National Inquiry into Missing and Murdered Indigenous Women and Girls
Truth-Gathering Process
Part 2 Institutional Hearings
“Police Policies and Practices”
Saskatchewan Hotel
Regina, Saskatchewan

Part 2 Volume 10
Friday June 29, 2018


Deputy Commissioner Brenda Butterworth-Carr, Commanding Officer, British Columbia RCMP (“E” Division);

Capitaine Paul Charbonneau, Directeur par intérim, Autorité disciplinaire et services juridiques, Sûreté du Québec;

Chief Superintendent Mark Pritchard, Ontario Provincial Police

INTERNATIONAL REPORTING INC.
II

APPEARANCES

Aboriginal Legal Services
Emily Hill (Legal Counsel)

Aboriginal Women's Action Network
Fay Blaney (Representative),
MiKenze Jordan (Representative)

Animakee Wa Zhing #37 First Nation, Eagle Lake First Nation, Asubpeeschoseewagong Netum Anishinabek (ANA) First Nation/Grassy Narrows First Nation, Obashkaanda-gaang First Nation, and Ojibway Nation of Saugeen, as a single collective party
Paloma Corrin & Whitney Van Belleghem (Legal Counsel)

Assembly of First Nations
Stuart Wuttke (Legal Counsel),
Julie McGregor (Legal Counsel)

Assembly of First-Nations Quebec-Labrador
Wina Sioui (Legal Counsel)

British Columbia Civil Liberties Association
Michael Vonn (Legal Counsel),
Meghan McDermott (Legal Counsel)

Canadian Association of Chiefs of Police (CACP)
Ashley Smith (Legal Counsel)

Directeur des poursuites criminelles et pénales (Québec)
Anny Bernier (Legal Counsel)

Eastern Door Indigenous Women's Association
Natalie D. Clifford (Legal Counsel)

Families for Justice
Suzan E. Fraser (Legal Counsel)

First Nations Police Governance Council
Michelle Brass (Legal Counsel)

Government of Alberta
Doreen Mueller (Legal Counsel)
III

APPEARANCES

Government of Canada
Anne McConville (Legal Counsel), Sarah Churchill-Joly (Legal Counsel), Tania Tooke (Paralegal), Jennifer Clarke (Paralegal)

Government of Manitoba
Heather Leonoff (Legal Counsel), Samuel Thomson (Legal Counsel)

Government of New Brunswick
Maya Hamou (Legal Counsel)

Government of Newfoundland and Labrador
Denise Spencer (Legal Counsel)

Government of Ontario
Katelyn Forget (Legal Counsel)

Government of Quebec
Marie-Paule Boucher (Legal Counsel)

Government of Saskatchewan
Barbara Mysko (Legal Counsel), Colleen Matthews (Legal Counsel)

Government of Yukon
Chantal Genier (Representative)

Independent First Nations (IFN)
Josephine de Whytell (Legal Counsel), Deanna Jones Keeshig (Representative)

Inuit Tapiriit Kanatami (ITK)
Elizabeth Zarpa (Legal Counsel)

Liard Aboriginal Women's Society
Leila Geggie Hurst (Representative), Ann Maje Raider (Representative)
IV

APPEARANCES

Manitoba Keewatinowi Okimakanak (MKO)  Jessica Barlow (Legal Counsel)
Mishkeegogamang First Nation  Whitney Van Belleghem (Legal Counsel), Paloma Corrin (Legal Counsel)

MMIWG Coalition Manitoba  Hilda Anderson Pyrz (Representative)

Native Women's Association of Canada  Virginia Lomax (Legal Counsel)

New Brunswick Aboriginal Peoples Council  Elizabeth Blaney (Representative), Chief Wendy Wetteland (Representative)

NunatuKavut Community Council  Roy Stewart (Legal Counsel)

Ontario Federation of Indigenous Friendship Centres  Niki Hashie (Representative)
Ontario Native Women's Association (ONWA)  Robert Edwards (Legal Counsel), Christina Comacchio (Legal Counsel)

Pauktuutit Inuit Women of Canada, Saturviit Inuit Women’s Association, AnânauKatiget Tumingit Regional Inuit Women’s Association, Ottawa Inuit Children’s Centre and Manitoba Inuit Association, as a collective single party  Beth Symes (Legal Counsel)

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

APPEARANCES

Saskatchewan Association of Chiefs of Police
Katrina Swan (Legal Counsel)

Thunder Bay Police Services
Edward Marrocco (Legal Counsel), Tiffany O'Hearn Davis (Legal Counsel)

Treaty Alliance Northern Ontario - Nishnawbe Aski Nation/Grand Council Treaty #3
Krystyn Ordyniec (Legal Counsel), Catherine Cheechoo (Representative), Elysia Petrone Reitberger (Legal Counsel)

Vancouver Rape Relief and Women's Shelter
Hilla Kerner (Representative), Laurel McBride (Representative)

Vancouver Sex Workers' Rights Collective
Carly Teillet (Legal Counsel)

Winnipeg Police Service
Sheri Bell (Representative), Kimberly D. Carswell (Legal Counsel)
VI

TABLE OF CONTENTS

Truth-Gathering Process Part 2 Volume 10
Panel 3: “Investigative Policies & Practices” (continued)

Chair: Christa Big Canoe (Commission Counsel)
Second chair: Thomas Barnett (Commission Counsel)

Witness: Deputy Commissioner Brenda Butterworth-Carr, Commanding Officer of the British Columbia RCMP (“E” Division)
Counsel: Anne McConville (Counsel for Government of Canada)

Witness: Capitaine Paul Charbonneau, Directeur par intérim, Autorité disciplinaire et services juridiques, Sûreté du Québec
Counsel: Bernard Jacob (Commission Counsel)

Witness: Chief Superintendent Mark Pritchard, Ontario Provincial Police
Counsel: Julian Roy (Counsel for Government of Ontario)

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


Clerk: Bryana Bouchir

Registrar: Bryan Zandberg
# VII
## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Ceremony</td>
<td>1</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Virginia Lomax</td>
<td>2</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Emily Hill</td>
<td>15</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Erica Beaudin</td>
<td>24</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Fay Blamey</td>
<td>33</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. MiKenze Jordan</td>
<td>34</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Natalie Clifford</td>
<td>39</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Beth Symes</td>
<td>47</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Josephine de Whytell</td>
<td>55</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Carly Teillet</td>
<td>65</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Suzan Fraser</td>
<td>73</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Jessica Barlow</td>
<td>86</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Hilla Kerner</td>
<td>94</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Josephine de Whytell</td>
<td>119</td>
</tr>
<tr>
<td>Questions by Commissioner Michèle Audette</td>
<td>130</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Leila Geggie-Hurst</td>
<td>139</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Rainbow Miller</td>
<td>147</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Krystn Ordyniec</td>
<td>163</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Rainbow Miller</td>
<td>175</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Whitney Van Belleghem</td>
<td>177</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Marie-Paul Boucher</td>
<td>191</td>
</tr>
<tr>
<td>Cross-Examination of Panel 3 by Ms. Fanny Wylde</td>
<td>202</td>
</tr>
<tr>
<td>Re-Examination of Panel 3 by Ms. Anne McConville</td>
<td>209</td>
</tr>
<tr>
<td>Re-Examination of Panel 3 by Me Bernard Jacob</td>
<td>211</td>
</tr>
</tbody>
</table>
## VIII

### TABLE OF CONTENTS

| Questions by Chief Commissioner Marion Buller | 221 |
| Questions by Commissioner Qayaq Robinson | 229 |
| Questions by Commissioner Brian Eyolfson | 258 |
| Questions by Chief Commissioner Marion Buller | 260 |
| Questions by Commissioner Brian Eyolfson | 258 |
| Questions by Commissioner Qajaq Robinson | 274 |
| Questions by Commissioner Marion Buller | 281 |
| Closing Ceremony | 294 |
### IX

#### LIST OF EXHIBITS

<table>
<thead>
<tr>
<th>NO.</th>
<th>DESCRIPTION</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Public transcript Part 2 Volume 10</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exhibit code: P02P02P0501</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Panel 3: “Investigative Policies &amp; Practices”</strong></td>
<td></td>
</tr>
</tbody>
</table>

139 “Missing and unsolved Murdered Indigenous People: The Ontario Provincial Police Provincial Police Perspective” (23 pages)  
Witness: Chief Superintendent Mark Pritchard, Ontario Provincial Police  
Submitted by Whitney Van Belleghem, Counsel for Animakee Wa Zhing #37 First Nation, Eagle Lake First Nation, Asubpeeschoseewagong Netum Anishinabek (ANA) First Nation/Grassy Narrows First Nation, Obashkaanda-gaab First Nation, and Ojibway Nation of Saugeen, as a single collective party

140 Sûreté du Québec video «Mamowi (Ensemble)» MP4 format, 31.8 MB (5 minutes 53 seconds)  
Witness: Capitaine Paul Charbonneau, Directeur par Intérim, Autorité disciplinaire et services juridiques, Sûreté du Québec  
Submitted by: Marie-Paule Boucher, Counsel for Government of Quebec
NOTE

The use of square brackets [ ] indicates that amendments have been made to the certified transcript in order to correct information that was mistranscribed. Bryan Zandberg, Registrar for the National Inquiry into Missing and Murdered Indigenous Women and Girls, made all amendments by listening to the source audio recording of the proceeding. The amendments were made on April 15th, 2019 in Vancouver, British Columbia.
--- Upon commencing at 7:29 a.m.

**MR. VERN BELLEGARDE:** I want to thank the -- Cheryl and Larry for the pipe ceremony this morning, a very beautiful ceremony as usual. I’d like to invite Mr. Roy to Treaty 4.

(LAUGHTER)

**MR. VERN BELLEGARDE:** We live in a beautiful country. The Creator has been good to us. I always say if the Creator has given you another day, brought you through the night, giving you a day, he’s got something for you to do today, so get it done.

I’m very pleased with how the proceedings are going. My prayers this morning were continued success with the Commissioners and the witnesses. As well, at this point, I’d just like to thank the people that are here and that do care about missing and murdered Indigenous women and girls. Thank you for being here even as a support.

A few years ago, I and my cousin, I was standing in a parking lot, and he called, “Vern, get over here.” So, I hustled over there. I don’t very often wear shorts. He said, “Oh, I thought you were riding a chicken.”

(LAUGHTER)

**MR. VERN BELLEGARDE:** But, I told him, “They get me from Point A to Point B, and that’s all that
OPENING CEREMONY

matters.”

At this point, I’d just like to turn it over to the moderator. Thank you very much. Have a great day.

**MS. CHRISTA BIG CANOE:** Good morning, Chief Commissioner, Commissioners. Just for anyone who might be tuning in, we are having the third panel, and we’ve had the witnesses already do their examination in-chief. We were in the process of cross-examination. And so, unless there’s any other direction from you, I would like to continue calling cross-examination. Thank you.

The first party we’re inviting up is Native Women’s Association of Canada. Ms. Virginia Lomax will have 15-and-a-half minutes.

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

**MS. VIRGINIA LOMAX:** Good morning. I’d like to thank Treaty 4 and the Métis Nation of Saskatchewan for welcoming us to this territory today. I’d also like to acknowledge the spirits who are with us today, particularly those of our stolen sisters.

Chief Superintendent Pritchard, I’d like to take you back to an example that you gave us yesterday. You find a boat in the water, but not a person that you knew to be in that boat. You testified that that person is lost, but not missing; is that correct?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** No.
They would be a missing person when their boat’s found, but they aren’t.

**MS. VIRGINIA LOMAX:** And so, when would that distinction between lost, but not missing come in?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** As soon as the area to be searched has been eliminated as an area of search, that would have changed the status from lost to missing.

**MS. VIRGINIA LOMAX:** Are you familiar with the term “tunnel vision”?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Very.

**MS. VIRGINIA LOMAX:** Would you agree that tunnel vision is defined generally as focusing on an investigation on the subjective or assumed -- on the objective -- subjective, assumed or believed outcome rather than following evidence to an objective conclusion?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

**MS. VIRGINIA LOMAX:** Would you agree with the statement that tunnel vision can impact the integrity of an investigation?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** There’s been many, many examples of that, so absolutely.

**MS. VIRGINIA LOMAX:** Do you agree with the statement that racist or sexist assumptions on the part of officers can lead to tunnel vision?
CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. VIRGINIA LOMAX: And, do you agree with the statement that racist or sexist assumptions leading to tunnel vision can lead to an improper investigation, and by extension, no justice for families or victims?

CHIEF SUPERINTENDENT MARK PRITCHARD: Well, certainly, and that’s why it’s so important to have so many different people bringing different skill sets and different training and knowledge to make those decisions so that doesn’t happen. And, Justice Campbell clearly spoke to that at the Campbell Inquiry, and the importance of avoiding tunnel vision and having proper processes to follow, investigative tasks and a multidisciplinary approach to investigations to overcome those very issues. I think those issues were all very much front and centre, not only in Campbell, but in Oppal and a number of other inquiries around the world where, as Justice Campbell said, the same systemic issues affected just about every case of a serial predator that he looked at, and that’s why it’s so important to have those processes in place.

MS. VIRGINIA LOMAX: And so, in the scenario that we’ve been discussing where there is a boat, but no person, and your officers have searched the area, it’s possible that racist or sexist assumptions could lead officers to conclude that a person is lost, but not
missing, when in fact they are missing or murdered?

CHIEF SUPERINTENDENT MARK PRITCHARD: Well, I could never say that that’s impossible. Again, I go back to the multiple people involved in that decision making, and the, you know, very precise wording in the policy that once that area is searched and the person’s not found, they are no longer lost. They are missing.

MS. VIRGINIA LOMAX: And so, you spoke to us yesterday about what you referred to as a Code 0, and this pertains to solely when a police officer’s life is in danger or they need backup, and that is the highest level of emergency that the OPP can respond to; is that correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: A life threatening situation is the highest immediate response. It doesn’t have to be a police officer. It could be any individual. So, Code 1 is the next most urgent, and Priority 1’s are, like, an immediate response versus lights and sirens, I think, if that’s the distinction I could make of getting to the scene of going there immediately versus driving there fast with your emergency lights and your sirens blaring.

MS. VIRGINIA LOMAX: And so, if a civilian Indigenous woman’s life were in danger, would that be a Code 1 or a Code 0?

CHIEF SUPERINTENDENT MARK PRITCHARD: Any
life threatening situation is a Code 0.

MS. VIRGINIA LOMAX: And so, you testified that the OPP offers 5-day Indigenous learning courses that are mandatory for supervisors to take; is that correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. VIRGINIA LOMAX: And, are these mandatory courses for any other officers?

CHIEF SUPERINTENDENT MARK PRITCHARD: Specialists, such as detectives, Emergency Response Team, tactical officers. It’s available ---

MS. VIRGINIA LOMAX: But, it wouldn’t be mandatory for a constable?

CHIEF SUPERINTENDENT MARK PRITCHARD: It’s available for constables, and many constables do take it as part of their learning and development plan. And, as well as ---

MS. VIRGINIA LOMAX: How often are the supervisors ---

CHIEF SUPERINTENDENT MARK PRITCHARD: I’m sorry, as well as civilian employees. They’re -- it’s opened to not just sworn members, sworn officers, but to civilians as well.

MS. VIRGINIA LOMAX: And so, how often are supervisors required to retake this course?

CHIEF SUPERINTENDENT MARK PRITCHARD: It’s
just a one-time course.

MS. VIRGINIA LOMAX: So, would you agree with the statement that a 5-day Indigenous learning course on its own does not provide officers with a fulsome understanding of the nuances between Indigenous communities the officers are meant to serve or the complex issues facing many Indigenous people?

CHIEF SUPERINTENDENT MARK PRITCHARD: Well, certainly it’s an introduction. You know, the full understanding -- I mean, there’s university courses for that. It really is just an introduction to help try and understand, you know, the vast and rich history, as well as the challenges. There’s a component to the training, now, for our murdered and missing to help officers understand that, residential schools -- so, yes, it’s very much an introductory.

MS. VIRGINIA LOMAX: Is the 5-day course geared towards empathy building?

CHIEF SUPERINTENDENT MARK PRITCHARD: Certainly.

MS. VIRGINIA LOMAX: And, are any courses other than that, that would be mandatory for officers on the ground, empathy building?

CHIEF SUPERINTENDENT MARK PRITCHARD: You know, and the investigative courses, there’s certainly that
component where there will be elements particularly on a sexual assault or domestic violence where a survivor presents to the class and talks about their experiences. Justice Oppal spoke to that quite a bit in his Inquiry about -- you know, that officers need empathy, understanding in conducting these investigations.

**MS. VIRGINIA LOMAX:** And so, could you clarify for me, it’s so-called closed cases that are destroyed after 10 years?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** No. There’s a records management system in place and it really -- it depends on the nature of the investigations. Like, if it’s a theft, it’s not going to be kept forever. Death investigations, missing person, there’s retention levels that vary for those. To my knowledge, they’re never destroyed.

**MS. VIRGINIA LOMAX:** And, you’ve recommended to this Inquiry that police services consider developing a protocol for the creation of written communication plans with families with respect to major investigations; is that correct?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes, that’s correct.

**MS. VIRGINIA LOMAX:** And so, considering the epidemic of violence against Indigenous women and girls
that has brought us to this Inquiry and the severe harm caused to families by a lack of effective communication from police that we have heard a great deal about through the course of this Inquiry, would you agree with me that the time for considering this action is over and that the time for action is now?

CHIEF SUPERINTENDENT MARK PRITCHARD:

Certainly, there’s no doubt about that. And, over the last little while, we met with -- we had 14 different FILU meetings with 14 different families, and aside from the evidence that the Inquiry has heard, you know, we heard that loud and clear, that we need to step it up when it comes to the continued communication with families. Quite upsetting. You know, we heard from families that said they haven’t heard from the police over very long periods of time, and they called to, you know, try and speak to an officer and nobody called them back, and that’s just unacceptable. And, you know, I know our organization is committed to making that change.

MS. VIRGINIA LOMAX: So, you testified yesterday that there is no 24 hour waiting period to report a person missing; is that correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: Very correct.

MS. VIRGINIA LOMAX: So, would it surprise
you to hear that families of missing and murdered Indigenous women and girls have been told by officers that there is, in fact, a 24 hour waiting period for missing persons report?

CHIEF SUPERINTENDENT MARK PRITCHARD: I’d be very surprised to hear that, especially from -- if it were an OPP officer. I think as -- you know, missing persons is one of our 18 critical policies, there’s an expectation that they be familiar with those. I think any officer on the OPP that doesn’t realize how important of an issue this is to the OPP, I think they’ve been on an extended vacation on Mars or something because, you know, it’s very important. And, messaging from our Commissioner and senior command has been very clear on this, the creation of our team that was created before the Inquiry actually started in anticipation of the Inquiry.

MS. VIRGINIA LOMAX: And so, if a family member were to be told something like that, would you agree that it’s possible that they were told something like that because of the concept of tunnel vision?

CHIEF SUPERINTENDENT MARK PRITCHARD: That’s certainly possible.

MS. VIRGINIA LOMAX: Would you consider an officer making a statement like this to be a neglect of their duty?
CHIEF SUPERINTENDENT MARK PRITCHARD:

Absolutely, without any question.

MS. VIRGINIA LOMAX: One of your other recommendations is to take missing persons reports regardless of jurisdiction; is that correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: That’s our policy and it’s been our policy for a number of years now, that regardless of where the person is missing, that we would take the information and commence a report.

MS. VIRGINIA LOMAX: And, if an officer refuses to take a missing persons report on the basis of jurisdiction, would you consider that to be a neglect of duty?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, I would.

MS. VIRGINIA LOMAX: Yesterday, you described how neglect of duty is dealt with. Is it fair to say that dealing with situations of neglect of duty is primarily an internal process?

CHIEF SUPERINTENDENT MARK PRITCHARD: In Ontario, certainly not. There’s strong civilian oversight of policing in Ontario through the OIPRD. And, for more serious incidents, where there’s allegations of bodily harm or sexual assault, they’re investigated by the Special Investigations Unit which is a civilian branch of the
Ministry of the Attorney General.

**MS. VIRGINIA LOMAX:** Thank you. Those are my questions for you. My next questions are for Captain Charbonneau. Yesterday, you testified that your officers are wearing bracelets to show moral support for officers who were terminated; is that correct?

**CAPTAIN PAUL CHARBONNEAU:** That’s correct.

**MS. VIRGINIA LOMAX:** Were these officers terminated due to the events in Val-d’Or?

**CAPTAIN PAUL CHARBONNEAU:** J’ai pas compris la question.

**MS. VIRGINIA LOMAX:** The officers for whom your other officers are showing moral support, the officers who were terminated, were those officers terminated due to the events that took place in Val-d’Or of violence against Indigenous women and girls?

**CAPTAIN PAUL CHARBONNEAU:** Suite aux événements de Val-d’Or, y’a eu une enquête qui a été confiée au Service de police de la ville de Montréal, et à ce jour y’a pas eu de dépôt d’accusation pour ce policier.

**MS. VIRGINIA LOMAX:** And so, you testified that these bracelets are not intended to show support for the oppression of community experience from your officers, but rather just support for the officers themselves; is that correct?
CAPTAIN PAUL CHARBONNEAU: Ce que j’ai mentionné hier lors de mon témoignage, c’est que ce bracelet-là, les policiers le portent pour démontrer leur support à l’ensemble du poste de Val-d’Or, pas seulement les officiers, pas seulement les policiers que… sujets d’allégations.

MS. VIRGINIA LOMAX: And so, you testified that you wanted to convince officers of the reasons why they should not wear bracelets because you wanted to have long lasting effect; is that correct?

CAPTAIN PAUL CHARBONNEAU: Oui, c’est exact.

MS. VIRGINIA LOMAX: Wouldn’t you agree that the community’s perception of violence, mistrust, bias and uncaring attitudes from officers in their communities will have long lasting negative effects on the communities your officers serve and, by extension, community relations?

CAPTAIN PAUL CHARBONNEAU: En fait, oui. La Sûreté du Québec est au courant de ce problème-là. Nous, ce qu’on tente de faire, c’est de parler avec les policiers, les sensibiliser, et, je répète, ce qui est important, c’est la compréhension mutuelle, autant de la communauté que des policiers, puis pour nous c’est important qu’éventuellement le port de ce bracelet-là cesse.

MS. VIRGINIA LOMAX: So, would you agree with me that harm may be caused to the community in the
time that you wait for the officers to stop wearing these bracelets?

**CAPTAIN PAUL CHARBONNEAU:** Par contre, ce que je veux ajouter, en effet, c’est que les polices du PPCMA ne portent plus le bracelet, et ce qu’on tente de faire, c’est que les gens, de les sensibiliser à cet impact-là. Du même souffle, on fait plusieurs démarches pour tenter de rebâtir les ponts entre la communauté puis les policiers. Entre autres, c’est par la compréhension mutuelle des motivations des policiers puis des motivations de la communauté également. Ça va dans les deux sens.

**MS. VIRGINIA LOMAX:** My next ---

**CAPTAIN PAUL CHARBONNEAU:** Par ailleurs, y’a des événements...

Je vais juste...

Au début du mois de juin, y’a eu une disparition dans la région de Val-d’Or. Les policiers ont été impliqués, se sont impliqués avec la communauté, puis la communauté a aidé les policiers entre autres en fournissant du support, entre autres en aidant dans les opérations de recherche, et malheureusement c’est une recherche qui s’est pas terminée par trouver quelqu’un de vivant, mais... et les policiers d’ailleurs ont été invités aux funérailles et on a assisté aux funérailles.

Alors ça, c’est le genre... c’est le genre
d’action qui va aider à bâtir des ponts et à rétablir la confiance.

MS. VIRGINIA LOMAX: But, you just agreed with me that wearing the bracelets will continue to cause long lasting harm; is that correct?

CAPTAIN PAUL CHARBONNEAU: Je pense que les travaux des deux commissions en fait, la Commission Viens et la Commission ici, la Commission fédérale, et le temps vont atténuer beaucoup de choses en rapport avec cet épisode spécifique là.

MS. VIRGINIA LOMAX: My next questions are for Deputy Commissioner Butterworth-Carr.

MS. CHRISTA BIG CANOE: Sorry, Ms. Lomax, you’re out of time.

MS. VIRGINIA LOMAX: Thank you.

