they'd just talk about whatever
18 happened that day.

19 And then one day the phone calls stopped,
20 and that was in 1997 when she went missing. But before
21 that she had told my Auntie Sandra about Uncle Willy, who
22 was Willy Pickton. Well, I guess a lot of the girls
23 downtown called him -- he had them call him Uncle Willy.
24 And she had been to parties out there a few times and then
25 learned what was happening. You hear the horror stories

1 that are obviously out there now.

2 So they tried to tell the police at that
3 time what was going on and nothing ever came of it, no
4 action that they knew of.

5 And so after my Auntie Janet went missing in
6 1997, my Auntie Sandra was a huge advocate. She never,
7 ever stopped looking for answers to try to find out where
8 her sister was or what happened. And she often was on the
9 news speaking about my Auntie Janet and trying to get the
10 word out there, you know, about Willy Pickton.

11 And finally, when they did raid his property
12 and he was arrested, we went out to the farm and I went out
13 and sang a song and did a ceremony there as they were still
14 searching the property, like, the very beginning of them
15 searching the property.

16 And later on, the police phoned my Auntie
17 Sandra and said that they have proof DNA that she was at
18 the farm but it wasn't enough to include her in charging
19 Willy Pickton with her death, to say that she met the end
20 of her life there. They didn't have enough and that they
21 were still looking into it. And then we literally heard
22 nothing for years, years and years and years, nothing from
23 the police.

24 And when the announcement finally came out
25 that this Inquiry was happening, the police phoned my

1 Auntie Sandra and said, "Oh, we just want to let you know
2 that the investigation is still open and we're still doing
3 what we can to find out what happened to Janet."

4 After years of silence, nothing, nothing,
5 nothing, and then we finally get the phone call telling our
6 family that.

7 Since then, my Auntie Sandra -- she suffers
8 from PTSD which is compounded by, you know, all of this
9 happening to Janet, not knowing where she is or what
10 happened for sure.

11 And we sat in some of the preliminary
12 hearings for the Pickton case and just hearing some of
13 those stories and thinking of what happened to all those
14 women and to the ones who work and included in that trial,
15 nobody, nobody deserves to be treated that way, to die that
16 way and then to have their remains discarded that way.
17 It's just not human.

18 And I think it's taken a real heavy toll on
19 my Aunt Sandra. Not that it hasn't all of us, but she
20 fought so hard to get answers. She never stopped pounding
21 the pavement and talking to the media or anybody who would
22 listen to find out what happened to her sister. And I
23 think she's really tired now.

24 And so when I heard about -- you know, the
25 announcement came on about the Inquiry, I have a renewed

1 hope for my daughters. I have two daughters. Yeah, my
2 hope is that we won't be dismissed as second class or less
3 than. All of our daughters -- my hope is that all of our
4 daughters will never have to experience what's happened to
5 these thousands of Indigenous women and girls who are
6 missing and murdered, whereas I haven't had that hope
7 before.

8 **MR. ROBERT CHAMBERLIN:** With what Shelley
9 has just shared, I'm always concerned -- and this is
10 perhaps watching media deal with the stories such as what
11 was just shared -- and to for whatever reasons, focus in on
12 the difficult aspects of drug addiction, alcoholism,
13 prostitution, and not -- and I believe when this occurs is
14 when we see that final implementation of the diminishment
15 of women. And I would hope that through the work that's
16 going on here that we elevate that level of dismissal of
17 the role of women.

18 I mean, as Shelley has said, the ladies of
19 the Downtown Eastside spoke to the police about Willy
20 Pickton and weren't listened to.

21 And if they were valued, if society had a
22 better, stronger, place for women, perhaps those ladies
23 would have been listened to and some lives would have been
24 saved, had they been -- the information they shared with
25 the police was acted upon.

1 But when I think of how one carries that
2 burden of diminishment, I think of the role that women
3 played within our people's culture, that the chiefs could
4 be chiefs all they wanted, but they needed to listen to
5 their wives. And in our ways, the women are chief makers,
6 because in the time of arranged marriages, the dowry would
7 come with the wife and that is how the chief elevated his
8 standing. And so there was a very clear linkage between
9 the man's standing and the role of his wife. And his wife
10 had a lot to say about what he may do with the dowry in our
11 cultural sense.

12 And so when I consider the broad impacts of
13 the residential school and the success of that, I know that
14 I've heard a lot of people speak about culture and how that
15 was targeted to be done away with. And there's been a fair
16 amount of focus about how dispossession of our people from
17 our lands to make way for industry and the breaking down of
18 our traditional governance structure.

19 But how do those targets manifest themselves
20 today? And to me, that diminished role for women so they
21 can be exploited as they are and dismissed as they are is
22 one of those success stories from Canada's residential
23 school targets.

24 And so how do we correct that? How is it
25 that we can redevelop the appropriate institutions relating

1 to who we are as each individual First Nations? How do we
2 re-establish that link with the land in a meaningful way
3 and so our culture can flourish as it once did with that
4 elevated, significant role for women?

5 And that's how our people function and
6 that's when I look at what needs to happen after we
7 investigate the understandings that are being sought from
8 the Missing and Murdered Indigenous Women's work, is to
9 look at the causal effects.

10 You know, I, for one, am grateful that
11 families such as ours are able to come and share the
12 stories of hurt and of loss, and to see the length of
13 impacts that each individual and person that passed on was
14 dismissed in terms of investigation and understanding.

15 And the experience of Auntie Janet, you
16 know, to be taken from the nuclear family and put out into
17 foster homes further degrades the unity of the family and
18 the support that's found within a strong family unit, and
19 then into an abusive relationship, further diminishing
20 herself, her thinking of herself to accept a lesser place.

21 And so there is a lot of work to get down to
22 the nuts and bolts of what led to this woman's passing, and
23 not just the immediate details, but the more systemic
24 thrusts of government on our people, and to really
25 investigate how what does that mean in terms of the impacts

1 to our culture, our language, and the place that women
2 have. They had a much stronger place in our society.

3 **MS. SHELLEY JOSEPH:** Yeah, that's -- I've
4 been called a feminist. I don't call myself a feminist but
5 I do believe that once our women have been elevated to our
6 proper place, that God-given proper place, the Creator-
7 given proper place, then our whole world is going to heal.
8 There's going to be balance.

9 And I think that's going to have to happen
10 on a whole lot of levels, a personal level for each woman
11 to find and know her self-worth, to living that out every
12 day, to example that to her daughters, and more so to her
13 sons so her sons can grow up and treat all the women in
14 their life the way their mother walks the world.

15 And I think that it can't just be at that
16 one nuclear level. It's got to be family, community,
17 provincial, federal levels. Everybody has to be speaking
18 the same language to change the demographics here in
19 Canada, not just for Indigenous women but for all women.

20 There's such a huge disparity in what we're
21 able to do or what's acceptable or that. We're still
22 viewed as, and seen as, treated as less than men. And
23 yeah, I just think there has to be a whole lot of things
24 going on simultaneously to bring that kind of balance in
25 the world.

1 And the gross number of missing and murdered
2 Indigenous women and girls is just one part of -- and it's
3 a huge part -- of showing the world that disparity, that
4 gap that needs to be changed and healed.

5 Yeah, because like Bob said, it's the women
6 who raise the boys who are going to be the leaders and how,
7 you know, the families that were raised into today, into my
8 mom's generation and her mom's generation, because of the
9 *Indian Act* and Indian residential schools, the patriarchal
10 system that comes with that, women are seen as and treated
11 as less than. Our roles were diminished, if not completely
12 erased. And I think all of that has brought us to why
13 we're here, you know, why so many of our women and girls
14 are missing and murdered, and yeah.

15 So it's my hope that everybody's going to be
16 talking about this, everybody gets the courage to just say
17 it, right? I think there's a whole lot of fear because
18 we've never been in this place before of -- nobody's ever
19 had the conversation, well, how do we change that?

20 So I think just -- honestly, I was scared to
21 come here and share. But I thought if I don't, that's one
22 less voice to help my daughters. If we don't feel the fear
23 and do it anyways, nothing's going to change and my
24 daughters could suffer the same struggles that we have.
25 And you know, I never want to leave this world without

1 having done everything that I can to make a difference.

2 So I'm here and I want to acknowledge all of
3 the other family members who have come, shared their
4 stories about their loved ones, and shared their hopes,
5 shared their ideas, and you know, acknowledge everybody who
6 is a part of the Inquiry, the Commissioners. All of that
7 takes courage and heart and compassion and connectedness.

8 And that's the other huge part, I think, of
9 what's missing in society, is connectedness. You know, we
10 forget how to be neighbours. We forget the executive on
11 the other side of the table has a life and is experiencing
12 something. We just see them as an executive. All of those
13 things that it's my hope that we bring back humanity. And
14 the only way we can do that is by ourselves being that
15 example.

16 So I come literally with my heart in my hand
17 to honour Gunny and my Auntie Janet and all the others who
18 I'm more than certain are here. You know, they've been
19 with you in the Inquiry the whole way in the hopes that
20 they didn't suffer in their lives and die the way they did
21 for nothing, that their purpose was so much bigger than
22 that. Their purpose was to bring all of us to have a hope
23 for better.

24 And so by coming, I want to honour all of
25 the people, Gunny and my Auntie Janet, Beaner, Angeline

1 Pete, so many, to honour them and be courageous enough to
2 share.

3 **MS. MEREDITH PORTER:** I understand that in
4 the investigation of Janet's disappearance that there were
5 some jurisdictional issues that came into play. Do you
6 mind taking some time just to explain to Commissioner
7 Robinson what those issues were and the effect they had on
8 the investigation?

9 **MS. SHELLEY JOSEPH:** My Auntie Janet, she
10 lived in the Downtown Eastside of Vancouver. So all of our
11 complaints went to the VPD in Vancouver and because we've
12 always had the huge suspicion of Willy Pickton whose farm
13 was in Port Coquitlam, another jurisdiction, there was a
14 lot of communication gaps, from what we understand. And
15 you know, a lot of dismissive things like, "Well, that's
16 not in my jurisdiction to follow through."

17 And so I'm wondering, you know, how many
18 other of our women's cases were dismissed in that manner
19 because they lived in different jurisdictions from where
20 they met their demise or where we suspect they might have
21 been before they disappeared? So I think that's a huge gap
22 and issue that needs to be addressed between all
23 jurisdictions. Yeah.