MS. CHRISTA BIG CANOE: The Commission would like to invite up Aboriginal Legal Services, Ms. Emily Hill has eight minutes.

--- CROSS-EXAMINATION BY MS. EMILY HILL:

MS. EMILY HILL: Good morning. I just have a few questions this morning for Chief Superintendent Pritchard. Just a few broad questions. In your testimony yesterday, you talked about Sir Robert Peel, and I understand generally his approach is called policing by consent; is that right?
CHIEF SUPERINTENDENT MARK Pritchard:  Yes.

Ms. Emily Hill:  Built on the idea that police can’t do their job without the respect and trust of the community?

CHIEF SUPERINTENDENT MARK Pritchard:  Correct.

Ms. Emily Hill:  And, that’s relevant to these proceedings, because when police actions undermine the trust or respect of the community investigations into missing and murdered women may suffer.

CHIEF SUPERINTENDENT MARK Pritchard:  Absolutely. It's trust and relationship is at the -- is paramount in being an effective police service.

Ms. Emily Hill:  One mechanism to build respect is a demonstration that police are subject to effective oversight; correct?

CHIEF SUPERINTENDENT MARK Pritchard:  Correct.

Ms. Emily Hill:  And that's because it seem -- it's important that they be seen to be held accountable if they break the community's rules.

CHIEF SUPERINTENDENT MARK Pritchard:  Yes.

Ms. Emily Hill:  And in relation to an investigation that an OPP member caused serious injury, death or committed a sexual assault, the oversight agency
is the Special Investigation Unit or the SIU?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. EMILY HILL: And I'm correct in thinking that all Ontario Police Services are under a legal obligation to notify the SIU of incidents that fall within that mandate?

CHIEF SUPERINTENDENT MARK PRITCHARD: That's correct.

MS. EMILY HILL: I'd like to turn now to some specific questions about your capacity as the lead for the OPP inquiry team.

OPP polices in both rural and urban environments.

CHIEF SUPERINTENDENT MARK PRITCHARD: And First Nations.

MS. EMILY HILL: And so in some communities that the OPP polices, Indigenous people make up a very large percentage of the population, and in others they make up a relatively small part of the population.

CHIEF SUPERINTENDENT MARK PRITCHARD: That's accurate.

MS. EMILY HILL: And so the investigations that you are examining as the Inquiry lead involve these types of different communities.

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.
MS. EMILY HILL: Because Indigenous women don't just face violence in their home communities; correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: Correct.

MS. EMILY HILL: They may face violence in larger centres that they may move to for school or work or family reasons.

CHIEF SUPERINTENDENT MARK PRITCHARD: Correct.

MS. EMILY HILL: And that's -- it's also important for police to be thinking about the fact that Indigenous women don't just experience violence at the hands of Indigenous men; right?

CHIEF SUPERINTENDENT MARK PRITCHARD: Absolutely.

MS. EMILY HILL: They may be facing threats of violence from other sources and other people.

CHIEF SUPERINTENDENT MARK PRITCHARD: And I would include the potential of human trafficking as a form of violence.

MS. EMILY HILL: So there's a number of places where violence against Indigenous women and girls has to be considered in terms of police investigation.

CHIEF SUPERINTENDENT MARK PRITCHARD:
Absolutely, yes.

**MS. EMILY HILL:** And yesterday and this morning you've mentioned the Oppal and the Campbell inquiries. And just to make sure everyone's aware, those are inquiries that were held after situations where police did not identify a serial predator, which involved a number of attacks over a number of years.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

**MS. EMILY HILL:** I'd like to now turn ask you a few questions about the video we watched, about Project Journey and Pikangikum, and that's to provide the Commissioners with some context.

I think in your last comments in your direct examination you said that this was an important project because of the struggles that that community has faced.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** The project started after a coroner's investigation into the large number of youth suicides in Pikangikum, and to get at the root causes of what those were and, you know, a really holistic approach to the issue from a number of angles. Certainly policing is just one factor, and, you know, the relationship that the police have with the community impacts on so many levels. And, you know, that's a community that the OPP has been, for lack of a better words, marched out of on two occasions, you know, previous
to that project starting.

**MS. EMILY HILL:** I wanted to ask some questions about what you just referred to, because I think that part of the experience of that community is a very fractured relationship with the OPP.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Historically, yes.

**MS. EMILY HILL:** Well, I'm going to suggest that it's not that historic. That when you talk about being marched out of the community that, in fact, happened in 2009 and in 2010.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** The last one I'm aware of was 2009.

**MS. EMILY HILL:** If I suggested that there was an incident where the entire OPP contingent was escorted out of the community after an allegation of police misconduct in 2010 ---

**CHIEF SUPERINTENDENT MARK PRITCHARD:** That --

**MS. EMILY HILL:** --- would you disagree with me?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I can't disagree with that. I'm not familiar with the 2010 incident. So, no, I can't disagree with that.

**MS. EMILY HILL:** Are you aware of an
incident in 2012 where an OPP officer tasered a member of
the community in the face and that resulted in partial
blindness?

CHIEF SUPERINTENDENT MARK PRITCHARD: That
was actually a First Nations officer with the Pikangikum
Police. It wasn't an OPP officer.

MS. EMILY HILL: I think that incident is
the incident that gave rise to a large protest in 2015.
And that the one you're discussing, the tasering by a First
Nation constable, and there was a lot of community response
to that which resulted in a protest of 3 to 500 people at
the OPP contingent. Is that -- are we talking about the
same incident?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes,
there was a large protest. One of the Elders that tried to
end it referred to it as a riot. And at that protest there
was many there that were supportive of the police.

MS. EMILY HILL: It's a very difficult
situation.

CHIEF SUPERINTENDENT MARK PRITCHARD: Very
difficult and very fortunately it ended without the loss of
life.

MS. EMILY HILL: But I was wanting to ask
you about an incident in 2012 where an OPP officer tasered
an individual. This was investigated by the SIU in 2015.
CHIEF SUPERINTENDENT MARK PRITCHARD: I'm sorry. I misunderstood your question. Yes, I do recall that, yes.

MS. EMILY HILL: And so that incident in 2012 with the tasering to the face, that wasn't reported to the SIU until the -- until 2015. And I understand it was reported by a family member rather than by an OPP officer.

CHIEF SUPERINTENDENT MARK PRITCHARD: No, it was actually reported to the SIU by myself when I became aware of it, when I was meeting with Chief and Council after that 2015 incident. That was brought to my attention and that is when we reported it to the SIU.

MS. EMILY HILL: So when it came to your attention in 2015 it was reported to the SIU.

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, it was.

MS. EMILY HILL: And you learned that from a community -- from meeting with Chief and Council?

CHIEF SUPERINTENDENT MARK PRITCHARD: It was in a meeting with Chief and Council over that other incident. And I think it was the subject that was tasered, I think it was his father that reported it to me.

MS. EMILY HILL: So between 2012 when the incident occurred and 2015 when the incident came to your attention it was not reported by the OPP to the SIU.
CHIEF SUPERINTENDENT MARK PRITCHARD: I'm not sure the OPP was aware of the fact that there was an injury sustained. Taserings do not have to be reported to the SIU. What has to be reported to the SIU, there's a broad number of incidents involving bodily harm, and that was the first it came to our attention that that taser incident resulted in bodily harm.

MS. EMILY HILL: In terms of thinking about the relationship with the police, the fact that the OPP in that community weren't aware that a tasering to the face had caused that kind of injury after the -- you'd agree with me that there might be some important communication -- misunderstandings or miscommunications if the police weren't aware of the consequences of their actions until three years later?

CHIEF SUPERINTENDENT MARK PRITCHARD: Many tasering incidents don't require any hospitalization or result in serious injuries, so unless they come to our attention, we don't know about them.

MS. EMILY HILL: In terms of thinking about the community work that we saw highlighted in the video, that community work is important, but you'd also agree that there's some other work that the OPP has to do in the community of Pikangikum and to reveal trust with regard to the longstanding concerns about police force and the
excessive use of force.

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, and that's part of why we -- I mean, myself, I've been there many times and met with Chief and Council. Our Commissioner and all our senior executive has actually been to Pikangikum and met with Chief and Council. We have a regular rotation of officers that are deployed to Pikangikum every two weeks, which results in challenges. So it's important that we keep that communication and the lines of communication open with them. We wouldn't have been able to show that video without the consent of Chief and Council. So, you know, it's a very unique community and our response to policing there has to be unique as well.

MS. EMILY HILL: Thank you.

MS CHRISTA BIG CANOE: Thank you, Ms. Hill.

Next we'd like to invite up Regina Treaty Status Indian Services Inc. Ms. Erica Beaudin will have 10-and-a-half minutes.

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

MS. ERICA BEAUDIN: Took me about nine times, but I realized I should just step back.

So, good morning. Thank you to the Elders, drummers, singers for their prayers and songs this past week. As we are on the last day of these hearings, I thank
all visitors who shared our stunning lands, cultures, languages, cultures and traditions. I truly hope you have all felt the beauty of who we are as a people. 

As a citizen of Treaty 4 I welcome all visitors once again to our treaty area. My name is Erica Beaudin and I'm the Executive Director of the Regina Treaty Status Indian Services, for the record.

My first question is to Deputy Commissioner Butterworth-Carr. Thank you for the very informed presentation yesterday. It was very fact-based and that was very appreciated.

In your opinion, do the policies and procedures that are used by the RCMP sufficient in investigating missing and murdered Indigenous women and girls?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I think that the policies that we have in place and the structures that we have, there's a tremendous amount of rigour around it. But I also think that, you know, as we heard yesterday, and, you know, I'm glad that I have the opportunity to talk about this.

You know, the one forum, in particular, you know, I don't ever want to leave the commissioners or the audience with the impression that, you know, a family communication form is secretive. That's -- I thought about
that, it bothered me last night, and...

Because our relationships with our families are so critical, and I think that, you know, when we have input at all levels that's really important. And from my perspective, you know, a little bit of competition with OPP here, I really appreciated the fact that they actually have a robust form, and you know, even those -- the one that I was presenting [is] available in English and French.

The reality of it is -- it's ironic, because I was saying to a colleague of mine three days prior that, you know, we really need to be able to see all of ourselves in the polices and stuff that we have because they are very dry. And I think that, you know, as we continue to evergreen them, because they need to be, they -- absolutely. You can't just create a policy and say, okay, well we're all done, because that's not accurate. I think that there is lots of opportunities to continue to consult, and that's part of that.

**MS. ERICA BEAUDIN:** Thank you. My next question is a little bit different. It's about search and recovery, or search and rescue, pardon me.

I've been in probably about -- personally, over a hundred missing persons cases. Some of them leading to bodies and others return home alive. And as such, I've been on several search and rescue recovery missions, both
in the urban as well as the rural and on reserve areas.

One of the searches that I've been on, actually lasted three months. RCMP as well as city police were only about one week of that -- those three months.

What role does search and rescue play when an Indigenous woman or child goes missing? And then secondly, could you very quickly explain how a search party is triggered? Sorry. I know I uptalked that last part.

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So with search and rescue, when they come on side with us, because when we're looking for lost or missing persons, you know, their role is to work with us and to continue to search and then, you know -- and there's no real set time. It's around the geographical area that's searched, you know, the grid that's put into place, as well as a number of other factors that will eventually determine whether or not police continue to participate.

But I will say that, you know, in British Columbia, specifically, I am very aware of, you know, the leadership that we've come forward, and like months and years after where it's when we're still looking for, you know, our missing girls and hoping to be able to find them that it's community-based and, you know, the leadership that comes with it, and we work with them.

And -- you know, because at the end of the
day the important piece is to be able to find the person that's missing, and that'll always be, you know, something that we want to be able to, you know, achieve.

**MS. ERICA BEAUDIN:** Do you have experience with Indigenous people in a community when a search is called?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes, historically.

**MS. ERICA BEAUDIN:** Okay. Do you believe that Indigenous people are the best searchers when a person goes missing in their community, especially if that person goes missing on their lands?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I think all avenues of assistance is critical important, and I know of many, you know, investigations where we've been out searching, and we've had families with us, and -- you know, as recently as the last number of months.

And I think of, you know, as an example, the Canadian Rangers and other family members up in the northern communities and, you know, the other communities where it's so densely populated in terms of the organic nature. So wooded, right, forested. And any person that we can work with that's going to know the land well, that's in our best interest to be working with community, and you know, people that are familiar with the geographical areas.
MS. ERICA BEAUDIN: Okay. Do you believe that federally funded Indigenous search and rescue teams would assist and benefit not only the First Nations and surrounding communities -- and that goes to -- back to what you just said that community search much longer after the RCMP and the municipal police forces have stopped the search at that point?

So do you believe -- once again, I apologize, I went a little bit off there -- that federally funded Indigenous search and rescue teams would assist and benefit not only the First Nations and surrounding communities, but also the RCMP?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: So I am familiar with some First Nations search and rescue, and candidly, any support available for search and rescue is critical.

MS. ERICA BEAUDIN: Thank you. Thank you. My next question is to Captain Charbonneau. And I realize I forgot my translator, but that's fine. Commissioner Audette has taught me French in the last eight weeks.

(LAUGHTER)

MS. ERICA BEAUDIN: Captain Charbonneau, do you believe the Indigenous people are the first peoples of this land and are the original inhabitors?
CAPTaine PAUL CHARBONNEAU: Oui, tout à fait.

MS. ERICA BEAUDIN: Then why would the SQ teach in their Cultural Awareness course the Bering Strait theory that we came over on a land bridge?

CAPTaine PAUL CHARBONNEAU: Enfin, ça fait longtemps qu’on ne fait plus ça, et au moment où ça s’est fait, ça s’est fait par un membre des Premières Nations, et y’avait un anthropologue et un membre des Premières Nations lors de la première journée et c’était pour donner l’exemple. En fait, quand j’ai parlé de ça, ce que je faisais, c’est que je donnais l’exemple que la Sûreté n’hésite jamais à se remettre en question et à se moderniser, et c’est pour ça que la formation actuellement ne parle pas du tout de ça.

MS. ERICA BEAUDIN: My apologies. As you used it as an example, I thought that it was still being taught.

My next question is would you be committed to bringing back to the SQ office the recommendation to work with an Indigenous post secondary institution to create a true and effective cultural course?

CAPTaine PAUL CHARBONNEAU: En fait, la Sûreté demeure ouverte à toute suggestion et va analyser toute suggestion pour voir à la faisabilité puis la mise en
opération de ceci. À la Sûreté, on est ouvert. L'idée derrière tout ça en fait, c'est de rendre service aux citoyens. Alors toute suggestion venant du public qui peut améliorer le service aux citoyens, ça intéresse la Sûreté du Québec.

**MS. ERICA BEAUDIN:** Okay. Thank you. My next question, very quickly, is to all three parties. Are you familiar with Bill S-215, which addresses sentencing for violent offenses against Aboriginal women?

**MS. CHRISTA BIG CANOE:** Just to any witness that is going to answer.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I might have the shortest answer. No, I'm not.

**MS. ERICA BEAUDIN:** Okay.

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I am, but I'm struggling to recall all of it.

**MS. ERICA BEAUDIN:** Okay. I'm not going to go into it. I just wanted to know if you're familiar with it. Mr. Charbonneau?

**CAPTAINE PAUL CHARBONNEAU:** Je m’excuse, j’ai pas compris la question. Vous parlez très rapidement.

**MS. ERICA BEAUDIN:** My apologies. Are you familiar with Bill S-215, which addresses sentencing for violent offenses against Aboriginal women?
CAPTAINE PAUL CHARBONNEAU: Non, je ne le suis pas.

MS. ERICA BEAUDIN: Okay. A recommendation that I have, and it's -- I realize it's for the commissioners, but this is to the witnesses -- that all officers become aware of this very important bill, and perhaps look at how this could be an additional consideration of how officers gather evidence when it comes to Indigenous women.

And if that is possible, do you believe that this will affect the way officers conduct an investigation?

MS. CHRISTA BIG CANOE: I'm not certain -- can we stop the time for a moment? I'm not certain, given that they've all acknowledged that they don't know that they can answer that. But as well as putting in a recommendation, could I maybe suggest you rephrase it to ask if they -- how they feel or would react to that so they can answer the question.

MS. ERICA BEAUDIN: How would you react to that? And emoticons are fine.

(LAUGHTER)

MS. ERICA BEAUDIN: That's fine. Thank you all. Safe travels back to your home fires.

MS. CHRISTA BIG CANOE: Thank you.

Next, we would like to invite up Aboriginal Women's
Network. Ms. Faye Blaney will have ten-and-a-half minutes.

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

MS. FAY BLANEY: And today we also will have MiKenze Jordan asking our questions.

MS. CHRISTA BIG CANOE: Thank you.

MS. FAY BLANEY: She’s the member of the Aboriginal Women’s Action Network as well. I’m very pleased that she’s coming forward to do this.

So I wanted to ask -- I’m sorry, I don’t know titles -- Butterworth-Carr, about accidental deaths or suicides. I know the Commissioner said on the first day that cold cases would continue to be reviewed. But I’m wondering if there will be a review of the cases that are deemed to be accidental deaths or suicides?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: In terms of the historical cases, they’re continuously being reviewed. With suicides and accidental deaths, again, that determination is made by the coroner, or medical examiner, or pathologist, and unless there’s new information that comes to light, based upon their determination, then they are typically not reviewed.

MS. FAY BLANEY: Okay. Yeah, I have a sister that died under mysterious circumstances, so it’s a big issue for me. So my next question, again to you Ms. Butterworth-Carr, is related to what happened in the
Pickton massacre. As you know, in 1997 he seriously
stabbed a woman and she managed to escape. She was
handcuffed, and she managed to escape and reported to
police that he was attempting to murder her, and the police
thought that she wasn’t a reliable witness because she was
a drug addict.

So I’m wondering, is it normal practice to
demean either alcoholics or drug addicts to be non-credible
or hostile witnesses?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So
when we’re investigating or a report comes in, it’s
expected that all, you know, RCMP members will thoroughly
investigate a complaint by whomever it is, whomever it
involves.

--- CROSS-EXAMINATION BY MIKENZE JORDAN:

**MS. MIKENZE JORDAN:** Sorry, I’m going to be
really nervous. So I just want to thank -- I just want to
say that I’m grateful to be here. I’ve been to all of
these hearings and I’m not legal counsel, but I speak for
the women that I work with, the ones that I support, the
ones that share their stories with me because they trust
me. They share their heartbreak with me. They share their
frustrations. They share their disappointment about the
interactions with the police and the services that are
supposed to be there to help them.
So many times, I’ve heard of stories where we know that more could have been done — that more questions could have been asked. The families could have been more informed. I think and a know of -- I want to ask about the policy about when missing women are reported, when can it go to the public?

I know of a story that a woman was reported missing and it didn’t go public. And we know, and we’ve been told, and we’ve heard this many times, that the sooner the investigations are known that and they’re able to collect material, and they’re able to talk with more people, and find out more information that the better the results. And unfortunately, this did not end in the way that we wanted.

And I just think that these women, that these families, they need answers and it’s hard to sit here all the time and listen because I know, we know, that there’s been failures. And I think time is now, and we know that, and this is my truth. This is the truth from the women that I support. And these are the questions that those women and girls can’t answer for themselves. So I’m here and I need to know that -- I need to know how you’re going to be accountable for their lives, for the lives that I know that you can influence that these women will stay alive, and that I don’t want to hear more of these stories.
I don’t think you do either and it’s hard to hear that -- all of these amazing things that you’re doing. I want you to take responsibility and be accountable for the failures, because that’s why we’re here. I’ve heard for many, many years that these women are being hurt and they’re disappearing, and yes, they’re being murdered. So we want to know, I want to know, what you’re going to do. I want to know that the public will know immediately that these women are gone. I want to know that if I know I can do something about it. So I’d like to know what your policy is.

I also want to know what you’re going to do when you go home. Are you having meetings with the people that you work with, the people that you’re supposed to train? I want to know that these relationship buildings are actually going to happen. I want to know that not just the new recruits are being taught about the cultural awareness. I want to know that you are being reminded and even taught that it’s important to know those people. That you can actually build those trust. That they’ll share their stories with you.

I want to know that you are interacting with women’s groups, because we know. The women trust us. They come to us because they know they’re not getting the answers that they need. So I put that to you. Can you
please tell me?

(Appause)

DEPUTY COMMISSIONER BUTTERWORTH-CARR: So the Commissioner made an apology to the families in recognition of the things that we could be doing better as a police agency. I joined the RCMP because my entire life is about trying to make things better, to bring change and awareness to our communities across this country. I had my first son at 16 years old and grew up in a community very similar to everyone else in this room, and for me it’s a lifelong calling. I’ve been in the organization for 30 years and every day I reach out and make commitments and community and interact.

And with respect to the building of relationships, they’re critical for us, and you know, through the course of my career that is something that I’ve said to people that I’ve worked with every day. And I think it’s fully recognized that, you know, we still have to continue building relationship. They’re not easy. We’ve heard from our communities across the country with respect to you know, the fact that we’ve got such transient employees coming in and out, so it’s hard to trust, it’s hard to build relationships.

And in terms of accountability, the police are accountable to families. I’m accountable in my
position as the Commanding officer of the province of British Columbia. I’m accountable to the families and the communities.

And in terms of, you know, working with others from outside of cadets in the training, we talk about this. I’ve worked from the time that I worked in my first community through the course of my entire career in bringing awareness to the challenges in our communities, the socioeconomical issues that are impacting our communities and I continue to do that to this day.

And you know, when I first came here I was so nervous because I couldn’t even remember to pronounce my name properly, and I’m -- like, I say it all the time and because of the, you know, the importance of these meetings, and I’m so grateful to be here, and I genuinely appreciate the stories that you’re sharing. And prior to me coming here, we also participated in the KAIROS blanket ceremony and I did that with major crime investigators, communications people, and serious crime because they are the ones that are interacting with their families and they are the ones that are responsible for furthering the investigations. And, I’ll keep doing that, and I’ll keep inviting opportunities to participate in our sweats.

The community of Esketemc, former Chief Charlene Belleau, she facilitates that for us. We bring
RCMP personnel there. We ask, and try and work with all of our communities, so recognizing specifically in British Columbia that there’s 200 First Nations. You know, we have a population of RCMP personnel that they have the ability to speak 100 different languages. I wish that was the case for every one of our provinces and territories so there were more of a reflection. You know, I heard about the population, or the limited number of Inuit speakers, and we need to do more. We need to continue to be a reflection of the mosaic of people that we represent.

I’m accountable to you in the position that I’m in, and I can tell you the people that I work with, we genuinely want this to stop. My ultimate goal would be that we would never investigate another one, ever.

**MS. CHRISTA BIG CANOE:** Thank you. Next, we would like to invite up Eastern Door Indigenous Women’s Association. Ms. Natalie Clifford will have 10-and-a-half minutes.

--- CROSS-EXAMINATION BY MS. NATALIE CLIFFORD:

**MS. NATALIE CLIFFORD:** Good morning. My name is Natalie Clifford with The Eastern Door Indigenous Women’s Association, and I represent the interests of Native Women’s Associations in the four Atlantic provinces, and we particularly are made up of Mi’gmaq and Maliseet. So, while I appreciate that you can speak to the issues of
our region, I hope that some of my questions can get to
help better some of the things that we’re doing there and
across the country.

So, my questions are particularly with
Deputy Commissioner Butterworth-Carr. I think in your
testimony you identified that one of the extra steps that
you encourage RCMP to do is acknowledge the role of
community support or individuals in the community for
families, specifically with respect to missing and murdered
Indigenous women. So, I think, though, we still have this
situation where the families themselves are the ones who
can be involved in the file and request a review of the
file; is that a fair characterization?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
That is something that I had mentioned yesterday with
respect to that. I also balance that with that, you know,
in terms of some of the information in the file that we’re
not able to share that based upon, you know, the integrity
and ensuring that it’s contained within the team command.

MS. NATALIE CLIFFORD: And so, in that, sort
of, situation, the only person with the real -- the person
with the most access to the information in the file is the
family member?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
No. So, with respect to our investigations, I had
mentioned yesterday with respect to the Major Case Management principles, and the Command Triangle, and the importance of the Team Commander, the primary investigator, as well as the file coordinator and the information contained within the investigation, it needs to remain within the Team Command Triangle because of the integrity of the investigation. We don’t want to do anything that’s going to compromise the ability to successfully prosecute it.