24 **MR. ROBERT CHAMBERLIN:** Yeah, I think of
25 what if this was another race of people in Canada that were

1 going through this rather than Indigenous women? Would
2 there have been stronger communication between the local
3 police departments and the RCMP?

4 And what causes me to land in a place like
5 that is I'm hoping that with the work that's occurring here
6 and the work that occurred with the Truth and
7 Reconciliation Commission, and people understanding or
8 seeking an understanding of why Prime Minister Harper made
9 the apology he did about residential school, and to
10 understand Canada's embracing of the U.N. Declaration on
11 the Rights of Indigenous People for what that is, that it's
12 a bare minimum definition of "human" rights.

13 And I'm finding more with the work I do --
14 I'm the elected chief of our First Nation, been there for
15 13 years, and Vice-President of the Union of B.C. Indian
16 Chiefs -- I'm exposed to a lot of high-level political
17 discussions, but also, been very fortunate to engage with
18 Canadians.

19 And I find I have to try and develop some
20 sort of another story to help illustrate how our human
21 rights have been diminished by this country. And I've
22 thought about it. And I thought the very fact that I have
23 to try and compare it to something else tells me that there
24 is an issue about seeing First Nations people as human
25 beings of equal standing.

1 And I've been witnessing. I remember the
2 Royal Commission on Aboriginal Peoples and the apology and
3 the TRC work and now the Missing and Murdered Indigenous
4 Women. But I'm truly hoping that the outcomes will be
5 considered in a collective format of some variety and that
6 this is the awakening of Canadian conscience of exactly
7 what it has done and not done to recognize Indigenous
8 peoples as human beings of equal standing with any other
9 race in this world, because the actions and consequences
10 don't reflect that we are treated in an equal manner.

11 And to have, you know, so many missing and
12 murdered Indigenous women's cases of tragic deaths slip
13 through the cracks from an investigative point of view,
14 from a coordinated effort, from sharing of information
15 through a judicial system, to me, it points to flaws in
16 terms of the execution of justice in this country of
17 Canada.

18 And to me, it also shows a societal
19 diminished view of ourselves as people. And in the
20 Kwak'wala language, I'd say (speaking in Kwak'wala), it's
21 not right that we are seen in any diminished view as human
22 beings.

23 And I'm really hoping that the work will --
24 the outcome of this work is going to inform government
25 recognition of Aboriginal peoples, when there's a must for

1 policy and regulatory interaction that it's one that's fair
2 and balanced, and First Nations are not seen as a hindrance
3 to success, and that when the outcome of this work informs
4 communication gaps and jurisdiction authorities that need
5 to be refined that it's not fought from the inside, that
6 it's taken at fair value as a means to address where things
7 have gone off the tracks and where we can have the systems
8 that are there to help society be evenly available in the
9 execution of that for First Nations people and Aboriginal
10 women.

11 It just -- I cannot understand how so many
12 of our women can go missing and so many different
13 detachments not catch it or see it for what it is, because
14 if it was any other race of people in this society of
15 Canada, I feel there would have been a much different
16 response.

17 **MS. MEREDITH PORTER:** Okay, thank you. In
18 our conversations, you know, talking about Janet and some
19 of the events that she encountered in her life, you had
20 mentioned to me -- and you've already spoken today about
21 her kind and gentle nature. In fact, in our conversations,
22 I think you also said she had a bit of a naivete about her.

23 But you linked that also to the fact that
24 she had somewhere within the spectrum of Fetal Alcohol
25 Effect. Do you want to just speak a little bit about that

1 and maybe what impact that had on her life, and maybe some
2 ideas of what might have been of assistance to her, support
3 to her?

4 **MS. SHELLEY JOSEPH:** Yeah. Auntie Janet had
5 Fetal Alcohol Syndrome and I think that really did put a
6 lens to how she perceived people. You know, she had less
7 of a barrier when meeting people and I'm sure that, you
8 know, the men who came in and did like her husband or Uncle
9 Willy seen that and were able to manipulate her and to play
10 on her naivete and her really open and kind way.

11 And all of my mom's -- including my mom and
12 her sisters -- really struggled to find love and
13 acceptance. Their father, my mom's father died when she
14 was quite young so they didn't have the male role models
15 that I think young girls should have growing up to learn
16 what healthy relationships are. And so I think that,
17 compounded by her Fetal Alcohol Syndrome that she was a lot
18 more susceptible to falling prey to men such as Willy
19 Pickton and all the other people that she may have
20 encountered in her life.

21 And I know there are programs out there
22 relating to Fetal Alcohol Syndrome, but certainly not
23 enough, right from people who have it now and people --
24 women who are still getting pregnant and still consuming
25 alcohol, just without that basic knowledge that it's -- you

1 know, that it will affect your baby, your child, and it
2 will affect them for the rest of their lives, that there is
3 no -- you know, something that they can't just overcome.
4 And I think that information and basic life skills like
5 that really aren't -- they aren't known.

6 One night, sharing my own story, I grew up -
7 - in the beginning, my parents were alcoholics and my
8 father was quite abusive to my mom. And I didn't know that
9 he was abusive. It was just how my family was. My dad
10 beat up my mom and she took it, never said anything, got
11 back up and took it again. And there was lots of anger and
12 fights.

13 And because I was the youngest of five, I
14 had three older brothers so I knew how to fight because we
15 grew up in this town where we were mostly the only
16 Indigenous people, especially in our neighbourhood. All-
17 White community, White school, and it was really racist.
18 And because of my brothers I knew how to defend myself, so
19 I was really tough. I thought I was tough anyways.

20 And I remember thinking, why doesn't my mom
21 fight back? Like, just fight back. And so I swore I would
22 never be like my mom and let a man treat me that way or
23 talk to me that way or beat me. Because it wasn't just the
24 fighting, it was how he spoke to her, and I'll never, ever,
25 ever be like my mom.

1 And when I was 19 I fell in love with this
2 great guy. I thought he was a great guy. And we ended up
3 kind of in the exact same place. And even though by that
4 time I was two years sober already, I woke up, middle of
5 the night. My daughter was about four months old and she
6 was laying in the bassinet beside me and her dad, and it
7 was like this light bulb went off. I was like, oh my God.
8 I'm just like my mom.

9 But the light bulb wasn't just that, it was
10 that I had no idea how to be any other way because once my
11 parents sobered up they split up. So I still didn't have a
12 role model. Nobody ever told me this is how a man is
13 supposed to treat a woman, that I deserved to be treated
14 with kindness, love, and respect, encouragement, and all of
15 those great things that a relationship should be. I had no
16 clue. My normal was how my dad treated my mom. That's
17 what I grew up with. That's literally all I knew.

18 And so if I think of that for myself, how
19 many other families still don't know that this isn't
20 normal? How many women don't know that it's not normal to
21 be spoken down to, dismissed, to be told not to say
22 anything, otherwise you're going to disrupt the family?

23 Like, I know of so many incidences and
24 stories where girls who are trying to tell their family
25 that "Uncle So-and-So abused me."

1 "Don't ever say anything. That's your
2 uncle," and because that's their normal and this has been
3 handed down for generations.

4 And if you add in Fetal Alcohol Syndrome on
5 top of that, my aunt's chances were so low.

6 And so I think information sharing and all
7 of us sharing our stories to say this isn't normal, this
8 isn't acceptable, this is how women should be treated, I
9 think those conversations really need to start happening.

10 **MS. MEREDITH PORTER:** Okay. So on to
11 recommendations, because I know you have some very concrete
12 recommendations that you'd like to make.

13 Let's start with the concerns you've voiced
14 with respect to your interactions with the police, RCMP.

15 **MS. SHELLEY JOSEPH:** When Gunny, we first
16 heard, nobody in our family knew that we had the right to
17 ask this or to ask that. It's not something that we should
18 need to know, for one, but definitely, like, I think we
19 really could have benefited by having an advocate, somebody
20 who really knows the system, and that if there is one, that
21 they should have been brought to our attention or at least
22 introduced to our family to help us navigate better of who
23 we can call to ask for information or what information we
24 have the right to ask for or any of those things. It just
25 felt like we were kind of grasping at nothing in the

1 darkness.

2 So I think there should be Aboriginal
3 liaisons or advocates in every detachment, and probably not
4 just one. I think there should be education for all law
5 enforcement workers, whether they're front line or office,
6 to bring a greater understanding of who we are and why we
7 are in this time and space. I think that would really help
8 with ending the dismissiveness that a lot of families face
9 from law enforcement. Yeah.

10 **MR. ROBERT CHAMBERLIN:** Yeah,
11 recommendations. I know I've spoken of a few in what I've
12 shared already, but to just summarize a few of them, that
13 there be an expansion of trauma centres and places for
14 alcohol and drug treatment centre. And the true
15 recognition of the multi-generational aspects of the
16 impacts of the residential school.

17 And in addition to that, we have, as you've
18 -- Commissioner, as I know you've heard from many other
19 families, we have another layer now. Many families have
20 been touched by this Missing and Murdered Indigenous Women
21 and it presents another opportunity for the government to
22 provide the opportunities of healing for First Nations
23 people.

24 I mean, the difficult thing that I see is
25 the government's focus on annual budgets and priorities.

1 But if we are, as a country, set to implement the U.N.
2 Declaration on the Rights of Indigenous People, this new
3 approach obviously replaces an old approach. And if the
4 new approach is one about human rights, then in my mind, it
5 demands and sets the table for the appropriate responses to
6 what has occurred that leads us to this new approach.

7 And so the construction of treatment and
8 wellness centres with appropriate intake and program design
9 to capture people when they're ready, not when the centre
10 is ready for the client; the appropriate follow ups,
11 supports; the appropriate provision of health care for
12 remote isolated communities, and when there is a situation
13 such as the communities that we come from, that there be
14 the provision and opportunity of education without removing
15 children from the family.

16 And of course, this is going to take more
17 money than what has been expended in the past number of
18 years. But if we are to learn from the past, the removal
19 of children and the destruction of families is not a good
20 idea. It leads to far too many social, societal, service-
21 oriented costs, which I think that this country wants to be
22 in the lead of dealing with.

23 I would like to see that the programs are
24 appropriate for Aboriginal people, culturally appropriate
25 to the people.