In terms of the updates with the families, either the family liaison officer or the investigator will provide as much information as they can. Obviously, we always want to be able to have the family members come forward and provide, you know, whatever information that they may know.

In terms of requesting a view, I had mentioned that that would be something that we would refresh so that there was an understanding within the family guides how they could do that, but it wouldn’t be insofar as an active investigation. It would be a request to see whether or not it had been reviewed by a higher level, as I was talking about the Special Projects Team or the Office of Investigative Standards to ensure that the investigation is constantly being monitored that -- as well as when it would have been reviewed.
MS. NATALIE CLIFFORD: So, with respect to a family asking for a review, this is -- I’m just trying to get to the heart of whether -- I mean, I think in my colleague’s previous questioning, I think a fair characterization of part of that and also the issue that the women’s organizations in my region faces that they are often advocates for the victims and the families. And, in some cases, families are not part of that.

And so, in a situation where somebody that is helping victims in a family wants to request a review, is that something that they can do on their own or do they require a family member to be part of that process?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

If the family member has identified a person and they have appointed that person to be their liaison with the police agency or with the RCMP, then that person has the opportunity to come and talk to the investigator.

MS. NATALIE CLIFFORD: But, at the end of the day, it’s still incumbent on the family member to indicate who they are okay with coming forward to the investigator?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes, we have to make sure of that because of the interaction with the family and respecting, you know, the confidentiality or -- you know, we don’t want to do
anything to compromise that.

MS. NATALIE CLIFFORD: Okay. I’m going to just move on to the protocol with respect to human deaths. At 1.1, and this is Exhibit 109, in case anybody wanted to follow along, this is specifically in relation to British Columbia, again I realize. But, at 1.1 we have, “All reportable deaths occurring within the RCMP jurisdiction will be treated as suspicious and will be investigated thoroughly.” And, if I’m correct, reportable deaths are determined by the Coroners Act in British Columbia? Okay.

So, I looked at the Coroners Act, and I -- is it true that with respect to a reportable death and in determining whether something would give rise to suspicious circumstances, again, we’re relying on family members or community members who have information about deaths, and then for them to actually bring them forward and report them?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: So, with respect to this policy, as I was mentioning yesterday, the -- all deaths are immediately treated as suspicious until determined otherwise. And, with respect to the coroners, medical examiners or pathologists, I mean, ultimately, they’re the ones who determine the cause of death.

And so, through the course of the
investigation, you know, that -- like the family
involvement would be -- I’m sorry. Can you just repeat
that?

**MS. NATALIE CLIFFORD:** Maybe I can give you
a scenario. So, in a circumstance where a coroner has
determined that cause of death was due to a natural -- say,
a heart attack or a stroke. And then we have at Section
2.1.8 of the protocol, I can read it, “Do not draw
conclusions or conclude your investigation until sufficient
evidence is gathered to assist in determining the cause of
death,” coupled with it sounds like the strength and weight
of a coroner’s report about a natural cause, my question is
whether the first member on the scene to whom that
direction is given, if a coroner says it’s a natural cause
of death, is that the end of discussion?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
So, the first person attending the scene, basically what
this is saying to them, again, is that you have to treat it
as suspicious initially until the coroner can -- coroner
determines otherwise. Ultimately, they are the ones that
have the ultimate decision and/or the medical examiner. I
mean, if there’s obvious signs that it’s not, then the
investigator would immediately notify, you know, a senior
supervisor, and then it would be investigated as a
benchmark offence.
MS. NATALIE CLIFFORD: Then, in that scenario, if a family member or a community member came forward to the investigator at that time, and the conclusion of the coroner was a natural cause of death, is the investigator compelled to investigate beyond that point based on evidence from a family member that it’s not a natural cause?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: If the family member has concerns with the cause of death then, you know, they need to be able to convey that. And, in terms of completely relying on the family member, there’s a whole examination that happens, as well as a review of, you know, where the person was found and so forth. And, in terms of -- like I said, if the family has concerns, then that needs to be brought forward.

MS. NATALIE CLIFFORD: So, in the course of investigating a death under this protocol, there is a section specifically relating to deceased people who have a criminal record; correct?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: I’m sorry, can you repeat that? I was trying to read ---

MS. NATALIE CLIFFORD: In the protocol, there is a section directing officers to the process for conducting an investigation and, sort of, the process is relevant to death, where the deceased had a criminal
record.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** Yes. So, typically, in terms of the deceased, if there is a criminal record, then there’s an indication, you know, provided that they are -- they are, in fact, deceased.

**MS. NATALIE CLIFFORD:** So, as part of the protocol then, the officer would be conducting a search of records every time a death is reported?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** I’m sorry, I’m just trying to find this, so I can refresh my memory.

**MS. NATALIE CLIFFORD:** I don’t have the specific section in front of me. I can try to pull it up. I’m running out of time, but...

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** I want to answer fulsomely.

**MS. NATALIE CLIFFORD:** Okay. I guess the reason I wanted to ask about this part, and I’ll make it very quick, is because I noted that there is a protocol for dealing with deceased who have a criminal record. But, absent from the protocol for dealing with these sudden deaths, and specifically in relation to our Indigenous communities, there isn’t a section for dealing with or identifying victims who also have been victims of previously reported domestic assault and violence.
And, I wondered whether that could be a recommendation to the Commission, as part of the protocol, that an officer would surely investigate whether an individual had been a victim of a previously reported violence.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
I have to say that I cannot recall all of what’s in the policy as it pertains to verifying the criminal records. I would say that in terms of -- you know, if a person is found deceased and there is, you know, evidence onsite that it’s investigated and that with respect to the follow up with the coroner, if there’s concerns with the family, then that information needs to be conveyed. I would also say that with respect to, you know, previous violence with the person, then that’s something that needs to be brought forward as well.

**MS. NATALIE CLIFFORD:** Thank you.

**MS. CHRISTA BIG CANOE:** Thank you. Next, we would like to call up Pauktuuit and the other Inuit organizations that are also in connection with Pauktuuit, Ms. Symes will have 13 minutes.

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

**MS. BETH SYMES:** Good morning. I wish to acknowledge my colleagues, Micheal Vonn and Carly Teillet, who for the last two panels have generously donated some of
their time to me.

My focus this morning is exclusively on the prevention of murders of Inuit women and girls in Canada. Yvonne Niego in Exhibit 50, her health survey showed that 52 percent of Inuit women report experiencing at least one form of physical abuse as an adult. And, in Exhibit 42, in Inuit in Nunavut, women experience violence at 10 times the rate of women in Canada. This is beyond urgent. It’s a crisis. Deputy Commissioner, you said this must stop. And, I want to now explore that.

The rates of reporting that we know are underreporting. We know that it’s underreporting. And, in Inuit Nunangat, when violence happens, Inuit women have no where to go. Less than 20 percent of the communities have shelters or safe houses. And, we heard, Commissioners, remember in Rankin Inlet, that when Sula Enuaraq and her two daughters were murdered that week, she went twice to the women shelter and was turned away because it was full.

Now, Deputy Commissioner and Chief Superintendent, you both have policed and continue to police in areas that are remote and isolated. Not exactly the same as Inuit Nunangat, but remote isolated communities, small communities. Would you agree with me that in such communities there’s enormous pressure on women not to report?
CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
I think it’s fairly evident that it’s very challenging to report in smaller communities. And, you know, when it comes to personal violence, it’s challenging to report everywhere. But, particularly in isolated communities, with a lack of infrastructure that’s required, depending upon the location, you know, whether it’s transient homes -- and we’ve heard from the various panels previously, you know, often families are removed versus the offenders. And, I think it’s incredibly important to be able to have infrastructure, where people can go and feel safe and be supported to feel safe.

MS. BETH SYMES: So, I’m going to challenge you now to do policing differently on this issue. I want to begin by what we heard in Calgary, from Saskatchewan, they did a forensic audit of all intimate partner deaths in the province of Saskatchewan and released a report on May 25th, 2018. Bottom line, in almost every case, the murder was a culmination of a series of escalating physical assaults until finally the woman was killed, does that surprise you?

CHIEF SUPERINTENDENT MARK PRITCHARD: No, that doesn’t surprise me at all. I’ve read that often times, I think it’s the 19th or 20th time that a woman is a
victim of domestic violence before it’s reported.

MS. BETH SYMES: And, do you know that it’s consistent within across the north, listening to Inuit families, and they describe for their loved one that violence escalated over time. They also said it wasn’t a secret. Everybody in the community knew. And, in some cases the police intervened, and in other cases they didn’t.

And, we heard -- here’s the challenge to you. We heard in Yellowknife, we heard in Rankin Inlet, we heard in Happy Valley-Goose Bay and we heard in Montreal, we heard mothers, we heard fathers, we heard sisters, we heard friends who had seen their daughter with a black eye, with a broken bone, badly, badly beaten. And, that mother, that sister, that neighbour, that friend had gone to the RCMP and said, she was beaten. Help. She was beaten. Her life is at risk. And, we also heard from these families that the RCMP refused to take third person complaints. And, in each of the cases I’m going to name this morning, that woman was killed. That woman, and in some cases, her daughters were killed.

Deputy Commissioner, you’ve got this third person complaint process which I understand is that the woman herself tells a third party in authority and that -- then the RCMP will act on it. Do I understand that
correctly?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
When information is conveyed to the RCMP, then an investigation is initiated. And we still would need to talk to the person, you know, the woman that was abused.

**MS. BETH SYMES:** The test for investigating a break and enter, as defined in the Supreme Court of Canada in *R. v. Mann* in 2004, is whether or not the police have reasonable grounds to investigate. It is, you agree with me, a far lower standard than to arrest and certainly a far lesser standard than to convict. Chief Superintendent, do you agree with me?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes, I do. And we do have a process involving third party complaints where we'll take the investigation and commence an investigation. And certainly, if those reasonable grounds do exist that an offence has been committed, I don't see a reason why we wouldn't lay a charge.

**MS. BETH SYMES:** If our goal really is to stop this, why has a complaint from a parent, sister or a neighbour that Deidre, that Sula, that Joy, that Sylvia, that Kimberly, all Inuit women, had been badly beaten by her intimate partner not reasonable grounds for the RCMP to have investigated?

And that is the evidence on the record that
family members in every one of these cases went to the RCMP saying, "My daughter, my sister, my friend has a black eye, has broken bones." And the police did nothing.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

That would be a neglect of duty if they weren't investigating or initiating an investigation. We've got very strong policy as it pertains to our violence in relationships. And they have to open a file and they have to initiate the investigation.

**MS. BETH SYMES:** I can assure you that the evidence from across Inuit Nunangat is exactly the opposite. And I'm not talking about cases of 50 years ago. I'm talking about recent cases in which escalating domestic violence that ended in murder were not investigated by the RCMP.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Then I'm going to suggest that we have a conversation so I can acquire that information because they need to be reviewed.

**MS. BETH SYMES:** Because would you agree with me that the RCMP saying that unless Joy or Deidre or Sylvia come forward and tell it personally to us, that sends a very clear message to the woman and to the entire community that violence is tolerated.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
With respect to the third party reporting, when it's brought to the attention of the police, then the police are to take that information and they are to meet with the individual that is a victim of violence in relationship. That has to happen. If it does not happen, it is a neglect of duty and there's an administrative process.

And over and above that, there's also another investigation that would occur to ensure that the file was opened and that a proper investigation was done. And if it's not happening, then we need to be aware of it. And you're telling me that, so I think it needs to be followed up on.

**MS. BETH SYMES:** Deputy Superintendent, I'm interested in stopping violence. You can manage your police force as you see fit.

But the message isn't out there to police officers in communities that violence reports from third party must be investigated. I mean, why wouldn't the police officer go to see the woman and see whether or not she had a black eye, broken bones, et cetera?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** I can't answer that for that area. What I'm hearing is new to me right now. I'm just telling you what should be happening and what will happen in terms of a review, because I wholeheartedly agree with you. Every effort
should be made to thoroughly investigate and ensure that
our people in our communities, our women, have the ability
to come forward and feel safe and be protected.

And I think that, you know, as well, the
other things that should be, you know, available in our
communities, as I was mentioning previously, are places
where our women can go, where they can feel that they're
going to be safe and/or that, you know, if these offences
are happening, we know they're happening, when they do
happen, that we actually have the ability to ensure that,
you know, we are doing everything to stop it and in a
collective way, because I agree with you.

Women need to feel that they can come
forward or that, you know, the violence in their family
home stops. And I think that, you know, other family
members and all of us as a whole, you know, we have a
responsibility to stop it.

**MS. BETH SYMES:** Do you agree with me that
what has clearly been demonstrated is police practice of
refusing to take information, refusing to talk to the
woman, refusing to meet with the intimate partner, that
that's sexist? That's probably racist. And it certainly
is inconsistent with the Supreme Court of Canada's
decision, which was on a break and enter, a property
offence? If the Court said you could do this for a
property offence, when a woman and her children's lives are at risk, isn't that even more compelling, Chief Superintendent?

CHIEF SUPERINTENDENT MARK PRITCHARD:

Absolutely it is.

MS. BETH SYMES: Deputy Commissioner?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

We need to do everything that we possibly can to stop the violence in relationships.

MS. BETH SYMES: I'm going to end by saying the lack of police intervention was not the cause, but was one of the precipitating and a principle precipitating event in the murder of Deidre in Rigolet, of Joy in Fort Smith, of Sylvia in Iqualuit, of Kimberly in Nain, and of Sula and her two daughters in Iqualuit. Thank you.

MS. CHRISTA BIG CANOE: Thank you.

Next we would like to invite up the Association of Native Child and Family Service Agencies Ontario. Ms. Josephine de Whytell will have 10-and-a-half minutes.

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

MS. JOSEPHINE DE WHYTELL: Thank you.

Before I begin, I would like to thank the members of Treaty 4 for welcoming us to their territory and for the hospitality that they've shown while we have been
here.

I'd also like to thank the Commissioners, Commission counsel and staff, and I'd also like to thank the Qu’liq, the pipe, the Elders who have spoken with hope and forgiveness in their hearts, and all of the people in this room who've worked really hard to ask thoughtful questions.

On that note, my first set of questions are for Deputy Commissioner Butterworth-Carr. Thank you for your evidence to date.

Would you agree that of the missing person reports that the RCMP receives youth make up a large percentage?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

I don't have that information readily available to me, so I'm not able to confirm that.

**MS. JOSEPHINE DE WHYTELL:** Okay. We heard evidence specifically from retired Chief Weighill that reactionary funding to public safety issues is more expensive than funding social infrastructure. Would you agree with that?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

You know what? I'm sorry. I'm going to -- can I ask you to repeat the first question, because I think I misunderstood what you were asking.
MS. JOSEPHINE DE WHYTELL: I was asking whether or not you could agree that youth make up a large percentage of the amount of missing.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: Yes, what queued me to ask you to repeat that was when you mentioned Chief Weighill. I would say that in terms of the missing reports that most of our police are responding to are youth related. And then, you know, they're subsequently found. And he talked extensively from, you know, our group homes and other locations like that, yes. So, yes, I do confirm.

MS. JOSEPHINE DE WHYTELL: Thank you. Would you agree that prevention of aggravating factors that lead to violence against women and girls can be a viable alternative to address safety issues if adequate resources are available?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: I think understanding specifically with respect to our -- as it pertains to the group homes as an example, I think it's incredibly important to understand why they're running away from there. I mean, ultimately, it would be fantastic if they were never in group homes, but if we are, you know, addressing those issues, it's, you know, really incredibly important to understand the cause of it happening in the first place.
MS. JOSEPHINE de WHYTELL: Would you agreed that Indigenous youth are significantly at risk of being involved in major crime?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I would say that the trending that we're seeing in various locations that our young people are, you know, engaged in crime, absolutely. And I think of some of the initiatives that are happening in various locations to help, especially those that are involved in gangs and/or, you know, creating -- involved in various crimes so that we can work with the community as a whole to prevent that.

MS. JOSEPHINE de WHYTELL: Thank you. You anticipated my next question as well. Would you agree that part of the resolution of this problem lies with the child welfare system, and not just the role of policing?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I would say there's a number of factors with respect to our youth, and I think, you know, from my perspective, whatever we can do to provide solid infrastructure, preventative initiatives and actively engaging with our young people, you know, as a whole, as a community, as a society, then we really need to be able to support them however that looks.

MS. JOSEPHINE de WHYTELL: Would you agree, or is it fair to say that removal of Indigenous children and youth from their families and communities increases
their vulnerability to be victims of major crime?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I think that removing the -- our kids from their homes absolutely causes them to be far more vulnerable.

MS. JOSEPHINE de WHYTELL: And would you agree that this is also a factor with respect to youth involvement in criminal gangs?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Sorry. Can you repeat that?

MS. JOSEPHINE de WHYTELL: Would you agree that removal of Indigenous children from their families and communities is also a factor with respect to youth involvement in criminal gangs?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I think we've seen our young people become involved in gangs because they view that as a family unit and it's very challenging them -- for them to get out of gangs because of that and, you know, the processes that they go through to even be involved in it. And I think that, you know, if we focus on preventative initiatives and we continue to do that as a whole, then it gives them more of a foundation of, you know, success of coming out of the gangs.

MS. JOSEPHINE de WHYTELL: And -- so would you agree then that strengthening the families would assist in reducing gang involvement and related trafficking and
sexual exploitation of Indigenous women and girls and 2SLBTQAI individual?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I think anything we can do to strengthen and work with our families is going to be, you know, reducing the things that we're seeing.

**MS. JOSEPHINE de WHYTELL:** And I'd suggest that strengthening families would reduce criminal gangs no matter what culture you're from; is that fair to say?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Absolutely. I think of the Lower Mainland as an example.

**MS. JOSEPHINE de WHYTELL:** So what is the RCMP doing to respond to white nationalist gangs in rural communities who are targeting Indigenous youth, women and children, and would you agree this is a problem that needs to be addressed?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Anything, any type of entity that's targeting any, you know, vulnerable person or any person needs to be addressed.

**MS. JOSEPHINE de WHYTELL:** Thank you.

My next set of questions are for Chief Superintendent Pritchard.

We heard evidence from Retired Chief Clive Weighill about Operation Runway, a pilot project that has
recently been extended, and it involved addressing foster home runaways and the types of high risk that impacts these youth. It even provides cellphones to those who enroll in the program.

Would you support the adoption of a similar strategy in Ontario?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes. That was the first I'd heard of it, but it sounded like an excellent program.

**MS. JOSEPHINE de WHYTELL:** Thank you. You mentioned specially trained civilian employees scan social media looking for footprints of missing persons. Has this made it easier to track youth that are lost rather than missing?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I'm sorry, I don't know the answer to that. I know it's just one of the tools we use. We deal with a great many missing youths. In some communities overwhelmingly the number of missing persons reports we take are from -- are of youths, I'm sorry. Just in the Town of Kenora, we have between 500 and 800 missing youths every year that are reported to the police. So it's just one of the tools that are available to us.

**MS. JOSEPHINE de WHYTELL:** Would you support increased Indigenous mental health services to liaise with
the OPP on these types of cases?

   CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, I would. There's a pilot project underway, actually, right now in the Town of Kenora with mental health professionals working with the OPP detachment there, and I think they've seen tremendous results.

     They've certainly seen a huge reduction in the number of missing youths being reported, because jointly they're addressing what -- the causes of why they're running away and, you know, trying to address that issue that's at the core of it to prevent them from running away.

     And ultimately, many of those kids will end up in the justice system or as potential targets of human trafficking. And that's just one other way of, you know, attacking problems from a broad spectrum and bringing every tool to the table as an analogy to address those issues.

   MS. JOSEPHINE de WHYTELL: Would you agree that more resources and infrastructure is required to fully assist the interdisciplinary approach being implemented on a larger scale?

   CHIEF SUPERINTENDENT MARK PRITCHARD: Completely so.

   MS. JOSEPHINE de WHYTELL: When we've talked about missing persons, we've mainly been speaking about
youths and adults. But can you tell us if there's a
different or varied practice if the victim is a younger
child?

CHIEF SUPERINTENDENT MARK PRITCHARD: I'm
not really sure I follow that. You mean like an amber
alert type of situation or like a child of tender years
that vanishes?

MS. JOSEPHINE de WHYTELL: Yes.

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, I
think in general we're familiar with amber alerts, but the
response to a child of tender years that vanishes is -- I
guess the analogy I'd use would be stop the presses. You
know, every resource available gets involved. Also with
the use of -- you know, we have a number of protocols
across the province with the draws and the assistance of
civilian search and rescue units.

MS. JOSEPHINE de WHYTELL: The late
Dr. Patricia Monture, a Haudenosaunee professor at the U of
S in social work, shared with me after the passing of her
teenage daughter that she envisioned a way to celebrate
Indigenous youth by hosting award ceremonies and lifting
them up through dance and arts. Is this something that you
might consider in Project Journey in the future, and can
you see a benefit from this?

CHIEF SUPERINTENDENT MARK PRITCHARD: There
is an arts and cultural component to Project Journey. So I believe that is very beneficial. I think there's lots of studies that have shown the reconnection with culture and history has been very beneficial with youth.

**MS. JOSEPHINE de WHYTELL:** Thank you. In the OPP Mandate and Organizational Chart, I'm afraid I don't know what exhibit that is, but on page 4 of Schedule B, there's reference to 5,800 uniformed officers in the OPP. I'm wondering if you know how many of these officers are Indigenous women?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I don't know that. I'm sorry.

**MS. JOSEPHINE de WHYTELL:** Fair enough. Would you agree that recruiting Indigenous women to the OPP or the field of policing generally would enhance the police response to violence against women in First Nation communities?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Without any doubt at all. Recruiting of Indigenous people has been something we've been working very hard on. We've had very limited success over the last few years. We need to explore that.

I know one of the factors is there's many other options in policing in Ontario and -- because there's nine self-administered First Nations police services, plus
19 ONPA locations. So we're competing with those services for our applicants, but it's certainly something that we're alive to.

We hold job fairs and then don't necessarily get applications, and we need to explore what the disconnect is there of why we're actively recruiting but not receiving the applications. And I don't know the answer to that, and it's something that, you know, we need to explore.

**MS. JOSEPHINE de WHYTELL:** Thank you very much.

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

We would like to invite Vancouver Sex Worker Rights Collective. Ms. Carly Teillet will have eight minutes.

--- CROSS-EXAMINATION BY MS. CARLY TEILLET:

**MS. CARLY TEILLET:** Tawnshi, bonjour and good morning. I'd like to start by thanking the nations of Treaty 4 and my relatives of the Métis Nation for welcoming us home to their territory. And I'd like to take a moment to acknowledge the survivors, the families, the elders, the sacred objects and the medicines that are here today to help us do our work.

And so I want to start this morning by directing my first question to Deputy
Commissioner Butterworth-Carr. And in your examination yesterday and this morning, you discussed the tension between sharing information with community and families and holding back information to preserve the integrity of the investigation. One of the concerns of my clients, Indigenous, cis, trans women and two-spirited individuals who were involved in sex work or trade is being outed to their families and to their communities as sex workers. And, being outed as a sex worker can have very real negative impacts on them, and their children and their families.

So, when an Indigenous sex worker reports violence or is reported missing, is the information that she’s involved in sex work or trade disclosed to her family or community?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

When a person is reported missing, as I was mentioning, it’s incredibly important to obtain as much information as possible and, of course, it’s also, you know, very important to maintain the privacy of the individual. We also need to be able to acquire as much information as possible to further that investigation. With respect to conveying whether the person is a sex trade worker, that may come out through the course of the investigation, but I think that it’s incredibly important to be very respectful
to the person that is in fact missing.

**MS. CARLY TEILLET:** So, would you potentially consider a default of non-disclosure of that information unless it was determined necessary for the investigation?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** I would say that unless it is necessary that it’s not information that would be conveyed because it’s private to the individual.

**MS. CARLY TEILLET:** Wonderful. And, is that indicated on your information gathering tools or your forms?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** With respect to the forms, it’s, you know, as much information as possible, and that also, you know, leads to the assessment of the analysis and urgency. So, you know, for vulnerable people that are in the sex trade, we want to make sure that, you know, it’s that they -- that those investigations are immediately initiated because it places them in a higher risk.

**MS. CARLY TEILLET:** Thank you. I’ll turn now to a question for Chief Superintendent Mark Pritchard. When an officer responds to a conflict, is it possible that the Indigenous woman at the scene could be in her underwear, naked or partially naked?
CHIEF SUPERINTENDENT MARK Pritchard:

Certainly.

Ms. Carly Teillet: And, that when the officers arrive, that woman may already be in a public space or have to be removed into a public space from a room, building, dwelling or so on by an officer?

CHIEF SUPERINTENDENT MARK Pritchard:

Removed, as in arrested?

Ms. Carly Teillet: Taken outside. Like, if there’s a conflict or something, she might have to go outside or might already be outside?

CHIEF SUPERINTENDENT MARK Pritchard: Well, my expectation would be that the officer would ensure privacy and protect that woman’s dignity and not taking them out in public not fully clothed.

MS. CARLY TEILLET: Wonderful. And so, I can probably guess your answer to the next question, but I’d like it on the record. You would agree that Indigenous women, LGBTQ2S individuals who engage in sex work and trade have the right to have their privacy and dignity respected as a basic human right?

CHIEF SUPERINTENDENT MARK Pritchard:

Completely so.

MS. CARLY TEILLET: Wonderful. So, I would suggest to you that officers should be prepared to supply
sex workers with a blanket or a robe to wrap themselves in while in police presence or provide alternative time for the workers to dress; do you agree with that?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

And, when the circumstance is dictated, all our frontline patrol vehicles are so equipped.

MS. CARLY TEILLET: Wonderful. And, is that in your policy somewhere?

CHIEF SUPERINTENDENT MARK PRITCHARD: I’m not sure if that’s in the policy or if it’s just a matter of common sense that you wouldn’t have somebody displayed in public without protecting their dignity.

MS. CARLY TEILLET: Is that something we could enshrine in policy?

CHIEF SUPERINTENDENT MARK PRITCHARD: I don’t see why not.

MS. CARLY TEILLET: Wonderful. Thank you.

So, my next question is that some of my clients are Indigenous trans women or two-spirited individuals, and they inform me that when they interact with police officers, they’re often referred to by the incorrect gender or identity, and that this lack of respect for their identity is another barrier for them in reporting and communicating with police, and I would suggest to you that this hampers police investigations. Would you be willing
to institute a policy where officers ask individuals how they identify?

CHIEF SUPERINTENDENT MARK PRITCHARD: I don’t see why there would be a problem with that. I think that’s just part of diversity training for officers that could be incorporated without much difficulty.

MS. CARLY TEILLET: Wonderful. So, along this line, some Indigenous trans women and two-spirited individuals, particularly those living in an urban centre, have informed me that their true family, their chosen family are people in that community. And so, when they go missing, what efforts does the OPP make to inform that family and not necessarily their biological family?

CHIEF SUPERINTENDENT MARK PRITCHARD: You know, I’m not familiar with that situation occurring, so I’m not sure I can answer that. I think that’s a very valid question as far as who the officers would be keeping informed and also, at the same time, trying to respect the person’s privacy and actually -- you know, who those true family members are -- in fact are and how they identify themselves as being so.

MS. CARLY TEILLET: Wonderful. Thank you. So, I’ll ask my final question to Deputy Commissioner Butterworth-Carr. So, to conclude, I’ll present a scenario to you, and I am sharing this here today because my clients
who are Indigenous sex workers can’t be here, and they also couldn’t attend the statement gatherings in Richmond, British Columbia. And, they couldn’t attend because sharing their truths publicly or even being seen to share their truths publicly puts their lives in real danger, and this is because they know men who kill Indigenous women.

Can you comment on how the RCMP can keep these women safe if they share their truth with the police?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

If they know individuals that are responsible for these things, we would absolutely want to know that immediately, and we would want to work with our most vulnerable people and do that very respectfully so that we work with them. And, you know, we would take in consideration a safety plan if, you know, that is what they were -- if that’s what’s required, and it sounds like that’s something that would -- definitely is required and would need to be considered. And, it’s incredibly important that that information is brought forward.

MS. CARLY TEILLET: I’m not sure how comforting they’ll find that, but thank you.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

I understand.

MS. CARLY TEILLET: Those are my questions.

MS. CHRISTA BIG CANOE: Thank you. Chief
Commissioner, Commissioners, I know it seems early, but because of our early start, this might be an opportune time to take a break. I’m going to request a 15-minute break and hope -- it’s now 9:30. If we can start immediately with the next party, Families for Justice, at 9:45, that would be great.

CHIEF COMMISSIONER MARION BULLER: 9:45.

MS. CHRISTA BIG CANOE: Thank you.

MR. VERN BELLEGRARDE: Hello? Yes, excuse me, just before you break, I have a young lady that was going to do what we do in terms of helping. Is she here to do the blanket? After the break? Okay. What it is, is we have a drum, and a blanket goes around, and we collect for people that need help. That’s part of who we are as caring and sharing. And, what we want to do is collect some funds to help the people who require babysitting care and maybe just to get here. So, that’s what we’ll do following the break. Thank you very much. It’ll be done at that time. So, get your $5, your $2, loonies and toonies ready. The blanket will be coming around at the dinner break.

--- Upon recessing at 9:34 a.m.
--- Upon resuming at 9:55 a.m.

MS. SHELBY THOMAS: Next, we will be hearing from Families for Justice. Ms. Suzan Fraser has 15.5 minutes.
--- CROSS-EXAMINATION BY MS. SUZAN FRASER:

MS. SUZAN FRASER: Commissioners, a number of the families in the Families for Justice group are here today. And I know that one was getting smudged before entering into the room, and I’d like to just pause until the family members can come in, if I can go let those who are available know. If you’d give me that indulgence, I’d be grateful.

Thank you.

CHIEF COMMISSIONER MARION BULLER: Yeah, we’ll stop the clock.

(SHORT PAUSE)

MS. SUZAN FRASER: Thank you, Commissioners. Families are coming into the room now.

I had understood that the clock did not start until we completed our introductions. Is that still the case.

(SHORT PAUSE)

MS. SUZAN FRASER: Thank you. So I understand from my friend that that it is no longer the rule that the clock stops after the introduction. So I am going to take some time to introduce the members of our group, stating with Max -- so I’m here, witnesses on behalf of Families for Justice. And I thank Treaty 4 and the Métis Nation for the welcome, and I’ll forever think of Mr.
Bellegarde as “Chickenlegs”.

I’m here for Families for Justice. It was named -- it’s a group of 20 families, and we named the group because they are families who are seeking justice for their loved ones who are missing or murdered.

Maxine Goforth is here today. She is the mother of Kelly Nicole Allison Goforth, a Regina mother of a baby boy who was murdered in Regina in 2013 at the age of 21.

Danielle Ewenin is the sister of Eleanor Laney Theresa Ewenin, who was ejected from a vehicle and died from exposure in the outskirts of Calgary in February of 1982. No-one was ever charged in connection with that death.

Bridget Tolley is a member of our group. Her mother, Gladys Tolley, was an Algonquin great-grandmother from Kitigan Zibi First Nation in Quebec. She was struck and killed on October the 5th, 2001 by a Sûreté du Québec police officer driving his cruiser while she was walking along the highway, and for which no charges were laid.

Stacey Adone (phonetic), a Haudenosaunee woman living in Blackfoot Territory, Elwood Ashiwega (phonetic), son of Shirley Caroline Ashiwasega (phonetic), and the brother of Caroline Dawn Ashiwasega (phonetic).
Michelle Robinson, whose living mother, Marianne Elliott; the parents of Bella Laboucan-McLean from Sturgeon Lake, Cree Nation, who was 25 years old when she fell 31 storeys to her death in the downtown Toronto condominium on July 20th, 2013. She was a Cree woman who had moved to the city from her home in northern Alberta in 2011 to study fashion design. The investigation remains open but the police say there are no more leads to pursue.

Linda John, a grandmother, her daughter, Helena Lynn Rivera of Six Nations, was murdered in 2011 at the age of 25 in Buffalo, New York.

Judith Evelyn Anderson, sister of Shelley May Anderson, who was last seen in the summer of 2009 in Haileybury and Cobalt, both small towns in Ontario; she was 51 years old when she vanished.

The family of Pamela Holopainen, who was 22 years old when she was last seen in Timmins, Ontario in December 2003. When she was reported missing by her family at the police station, the police did not look for her, and she was accused, in the course of the investigation, of probably being out partying, and later of being a prostitute. Her two young children were just two and five months old when she disappeared.

Alaya McIvor is another member of our group, the cousin of Roberta Dawn McIvor of Manitoba who was 32
years old when she was killed in Sandy Bay First [Nation] near Portage la Prairie, Manitoba.

Marie Burke, whose daughter, Maggie Lee Burke of Edmonton, Alberta, was 21 years old at the time of disappearance. She was last seen leaving her residence in Edmonton in December 9th, 2004. Maggie Burke was the first murdered and missing Indigenous woman case publicized by the RCMP in October 2015.

Denise General, a mother from the Cayuga Nation Wolf Clan, Six Nations of the Grand River Territory, the mother of Tashina Cheyenne Vaughn General, who was 21 years of age when she was murdered, along with her unborn child, her body found on October [26]th -- sorry; April 26th, 2008 at Six Nations.

The family of Sonya Nadine Mae Cywink, who went missing from her London home in 1994 and who was found dead at the Southwold Earthworks in Elgin County 24 years ago.

Maggie Cywink, who’s part of the Cywink family is also part of the family of Melissa Nicholson, who was murdered June 11th, 1991 in the Shawnigan Lake in British Columbia at 17 years old.

Our group also includes Anita Ross, the mother of Delaine Corrina Copenace, a 16-year-old girl who went missing on February the 8th -- sorry; February the 28th,
2016, and was the subject of a highly publicized search. Her body was recovered from Lake of the Woods, Kenora, steps from the police station and an area that had been searched many times.

Silas Blackned, the son of Rose-Ann Blackned, who went missing November the 11th, 1991, who was found frozen several days later in Val-d’Or, Quebec. She left two boys, one a member of our group, Silas, who was five at the time when his mother went missing, and his brother who was two years of age. Still the family has questions; why wasn’t there justice done?

Our group also includes the family of Audrey Anderson, originally from Allanwater Bridge, Ontario, who was in Sioux Lookout at 19 years of age when she was reportedly jumped out of a truck and was found dead at the side of the road.

Diane Bigeagle is a member of our group. Her daughter, Danita Faith Bigeagle, was a mother of two children, Cassidy and Talon. She was 22 years old when she was first seen -- when she was last seen in Regina, February the 11th, 2007.

Last, our group includes Charlotte Murray, from KI First Nation, whose sister, Patricia Sturgeon, was killed in Thunder Bay, Ontario.

So asking questions on behalf of a number of
families who have loved ones who are missing or murdered.

I want to start with you, Chief Superintendent Pritchard; what is the number of missing Indigenous women and girls right now in Ontario, and is there anywhere to your knowledge where that number is recorded?

CHIEF SUPERINTENDENT MARK PRITCHARD: In OPP jurisdiction, there is nine open unsolved missing Indigenous women.

MS. SUZAN FRASER: Yes. Okay. Deputy Commissioner Butterworth-Carr, do you know the number of Indigenous women and girls who are missing right now in Canada?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: No, I do not.

MS. SUZAN FRASER: Okay. And, Capitaine Charbonneau, quel est le nombre de les femmes et les filles autochtones qui sont disparues au Québec? Est-ce que tu le sais?

CAPTAINE PAUL CHARBONNEAU: Non, je n’ai pas de chiffres présentement.

MS. SUZAN FRASER: Okay. And, to your knowledge, is there any systemic tracking of the numbers of women and girls in -- or any attempt to consolidate the information held by the various police forces across
Canada, Deputy Commissioner Butterworth-Carr, can you answer that?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** Yes. I know that there’s been a lot of work historically in acquiring all of those numbers from across all police jurisdictions. And then there is an update with respect to the most recent numbers and, I’m sorry, I just don’t recall for all of Canada.

**MS. SUZAN FRASER:** Okay. I understand that the work plan of the Inquiry includes a forensic file review to be undertaken. Has Ontario been asked to provide files or had files summoned for the purposes of the National Inquiry’s review, Chief Superintendent Pritchard, do you know?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes to both those questions.

**MS. SUZAN FRASER:** Okay. So, you both provided files and you’ve had files summoned?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

**MS. SUZAN FRASER:** Okay. And, can you tell us the numbers?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I believe it was three cases. Although I think one was — the summons was just withdrawn.

**MS. SUZAN FRASER:** Okay. So, those are
summoned. And, how many have you provided that were not
summoned?

CHIEF SUPERINTENDENT MARK PRITCHARD: We
only provided the ones we were asked for.

MS. SUZAN FRASER: Okay. And, Deputy
Commissioner, do you know whether the RCMP has been asked
to provide or has been -- or the Commissioners have
summoned files for the purpose of this Inquiry?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
We have provided files. We were requested to provide
files. And, I believe the number is around 10, but I’m not
completely positive, I can’t recall exactly, but that’s
what I believe it is, but we have provided files.

MS. SUZAN FRASER: And, Captaine
Charbonneau, did you understand my question in English
about the number of files? Has Quebec been asked to
provide files, do you know?

CAPTaine PAUL CHARBONNEAU: J’ai pas cette
information-là présentement.

MS. SUZAN FRASER: Merci beaucoup. Okay.

UNIDENTIFIED SPEAKER: Can you stop the
time, please?

MS. CHRISTA BIG CANOE: Sorry. Just so that
it’s clear, in relation -- I do have an objection. I do --
it’s not in relation to the way the question has been asked
of these parties, but the first question was whether or not Ontario.

So, OPP is but one police service, and so the police services can only answer that question in relation to documents to them. So, I just wanted to place that out there because a couple of other parties have also asked me to make it clear that they can only answer for their police services, not for government or other police agencies that aren’t up here. Thank you.

**MS. SUZAN FRASER:** That’s fine. Chief Superintendent Pritchard, it’s clear that by appointing you in December of 2017 to examine the question of missing and murdered Indigenous women and girls, that the OPP was determined to devote some significant resources to examining its practices, is that fair?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes. We’d already had the team in place for quite some time with a senior case manager from our criminal investigations branch leading it.

**MS. SUZAN FRASER:** Okay. So, there’s two senior officers assigned to the team?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

**MS. SUZAN FRASER:** You and someone else?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Senior ranking and there’s also other officers assigned to the
team that are very senior in terms of experience.

MS. SUZAN FRASER: Okay. And, I understood from your evidence yesterday that your job was to examine the policies and practices and to identify gaps, is that fair?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. SUZAN FRASER: Okay. And so, in the course of doing that work, did you look also to the files involving missing and murdered Indigenous women and girls to assess compliance with policy?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, we’ve had 14 FILU meetings with families in OPP cases so far.

MS. SUZAN FRASER: You -- so you’ve had 14 FILU meetings, you’ve examined open and closed cases?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, that would be accurate.

MS. SUZAN FRASER: Okay. Have you provided advice or reported to the Commissioner on the scope of your work?

CHIEF SUPERINTENDENT MARK PRITCHARD: I’ve reported to the Commissioner twice formally, and I’ve reported to OPP executive council twice.

MS. SUZAN FRASER: OPP executive council?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.
MS. SUZAN FRASER: Okay. And, did you report to -- when you reported twice formally to the Commissioner, did you do that in writing, in the form of a report or other kind of memo?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. SUZAN FRASER: Okay. And, is that memo public?

CHIEF SUPERINTENDENT MARK PRITCHARD: No.

MS. SUZAN FRASER: Okay. And, have you provided that memo to this Inquiry?

CHIEF SUPERINTENDENT MARK PRITCHARD: No, I have not.

MS. SUZAN FRASER: Okay. So, in the -- are you able to speak to the contents of your report to the Commissioner?

CHIEF SUPERINTENDENT MARK PRITCHARD: The report primarily focused on the recommendations that we’ve presented yesterday that is part of our package, seeking approval from the Commissioner on those 10 items. Also, the issue primarily of relating to victims and our plan on proceeding with how we want to address that issue moving forward, as well as the creation of victim services specialists with investigative teams that are non-police officers.

MS. SUZAN FRASER: Right. I understand
that, that at right now, that is -- that there’s only a commitment to exploring the use of the victim specialist, is that fair?

CHIEF SUPERINTENDENT MARK PRITCHARD: It goes beyond a commitment to explore, we’re very committed to moving forward on that and have a plan for doing so. We have a victim response strategy within the OPP which I believe is very robust, and an inspector has been assigned to lead the victim support strategy, and that will be part of the work that they’re doing with full support of the Commissioner and deputy commissioners.

MS. SUZAN FRASER: Just going back to the report that you provided to the Commissioner and to the executive council, is it fair to say that those reports identified gaps in policing practices, where a practice did not meet expectations of policy?

CHIEF SUPERINTENDENT MARK PRITCHARD: I don’t think I used the word “gaps”. I think I, more accurately, made the suggestion that this is the areas that have been identified by the Commission so far, it’s been the area that was identified -- as I said, we had a senior Indigenous officer that’s very experienced in death investigation, talk with a number of families, sit in circles. Again, the information that came back from the 14 FILU meetings on where we were at and, you know, listening
to those people, and listening to the Commission and
witnesses, family members from, really, one end of the
country to the other that have expressed similar concerns.

**MS. SUZAN FRASER:** Right. But, if you were
to -- you indicated in your evidence at the outset that
your job -- you were tasked with identifying gaps. And,
while you framed them differently, have you found occasions
where the policy -- the practice engaged by officers did
not meet the policy?

**CHIEF SUPERINTENDENT MARK Pritchard:** No, I
didn’t, but I did find where we need to update that policy.
Our current Missing Persons Policy dates back to 2011, and
there’s been a number of changes since that time, including
in Ontario, the new Missing Persons Act, which hasn’t been
proclaimed, but has received assent. Also, the standards
of the RCMP’s National Missing Persons and Unidentified
Remains Unit that we signed on by way of a memorandum of
understanding to follow those practices, the creation of
the provincial centre.

So, those are all things that need to be
addressed in our policy that aren’t currently there.
There’s going to be a requirement for training for officers
for the new Missing Persons Act in Ontario, so they
understand that act, they know how to operationalize it and
how to use it in an investigation once it receives
proclamation from the government. And that's embedded in the new -- I think it's called the Safer Ontario Act, which also involves the Police Services Act. I think it's commonly referred to as an Omnibus Bill.

Thank you.

**MS. SUZAN FRASER:** Thank you.

Commissioners, my time is up. I have more questions and I want it to be noted that I have more questions. I'm formally asking for your leave to continue asking questions.

**CHIEF COMMISSIONER MARION BULLER:** We are unanimously denying leave to continue questioning. Thank you.

**MS. SUZAN FRASER:** Thank you. I'll make sure that the families know that.

**MS. SHELBY THOMAS:** Next we'll be hearing from Manitoba Keewatinowi Okimakanak. Ms. Jessica Barlow has 7.5 minutes.

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

**MS. JESSICA BARLOW:** Good morning. I would like to start out by acknowledging the Elders and the families, the survivors. I would also like to acknowledge the sacred items in the room. I'd like to express gratitude to the nations of Treaty 4 and the Métis Nation of Saskatchewan for welcoming us here.
My name is Jessica Barlow and I'm legal counsel on behalf of MKO. And today all of my questions will be directed towards you, Deputy Commissioner Butterworth-Carr, if I may.

And so I would like to begin today by speaking to you about major case management. And so you spoke in your testimony yesterday about major case management and that it would include things like homicide and missing persons; is that correct?

   DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes.

   MS. JESSICA BARLOW: And that these types of cases are conducted and investigated using what you termed a coordinated investigation team; is that also correct?

   DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes.

   MS. JESSICA BARLOW: And this would include a command triangle that you spoke about yesterday?

   DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes.

   MS. JESSICA BARLOW: And this command triangle would include members such as a team commander, a primary investigator and a file coordinator; am I understanding correctly?

   DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
Yes.

**MS. JESSICA BARLOW:** And each of these holds different roles and responsibilities in a major case investigation; is that correct?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Yes, it is.

**MS. JESSICA BARLOW:** And in your experience, are the positions that I just mentioned held by RCMP members posted in northern and remove First Nations communities where they're conducting such investigations, or are they posted elsewhere and then travel to these communities?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Depending on the size of the community. If it's a smaller community, then it will be done out of a larger centre.

**MS. JESSICA BARLOW:** Okay. And in practice, how long or how often do these members attend these communities?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

It's completely dependent upon the investigation. So there isn't a specific time. If it's, you know, an immediate response, then they'll be there for the time they absolutely need to to gather all the evidence and material and they may return to the community on multiple occasions. It's individually based.
MS. JESSICA BARLOW: Okay. Thank you. And if I'm understanding their respective positions correctly, the team commander has control over the major case investigation and its resources; is that correct?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes.

MS. JESSICA BARLOW: And so these resources would include things such as human resources, material resources and financial resources?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Absolutely.

MS. JESSICA BARLOW: And for those who want the pinpoint, it's Exhibit 101, Page 2, Section 2.2.2.1. And in your experience, how are these resources allocated, calculated and quantified for each of the major case investigations?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Again, it's completely dependent upon the investigation that they're responding to. It's not limited by financial or human resources. It's -- you know, they front end load. And what that means is they bring as many resources as they absolutely need, all kinds of specialized units, and it maintains through the course of that investigation. And they'll scale it as required.

MS. JESSICA BARLOW: Okay. And in your
experience, are there any resourcing issues that have occurred throughout the duration of investigation, and specifically where cases have remained unsolved for a period of time?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

So with respect to the investigation, so as an example, if a place like the Northwest Territories or Yukon was struggling with resources, then the larger centres like Alberta or my division, as an example, we would assist and we would continue assisting until they were able to maintain that investigation. And with respect to the continuation of the investigation, investigators are assigned. And, again, if there's a resource issues, they have the ability to ask other divisions to assist.

MS. JESSICA BARLOW: Okay. And so who determines the resources that get allocated?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

So with the initial investigation, it is the team commander. And if the team commander has to go outside of a geographical location to acquire them, then he'll elevate that to either the OAC, Major Crime, or to the Criminal Operations Officer who'll ask from a neighbouring division.

MS. JESSICA BARLOW: Thank you. And would you agree with me that the amount of resources, or the lack thereof, can create a perception that someone -- a love
one's life is worth the amount of resources that have been allocated to their file?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

I can completely understand how that perception would be prevalent. And from my perspective and my experience, I would say that we add the resources that are required because everyone's life is valuable.

**MS. JESSICA BARLOW:** Okay. And you answered my follow-up question. And that's what the RCMP is doing to address that issue?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Yes.

**MS. JESSICA BARLOW:** Okay. And so I have limited time left, but I'd like to touch on primary investigators in the command triangle. And if it's my understanding correctly that they manage and control the overall investigation process; is that correct?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Yes, they do.

**MS. JESSICA BARLOW:** And you testified that these investigators manage cases, but they may not necessarily perform all aspects of this investigation; is that true?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

They will certainly be the lead investigator and they may
have additional investigators, but they will have some
investigative capacity.

**MS. JESSICA BARLOW:** Thank you. And in your
overview, so that was at Exhibit 100 -- we don't need to
turn there, but for those that would like to pinpoint it's
on page 21. It states that there are instances where the
majority of the communication between family members and
RCMP is not with the lead investigator, but instead is
assigned to the family liaison. Is that true?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
Yes, that absolutely can be true.

**MS. JESSICA BARLOW:** And so would you agree
with me that this structure, this command triangle and the
diversity in roles can be confusing to family members of
missing and murdered individuals that are seeking
information because of this complex structure?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
It absolutely can be confusing and one of the reasons we
developed a hand guide. And either the investigator or the
family liaison person tries their best to sit and explain
to families, but I absolutely appreciate that it can be
very confusing.

**MS. JESSICA BARLOW:** And it can also be
confusing too when the investigator isn't present in the
community.
Absolutely.

**MS. JESSICA BARLOW:** Thank you. And a few days ago we heard from Commissioner Lucki regarding limited duration in isolated posts and we heard how this type of structure can be a reactive approach as opposed to preventative. And we also heard that, based on factors of geography, this can exceptionally be the case -- or especially could be the case, pardon me. And we also heard that short duration posts can have a negative impact on sharing information and also continuity in missing persons or major crimes cases. And I'm wondering, what added impact would under-resourcing play on compounding these issues?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

You know, certainly within our communities we know that we're challenged right across the country in especially our isolated and limited duration postings. And what the Commissioner maybe didn't mention was the fact that we're looking at all restructuring within our geographical areas because we recognize how challenging it is for our local communities not to have that relationship.