1 So ourselves, Shelley and I identify
2 ourselves as the Musgamawg Dza'wadeunkt people or that's
3 who we're from. We're part of a larger language group, but
4 our culture is different than our neighbours on Vancouver
5 Island, the Nuu-chah-nulth and Coast Salish. And so our
6 teachings most likely would not be as of great benefit to
7 our neighbours.

8 So to understand that, if we are going to
9 rebuild the wrongs and repair the wrongs, then we develop
10 them that are appropriate for our peoples.

11 You know, when Shelley was talking about
12 FASD, I was thinking back, before I got involved in
13 politics, I worked at a treatment centre. And I remember
14 that was 14 years ago and there was only one place to get
15 diagnosis of FASD. And I thought, good gosh, that long
16 waiting list to get a diagnosis which would then trip over
17 other policies and other treatment and supports, but the
18 struggle that people go through waiting to get a diagnosis.

19 And so I think that when we want to, we have
20 to really look at how is it that the health care system
21 delivers assessments and programs and services and make
22 sure that it meets the need, not having the need meet the
23 system. Then it's a fundamental switch but it's one that's
24 going to be about the wellness of a family and a community
25 and the rebuilding of our culture, because I think that at

1 one time, as Musgamawg Dza'wadeunk people, that we had a
2 very, very respected, elevated place for our women. And
3 today, like many other groups of people, that role and
4 place has been diminished by a whole variety of things.

5 But as Indigenous people, I really believe
6 that that begins with what the government chose to do which
7 they have now apologized for which has now been
8 investigated and which is now being further investigated,
9 and that Canada come forward with the appropriate
10 responses.

11 And I don't mean a one- or two-year fix
12 because if these impacts have been going on for
13 generations, then we best take that same long view in the
14 repair and to not see it as a fiscal liability, but an
15 investment into what Canada can actually truly be one of
16 justice and fairness and recognition and appreciation of
17 races of people as is pretends to be around the world. But
18 here in Canada, it applies to everybody except the First
19 Nations people. And that's what we need to correct.

20 And I really want to share my good thoughts
21 and honour to all the families that are coming forward such
22 as we are today to share the heartfelt feelings and
23 thoughts.

24 And I want to thank all the staff and I want
25 to thank yourself, Commissioner, for making this space

1 available for our people to begin that or continue, as it
2 may be, the journey of wellness and healing.

3 And I know that there was a request for an
4 extension to the Missing and Murdered Indigenous Women in
5 Phase II and Phase III, and I really do encourage the
6 government to embrace that because the necessity of healing
7 and the necessity of families being able to explain the
8 hurt and pain is critical.

9 But so is looking at it from a structural
10 political view and through the organizations that have
11 frontline experience helping our women and families to
12 inform what is necessary, because they've struggled to do
13 the great work they do with limited resources and I feel
14 confident that they'd be able to describe what's necessary
15 to further the services to help.

16 Thank you.

17 **MS. MEREDITH PORTER:** Thank you so much for
18 answering all of my questions as well.

19 So at this time I'll ask Commissioner
20 Robinson, do you have any questions or comments for the
21 witnesses?

22 **COMMISSIONER QAJAQ ROBINSON:** I do. First,
23 I want to thank you both very much. I also want to
24 acknowledge Elizabeth and Janet and their spirits.

25 I do have some questions. I'm going to go

1 back a little bit, if you don't mind, and talk -- I have
2 some questions about the investigations, both
3 investigations, if that's okay.

4 Following -- well, the investigation into
5 Elizabeth's death, were you ever advised of what steps the
6 police took with an autopsy, for example, or were specific
7 people interviewed? Were you ever advised of the steps
8 they took and what were the outcomes of those steps, if
9 anything?

10 **MS. SHELLEY JOSEPH:** I was only aware that
11 they did an autopsy because we had to wait for her body.
12 Other than that, I don't know who they interviewed or who
13 they spoke to.

14 **COMMISSIONER QAJAQ ROBINSON:** And what year
15 was this? Is it from -- what I understand, was it 2011?

16 **MS. SHELLEY JOSEPH:** Eleven ('11), yeah.

17 **COMMISSIONER QAJAQ ROBINSON:** Were there any
18 victim services made available to you or people that could
19 help you understand what the process was?

20 **MS. SHELLEY JOSEPH:** I don't recall seeing
21 anybody when we were -- the family came and gathered in
22 Campbell River. I don't recall seeing anybody come to see
23 us.

24 **COMMISSIONER QAJAQ ROBINSON:** With respect
25 to Janet's disappearance and her -- the steps that took her

1 to -- or that brought her to Vancouver, is it fair to --
2 was she fleeing that violent relationship and that's what
3 brought her there?

4 **MS. SHELLEY JOSEPH:** Yeah, I believe so.
5 When she came to us first on the island before coming to
6 Vancouver, yeah, she was fleeing, yeah, and was unable to
7 bring her daughter with her.

8 **COMMISSIONER QAJAQ ROBINSON:** Following the
9 police's discovery of her DNA at the farm, did they ever
10 explain to you why there wasn't sufficient DNA for them to
11 proceed with charges or to provide any explanations or
12 possible explanations as to what had happened or how it got
13 there?