You know, with respect to my province, as an example, you know, the transitions and the timing of them coming in, we don't remove everybody from the community at
once, but we certainly know that there's delays in people coming in, so we end up having to draw from other resources.

My point is, we're looking at it broadly as how we can restructure and be a lot more flexible and adaptive to our communities.

**MS. JESSICA BARLOW:** And when can we expect to see the results of this -- you looking at these structures?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

So I have had many conversations within my province with the Ministry of Public Safety. And I know that it's going to be put into the five-year plan that the Commissioner was referencing, because right across this country we need to do that.

**MS. JESSICA BARLOW:** Thank you. My time is up. Good morning.

**MS. SHELBY THOMAS:** The next party we'll be hearing from is Vancouver Rape Relief and Women's Shelter. Ms. Hilla Kerner has 33 minutes.

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

**MS. HILLA KERNER:** Thank you.

Hello. I would like first to thank to Awo Taan Healing Lodge Society, the Calgary Women's Shelter, the Institution for the Advancement of Aboriginal Women and
the Aboriginal Shelters of Ontario. They all outstanding
Indigenous groups who are doing remarkable work for women
and children who are fleeing violence and I'm honoured to
have them giving me their time.

Because I do have relatively significant
time. I will follow up with questions that my ally started
and did not have time to complete.

First, to my sister, MiKenzie Jordan's
question, her question, and the Aboriginal Women's Action
Network question was is there explicit policy about how
soon after a missing woman is reported there is -- the
police is issuing a public statement to the media
soliciting public knowledge? And it's for you, Deputy
Commissioner Brenda Carr.

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It
depends upon the circumstances. If it's deemed high risk,
then we want to immediately release information to the
public. If it's an amber alert, again, that's immediately
released. And each one is assessed based upon the
circumstances that we have. So there's no definitive time,
it's individually assessed.

**MS. HILLA KERNER:** I would like to suggest
that we're talking about Indigenous women who are
marginalized because of racism, male violence and poverty,
their life conditions are and should be categorized as high
risk, and immediately, as soon as the police is informed that they are missing, a media advisory should be issued.

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I would suggest that in terms of the high risk, absolutely, then you know, we want to make sure that the information is conveyed as immediately as possible.

MS. HILLA KERNER: Okay. So I would like to suggest that there will be explicit timeline attached to this practice and that the policy will be available on the "E" Division RCMP, British Columbia website so the public and the families and the advocate are very aware and clear what the policy is and can hold the police accountable.

DEPUTY COMMISSIONER BUTTERWORTH-CARR: We can certainly convey that information with respect to high risk, and then the immediacy of the public release.

MS. HILLA KERNER: Okay. I just want to give you a heads up, particularly, Commissioner. A lot of my questions will end up with the suggestion that the policy will be available on the RCMP Division website.

My next question is for Captain Charbonneau. I would like to follow up to confirm that you responded to my ally from the Native Women's Association of Canada by saying that none of the eight police officers from Val d'Or who were accused of sexually assaulting Indigenous women were charged. Did I understand that correctly?
CAPITAINE PAUL CHARBONNEAU: L’enquête dans les allégations entourant Val d’Or a été confiée au Service de police de la Ville de Montréal. À ma connaissance, il n’y a pas eu de dépôt d’accusations suite à cette enquête-là du Service de police de la Ville de Montréal.

MS. HILLA KERNER: And Captain, have you ever investigated sexual assault cases?

CAPITAINE PAUL CHARBONNEAU: Oui, lorsque j’étais enquêteur au poste de Saint-Boniface en Mauricie.

MS. HILLA KERNER: Okay. So I would like to suggest, based on your experience and based on our experience in the front line, that the fact that a man who is accused of sexually assaulting women has not been charged has nothing to do with the fact that the man did not commit this crime against a woman?

CAPITAINE PAUL CHARBONNEAU: Oui, c’est exact.

MS. HILLA KERNER: Thank you.

The Institution for the Advancement of Aboriginal Women who is giving us their time, also has a question, and it's for you, Deputy Commissioner.

The Alberta Government, through the Standing Committee on Families and Communities, conducted a review of the Missing Person Act. In May 2018, the final recommendations were released.
My ally's question is around jurisdiction.

In Alberta, they have First Nations, municipal and national police who have responsibility to uphold the law and ensure safety in their community. In regards to the Missing Person Act of the province, for example, it is a provincial act and then they have the RCMP National Policy on Missing Persons, a tribal or municipal police force would also have their own missing person policies.

Their exact question is who in British Columbia has the final say on what goes into the policies, and further, who has responsibility when policies are not adhered to?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:**

Within the Province of British Columbia, we have the B.C. Missing Person Standards, which is through the Public Safety branch, and it's formalized, and all of the policing agencies adhere to it, including the RCMP.

**MS. HILLA KERNER:** Okay. So when there is a lack of compliance with those policies, what's it takes -- the steps that one can take to demand that they will be upheld?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I'm sorry? I'm not ---

**MS. HILLA KERNER:** When the -- when a policy is not being practised, what can one do to ensure that it
99

PANEL 3
Cr-Ex (Kerner)

will be upheld?

DEPUTY COMMISSIONER BUTTERWORTH-CARR:  So you have the opportunity to come to the policing agency where the file is, or you can actually bring that to the attention of Public Safety.

MS. HILLA KERNER:  Okay.  Thank you.

And now, to my own group.  I am sure you're familiar with the work in Vancouver.  What is the RCMP Division policy about male violence against women in intimate relationships, what you would call domestic violence?

DEPUTY COMMISSIONER BUTTERWORTH-CARR:  We follow the national policy with respect to violence in relationships.  I unfortunately don't have it in front of me, but it's -- it can easily be made available.

MS. HILLA KERNER:  Right.  So I would like it to be available.  I also want to know if you remember if there is a particular mention of advocates accompanying women to deliver a statement, if there is elements about the length of the investigation?  And in particular, I'll give you an example of what we're dealing with and I would like to know what's the policy.

We, in our transition house, house approximately 100 battered women and their children every year.  In 2015, we housed five Indigenous residents, all
charged by -- sorry -- all were investigated and recommended charges by the RCMP for their attempt to self-defence from abusive partner.

We advocated, and the Crown did not proceed with charges, but I want to know what's the policy about charging women who are attempting to defend themselves against male violence in their intimate relationships?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I would expect that an investigation was done completely with the respect to the violence in relationship. When a person responds, like a responding police officer, they're to immediately assess that situation and then complete a full investigation and then make a determination as to, you know, who may be responsible for the assault.

**MS. HILLA KERNER:** So with all due respect, I think that that's -- I would like to suggest that that's an inadequate instruction and neglect of analysis of who has power in the relationship, in particular, in our society in general, the power relationship between men and women, in this context, between men and Indigenous women and how men exercise of power in the intimate relationship.

And I would like to suggest that the clear explicit instruction to the sex of the -- or the gender of the parties is crucial for a police officer to conduct appropriate investigations that will lead to the charges of
the person in power in the situation, which is man.

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Yeah,

I think that, you know, through the course of the
investigation all that information needs to be assessed, I
agree.

MS. HILLA KERNER: Okay. So I would like to
suggest that a clear explicit gendered policy will be
available for the public, for battered women and for their
advocates on your website.

DEPUTY COMMISSIONER BUTTERWORTH-CARR: We
have the Violence and Relationship Policy that is
available, and in terms of the response, like you said,
it's really important that a really good assessment is
completed in the first instance.

MS. HILLA KERNER: What is your policy about
sexual assault? In particular, collecting initial
statements where the woman is comfortable to do it,
including her own home, or a place that belongs to women's
groups? In particular, about allowing an advocate to be
sitting with her while she's giving the original statement
and video and audio statement and about the lengths of the
investigation?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: With
respect to sexual assaults, again, our women, or victims,
whomever that may be, have the ability to bring a person
with them, because they're so traumatic and it's already
hard enough to be able to be able to come forward, and
that's very much recognized. So any support that's
available for whomever's bringing, you know, that type of a
complaint forward they're welcome.

MS. HILLA KERNER: Would you like -- show
that this policy is available on the website, instructing
RCMP officers to comply with women's request to have their
feminist advocates with them when they’re giving the
statement?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
There is policy that’s available that are -- sorry, that we
have that does state that anyone coming forward for that
type or -- you know, anything in serious in nature, they
have the ability to bring whomever they want to to --
through the complaint process and providing a statement.

MS. HILLA KERNER: Deputy Commissioner, I
hope you will appreciate that I’m bringing it forward
because this policy has not been practised in our frontline
work and sister organizations. And, I think that if it’s
publicly available on the website, it is easy to point it
out to the RCMP officers who are conducting the sexual
assault investigation, and it makes it much easier to press
and to comply with this policy.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
If there are instances where that’s happening, I would welcome the opportunity to hear about it, because I can assure you that people have to be very respectful when it comes to those types, and I’m talking police agency. I believe you. I’m not just speaking ---

**MS. HILLA KERNER:** No, I understand. I’m not smiling because of that. I’m smiling because I believe that my request is fairly simple. I would like it to be available on the website for women who do not have an advocate, for the general public. I think the transparency -- I would like to suggest the transparency is the first step for accountability of any institution.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

I absolutely agree. I’m sorry.

**MS. HILLA KERNER:** Thank you. And, I wanted to know what is the policy about how long should a sexual assault investigation will take with RCMP forces? I just -- it’s a privilege to witness a conviction, a very, very rare situation in Williams Lake. But, a woman and her sister filed the complaint to the Williams Lake RCMP in 2007. Charges were only laid four years after. So, I hope it’s an extreme case, but I wanted to know if there is an explicit policy instructing RCMP officers to conduct sexual assault investigations in thorough manner in one way, but also in a fast and diligent timely manner on the other way.
DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: Sexual assaults are incredibly important. And, in fact, they meet the benchmark offence, and there is supposed to be immediate reporting. And, I am very disappointed to hear that, you know, it took that long. I’m going to follow-up on it, and I would say that it must -- you know, unless there’s extenuating circumstances, they’re supposed to be made a priority.

MS. HILLA KERNER: Thank you. That’s helpful. I wanted to know if you’re aware that there are cases that two RCMP forces need to coordinate the investigation of sexual assault, because of the location of the attack, and then the different location of the accused. And, some RCMP units are refusing to conduct the interview with the accused based on a request from the RCMP unit who got the statement of the victim and the first demanding that it will be a warrant or that the charge is approved before the interview of the accused. Are you aware of those cases?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: No, I’m not familiar with those.

MS. HILLA KERNER: Okay. So, they will be against practice and policy of the RCMP?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: Regardless of where the offence happens, in RCMP
jurisdiction, they need to conduct a thorough investigation. And, if there’s a reach out to a neighbouring community in the circumstances that you’ve conveyed, again, they have a responsibility to make sure that they’re assisting the other RCMP detachment with any follow-up tasks. And, again, recognizing how serious these are, they have to be done appropriately.

MS. HILLA KERNER: Okay. Are you -- Deputy Commissioner, are you familiar with the Protection of Communities and Exploited Persons Act, also known as Bill C-36?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
Yes, I am.

MS. HILLA KERNER: Can you explain the rationale of this law?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
In British Columbia, we actually have policies and guidelines that was created through the BC’s British Columbia Association of Chiefs of Police. It also involved the public safety branch within the Ministry that the police agencies report to. Vancouver is a part of that, as well as the RCMP. And, essentially the practices and guidelines sets out the importance of making sure that we’re working and protecting our most vulnerable, our sex trade workers, and that, you know, where we have the
ability, that we will lay charges against the individual
that are exploiting them.

MS. HILLA KERNER: Okay. Do you know how
many men charged in recent years since the law passed in
December 2014? How many men have been charged in British
Columbia for buying sex from women in the sex trade?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
I don’t know the total number. What I will say though, is
that certainly within RCMP jurisdiction, I am very familiar
of an investigation that we have ongoing where we had
recommended three charges against an individual, and the
Crown is reviewing it currently.

MS. HILLA KERNER: Okay. So, the number
that I have, the public number of 10 men charged, and all I
wanted to know is if the poor number of men who have been
charged is a result of a policy, priority or resources?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
It’s none of those. Essentially, it’s the discussions that
I’m aware of with Crown are they’re reticent to initiate
charges because they’re worried and concerned about the
further victimization of our most vulnerable.

MS. HILLA KERNER: Okay. So, I have
witnessed a few cases that have been brought to the Supreme
Court of British Columbia that they were arrested and
charged, and sometime pleaded guilty and sometime were just
convicted. And, what the prosecutor had to work with is a communication between the Johns and the pimp. They were key evidence in terms of conviction of the pimp, and I would like to suggest it’s those kind of key evidence completely eliminating the need to have a woman or a girl in the sex trade testifying or giving evidence, and there is enough independent evidence for the intention and the action of men who were buying sex.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
I would support anything that’s going to reduce the further victimization.

**MS. HILLA KERNER:** And, I would like to suggest that, first and foremost, it will be to arrest those who are committing the harm, the men.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**
Yes. And, certainly the pieces that we have available facilitate that.

**MS. HILLA KERNER:** Okay. So, I would like to follow another line of questioning that was brought up earlier in the other panel. I’m sure you’re familiar with the bad date sheets that women in the sex trade are, in very explicit details, putting forward. Their recount was very dangerous John, and they’re putting it on the record to share with each other as a way to alert and try to protect their fellow women?
DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes, I’m aware.

MS. HILLA KERNER: Okay. I would like to suggest that it will be wise and useful for the RCMP in British Columbia to use those bad date sheets as a third party report, and conduct investigation that is protective and respectful of the women in the sex trade, and diligent, and serious in holding those men accountable and bring them to justice.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

In terms of the third party reporting, we absolutely facilitate third party reporting. And, in terms of any information that comes into our access that will further an investigation to help protect our sex trade workers, absolutely.

MS. HILLA KERNER: I would like to press further and to suggest that the burden is on the police, and not on the prostituted women to look for this information. It’s available. I know easily accessible in the downtown City of Vancouver and some agencies that are serving women in prostitution.

What I would like to suggest is that British Columbia RCMP should be due diligent and proactive, and will look for those sheets, and will follow those leads. They are very instructive, descriptive leads because
they’re based on the intention of the woman in the sex
trade to protect other women. So, they’re giving
everything they can to provide a full explicit description,
which I believe has a lot to allow the RCMP to follow with
an investigation. They often will describe exactly how the
man look like, how old he is, his race, his vehicle, where
was he from. There are very useful leads in those bad date
sheets.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

And, I’m aware based upon the Counter Exploitation Unit
that works with Swan. And, you know, certainly anything
that we can do to hold people accountable, then we would
absolutely do that.

MS. HILLA KERNER: Okay. So, I would like
to suggest that the most visible, explicit way to hold men
accountable is by charging them and bringing them to
justice. And, the number -- the low number of charges is
an indication that at the moment police is failing to do
so.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

I know that there are other means of which we are
investigating and charging, but I agree the low number is
-- could drastically be improved.

MS. HILLA KERNER: Thank you very much. My
friend who brought this issue further was also hoping to
know how can you secure the safety and the protection of women in the sex trade who do come forward -- who will dare to come forward and tell about very dangerous men, sometime men who killed other women. What kind of security and guarantees do you have to offer to these women?

And, for my own work, I know that sometimes the RCMP is calling on us to house women in our transition house. Independent women’s groups is the way to protect women instead of finding way that the police will protect them. So, I’m wondering what is in place to protect women from the sex trade who has knowledge about very violent men and will be willing to come forward, but needs some serious assurance that they will be protected?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Yes, I understood that, in terms of the response, it probably wasn’t as fulsome as it could have been. And, what I was trying to convey is that every person that comes forward, there is an individual assessment in terms of their risk and, you know, retribution that they may face based upon bringing information forward, and based upon that risk assessment that a safety plan is put into place. And, you’re accurate in terms of asking about transition houses and other places that we can utilize within our communities, because I think we recognize that we’re challenged in our communities with not having enough safe
places to facilitate that safety.

**MS. HILLA KERNER:** I would like to suggest that transition house is a direct action towards the women’s movement that cannot replace a commitment of the state to uphold its responsibility of women’s safety and security. And, if needed, sometime the police should have an officer near the woman’s door to protect her and not rely on grassroots organization who are doing our work intentionally and willingly, but it cannot replace the state and the province upholding their responsibility.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** Yes, I wasn’t at all suggesting that any policing agency would abdicate that responsibility at all. Public safety is a primary concern. It’s just -- where I should have been more explicit is that we need more support for safety as a whole and not to, you know, utilize the good work that you’re doing.

**MS. HILLA KERNER:** Yes, I want to suggest that one very simple way is to put an officer near the woman’s house.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** Again, it’s completely dependent on the circumstances because of the resources that we have in place.

**MS. HILLA KERNER:** Okay. I’m glad you brought up the issue of resources, I’ll get into it in a
minute. I asked Commissioner Lucki, and I would like to ask you as well, I would like to suggest that it’s going to be very useful for accountability to have transparent information in each RCMP unit in the province, to have it available to the public, how many complaints they receive from women on male violence, rape, sexual assault, prostitution, how long investigation took and how many resulted in charges, which was to say how many men are held accountable. And, I’ll hope -- I would like to suggest that it will be a very good step that could be fairly implemented easily.

We know that the different unit is providing this information for Stat Canada, so the data is collected, it’s just not available for public scrutiny.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

And, that’s currently the mechanism that we have in place, is all that information is put into the Canadian Juristat and Stats Canada.

**MS. HILLA KERNER:** So, I would like to ask that -- I would like to suggest that the problem with having this as the only source of information is that Canada Stat is delivering its information on the national level, and there is no way to separate, and to measure and to evaluate the particular work of the local police unit, and it will be really important for us to be able to do
that for accountability reason.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

And, from my memory, I believe that the Commissioner indicated that there would be follow up on your request.

MS. HILLA KERNER: Great. And, now I’m going to have you -- I want to suggest that I will have that commitment from you as well.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

If she said it’s going to happen, it’s going to happen.

MS. HILLA KERNER: Good.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Good.

MS. HILLA KERNER: Speaking on resources, I wanted to know, do you know how many people were arrested by Burnaby RCMP for protesting against Kinder Morgan?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

I don’t have those recent numbers, no.

MS. HILLA KERNER: Okay. Well, my source is saying 202. Would that sound fair, assumption?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

It may very well be, but I can’t confirm that. I don’t have the recent update.

MS. HILLA KERNER: Okay. Do you know what these people are protesting for or against?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
Yes.

**MS. HILLA KERNER:** Do you mind sharing with me?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

It’s the construction of the Kinder Morgan pipeline.

**MS. HILLA KERNER:** And, why are they objecting it?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

The concern is with respect to the environment.

**MS. HILLA KERNER:** Right. So, I would like to suggest that the RCMP will have much more resources available to hold men accountable about the crimes against women, which are not just crimes against individual women, but keeping us all women as a class oppressed, and in particular when it comes to Indigenous women. So, I would like to suggest that it would be much better utilization of RCMP resources if they’re not putting effort in arresting people, protestors, men and women, for protecting the environment and protesting against capitalist destruction.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Well, currently our mandate is to ensure that we are doing both and -- but rest assured that resources are absolutely available to pursue any -- well, to ensure that the public is safe.

**MS. HILLA KERNER:** Okay. Well, do you know
how many women have been investigated in British Columbia in the past year for theft under $5,000.00?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

No, I don’t have that number off the top of my head.

**MS. HILLA KERNER:** Okay. Well, I don’t have it either because it’s not accessible. And, I was hoping that the RCMP British Columbia unit will provide, also, those kind of information on your website, so the public and women’s advocate can see where your resources are going to. Because at the end of the day, it’s a question of priorities and I would like to argue that there is quite a lot of effort -- I would like to suggest there is quite a lot of effort going to criminalization of women for poverty crime, criminalization of people in general for poverty crime. I give an example of criminalization of women for self defence, criminalization of people who are protesting against environmental destruction, and very, very little effort going to criminalization of men who commit sexual assault, wife battering, and as you agreed with me, buying women in prostitution.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

I would say that in all instances that it comes to our attention, then those investigations are occurring and they’re actively pursued. I don’t know the amount of theft under as I was mentioning, but I can say that when it comes
to such types of offences, they are a priority and they need to continue to be a priority so that, you know, we’re holding people accountable.

**MS. HILLA KERNER:** Okay. Going back to Captain Charbonneau. So, I would like to confirm that I understood your answer yesterday to Commissioner Counsel, and I think you repeated it today, that the SQ decided not to prohibit officers from wearing bracelets of solidarity, a bracelet with eight stars, that you choose to convince officer that this is a mistake, but not to prohibit it or ban them from wearing those bracelets?

**CAPTAINE PAUL CHARBONNEAU:** C'est exact, c'est ce que j'ai mentionné. Nous préférons convaincre que contraindre pour le moment.

**MS. HILLA KERNER:** Okay. I read on the SQ website in English, so I would like to confirm that I got it right, that part of your mission is preserving life, safety and fundamental human rights. Did I get this right?

**CAPTAINE PAUL CHARBONNEAU:** That is correct.

**MS. HILLA KERNER:** Do you agree that police officer who commit sexual assault against women betraying this commitment and violates the life, safety and the fundamental human rights of women?

**CAPTAINE PAUL CHARBONNEAU:** En fait, oui, si c’est avéré et oui, en effet.
MS. HILLA KERNER: I would like to suggest that police officers were expressly -- directly with police officers who are accused with sexually assaulting Indigenous women are exhibiting misogynistic and racist attitudes towards Indigenous women. Would you agree with that?

CAPTaine paul charbonneau: Oui.

MS. HILLA KERNER: I would like to suggest that police officer who is racist and misogynist should be dismissed and should not be allowed to serve at any police force who aim and claim to protect women.

CAPTaine paul charbonneau: J’ajouterais, après avoir passé à travers le mécanisme prévu par la Loi, oui.

MS. HILLA KERNER: I would like to suggest that expressing solidarity with police officers who are accused with sexual violence against Indigenous women, as a reply, that those who express solidarity do not believe the women, which is an expression of racism and misogyny. Or they do believe that the crime happened and they’re just not -- the women are not worth it enough to have the men who committed those crimes accountable.

And I would like to suggest that it’s better for the police of the province of Quebec to create a strict explicit policy that are not allow men who hold this vision
to be part of the force. And I think when a man wears this bracelet, you have the evidence in front of you.

**CAPTAIN PAUL CHARBONNEAU:** En fait, ce que j’ai mentionné hier, et là, ça... il semble y avoir une incompréhension là sur ce que j’ai dit, je sais pas si c’est dans la traduction ou... mais les policiers qui portent présentement un bracelet, c’est pas tant un signe de support envers des actions qui ont été alléguées, qui sont de nature criminelle – je le répète, des agressions sexuelles, c’est criminel –, mais c’est plutôt un support à tous les policiers du poste de Val-d’Or qui ne... entre autres, ceux qui n’en font pas partie...

**MS. HILLA KERNER:** As opposed -- sorry. On the bracelet have the image of eight stars?

**CAPTAIN PAUL CHARBONNEAU:** Ben, en terminant, moi, ce que j’ai dit hier, j’étais pas au courant que y’avait huit étoiles. C'est bien possible. Par contre, ce qu’on sait, c’est qu’à travers tout le Québec, ceux qui portent ce bracelet-là, l’idée derrière ça, pour avoir parlé entre autres à certains, l’idée, c'est de supporter tous les policiers du poste de Val-d’Or qui vivent des conséquences de ce qu’on appellerà « la crise de Val-d’Or ». Y’a plus que huit policiers au poste de Val-d’Or et tous les policiers du poste de Val-d’Or, tous, en subissent les conséquences.
MS. HILLA KERNER: As they should.

I would like to thank the Commissioners and I would also like to acknowledge the support that I got through all this process from the Commission of counsel and from my friends who are lawyers and equipped me to conduct this cross-examination.

Thank you.

MS. SHELBY THOMAS: The next party to ask questions is Independent First Nations, Ms. Josephine de Whytell, will have 10.5 minutes.

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

MS. JOSEPHINE DE WHYTELL: Thank you very much. My first questions on behalf of IFN are for Deputy Commissioner Butterworth-Carr.

In the RCMP’s national missing persons strategy 2014, which has been made an exhibit in these proceedings, it lists three issues that I quote “complicate” investigations of missing persons reports. And these are Canadian geography, cultural diversity, and multiple police jurisdictions. So if First Nation, Inuit, and Metis communities had the resources to investigate their own missing persons at the same standard as the RCMP, the OPP or the Security de Quebec, the issues of geography, cultural diversity and multiple police jurisdictions could be significantly reduced. Would you agree with that?
DEPUTY COMMISSIONER BUTTERWORTH-CARR: Yeah.

Shared responsibility is critical among police agencies and in terms of our self-administered First Nation police -- or our Indigenous policing, we fully support.

MS. JOSEPHINE DE WHYTELL: Thank you. Do you see technology playing a role in enabling capacity to be increased in smaller communities and more localized regional police detachments?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Certainly. Our experience in RCMP jurisdictions technology can be very challenging.

MS. JOSEPHINE DE WHYTELL: Can you estimate for us, given your knowledge of the resources under your command, and the operations at the RCMP, how many detachments and offices would be reasonably required to enable efficient localized missing persons investigations, specific to each -- let’s say tribal council region?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I’m sorry. I’m not sure I understand your question. Like, I know we’ve got 144 detachments and then we’ve got a multitude of community tripartite agreement -- detachments in the province of British Columbia. If there was a missing person and high risk, and -- well any missing person, we have dedicated units and we would mobilize from anywhere to ensure that they were thoroughly investigated.
MS. JOSEPHINE DE WHYTELL: Okay. Would you recommend that capacity be built in First Nation communities to enable them to effectively manage major crimes within their territories, using their languages and in keeping with their cultural principles?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: If you’re asking about support for self-administered police service, they fully have my support.

MS. JOSEPHINE DE WHYTELL: And so, with respect to the self-administered policing and other aspects of First Nation policing program, would you agree that resources is a serious problem? And I’m wondering if you’d agree an add your voice to the recommendation we heard yesterday morning that the First Nation Police program should be more than just a program?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I wholeheartedly support that. I’ve had -- the last 20, 25 years -- well, since the First Nation Policing Policy came into existence, of experience and it’s a very antiquated policy and it’s something that I think that genuinely needs to be updated, as well as resourced properly and recognized more than a program.

MS. JOSEPHINE DE WHYTELL: Thank you. Now, we heard evidence, and I believe it was from you, that there is a specialized Indigenous component to how the RCMP
deals with investigations involving Indigenous People, or certain steps I think you said, that the police are required to take. Is that correct?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes, it is.

**MS. JOSEPHINE DE WHYTELL:** And also, you spoke about the RCMP victim services, and I understand that community based victim services are often lacking in resources, or non-existent in certain communities; is that correct?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes, it is.

**MS. JOSEPHINE DE WHYTELL:** Call to action 40 from the Truth and Reconciliation Commission called for the creation of Aboriginal specific victim’s programs and services with appropriate evaluation mechanisms. Would you agree this should be implemented?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Absolutely.

**MS. JOSEPHINE DE WHYTELL:** Given the Constitutional responsibility under Section 91.24 of the Constitution Act for — and I hate to use this terminology, but Indians and land reserve Indians, would you agree with me that the Federal Government has a responsibility to legislate for First Nation policing?
DEPUTY COMMISSIONER BUTTERWORTH-CARR: Our communities have the right to ensure that we’ve got the proper resources in place to benefit policing and service delivery, yes.

MS. JOSEPHINE DE WHYTELL: That’s an inherent right, would you agree?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Absolutely, I agree with that.

MS. JOSEPHINE DE WHYTELL: We’ve heard evidence about the function of victim’s services, and earlier this week we had evidence that Inuk women resist considering themselves as victims. I would suggest this is common among a lot of survivors of physical and sexual violence. Has the RCMP considered the negative impact of the word victim on these types of services with respect to how they’re accessed and how successful they are?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Yes. It’s certainly been a conversation. There’s been consultation through that, you know, and personally, you know, I -- like I consider myself a warrior, not a survivor, not a victim, a warrior.

MS. JOSEPHINE DE WHYTELL: Thank you. With respect to trafficking, you spoke about the use of technology in finding missing persons. Can you advise how technology is being used to target online trafficking
adverts and whether the RCMP has the capacity to keep up
with this growing trend?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Very
familiar with the type of things that are happening cyber-
wise. I can certainly say that probably -- well, certainly
from the RCMP perspective, we would definitely require more
resources and specialized skillset to be really responsive
to it. Are we responding? Yes. But resources could be
benefitted.

**MS. JOSEPHINE DE WHYTELL:** And would you
agree that First Nation self-administered police services
would benefit from those resources as well?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
Absolutely.

**MS. JOSEPHINE DE WHYTELL:** Thank you.

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** My
next set of questions are for Chief Superintendent
Pritchard.

Whether increased efforts towards diversity
between races, I would suggest to you that we often see
large [pockets] of resistance from white people who feel
underserved by society, leading to [the] type of all lives
matter debate, and often more discrimination. With the
focus of much of your current work on crimes that mainly
affect women, have you see resistance from men who also
underserved by the criminal justice system? And is the OPP working on any projects or program in consultation with First Nation communities to uplift Indigenous men and ensure that they’re part of the solution to resolving violence against women?

CHIEF SUPERINTENDENT PRITCHARD: Yes.

I think one of our most successful programs in terms of diversion. It’s called nee-gan moose walk (phonetic), which I don’t speak Ojibwe, but I understand it’s commonly translated to mean walking forward. And, part of that program, which was developed by Indigenous people, Indigenous elders, specifically speaks to young men, and teaching them what a respectful relationship is, following that path of guidance to get them on a good path in life, and to respect women, what a healthy sexual relationship might be, and the cultural components that are associated to that. And, that in that program specifically speaks to young teenage boys that -- and that is a diversion program, pre-charge and post-charge potentially diversion program.

MS. JOSEPHINE DE WHYTELL: Thank you.

And, how widely accessible is that program to First Nation communities across Ontario?

CHIEF SUPERINTENDENT MARK PRITCHARD: Well, I would love to see it expanded. It’s currently in the northeast area of Ontario and the east region and the
west region, about four, maybe five weeks per year in the
summer during the break. It’s a program that’s had
fantastic results. It would be wonderful to see it
expanded. And, again, you know, it’s not just a police
program. The youth come to it being referred to by
officers or by courts, by community leaders and by elders.
I have attended the camp a number of times myself, and the
results are truly amazing.

MS. JOSEPHINE DE WHYTELL: And so,
would you support more resources being put towards those
programs being expended?

CHIEF SUPERINTENDENT MARK PRITCHARD:
Absolutely.

MS. JOSEPHINE DE WHYTELL: Thank you.
Are you aware of the interdisciplinary hub approach in
place in Saskatchewan that brings parties together to
address community policing issues? And, does the OPP have
anything similar to this right now?

CHIEF SUPERINTENDENT MARK PRITCHARD:
I’m very familiar with it. We call it, in Ontario,
situation tables, and we have an OPP jurisdiction. We
currently have 56 situation tables throughout the province.
Again, some with great success, some with limited success.
They first started in an OPP area in Kenora, so they’re a
little bit more advanced there just through experience. I
believe the situation table in Kenora has more than a dozen agencies represented, including the Kenora Chiefs Association.

MS. JOSEPHINE DE WHYTELL: Thank you. You mentioned about how it’s important to build strengths in community to also prevent major crime. So, in May 2018, [an] historic agreement was [reached between] Ontario and Ontario First Nations in respect of sharing resource and revenues from forestry and mining, resetting the nation to nation relationship according to commentators. Would you agree that reconciliatory efforts intended to [ameliorate] the legacy of colonial economic disadvantage suffered by Ontario First Nations will continue to reduce the aggravating factors that lead to Indigenous women and girls, and 2SLGBTQAI individuals being victims of crime?

CHIEF SUPERINTENDENT MARK PRITCHARD: I’m not sure I understand your question from a police perspective. I apologize for that.

MS. JOSEPHINE DE WHYTELL: And, that’s fair enough. I’ll move on. With respect to discipline, you answered questions regarding the misnomer of the 24-hour reporting requirements for missing and murdered women. However, my client also understands that members of the Indigenous community have been in fact told by police that there is a 24-hour requirement.
In the case of a police officer who receives a missing persons report while they are up and about in the course of their duties or at the detachment, and they’re extremely busy with other duties, as is often the case, if they were to delay the reporting by suggesting to the family to come back in 24 hours, how would the supervisor or other higher ups find out about this non-compliance to be able to discipline that officer?

CHIEF SUPERINTENDENT MARK PRITCHARD:

That’s a very valid question, and the officer would totally be in neglect of their duties in doing so. I think in our detachments, we have mostly larger detachments which I think helps prevent that situation from happening. But, you know, I’m also aware of the misinformation or misunderstanding that many First Nations people have and many First Nations communities have over the reporting of missing people and what’s involved in that.

Over the last year-and-a-half, we did two Missing Persons Awareness Days in First Nations communities in Northwestern Ontario, and received tremendous feedback from the communities and support, and a request to continue that. So, through a grant process, we have nine more of those Missing Persons Awareness Days in First Nations pending over the next year or so that involves -- we call that a Missing Persons Awareness Day,
but it’s really two days, because we do a day of consultation with the community asking for their input in the development and what their specific needs are and what they want to hear about. And then following that, once the plan’s put together, the actual delivery of it.

And, at those days, there is the opportunity for community members to speak to officers if they want to report somebody missing, or have a misunderstanding of perhaps somebody that’s gone missing and days gone by, but have never been reported. And, that’s certainly something we’ve experienced in Ontario where we have had deceased people in a morgue that are unidentified, and then, you know, through our resolve initiative have determined that they were in fact missing from somewhere, but not reported.

**MS. JOSEPHINE DE WHYTELL:** Thank you. I’m out of time.

**MS. CHRISTA BIG CANOE:** Thank you, Ms. De Whytell. Chief Commissioner and Commissioners, at this point, I would kindly like to request a 10-minute adjournment. But, I’m going to ask that the parties with standing please ensure that at least one representative can make their way to the Oak Room, and we can come back in 10 minutes, so at maybe 11:20?

**CHIEF COMMISSIONER MARION BULLER:**
Certainly, 11:20.

MS. CHRISTA BIG CANOE: Thank you.

--- Upon recessing at 11:12 a.m.

--- Upon resuming at 11:30 a.m.

--- QUESTIONS BY COMMISSIONER MICHELLE AUDETTE:

COMMISSAIRE MICHELLE AUDETTE: Merci beaucoup, Maitre Thomas, et avant de commencer, je veux dire un gros, gros merci à tous les hommes et les femmes des parties intéressées d'avoir accepté que je prenne quelques minutes.

Alors, je vais commencer, maintenant que je parle en français, avec vous, Monsieur Charbonneau. Un gros merci d'avoir accepté de venir ici et d'avoir pris le temps de répondre aux questions des parties intéressées, et beaucoup ont tourné autour du bracelet, alors c'est une question de perception, on s'entend. La perception peut être vue de l'autre côté comme un geste qui va diviser, alors j'ai confiance que vous allez trouver des solutions pour avoir plutôt une approche rassembleuse que de maintenir cette division qui existe. Elle est là. Mais j'ai confiance.

En vertu de vos... de votre politique de gestion sur les fugues et disparitions/enlèvements, que considérez-vous comme étant une communication régulière avec les familles?
CAPITaine PAUL CHARBONNEAU: En fait,
Madame la commissaire, je vous dirais, à chaque fois que
y’a un fait nouveau dans l’enquête, il est important
d’avoir une communication dans les plus brefs délais, ceci
en autant que faire que cette information ne viendrait pas
gêner l’enquête.

Toutefois, si y’a pas de faits nouveaux
dans un délai à plus ou moins... il doit y avoir des
communications quand... je vous dirais là, je suis d’avis
qu’on doit communiquer avec les familles si y’a pas de
faits nouveaux et que ça fait un certain temps que y’a pas
eu de communication. Les communications doivent être
régulières.

COMMISSAIRE MICHÈLE AUDETTE: Dans les
audiences qu’on a entendues en privé ou en public,
certaines ont mentionné à travers le Canada et au Québec
aussi que on ne reçoit pas de communications régulières.
C'est quoi les recours pour les familles dans ces cas-là?

CAPITaine PAUL CHARBONNEAU: En fait, la
Sûreté du Québec encourage fortement les familles à
communiquer avec leur poste et de demander à avoir une
communication si elles estiment que la communication n’a
pas été assez régulière ou assez... à des intervalles
qu’elles jugent opportun.

COMMISSAIRE MICHÈLE AUDETTE: Mais si
y’a pas de réponse, c’est ça ma question, quels sont leurs recours?

CAPITAINE PAUL CHARBONNEAU: Oui, mais j’ajouterais en fait, si… à ce moment-là, si y’a pas de réponse, y’a possibilité de le faire par la voie hiérarchique, soit d’appeler au Bureau de la région, interpeler le commandant de région si y’a pas de réponse immédiatement au poste après avoir parlé au poste, après avoir parlé au chef de poste, ben, on peut se rendre au commandant de région. Une chose est claire : c’est très important pour la Sûreté du Québec que les familles soient informées en temps opportun et lorsque y’a des changements. Pour nous, c’est très important.

COMMISSAIRE MICHÈLE AUDETTE: Merci beaucoup. Merci pour tout ça et dans l’espoir que mes collègues continueront leurs questions auprès de vous. Maintenant je vais poser mes questions au Chef Surintendant, M. Mark Pritchard. Encore une fois, vous aussi, un gros merci de votre passage ici au sein de l’Enquête nationale. Comme tout le monde, vous faites partie d’un chapitre important dans lequel les femmes et les jeunes filles autochtones ont longtemps décrié la relation entre les corps policiers et elles-mêmes et vous avez démontré dans votre témoignage qu’il y a des choses qui fonctionnent, qu’il y a des choses qui avancent.
Et un des projets que vous nous avez présenté, quand même 25 minutes, c’était un beau vidéo du Projet Journey qui a été mis en œuvre avec la communauté autochtone de Pikangikum et l’école Echoke Birch Stick. Pourriez-vous me décrire l’envergure du projet, combien ça a coûté, le temps que ça a pris et la durée pour faire tout ça? Puis est-ce que ce projet-là a été mis en œuvre avec d’autres communautés? Parce que je crois comprendre que vous avez au-delà de 100 communautés des Premières Nations et une communauté aussi importante métisse et le peuple Inuit.

Est-ce qu’il y a des projets avec ces groupes bien distincts?

CHIEF SUPERINTENDENT MARK PRITCHARD: The project started after a coroner’s investigation, I don’t recall if I said that, into a rash of youth suicides in Pikangikum, and that was the genesis for the project. There was a $5 million contribution agreement from Public Safety Canada for a period of five years, that period expires this August. They’re exploring a number of other funding possibilities. Public Safety Canada is unable to continue funding that project because of some treasury board rules which I can’t tell you what they are because I don’t understand them. So, they are exploring other funding opportunities.
The $5 million in funding was about a million dollars a year, and that money flowed through the OPP. We administered throughout -- that money with the -- hopefully what is project Journey 2 funding. We’re trying to have the money flow through the community -- one of the community authorities so we’re not the controllers of the purse strings, so to speak.

There is another project called Project Sunset, which is very similar to Journey, that is further west in Ontario, near the Manitoba border, it covers a number of Treaty 3 police communities. That project is in conjunction with the Treaty 3 police and the Dryden police. It covers a number of First Nations that are road access, including Fort Frances, Dryden, Sioux Lookout and Kenora. That’s about halfway through the funding. It’s a similar contribution agreement from Public Safety Canada.

I’ve had interest from -- I shouldn’t say “I”. We, the OPP, have had interest from Nishnawbe Aski Nation, they would like to see projects similar to that in their communities. And, the grand chiefs of Treaty 3 are in the process of writing a proposal of their own to Public Safety Canada to fund a project for a number of their other communities that are similar to that.

**COMMISSAIRE MICHÈLE AUDETTE:** Croyez-vous que... et c’est ma dernière question pour vous... croyez-
vous que le reste de toutes, toutes, toutes les communautés métisses, Premières Nations et la communauté inuit méritent un projet comme celui-ci, et ce sur une longue période?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** They very much deserve this type of a project. Kind of like the self-administered policing, it shouldn’t be a program, it should be just an entity that exists.

The community certainly deserve it. These kids that are involved in the projects are potentially the next generation of missing and murdered, and if we can play a role in those children not ending up missing and murdered, or drug addicted or incarcerated -- if you think of the turn of $5 million, a million dollars a year, and you compare that to the amount of money that’s spent incarcerating youth, it pales in comparison.

I was watching the news here in the hotel the other night, on Sunday night, and there was a story about the vast overrepresentation of Indigenous youth incarcerated in the Saskatchewan youth system. And, I don’t remember the exact number, but it was over 90 percent. And, I think the statistic for incarcerating youth is somewhere around $500.00 a day per child.

So, if as a society can rethink that and spend a little bit of money to keep them out of that system in the first place -- and we all know that a lot of times
when youth end up in the legal system, they end up staying there for a long time, and sometimes that becomes intergenerational. So, the upfront investment -- and as Justice Sinclair said in the Truth and Reconciliation Report, that the youth are the medicine and I think that’s very much the line that we need to go down, and that policing is just a part of that, but an important part of it.

**COMMISSIONER MICHÈLE AUDETTE:** You opened the door. You agree that if the child is living in poverty, it’s because the mom is also affected by the poverty? Do you agree with that?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

**COMMISSIONER MICHÈLE AUDETTE:** Yes. So, I want to say thank you. A double thank you for your -- no, no. In English. Thank you for answering my question and giving me more question for the treasury, for the federal government. I’ll ask the question ---

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Thank you.

**COMMISSIONER MICHÈLE AUDETTE:** --- why.

**MR. JULIAN ROY:** Commissioner Audette, there is some additional information in the overview document at page 41 through 43 on -- that might answer some of your questions as well.
COMMISSAIRE MICHELÉE AUDETTE: Merci beaucoup.

Merci beaucoup, Madame Butterworth-Carr.

Comme j’ai dit à vos collègues, les femmes qui travaillent dans un milieu... à une certaine époque on disait « non traditionnel » parce qu’il n’y avait pas beaucoup de femmes dans des postes à votre niveau. Alors, félicitations, en plus femme autochtone qui connait d’où on vient et qu’est-ce qu’on a vécu dans nos communautés et qu’on continue malheureusement de vivre.

Alors, vous allez surement comprendre le stress ou la pression dans mes petites questions. Je me suis engagée avec les gens de prendre le moins de temps possible.

2013 va m’avoir frappée, frappée sincèrement à tous les niveaux lorsque j’ai lu et regardé les images du rapport qui venait du Human Rights Watch, un rapport accablant, frappant, qui démontrait la relation entre la GRC, donc vos employés, vos collègues, et les femmes autochtones, vos sœurs, vos consoeurs.

Il y a trois niveaux de recommandations : gouvernement fédéral, la province et la GRC. Ma première question : avez-vous mis en place un plan d’action pour remédier dans l’immédiat à ce rapport-là?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
No, we absolutely did. And, on the heels of that, the
civilian review and complaints commission also authored a
full investigation and they came out with recommendations,
and we’ve implemented those as well. So, absolutely.

COMMISSAIRE MICHÈLE AUDETTE: Parfait.

Merci beaucoup.
Serait-il possible de nous faire part de ce
plan d’action avec les recommandations?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Absolutely.

COMMISSAIRE MICHÈLE AUDETTE: Merci beaucoup

Et ma dernière question pour vous : qui spécifiquement, les
femmes… pardon, les membres des familles des victimes
peuvent contacter afin de partager de l’information liée au
Highway of Tears?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: They
can contact the investigator and I can supply that name.

COMMISSAIRE MICHÈLE AUDETTE: Et si y’a pas
de réponse, si ça bouge pas, est-ce que y’a un autre
endroit plus haut où les femmes et les familles peuvent
appeler? Qui? <Rires>

DEPUTY COMMISSIONER BUTTERWORTH-CARR: They
can call me.

COMMISSIONER MICHÈLE AUDETTE: You can call

her.
Well, I have to say again, thank you so much. Thank you very much. And we will go to Vancouver; I don’t know when or maybe in B.C. and hopefully we’ll meet again. Thank you.

Thank you, party with standing. Merci beaucoup aux gens des parties intéressées.

(APPLAUSE)

**MS. SHELBY THOMAS:** Chief Commissioner and Commissioners, could we call one more party before we break for lunch? It is 11:45.

The next party to ask questions is Liard Aboriginal Women’s Society, and Ms. Leila Geggie-Hurst will have 8.5 minutes.

**MS. LEILA GEGGIE-HURST:** Thank you again to the peoples of the Treaty 4 and the Métis Nation.

To Elders, Commissioners, above all to the families and survivors, I think you for your resilience and your courage.

--- **CROSS-EXAMINATION BY MS. LEILA GEGGIE-HURST:**

**MS. LEILA GEGGIE-HURST:** Deputy Commissioner Butterworth-Carr, I’d like to direct my questions to you, but first I’d like to echo the comments of Commissioner Audette in saying how meaningful it’s been for many Yukon women to see you in your position. We see how much you care about the work that you do and we thank you for that.
I’d like to pick up on a thread started by my colleague at Vancouver Rape Relief and ask you whether it’s common procedure for an RCMP officer accused of sexualized violence or other misconduct to be placed on paid administrative leave while that issue is being investigated?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So through our administrative process we have the ability to immediately suspend, based upon the allegations and the information that we have available, and I can speak very candidly to this as a Conduct Authority. And in those instances we would then consult with our Conduct Advisor Authorities nationally, which are legally trained, and based upon those circumstances we would look to go to a suspension without pay and allowances. And then again based upon the information available, we’d be moving — I would be moving towards a Conduct Board for dismissal.

**MS. LEILA GEGGIE-HURST:** And so would you say that the decision of whether or not someone is placed on paid or suspended administrative leave is a discretionary exercise by the people within the RCMP investigating that situation?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It’s not discretionary. It’s ultimately based upon the facts that are available. And, you know, I’m very familiar with
the number of ones that I have pushed through. And if it’s there, it’s been taken very seriously; it’s a no-go zone.

MS. LEILA GEGGIE-HURST: What about in situations where an officer is investigated and found to be not guilty of the offences?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Do you mean statutorily?

MS. LEILA GEGGIE-HURST: To start off with, let’s say statutorily of Criminal Code offences, not guilty.

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Again, based upon the circumstances, administratively we still have the ability to move for dismissal through a Board.

MS. LEILA GEGGIE-HURST: In your experience, does that happen regularly? Can you speak to that?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I can’t tell you how many have happened nationally but I’m certainly aware of ones.

MS. LEILA GEGGIE-HURST: Are you aware of situations where someone has been found not guilty but has not been dismissed, has continued with the Force?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Not off the top of my head, no.

MS. LEILA GEGGIE-HURST: Okay. If such a
situation were to occur, would you agree that a finding of
not guilt is different from a finding of innocence?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Well,
it’s based upon the justice process, yes.

**MS. LEILA GEGGIE-HURST:** Would you agree
that such situations could still be very damaging to the
trust of survivors of violence and to the community in
which these alleged offences occur?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:**
Absolutely it’s damaging. It’s damaging to the
organization as well.

**MS. LEILA GEGGIE-HURST:** Do you believe that
there are additional things that the RCMP can do to
strengthen their response to situations of alleged but not
substantiated criminal or non-criminal misconduct?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** I
think our current legislation provides that for Conduct
Authorities. And, you know, based upon my experience as a
commanding officer, for the three years that I was here and
then of course for the year and a half that I’ve been in
place, I’m pretty confident with our legislation that we
have available to us.

**MS. LEILA GEGGIE-HURST:** Chief
Superintendent Pritchard affirmed for us yesterday that
where there are exercises of discretion or a subjective
judgment of facts, there’s a risk that racism or stereotyping will impact the decisions that are made. Do you think it’s possible that discretionary applications of discipline or — I won’t use the word “discretionary” but situations where people within the RCMP are looking at the facts of a case and making a decision on the appropriate outcome, is it possible that those disciplinary decisions could be compromised by racist or sexist stereotyping?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: The current discipline system does not allow for that. There’s so many levels of governance with respect to the circumstance, the investigation itself and, you know, the standardization of it. And plus we’ve got, like I said, legally trained lawyers that are providing advice at various levels to any of the Conduct Authorities.