14 **MS. SHELLEY JOSEPH:** No, they didn't. They
15 didn't say why she couldn't be included, just that there
16 wasn't enough DNA, and because my Auntie Sandra had shared
17 with the police that she knew, because Janet shared with
18 her that she had been to the farm before. Yeah, before she
19 went missing she told her that she had been there. So
20 yeah, they never explained in detail.

21 **COMMISSIONER QAJAQ ROBINSON:** Okay. I want
22 to speak a little bit about -- you spoke of the burden of
23 diminishment and you think often people hear pieces,
24 whether it's how the media portray it, often it's how the
25 media portray it, but as if some of those things were a

1 choice, right? Like, she was in the Downtown Eastside by
2 choice. Addiction were part of a choice. Prostitution was
3 a choice. For Janet, those weren't choices?

4 **MS. SHELLEY JOSEPH:** No, no. Yeah, I really
5 hated reading how they shared her story, that she was an
6 Indigenous woman who lived in the Downtown Eastside, was an
7 addict and a prostitute. Yeah, like, somehow she chose to
8 be those things. Like, when she was a little girl she
9 said, "Oh, I'm going to grow up and be a prostitute and be
10 addicted to drugs." Far from the truth.

11 I always wanted them to know the whole story
12 of their whole family, so much trauma and grief from the
13 beginning, from when their father died to when they were
14 taken away, to the alcoholism to the, I'm sure, many uncles
15 who abused them, in and out of the homes.

16 A lot of her siblings, before she passed
17 also had really horrible deaths that went unexplained. She
18 had two other sisters; I had two other aunties who were
19 found in the street, dead, and the doctor said, "Oh, she
20 overdosed." But nobody could ever tell us why they were in
21 the street.

22 Yeah, just a lot of trauma that way, all
23 really young. And yeah, the full story was never told.
24 And so I think that gave the general public the view that
25 yeah, she was less than.

1 **COMMISSIONER QAJAQ ROBINSON:** It's like,
2 it's victim blaming. It's a way to put the responsibility
3 on her.

4 And Robert, I wanted -- your
5 characterization as the burden of diminishment, it makes so
6 much sense to me, and it speaks to what was not her choice,
7 what was not Elizabeth's choice, where she got an
8 education, where she raised, who raised her, where she got
9 her medical help. These paths are not people's choice.
10 It's a system that is drawn for them that they're forced to
11 be a part of. And I want to think how you've just
12 illustrated that.

13 **MR. ROBERT CHAMBERLIN:** Thank you. When I
14 consider how media and society characterizes the women that
15 have had tragedy on the Lower Eastside as prostitutes, as
16 drug addicts, it bothers me because not enough of society
17 understands the predicament that the country has put First
18 Nations people in. And what I mean is, you see these are
19 more symptoms or an action of survival.

20 And certainly, that would be the case with
21 Auntie Janet and for Beth, Elizabeth. For her, it was the
22 very same. It was doing what she needed to to try and get
23 her physical and emotional needs met within a system that
24 diminished any opportunities, really, to provide meaningful
25 assistance, even though it was that same system that

1 provided the opportunity for the diminishment in the first
2 place, which continues to be perpetuated each generation.
3 And each generation we have this challenge.

4 Then that's where I am really hopeful that
5 this government, both provincially and federally, are going
6 to be able to truly embrace the U.N. Declaration of Rights
7 of Indigenous People and enact the Truth and Reconciliation
8 Commission's reports.

9 **COMMISSIONER QAJAQ ROBINSON:** Yeah.

10 **MR. ROBERT CHAMBERLIN:** And educate
11 Canadians about the shame of this country because there's
12 always cause and effect. And what Canada has caused to
13 happen by its own choices of government, of legislation, of
14 regulation of policies, and so on, has a direct link to the
15 situation that First Nations people find themselves today.
16 They cannot absolve themselves of that responsibility and
17 still maintain that they are representing a country that is
18 just and equal and fair. And I think the apology was the
19 start and then what's happening today.

20 And I really, really am hopeful that the
21 governments embrace the outcomes collectively and develop
22 curriculums so we can start teaching children the true
23 history of Canada and then to assist society to have an
24 elevated level of understanding of First Nations people and
25 the challenges that we face and the challenges that we

1 continue to perpetuate.

2 **COMMISSIONER QAJAQ ROBINSON:** I'm going to
3 leave it at that. I wish we had hours.

4 Your role in leadership within your Nation
5 is -- you know, I would like to hear about some of the
6 challenges you face to be able to represent your people in
7 this confederation. I would like to give you the
8 opportunity to speak about that if that's something that
9 you would like to with me right now.

10 I know you're here as family but you wear
11 another hat and this part of this is understanding how you
12 spoke about the impact on governance, diminishment of
13 governance, the calculated, systemic efforts to dismantle
14 governance systems.

15 As we look at the implementation of the U.N.
16 Declaration and Canada's adoption or signing full
17 commitment to it with Bill C-262 on coming through now and
18 a commitment to support that legislation, what challenges
19 do you face as a leader in your role to be part of that?

20 Huge question, I know, but I want to give
21 you the opportunity.

22 **MR. ROBERT CHAMBERLIN:** Well, this type of
23 question is a really important one for this country and for
24 First Nations people. And I have encouraged the Six
25 Ministers Working Group on reconciliation to begin a

1 campaign of public awareness of the need for
2 reconciliation.

3 And the reason I suggested that was because
4 as Canada considers a fundamental shift, a fundamental
5 change in how it functions as a country and creates the
6 appropriate space and recognition of First Nations people,
7 it's going to face a lot of opposition if there isn't an
8 effort to educate Canadians.

9 The challenges we face are just -- let's
10 just say there's a lot of them, and at -- and so many
11 different levels when you look at the division of powers
12 between the federal government and provincial government.
13 And of course, lands are a very big item for First Nations
14 and developments that are going on without our consent.

15 And for me, most recently, I've put a couple
16 of thoughts together that Canada wants to embrace the U.N.
17 Declaration on the Rights of Indigenous People without
18 qualification and implement into this country, but we have
19 a prime minister now that has decided that there are
20 certain resource extraction projects that are in the
21 nation's interest. And so somehow, the nation's interest
22 is licence for him to disregard the human rights of First
23 Nations people that oppose whatever project. I'm talking
24 about Kinder Morgan in this sense. And so for me, it's a
25 glaring contradiction.

1 And I've heard people say, "Not out one side
2 of your face but the other." And it's hard to argue that
3 point and believe that the government wants to actually
4 fundamentally change how this country functions.

5 We have governments and systems that are in
6 place. The bureaucracies are used to functioning in one
7 way and that is the minimization and the disregard of
8 Aboriginal people's rights and title, period. That has
9 been the focus since the first residential school was
10 authorized to be built. It was about removing us, opening
11 up the lands to resource development and extraction for the
12 wealth of others.

13 And what I've been greatly disappointed with
14 with successive governments is that even though Aboriginal
15 people's rights are recognized in the very constitution of
16 this country, and even though there have been numerous --
17 not just one or two but numerous Supreme Court of Canada
18 rulings describing for the government what Aboriginal
19 rights and now Aboriginal title looks like, and giving
20 direction from the highest court of this land in how the
21 government must respect these things.

22 And to turn and watch how the government and
23 its systems have sought systematically to take the
24 narrowest possible view, I have a really difficult time
25 envisioning how that is any measure of justice or equality

1 from a country that reports to the world that it is a just
2 society, when the governance instruments are always
3 designed to diminish, even the highest court of this
4 country's direction to government.

5 And then we get to sit down under this new
6 era of embracing the U.N. Declaration on the Rights of
7 Indigenous People, both provincially and federally, and
8 they bring in people that we've dealt with for the past 30
9 years and they probably tell us that "I'm a career
10 bureaucrat for 25 years."

11 And you look at him and go, "You've been
12 part of the problem for 25 years, and now I'm supposed to
13 have a measure of confidence that you're going to embrace
14 this complete paradigm shift and not witness you be drawn
15 back into your comfort zone of denial of our people?"

16 And then we have the revenue side of
17 extractive industries and taxes and so on, profit sharing.
18 Those systems are well entrenched globally. And I've heard
19 many Canadians and you know, on Twitter I've had people
20 messaging me yesterday, "Canada has spent, you know, 30
21 trillion on you Indians."

22 And I'm like, "Well, you should count up how
23 much has been made off our lands that we have title to,
24 which your Supreme Court has said needs to be reconciled
25 and you'll find out that it's a very small pittance in

1 relationship to the overall value of our lands, which the
2 government's own constructs have told is our land, and the
3 Crown has presumed title."

4 And I think that Canada would benefit from
5 an education process just on Supreme Court of Canada
6 rulings in relationship to First Nations. And I've thought
7 about this as a leader. Every First Nation chief engages
8 with government based on the constitution of this country
9 and Supreme Court of Canada rulings and regulation and
10 policy.

11 Canadians don't discuss those things. They
12 are far removed from understanding of where they sit in the
13 governance of this country. They're far removed from the
14 outcomes of those systems.

15 And I know I've spoken to Canadians. They
16 have -- "Oh, geeze," you know, "how come you Indians are
17 always in the courthouse and protesting and blockades?
18 I've seen a lot more of it lately."

19 And I said, "Well, do you understand that
20 that represents the evolution of Canadian law recognizing
21 our title and our rights? And when you see us in the
22 courtrooms or blockades or protesting various things that
23 are being put forth in our territories without our say so
24 and without our agreement and now without our consent, can
25 you stretch your understanding to see that we're talking

1 about the failures of democracy in the most basic sense in
2 this country where the government has decided the highest
3 court of the land is merely a suggestion and that the
4 constitution, which is supposed to be the democratic
5 freedom for everyone in justice -- oh, except for those
6 First Nations people -- and society's willingness to accept
7 that, tells me that we do not enjoy a place in this society
8 today of equality?"

9 And of course, how else can it be when
10 Canada is based upon the notion of vacant lands under
11 (Indiscernible), when Canada is constructed upon the --
12 what was that -- Christian -- it escapes me, but it speaks
13 to the evolution of people, doctrine of discovery. And we
14 weren't near the top of that list.

15 And so from a faith that says all men are
16 equal -- except for those First Nations people -- and yet
17 it was the ignorance of the people that arrived and the
18 pace and hurriedness that they had to conquer the lands for
19 the resource and benefit of their peoples that they failed
20 to see the beauty of our people. They failed to see the
21 strong interconnectedness and identity that we all have
22 with our territories.