MS. LEILA GEGGIE-HURST: We heard yesterday also from Chief Superintendent Pritchard that up until recently the OPP thought that they were doing very well in developing trusting relationships, and on the release of the interim report by the Commission, they learned that this wasn’t the perception of the communities that they were working in and they’re now working to improve those relationships.

Do you think it’s possible that a similar disconnect exists between the RCMP and the communities that
they serve?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Well, I think we know it’s possible and I think we know that it does happen, you know, and, that’s for a variety of reasons and it’s an area which I know, very candidly, we need to continue to improve upon, absolutely.

**MS. LEILA GEGGIE-HURST:** In my last minutes I’d like to switch quickly -- and hopefully not too abruptly for you -- on some questions on language used when police are responding to violence.

In your experience when officers are investigating an adult’s use of sexualized violence against a child, do you ever see officers using terms like, “the accused had sex with a child,” or, “had oral sex”?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Officers that are highly trained in child investigations are very mindful in terms of the language that is utilized because there are babies and they need to make sure that we are very respectful.

**MS. LEILA GEGGIE-HURST:** And, I apologize, I understand this is complicated, difficult subject matter but would you agree that using language that -- sexually-based language that characterizes these horrific acts as acts of sex instead of acts of assault or violence would be inappropriate or even harmful?
DEPUTY COMMISSIONER BUTTERWORTH-CARR:

Absolutely. They’re -- yeah.

MS. LEILA GEGGIE-HURST: Thank you.

Would you agree that child protection has a direct correlation to the problems of missing and murdered Indigenous women and girls, particularly as in the Yukon when 90 percent of the children in care are Indigenous?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I’m sorry; can you repeat that?

MS. LEILA GEGGIE-HURST: Would you agree that child protection and the role of family and Children’s Services in various different jurisdictions plays a very important role in understanding missing and murdered Indigenous women and girls?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Yes.

MS. LEILA GEGGIE-HURST: This may be overstepping but would you recommend to the Commission that they further investigate the role of child protection in understanding missing and murdered Indigenous women and girls?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: I think anything that’s going to help any agency to understand and be better at serving, you know, our communities is something that should happen.

MS. LEILA GEGGIE-HURST: Thank you very
much. Those are my questions, and I thank the rest of the panellists for their time.

**MS. SHELBY THOMAS:** Chief Commissioner and Commissioner, could we take a 45 minute lunch break?

**CHIEF COMMISSIONER MARION BULLER:**

Certainly, 45 minutes for lunch, please.

**MR. VERN BELLEGARDE:** ...to come and explain your situation, please? Where is Audrey? Everybody else is coming prepared except you. Okay.

**UNIDENTIFIED SPEAKER:** Thank you very much for just a few minutes of your time more. We are going to ask somebody to sing us a song while we carry the shawl around, and we’re asking participants and people with standing, Commissioners, witnesses, everybody to donate a few dollars for -- to support of the families that are here today. Some had to take off work, some are babysitting -- need babysitting money, and it would really go a long way to help us support our families here in Regina. Thank you.

**MR. VERN BELLEGARDE:** Is Audrey here yet?

Audrey.

**MS. AUDREY SIEGL:** (Speaking Indigenous language). The song I’m going to share is a song of love, a song of love for our land, a song of love for our people, a song of healing. I honour our families, our in fact families, I honour our Commissioners, I honour you who come
to share your medicines, to share your
truths. This is the Coast Salish anthem, a song given to
all to sing by Chief Dan George.

(MUSICAL PRESENTATION)

(APPLAUSE)

MR. VERN BELLEGARDE: Thank you very much to
Audrey. I’d like to thank everybody, the Commissioners,
the witnesses, everybody that’s here. Thank you very much
for your generosity. It will be well used. Thank you very
much. We’ll take our dinner break.

--- Upon recessing at 12:01 p.m.

--- Upon resuming at 12:52 p.m.

MR. THOMAS BARNETT: Thank you. Next,
if we could call up the Québec Native Women Association.
Rainbow Miller, you have 14 minutes.

--- CROSS-EXAMINATION BY MS. RAINBOW MILLER:

MS. RAINBOW MILLER: Good evening,
Madam and Mister Commissioners. I’m sorry for my voice.
I’m losing my voice. Okay. Today, my questions will be
for Captain Charbonneau, and it will be in French. So, if
you could please put your sets.

Monsieur Charbonneau, Capitaine
Charbonneau, bonjour. Merci d’être venu ici à Régina pour
venir témoigner.

Hier, dans votre présentation et aussi
dans la preuve que vous avez déposée, est-il exact de dire que vous relevez du Bureau de l’autorité disciplinaire et des services juridiques de la SQ?

**CAPT. PAUL CHARBONNEAU:** En fait, j’en suis le directeur.

**Me RAINBOW MILLER:** Vous êtes le directeur?

**CAPT. PAUL CHARBONNEAU:** Oui, moi je rapporte directement au chef de cabinet du directeur.

**Me RAINBOW MILLER:** O.k. Donc, en tant que président du Comité de discipline et aussi le directeur, pouvez-vous me dire, au Comité de discipline, c’est quoi le règlement qui est applicable?

**CAPT. PAUL CHARBONNEAU:** Oui, tout à fait. En fait, petite nuance, je suis membre du Comité de discipline. J’en suis pas le président actuellement.

**Me RAINBOW MILLER:** O.k.

**CAPT. PAUL CHARBONNEAU:** Le Comité de discipline fait l’application du Règlement sur la discipline des membres de la Sûreté du Québec.

**Me RAINBOW MILLER:** N’est-il pas vrai que ce règlement a été instauré en décembre 2012?

**CAPT. PAUL CHARBONNEAU:** En fait, le règlement existe depuis avant 2012. Je pense qu’il y a eu une refonte, si c’est ce que vous voulez dire?
Me RAINBOW MILLER: M’hm.

CAPT. PAUL CHARBONNEAU: Il y a effectivement eu une refonte de ce règlement-là en 2012.

Me RAINBOW MILLER: Et en tant que président du Comité de discipline, j’imagine que vous connaissez bien ce règlement?

INTERVENANT NON IDENTIFIÉ: Il n’est pas président, Maître.

Me RAINBOW MILLER: Excusez-moi.

CAPT. PAUL CHARBONNEAU: En fait, non...

Me RAINBOW MILLER: J’ai préparé mes notes avec ce qu’il y avait dedans le...

Me RAINBOW MILLER: Oui, je comprends, mais vous appliquez régulièrement ce règlement, donc vous le connaissez de manière générale.

CAPITAINE PAUL CHARBONNEAU: En fait, oui, moi, je l’applique lorsque c’est devant une audience disciplinaire parce que le processus disciplinaire à la Sûreté du Québec est relativement complexe, y’a des officiers désignés en première ligne, et ensuite lorsque y’a un dépôt d’accusation disciplinaire, une citation devant un comité, c’est à ce moment-là que moi j’entre... j’entre en fonction comme membre du comité.
Me RAINBOW MILLER: OK. Est-ce que vous, en tant que... dans le Comité de discipline, vous pouvez appliquer tous les articles de ce règlement-là?

CAPITaine PAUL CHARBONNEAU: Oui, tous les articles du Règlement de discipline des membres...

Me RAINBOW MILLER: OK.

CAPITaine PAUL CHARBONNEAU: ...de la Sûreté du Québec qui s’applique à tous les policiers...

Me RAINBOW MILLER: OK.

CAPITaine PAUL CHARBONNEAU: ...qu’ils soient patrouilleurs ou officiers.

Me RAINBOW MILLER: Donc, ce n’est pas simplement des règlements qui traitent, mettons, des heures ou des congés, y’a vraiment des questions qui relèvent vraiment... comme discipline, déontologie là, si je comprends bien.

CAPITaine PAUL CHARBONNEAU: En fait, y’a pas de déontologie dans ce Code de discipline là comme tel parce que la déontologie, je le rappelle, c’est le commissaire à la Déontologie policière du Québec qui gère le Code de déontologie policière du Québec. Dans le Règlement sur la discipline, effectivement y’a entre autres des articles là, je vais en nommer un : par exemple, ne pas avoir obtempéré à un ordre d’un supérieur, ne pas avoir obtempéré à une directive écrite, ne pas... y’a ce genre de
 choses là, s’être absenté sans motif valable du travail.

   Me RAINBOW MILLER: Mm-mm.

   CAPITAINE PAUL CHARBONNEAU: Y’a des articles comme ça effectivement.

   Me RAINBOW MILLER: Em… n’est-il pas vrai que ce Règlement traite de l’obligation d’un policier de la SQ de ne pas abuser de son autorité?

   CAPITAINE PAUL CHARBONNEAU: C’est exact.

   Me RAINBOW MILLER: N’est-il pas vrai que ce Règlement traite de l’obligation d’un policier de la SQ de ne pas recourir à une force plus grande que nécessaire pour accomplir ce qui lui est permis de faire?

   CAPITAINE PAUL CHARBONNEAU: C’est exact. D’ailleurs, je pense que vous en citez le libellé exact.

   Me RAINBOW MILLER: N’est-il pas vrai que ce Règlement traite de l’obligation d’un policier de la SQ de ne pas être négligent dans la garde des personnes placées sous sa garde?

   CAPITAINE PAUL CHARBONNEAU: Oui, c’est exact. Y’a un règlement du… y’a un article du Règlement qui codifie ça.

   Me RAINBOW MILLER: Et n’est-il pas exact que ce Règlement traite de l’obligation d’accomplir ses tâches consciemment sans être négligent?

   CAPITAINE PAUL CHARBONNEAU: Oui, de mémoire,
c'est exact. Là, j'ai pas le libellé exact.

**Me RAINBOW MILLER:** Donc, le Comité peut être saisi de contraventions au Règlement disciplinaire autres que des questions de prise de congé ou de retard, comme, par exemple, vous avez répondu hier qu’un acte d’abus qui serait une infraction criminelle pourrait être une infraction par exemple d’entacher l’honneur de la Sûreté du Québec qui pourrait être entendu devant le Comité de discipline.

**CAPITAINE PAUL CHARBONNEAU:** Oui, c'est exact.

**Me RAINBOW MILLER:** OK. Et vous avez répondu hier aussi que si le recours à la déon...

**MR. THOMAS BARNETT:** Sorry. Could just slow down a little bit, our translators are having a hard time.

**Me RAINBOW MILLER:** I’m sorry.

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

**Me RAINBOW MILLER:** I’ just trying to through all my questions.

Vous avez répondu hier que, si par exemple le recours... parce que vous avez expliqué que y’a plusieurs recours, y’a le recours en déontologie, puis quand c'est un acte criminel, y’a un autre recours, et vous avez expliqué que si ces recours-là par exemple ne seraient pas concluants, après ces options, y’a le Comité de discipline.
N’est-ce pas exact?

CAPITAINE PAUL CHARBONNEAU: Oui, c’est exact. Je pourrais préciser par contre, le processus normal là, disons, prenons un cas hypothétique où un policier commet une infraction criminelle, exemple l’alcool au volant, alors y’a un processus criminel qui commence. À la fin de tout ce processus criminel là, si, disons, prenons le cas d’un acquittement là et le processus criminel est fini, les délais d’appel sont faits, de toute évidence, dans un cas particulier comme celui-là, la déontologie policière ne s’appliquerait pas. Si elle s’appliquerait, ça, ça passerait en premier, et après ça vient au Comité de discipline à la toute fin de ce processus-là parce que le Comité de discipline ne peut pas… ne fait pas de façon… entendre des audiences concurremment avec une autre instance.

Me RAINBOW MILLER: OK. Donc ça, ça répond un peu à mon autre question. Ben, en fait, non, ça a pas répondu.

De quelle manière est-ce que le Comité peut être saisi? Est-ce qu’il faut qu’il ait une plainte officielle ou est-ce que un dossier comme vous venez d’expliquer peut être transféré automatiquement au Comité de discipline?

CAPITAINE PAUL CHARBONNEAU: En fait, c’est
une excellente question. Je vous remercie de l’opportunité
de préciser le fonctionnement du Comité de discipline. Le
Comité de discipline est un peu comme un tribunal – ça,
c’est ce que je mentionnais hier. La façon que ça
fonctionne, c’est que la Direction des normes
professionnelles à la Sûreté du Québec agit un peu comme le
Procureur de la Couronne dans une cause criminelle. Or, ils
vont des accusations au Comité de discipline qui est un
organisme indépendant. La Direction des normes
professionnelles et le Comité de discipline, c’est
complètement indépendant un de l’autre, y’a pas de lien. Un
peu comme le Procureur des poursuites criminelles et
pénales et un juge là dans la Cour.

Alors, un coup que ça c’est fait, là, y’a
audience. Et là, à ce moment-là, on est… le Comité de
discipline entend la preuve lors de l’audience. Donc, le
Comité de discipline n’est pas au courant de ce qui s’en
vient avant de recevoir l’assignation à comparaître là, la
citation disciplinaire là – le terme exact, c’est la
« citation disciplinaire » –, donc on n’est pas au courant
avant que ce document soit déposé devant nous.

Me RAINBOW MILLER: Parce que j’ai vu dans la
Loi, y’a une prescription de deux ans pour porter plainte.
Est-ce que ça, ça s’applique aux Normes professionnelles
lorsqu’ils vous transfèrent un dossier?
CAPITAINE PAUL CHARBONNEAU: Y’a pas d’application. Puis là, j’y vas de mémoire là, mais y’a pas d’application à ce niveau-là pour le Règlement de discipline des membres de la Sûreté du Québec là.

Me RAINBOW MILLER: Donc, si, par exemple, y’a un recours qui a été fait au Criminel qui est non concluant, et, par exemple en déontologie, ben, souvent, bon, étant donné que la prescription, c’est d’un an, c’est déjà prescrit, est-ce que à ce moment-là le Comité pourrait être saisi par les Normes professionnelles?

CAPITAINE PAUL CHARBONNEAU: Oui, je comprends votre question là. Si je la saisis bien, au niveau du commissaire à la Déontologie policière, je peux pas répondre pour les délais de prescription.

Me RAINBOW MILLER: Mm-mm.

CAPITAINE PAUL CHARBONNEAU: Mais lorsque tout le processus est terminé au niveau de l’enquête disciplinaire, de la plainte disciplinaire et de la citation au Comité de discipline, le cas échéant, ça, y’a pas y’a pas cette problématique-là.

Me RAINBOW MILLER: OK. Et à la suite là des dossiers de Val-d’Or où y’a pas eu... bon, y’a eu certaines accusations là, je... et certaines autres, non, que le DCP a décidé que, au niveau du fardeau de la preuve par exemple, ça rencontrait pas ou c’est une question déontologique ou
disciplinaire, est-ce que vous, vous avez reçu des normes professionnelles une demande d’enquête ou une demande d’entendre ce dossier-là devant le Comité de discipline?

CAPITAINE PAUL CHARBONNEAU: Vous comprendrez, avec tout le respect...

MR. THOMAS BARNETT: Sorry, if we could just ---

CAPITAINE PAUL CHARBONNEAU: ...que je ne peux pas infirmer ni confirmer cette information.

MR. THOMAS BARNETT: Sorry. I believe we have an objection. If we could stop the clock.

Me RAINBOW MILLER: Sorry.

Mme MARIE-PAUL BOUCHER: Mesdames et Monsieur les commissaires, il s’agit présentement de dossiers qui sont présentement en cours. Les dossiers d’enquête sur le SPVM sont encore actifs, y’a certains dossiers dont y’a eu deux phases, Val-d’Or I et Val-d’Or II qu’on les appelle communément, et pour ce qui est de Val-d’Or II, c’est encore en cours. Donc, la question est un petit peu, em...
est un petit peu posée d’avance et M. Charbonneau ne pourra pas répondre à ça étant donné qu’ils ne sont... on n’est pas... on connait pas encore le résultat de la phase II de l’enquête au niveau de Val-d’Or II, et que certains dossiers sont au DPCP et qui vont finir par revenir à la Sûreté du Québec, mais on n’a pas de connaissance
personnelle de ces dossiers-là étant donné qu’ils ne sont pas traités au niveau de la SQ parce que y’a des enquêtes indépendantes qui ont été effectuées.

**MR. THOMAS BARNETT:** Commissioners, I just wonder if we should ask the witness to leave the room until this is ---

**CHIEF COMMISSIONER MARION BULLER:** Well, no need. Thank you.

The question as framed is clearly beyond this witness's knowledge, as I understand the question. So the objection is upheld.

Your next question, please.

**MS. RAINBOW MILLER:** Well, I didn't imply. Because some information she gave is not accurate.

**CHIEF COMMISSIONER MARION BULLER:** You have my ruling.

**MS. RAINBOW MILLER:** Okay.

Monsieur Capitaine Charbonneau, je vais vous poser d’autres questions. Maintenant, c’est plus sous le chapeau là de directeur des Services juridiques.

En tant que directeur des Services juridiques, est-ce que vous connaissez les obligations en vertu de la *Loi sur la police* d’un policier qui doit dénoncer s’il voit un confrère qui fait un acte contraire à la déontologie ou qui pourrait constituer un acte criminel?
CAPITAINE PAUL CHARBONNEAU: Oui, tout à fait. En fait, ce n’est pas parce que je suis directeur des Services juridiques, tous les policiers au Québec, tous les membres de la Sûreté du Québec sont sensibilisés à ces articles-là, spécifiquement dans le but de les encourager à faire les dénonciations, le cas échéant, s’ils observent des comportements.

Me RAINBOW MILLER: N’est-il pas vrai que cette obligation des policiers ne se retrouve pas dans les règles de discipline de la SQ?

CAPITAINE PAUL CHARBONNEAU: Je pourrais pas le confirmer ou l’informer. Toutefois, la Loi sur la police a préséance sur le règlement de la discipline des membres de la Sûreté du Québec. Et je le répète, tous les policiers de la Sûreté du Québec sont sensibilisés à l’existence de ses obligations légales dans le but d’encourager, entre autres, la dénonciation lorsqu’ils observent des comportements, le cas échéant.

Me RAINBOW MILLER: Est-il exact que cette obligation, comme vous dites, elle est dans la Loi sur la police, mais elle n’est pas dans les règlements sur la discipline? N’est-il pas exact qu’elle n’est pas aussi dans les règles de déontologie?

CAPITAINE PAUL CHARBONNEAU: Je pourrais pas, respectueusement, vous répondre pour les règles de
déontologie. Par contre, dans le Règlement sur la discipline il y a un article... je ne sais pas le numéro de l’article par cœur, mais qui vient dire qu’on doit respecter les lois au Québec.

Me RAINBOW MILLER: M’hm.

CAPITAINE PAUL CHARBONNEAU: Alors, par analogie, si on ne respecte pas la Loi sur la police au Québec, on pourrait être contraints de faire face au Comité de discipline en vertu de notre règlement qui spécifie qu’on doit respecter les lois au Québec.

Me RAINBOW MILLER: Donc, si je comprends bien, s’il y aurait un manquement à cette obligation-là, le Comité de discipline pourrait en entendre de cette obligation-là des policiers?

CAPITAINE PAUL CHARBONNEAU: En fait, oui, il y aurait deux avenues possibles. Il y aurait la possibilité d’appliquer la Loi sur la police qui prévoit des sanctions s’il n’y a pas respect de cette loi-là et on pourrait appliquer, effectivement, le Code de discipline par la suite.

Me RAINBOW MILLER: O.k. Savez-vous s’il y a des statistiques qui existent en relation avec cette obligation particulière-là de dénoncer son confrère lorsqu’il voit un acte dérogatoire?

CAPITAINE PAUL CHARBONNEAU: Non, je n’ai
pas ces statistiques-là.

Me RAINBOW MILLER: Savez-vous si, à la Direction des normes professionnelles, ils ont un mécanisme pour s’assurer que cette obligation-là soit respectée et, en anglais, enforced?

CAPITAINE PAUL CHARBONNEAU: Oui. En fait, je vais préciser ma précédente question. Non seulement je ne sais pas si on a des statistiques à ce niveau-là, pour ce qui est de la Direction des normes professionnelles à la Sûreté du Québec, il y a un mécanisme de prévention, parce que la Direction des normes professionnelles ne fait pas que des enquêtes disciplinaires et/ou déontologiques et/ou criminelles contre les... par rapport à les policiers. Elle fait aussi de la prévention, des fiches de prévention qui sont distribuées dans les postes pour que les superviseurs de relève, entre autres, en discutent avec leurs policiers. On s’assure que tous les policiers soient au courant de ces obligations-là, de l’importance de le faire et des conséquences possibles s’ils ne le respectent pas.

Me RAINBOW MILLER: Est-ce que ça ne serait pas une bonne idée qu’il y ait des statistiques pour s’assurer que ce mécanisme qui est prévu dans la loi soit respecté?

CAPITAINE PAUL CHARBONNEAU: En fait, oui,
je pense que ça pourrait nous fournir des informations quant à l’application de cette politique-là.

**Me RAINBOW MILLER:** J’ai une couple de dernières petites questions. Lorsqu’un policier quitte ses fonctions, n’est-il pas vrai qu’il doit remettre son uniforme?

**CAPITAINE PAUL CHARBONNEAU:** En fait, il y a une certaine série d’équipement qu’il doit remettre, entre autres, vous comprendrez, l’arme de service et ses documents d’autorité. Il remet plusieurs pièces d’uniforme, mais pour des raisons pratiques, on ne récupère pas tous les uniformes, parce qu’un uniforme... une paire de pantalons, exemple, qui a été très usée et tout ça, on ne le récupère pas.

**Me RAINBOW MILLER:** Est-ce que l’uniforme appartient à l’employeur?

**CAPITAINE PAUL CHARBONNEAU:** Je vous dirais que oui, mais je peux pas vous l’assurer à 100 pourcent. J’ai pas connaissance de ça.

**Me RAINBOW MILLER:** Donc, n’est-il pas vrai que selon la Loi sur la police, un policier ne peut pas décider de mettre ce qu’il veut sur son uniforme?

**CAPITAINE PAUL CHARBONNEAU:** En fait, je sais pas si c’est sur la Loi sur la police ou un règlement. Je pense que ça peut-être été inclus dans la Loi sur la
police, mais je vous dirais que le policier doit porter complètement son uniforme. Ça c’est une chose.

Par contre, il y a une certaine latitude sur certaines autres choses. Par exemple, je vais aller à une cérémonie de la Fête du Canada ce weekend. Je vais porter le drapeau canadien sur mon uniforme, qui n’est pas une pièce d’équipement, mais dans les circonstances...

On fait une marche pour le cancer du sein, on porte le ruban rose, ce genre de chose-là.

On voit souvent nos officiers, lorsqu’ils se déplacement, porter l’épinglette de la MRC du poste où ils font leur service.

**Me RAINBOW MILLER:** Est-ce que votre employeur pourrait décider que certaines choses sur votre uniforme, il n’est pas d’accord avec ce qu’il y a sur votre uniforme?

**CAPITAINE PAUL CHARBONNEAU:** Oui, tout à fait. Ça serait un facteur important à considérer lors des décisions futures.

**Me RAINBOW MILLER:** Donc, est-ce que l’employeur pourrait décider que le 144 qui est porté sur les uniformes ne seraient pas conformes à leurs valeurs en tant que SQ, en tant que représentants de l’état et de la sécurité publique?

**MR. THOMAS BARNETT:** Sorry, counsel, I
believe you’re over your time now. Thank you, counsel. If
we could call the Treaty Alliance of Northern Ontario,
Nishnawbe Aski Nation, Grand Council Treaty 3, counsel
Krystyn Ordyniec, you have 14.5 minutes.

--- CROSS-EXAMINATION BY MS. KRYSTYN ORDYNIEC:

MS. KRYSTYN ORDYNIEC: Good afternoon, Chief
Commissioner and Commissioners. I’m going to start,
actually, with an apology. I was told also, when I was
speaking a few days ago, I referenced -- we were on
traditional territory of Treaty 3 as well. So, I would
like to correct that and I sincerely apologize for that.

My questions will be mainly focused to Chief
Superintendent Mark Pritchard. Thank you, first of all,
for the work that you do and for being accessible to our
leadership. So, I thank you for that.

We heard testimony over the last few days
from Mr. Charbonneau about the bracelets that the officers
were wearing. What would the OPP do in a situation like
this?

CHIEF SUPERINTENDENT MARK PRITCHARD: That
happened once before and the Commissioner issued a
directive prohibiting wearing of -- it was a pin at the
time on the uniform.