23 They failed to see the incredible complex
24 governance structures that we had. It just didn't look
25 like theirs so we were just merely savages. And then of

1 course, the Hollywood Indian stereotypes have propped that
2 up further.

3 And I offer that just so we can see how many
4 generations have been able to view Indians and First
5 Nations people as less than, and the only ones that were
6 acceptable for their consumption was the Noble Savage or
7 Pocahontas.

8 And yet even those, they're horrible
9 caricatures of our people. And when I think about that,
10 about how we can be marketed, if you chose any other race
11 of people and used a derogatory term to describe and label
12 them and use a cartoon picture of the worst stereotypical
13 image, there would be uproar.

14 **COMMISSIONER QAJAQ ROBINSON:** And drew it on
15 a baseball hat.

16 **MR. ROBERT CHAMBERLIN:** That's right, except
17 if it's First Nations. Then it's okay. Now, that's what
18 really -- when I see that, it really tells me about that
19 societal value of First Nations is so horribly diminished
20 that we need to do the work to correct that.

21 I remember when the Olympics were here.
22 Remember when we went without food there? We did a fast
23 against fish farms back when the Olympics were here. And I
24 remember being a part of a media clip and there's this
25 young man from the Lower Eastside.

1 And he said, "Canada loves our artwork, our
2 songs, our masks, our dances, really likes our land, just
3 doesn't like us."

4 And I thought it was a really good
5 characterization because how often do we see our imagery in
6 every aspect of Canada except for the full recognition and
7 creation of space for us to enjoy who we are by our terms
8 in our lands without having a government working to
9 diminish and exterminate?

10 And Canada is quite uncomfortable with the
11 word "genocide". But genocide is what has happened in
12 Canada and the United States for First Nations people.
13 What else can you call it when you attack and diminish a
14 people based upon their colour of their skin, their
15 language, their traditions, remove them from their lands,
16 target their children, break up the family? How is that
17 not genocide?

18 And that's the uncomfortable truth that
19 Canada, I believe, is on the cusp of coming to terms with.
20 And it's going to take a lot of uncomfortable dialogue to
21 get there.

22 And I know for myself with the roles that I
23 have stepped into, I never turn down an opportunity to talk
24 to Canadians because I want to have that discussion. I
25 want to try and if I could -- you know, it's like, if you

1 reach a handful of people every week, there's a chance that
2 we can then have them speak to others. But it's going to
3 take some very articulate, informed, respectful dialogue
4 with the pursuit of reconciliation of peoples.

5 And like I say, there's so much more to talk
6 about in relationship to this, but I think this is what
7 really supports the need for a Phase II and Phase III of
8 this work, so organizations and leadership can articulate
9 to Canada at a different -- not a more important level, but
10 a different level than the pain and the telling of the
11 pain, because that's critical for our people's well being
12 today. And that is a great and wonderful focus of this.

13 But there's another few layers to this that
14 describes the changes at a systemic level to find a place
15 where we don't -- we can create a place in this country
16 where there's no -- a lesser opportunity for us to have
17 conversations of the pain and the suffering, and we can
18 then see something that occurs that is the betterment for
19 First Nations families, communities, Nations, and this
20 country. Yeah.

21 **COMMISSIONER QAJAQ ROBINSON:** Thank you.
22 Thank you. I don't have any more questions.

23 **MS. MERDITH PORTER:** Then shall we move to
24 the next phase of the hearing?

25 **COMMISSIONER QAJAQ ROBINSON:** We would like

1 to present you with a gift, a gesture of reciprocity. I've
2 been advised that -- oh, we'll put that mic down and come
3 see you. But we have some gifts, some seeds, some cedar,
4 some cedar bark, and a feather. And I'm going to put the
5 mic down because I want to come talk to you, not through
6 this.

7 So we'll adjourn our last hearing in
8 Vancouver in this space.

9 **MS. SHELLEY JOSEPH:** Can we end it with a
10 song?

11 **COMMISSIONER QAJAQ ROBINSON:** I would love
12 it if we ended it with a song. Would you like -- we'll
13 have the song on the record if you would like.

14 **MR. ROBERT CHAMBERLIN:** I'll share with you
15 a (speaking in Kwak 'wala) I accidentally composed as a
16 good friend of ours, a brother or ours (speaking in
17 Kwak 'wala), one of the very large composers of songs.

18 I thought I learned the song correctly but I
19 learned it wrong and then I realized that I actually made a
20 song. But it's very similar to the one that he composed.
21 And the (speaking in Kwak 'wala), it's, in our cultural
22 way, it's a way to -- it's a song that comes out generally
23 after the (speaking in Kwak 'wala) ceremony when things
24 have gone well.

25 And so I'll share with you a few verses from

1 that now. I learned that in the 1900s.

2 --- CLOSING SONG

3 --- PRESENTATION OF GIFTS

4 --- Exhibits (code: P01P15P0503)

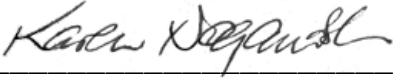
5 --- Exhibit 1: Digital photo displayed during the
6 public testimony of the Joseph-
7 Chamberlin family.

8 --- Upon adjourning at 16:54

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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.



Karen Noganosh

April 16, 2018