MS. KRYSTYN ORDYNIEC: And, that was
immediate?
CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. KRYSTYN ORDYNIEC: Thank you. You spoke of the coroner’s report into the situation in Pikangikum, and to say the least, it wasn’t a positive report. We -- there’s things like lack of integrated health care, education, absent infrastructure, lack of running water, et cetera.

In your view, does this affect the levels of violence in the community and the ability of the OPP to provide appropriate policing services in those communities?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. KRYSTYN ORDYNIEC: Thank you. So, would you agree that to make communities safer and to address the causes of violence in these communities, the socio-determinants must be addressed without further delay?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. KRYSTYN ORDYNIEC: Thank you. Yesterday and over the last few days, we’ve heard recommendations that victim service delivery in communities to support and enhance the government services available so that there’s a choice for women. Do you support recommendations such as Detective Constable Morrison’s and others that are First Nation based, and how can the -- and if so, how can the OPP support funding?

CHIEF SUPERINTENDENT MARK PRITCHARD: I
support that very much. Back when I was a homicide investigator, it seemed the more remote -- the smaller the community, the less services that were available, and you don’t realize how important those services are until I guess either you’re involved in one of those occurrences. Even as an officer, they’re very helpful. So, there very much is a need for them, like many other matters in small remote First Nations communities, they’re very limited right now.

**MS. KRYSTYN ORDYNIEC:** So, you would support these organizations and helping them seek funding? One of the things we heard, it’s very difficult for an underserviced organization is to actually seek that funding themselves.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes. And, you know, the situation right now with many of the self-administered police services, they’re lucky if on a day-to-day basis they have officers to put in their patrol cars to answer calls for a service, and these things we talk about in, like, officers assigned to projects like Journey or Sunset, or the job that Alana Morrison. They’re not necessarily funded for those positions. And, if you don’t have an officer to put in a patrol car to answer calls for a service, you can’t have that officer doing programming that’s going to be preventing crime.
MS. KRYSTYN ORDYNIEC: Thank you. If an individual has experienced violence in the community, are there safe houses in each of the communities of NAN and Treaty 3?

CHIEF SUPERINTENDENT MARK PRITCHARD: I’m sorry, I’m not aware of that.

MS. KRYSTYN ORDYNIEC: Okay. If I told you that they weren’t, would you agree that safe houses in communities would support women in crisis?

CHIEF SUPERINTENDENT MARK PRITCHARD: Certainly. I think that not having a place to go of safety is an underlying factor in underreporting.

MS. KRYSTYN ORDYNIEC: Thank you. I’m going to turn to communication. On page 17 of the Major Case Management Manual. Mr. Roy, maybe you can remind me of the Exhibit No. I’m sorry, I don’t know.

MR. JULIAN ROY: This is the Major Case Management? So, I don’t have the Exhibit No., I do have the tab number, it’s 4.

COMMISSIONER QAJAQ ROBINSON: Exhibit 133.

MS. KRYSTYN ORDYNIEC: Thank you. Exhibit 133. Thank you. Exhibit 133, Commissioner Robinson. Thank you. Specifically, Letter J, do you see that? In every case, Major Case Management is to “ensure adherence to prescribed reporting and communication procedures”?
CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. KRYSTYN ORDYNIEC: Thank you. Are these prescribed reporting and communications different in a community as opposed to an urban centre?

CHIEF SUPERINTENDENT MARK PRITCHARD: No, except that currently under the Police Services Act, First Nations self-administered or OFNPA locations are not police services, so this regulation currently does not apply to them.

MS. KRYSTYN ORDYNIEC: So, if the OPP attended in that community for a major incident, would it apply then?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. KRYSTYN ORDYNIEC: Okay. So, it’s not -- it would be the same as if they responded in an urban centre?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, that’s correct.

MS. KRYSTYN ORDYNIEC: Okay. So, do you think that given the difference in policing in a community, maybe that should be looked at as a different communication standard?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, and I understand that once the new Police Services Act in Ontario is proclaimed, that the self-administered services
will have the ability to opt in.

**MS. KRYSTYN ORDYNIEC:** Thank you. Your recommendation to suggest that you -- that police services consider developing a protocol for written communication plans with families, we heard that, and you agree with that, obviously. It was your recommendation; correct?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

**MS. KRYSTYN ORDYNIEC:** Yes. So, in your testimony, you said that you would recommend that the plan serve as a contract between police and families, and meeting with family members for feedback and the creation of the plan would be beneficial; is that accurate?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Like a contract. It’s not actually like a contract.

**MS. KRYSTYN ORDYNIEC:** Sure.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** But, yes, like an agreement.

**MS. KRYSTYN ORDYNIEC:** I understand.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Importantly that, you know, it’s developed with the family and can be changed, and that can be very complicated, as I’m sure you’ll understand, depending on the nature of the incident, divided families. Sometimes in a familial violent situation or a homicide, the families get very divided, and communication can be a challenge. So, I think
that that written plan would help everybody understand what
exactly it is.

MS. KRYSTYN ORDYNIEC: Sure. And, actually,
that goes into my next question. You would agree in a
small community, it’s not only the family that’s affected,
and obviously the family is affected, but also the entirety
of the community where it’s small?

CHIEF SUPERINTENDENT MARK PRITCHARD: Very
much so, yes.

MS. KRYSTYN ORDYNIEC: So, do you think that
these written communication plans should also ensure that
the community is kept informed to the extent that it can?

CHIEF SUPERINTENDENT MARK PRITCHARD: I
think that’s very important. And, you know, if I could use
this analogy, our headquarters building is in Orillia, if
there’s a homicide in the Town of Orillia, the last thing
the case manager would have on mind is going down to city
hall and meeting with the mayor and counsel; right? But,
in a First Nations community, as soon as it’s practical,
the case manager should be establishing those lines of
community -- or, of communication with chief and counsel
because the role is completely different a mayor.

And, especially in the north, from my
experience, anyhow, if I can refer to that, chief and
counsel plays a huge role, and they’re -- they carry a
heavy burden. They can open up a lot of doors, and that simple show of respect to them and their roles can be very beneficial to the investigation and to healing. And, paying a respect to traditional local practices is also very important for officers to understand. And, there’s 133 First Nations in Ontario, and every one of them is different from the others, so those traditions and practices can be very unique. Even amongst communities they’re very close together, geographically.

**MS. KRYSTYN ORDYNIEC:** Thank you very much for that. I would like to turn, in my limited time, to Project Journey, and I had a lot of questions, but I will keep it to -- Ms. Hill with Aboriginal Legal Services mentioned the OPP’s historic relationship with Pikangikum. How has -- obviously things have changed. Maybe it’s not perfect, but things have changed. How have -- how did you begin to rebuild the relationship with that community?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Very slowly. And, I think it’s really built -- it’s been built on through the community’s observations of the interactions with the police and the role of the police have played in that project, and seeing those interactions.

**MS. KRYSTYN ORDYNIEC:** You mentioned the word “slow”, trust takes time to build and rebuild, and
it’s ongoing. Now, one of the things that the Commissioners have mentioned throughout this process is that the government likes to see measurable results when they decide to give money to a program, and I’m wondering, my first question is, has this project been evaluated? And, if so, do the measurables take into consideration that some of that trust can’t be measured in numbers?

CHIEF SUPERINTENDENT MARK PRITCHARD: The project is currently undergoing an evaluation. A company called Malatest is doing it. And, I totally agree, there’s many things that can’t be measured in terms of our traditional metrics that we use of counting, and numbers, and graphs. Many of the issues that will -- are anecdotal. I think also you can’t measure the success of a project like that in quarterly reports or year-end reports.

I was contacted a few weeks ago by a police leader from New Zealand inquiring about Project Journey, and she told me that it’s -- from her research, it was the only project of its type in the world. So, measuring it I think is going to be a moving process of how to figure out exactly how to measure it, because it’s new.

MS. KRYSYN ORDYNEC: Right. And so, you said that you don’t have the purse strings, the Treasury has the purse strings, so what does this Commission have to recommend in order for something like Project Journey to
continue? Because, in Pikangikum, it’s going to end.
Funding is going in August of this year.

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.
And, like I said, I don’t understand the rules of the
Treasury Board and why they can’t continue to fund it, so
that will be an excellent recommendation. I have no idea
or no concept of how their rules work or the process,
and...

MS. KRYSTYN ORDYNIEC: Okay. Thank you.
How has this program, and I will also reference Project
Sunset, which you did in Treaty 3, and I will not have a
great opportunity to speak on it, but it is also providing
excellent relationship building in those communities. How
have these programs supported capacity building at the
community level so that eventually the delivery can be in
the community?

CHIEF SUPERINTENDENT MARK PRITCHARD: The
building of capacity I think has been really significant.
Even things like the Summer Job Programs for youth where
the youth and Project Journey, they have built a boardwalk,
they have built a community pavilion, they have built a
stage, they have built a bike path, so they’re learning
skills right from the planning, ordering of the materials
that are needed. And then some of the jobs that have been
associated to support those projects, the employment
projects, I think have been really significant.

And, I understand that part of the reason that the money was flowing through the OPP was a capacity issue within the community of managing those funds, and I don’t clearly understand that, but I know we’re at the stage now where they’re confident that the capacity is there. So, you know, should we be fortunate enough to secure the funds to continue it, the plan is that the funding would flow through the community and not through the police.

**MS. KRYSTYN ORDYNIEC:** Thank you. And, obviously we’ve heard that you support Project Journey and Project Sunset, NAN supports and Grand Council Treaty 3 supports these types of programming. So, would you specifically agree that these programs should be extended across these communities and not just in the ones, perhaps, that are directly policed by the OPP?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes, certainly. And, along with that, there would need to be the -- not only the funding for the project, but the capacity of -- if they were coordinated by police, whether it be NAPS or Treaty 3, they would need the mechanisms to support that, which is the officers that, you know, can be assigned and dedicated to it. And you can't have a community event planned for 7:00 on Friday night and then
well the officer's not available because they had to respond to a break and enter. You know, that officer has to be dedicated, otherwise you're frequently going to be letting down a whole pile of the participants in the project because you're not there because you're out doing some other police duty. And I think that position being solely dedicated to that project is really crucial.

**MS. KRYSTYN ORDYNIEC:** Thank you. And I'm out of time, but I hope we continue these conversations.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Thank you.

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

**MS. CHRISTA BIG CANOE:** Chief Commissioner and Commissioners, during one of the other parties' testimony, Commission counsel had asked the counsel to stop. Sorry, I'm back here, sorry.

So Commission counsel wanted to make a request, but we'll take your direction on it. Because it's been brought to our attention that when other parties have the opportunity to ask the question to the end of their time, that the witness has been directed to answer the question, and this didn't happen.

So with the direction of the commissioners, we request to recall Quebec Native Woman's Association with the strict caveat that they just get to ask their last
question, again, so that the witness can answer it.
Because they had completed their question in the time
allowed.

CHIEF COMMISSIONER MARION BULLER: Okay.

Certainly, yes.

MS. CHRISTA BIG CANOE: Please. And on that
basis, we would request that Rainbow Miller be able to come
up. And I know you may not remember your exact wording,
but if you could just pose the last question.

And I'm not asking to put the clock on
because she had already asked the question in the time, and
the witness would then be able to reply. And this is the
process that we have taken for all in this week to have the
opportunity to have the question answered.

--- CROSS-EXAMINATION BY MS. RAINBOW MILLER:

MS. RAINBOW MILLER: Thank you
Commissioners.

I believe the last question... je crois que la
dernière question que j'ai demandée, c'est :

Pourquoi en tant qu'employeur vous
permettiez que les policiers gardent sur leur uniforme le
bracelet 144?

CAPITAINE PAUL CHARBONNEAU: En fait, il
s’agit d’une situation où c’est complexe, les interventions
qui ont à être faites, parce qu’on a fait plusieurs
interventions là, je mentionnais d’emblée que nous tentons
de convaincre au lieu de contraindre. L’arrivée…
l’inclusion à l’intérieur de la Loi sur la police des
dispositions que vous avez mentionnées précédemment vont
agir comme levier pour nous.

   Je ferais une analogie avec le rapport
Gilbert, rapport qui a été déposé suite à la crise d’Oka où
il est clairement indiqué que lorsqu’on veut faire une
intervention quelconque, il faut soupeser toutes les
conséquences, et si les conséquences d’une intervention
peuvent devenir une plus grande problématique à la non-
intervention, c’est également un facteur que nous devons
prendre en considération. Mais, certainement avec toutes
les discussions qui ont entouré ici, on a pris beaucoup de
temps sur le bracelet, beaucoup, beaucoup de temps sur le
bracelet, et je pense que ça va être un facteur à
considérer pour le futur pour nous, parce que nous aurions
aimé passer plus de temps sur certains autres aspects de la
desserte policière que la Sûreté du Québec offre à la
population du Québec et aux Autochtones.

MS. RAINBOW MILLER: Thank you.

MS. CHRISTA BIG CANOE: Thank you, counsel.

Mr. Barnett, if you could invite the next
counsel up, that’d be great.

MR. THOMAS BARNETT: Thank you, counsel.
And next, if we could call up Animakee Wa Zhing #37, Grassy Narrows Asubpeeschoseewagong First Nation, Eagle Lake First Nation, Ojibwe Nation of Saugeen, represented by Counsel Whitney van Belleghem. You have 18 minutes.

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

    MS. WHITNEY VAN BELLEGHEM: Good afternoon. My questions today are for Chief Superintendent Mark Pritchard.

    Due to proximity and resourcing, it's my understanding that the OPP often interacts with other police services, such as NAPS and Treaty 3 Police Service. The OPP is to provide assistance to these police services. Is that correct?

    CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

    MS. WHITNEY VAN BELLEGHEM: And would you agree that the OPP frequently provides this support in investigations that are -- involving serious incidents, such as homicides and missing persons?

    CHIEF SUPERINTENDENT MARK PRITCHARD: Yes. Continually.

    MS. WHITNEY VAN BELLEGHEM: So it's possible, then, that more than one police service could be working on an investigation into a missing person? For example, Treaty 3 Police Service could be working on the
same investigation as the OPP?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes, under the same investigation, though not in isolation of each other. There would be one case manager conducting -- overseeing the investigation.

**MS. WHITNEY VAN BELLEGHEM:** Can you please explain what written protocols or policies are in place to ensure that the responsibilities between various police services when such a situation arises clearly are set out in the investigation of a missing person?

**CHIEF SUPERINTENDENT MARK PRITCHARD:**

There's a memorandum of understanding between the OPP and the Nishnawbe-Aski Police. I'm not aware of any others.

The Major Case Management Manual would call for a criteria offence and the offences that you just mentioned are criteria offences, that they would be investigated with one person clearly in charge. The manual also stipulates for multi-jurisdictional investigations, where there's a major case that's been linked in two different jurisdictions, again, that there is one case manager in charge of both of those investigations.

That case manager can be from either one of the police agencies or a third police agency, and that's coordinated through the Major Case Management Office under the Ministry of Community Safety and Correctional Services.
There's a specific function within that office called the Serial Predator Crime Coordinator, and they are to meet with the police forces or police services involved and make sure that a multi-jurisdictional case manager is assigned. And those officers come from a list that's been approved by the Executive Committee of the Major Case Management Unit.

**MS. WHITNEY VAN BELLEGHEM:** But to be clear, there is no written policy that governs who exactly takes charge in which situations, how the information is transferred if OPP, for example, is taking over the investigation from another police service that has already commenced the investigation?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Well, if we're going into -- we don't -- first of all, we don't take it over. We will case manage it, and we'll provide staff, but it still becomes an investigation of the police service of jurisdiction.

I think that's complicated by the First Nations Policing Program, which says that First Nations policing, at least in Ontario, is an enhancement to the police service of jurisdiction. So under section 19 of the Police Services Act, the OPP is the police service of jurisdiction for all areas of Ontario that don't have a municipal or regional police service.

However, that's not the way it works. The
OPP recognizes the self-administered police services as the police services of jurisdiction, regardless of how the federal program is -- the language of the federal program is written.

The way its enacted through working together and positive relationships with those nine police chiefs and regular meetings with the Commissioner of the OPP, that's how it's enacted, that we consider them to be the police service of jurisdiction.

But I think it's very important to note that we don't go in and take over an investigation, and we go there by invitation when they ask us to come in and case manage. I think that's a very important distinction from taking over.

**MS. WHITNEY VAN BELLEGHEM:** Certainly.

Would you agree, though, that having -- you indicated that you think that there is a memorandum of understanding between NAPS, but you weren't certain in the case of, for example, Treaty 3 Police Service. Do you think that having a formal written policy or a memorandum of understanding could ensure consistency in responses and the equality of treatment of individual missing persons cases?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** You know, I've interacted many times with Chief Napish of the Treaty 3 Police and he hasn't brought up the need for that.
But certainly, if he brought that forward, we'd have no issue whatsoever in developing an MOU with Treaty 3.

**MS. WHITNEY VAN BELLEGHEM:** Thank you.

Obviously, there are procedures in place for communication between the various police services, but what can the OPP do to improve communications between NAPS and Treaty 3 Police Services, as well as the independent First Nation police services?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I think in the context of a major case, is that your question, how we can improve that?

**MS. WHITNEY VAN BELLEGHEM:** Yes. And, generally, just, sort of, foster that ongoing relationship as well.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I think it’s really important to the extent -- again, this comes down to an issue of resources. But, if, say, we’re doing an investigation in Treaty 3’s communities, if they are able to have officers assigned to work with our investigators on those cases, that’s usually beneficial. It helps with the information flow not only between the police, but from the community, because they’re going to be officers that are known to the community members because that’s where they police. So, that is usually beneficial on the flow of communication in all kinds of ways.
MS. WHITNEY VAN BELLEGHEM: Thank you.

CHIEF SUPERINTENDENT MARK PRITCHARD: We --

I had mentioned earlier about our missing persons awareness
days, those all involve, actually, self-administered or
OFNPA communities. They kicked off in Treaty 3 with great
success, you know, because of the proactive work of Treaty
3, not only in the area of missing persons awareness, but
very much because of the issue of human trafficking.

Human trafficking is recently added as a
criteria offence to the Major Case Management Manual.
Treaty 3 police are doing a lot of work with their
communities about human trafficking and we’re working very
collaboratively with them on that very important issue.

MS. WHITNEY VAN BELLEGHEM: I’d like to turn
to Schedule M of your documents. I’m not sure that it was
added as an exhibit, that’s the Missing and Unsolved
Murdered Indigenous Peoples document, the Ontario
Provincial Police perspective.

MR. JULIAN ROY: That would be Tab 11, Chief
Commissioner. Sorry, Tab 11, Chief Commissioner and
Commissioners.

MS. WHITNEY VAN BELLEGHEM: Do you have any
objections to this being added as an exhibit?

MR. JULIAN ROY: None whatsoever.

MS. WHITNEY VAN BELLEGHEM: Can we please
mark this as the next exhibit?

**CHIEF COMMISSIONER MARION BULLER:** Yes, the Missing and Unsolved Murdered Indigenous People document found at Tab 11 of Ontario Provincial Police document book is 139, please.

--- **EXHIBIT 139:**

“Missing and unsolved Murdered Indigenous People: The Ontario Provincial Police Perspective” (23 pages)

Witness: Chief Superintendent Mark Pritchard, Ontario Provincial Police Submitted by Whitney Van Belleghem, Counsel for Animakee Wa Zhing #37 First Nation, Eagle Lake First Nation, Asubpeeschoseewagong Netum Anishinabek (ANA) First Nation/Grassy Narrows First Nation, Obashkaanda-gaang First Nation, and Ojibway Nation of Saugeen, as a single collective party.

**MS. WHITNEY VAN BELLEGHEM:** If you look in this document, where there is a breakdown of all of the individuals who are listed as missing and unsolved cases, the statistics in this document suggest that the majority of Indigenous women and girls who go missing are between
the ages of 13 and 50. In your experience, is that an accurate characterization?

CHIEF SUPERINTENDENT MARK PRITCHARD: I can’t speak to that from my experience, but there was a lot of effort that was put into this document, and if that’s what it’s stating, I would adopt that.

MS. WHITNEY VAN BELLEGHEM: Thank you. Yesterday, you indicated that the OPP is in the process of updating its forms to prioritize any missing Indigenous person as urgent.

In Exhibit 130, which is the evaluating of the search urgency. If you look to the first consideration, you’ll note that the factor to assessing search urgency there is age, and that people older than 12 and younger than 65 are rated as the lowest priority of all of the age groups. Given the knowledge that the majority of missing Indigenous people are outside of this age range, would you recommend that missing Indigenous people between the ages of 13 and 64 are treated with as much urgency as missing persons outside that range?

CHIEF SUPERINTENDENT MARK PRITCHARD: That’s an excellent suggestion and I thank you for it.

MS. WHITNEY VAN BELLEGHEM: So, then, you would recommend that the document be amended to account for that?
CHIEF SUPERINTENDENT MARK PRITCHARD: As I testified, we’re currently in the process of updating that document, so I will include that as a recommendation for the officers that are in that process of taking that into consideration.

MS. WHITNEY VAN BELLEGHEM: Thank you.

Along with the same form, you indicated that one of the responsibilities of the first uniformed member attending the scene is to use this form to assess urgency; is that correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. WHITNEY VAN BELLEGHEM: On this form, there is no rating regarding a missing persons personal background or activities; correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: Not in this particular form.

MS. WHITNEY VAN BELLEGHEM: You indicated that the purpose of policies and forms is to create restrictions and eliminate opportunities for personal discretion to enter into the equation, which could also in turn allow bias to enter. However, the form does indicate that unlisted factors can also be considered.

Would you agree that police officers may take into account their prior knowledge of a person who is reported missing? For example, the fact that they were a
known partier when determining or verifying whether or not they are missing, or lost or in determining the urgency

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

And, I’d add, you know, in that determination, when we’re talking about that situation or, you know, a known runaway that runs away all the time, to me, that increases the urgency because those are the kids that are going to fall victims to human trafficking, drugs, alcohol and all kinds of other horrible things that can happen to them out in the world. So, you know -- and that’s part of the reason why we have the situation tables and the very effective one that’s working in Kenora which has reduced, year over year, by several hundred the number of reported youths running away.

So, looking at those underlying causes is equally as important in making that assessment and preventing that youth from ending up in that trap of being vulnerable to a human trafficker, or drug addiction or being plied with alcohol for sexual favours. Those are all things that we’ve come across in Kenora with that collaborative approach. Interviewing -- having specially trained officers, along with a social worker interviewing them when they come back, figuring out why they’ve run away and, very importantly, where they’re going to, because where they’re going to can frequently be the places where
bad things happen.

**MS. WHITNEY VAN BELLEGHEM:** Aside from these comprehensive and restrictive policies and forms, what steps is the OPP taking to remove first responders discretion when assessing a missing persons report that could allow bias to seep in?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Well, I think like I testified to, we have a number of people that are involved in the decision making process. So, one person isn’t out there on their own making a bad decision, the Indigenous awareness training, the involvement on supervisors on multiple levels. And, again, you know, valuing diversity and sound judgment are manners in which we use to measure an officer’s suitability for a promotion.

**MS. WHITNEY VAN BELLEGHEM:** During your direct examination, you spoke about the importance of mobilizing a quick response to missing persons. What barriers might delay the OPP’s ability to provide resources and support where a missing persons report is initiated in the jurisdiction of another police service?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I think the only barrier that exists is commonly weather and distance. If we can get there because of poor weather, I think because of the really strong relationship we have with the nine self-administered chiefs, personally -- and I
hope I’m not naïve, but I don’t see any barriers there that exist in the deployment of resources and equipment.

**MS. WHITNEY VAN BELLEGHEM:** We’ve heard throughout the hearing that while positive steps are being taken, there is still work to be done in improving the relationship between police and the communities they serve. Would you agree that there is a reluctance for Indigenous peoples to get involved in police investigations because they don’t want to get in trouble and fear of being ostracized by their community?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I can’t generalize that, but I think certainly there is a common theme there, that that’s very possible. I mean, there’s a long history, a lot of valid reasons for Indigenous people not to trust the police, and that’s why it’s so important for us to make every effort we can to break through those barriers.

I think there’s also socio-economic issues that come into play. The smaller the community, the fear of being removed from the community, the bail system -- often, the offender has to be removed from the community for a bail hearing and -- you know, there’s many, many cases where those people end up living faraway from their homes without the proper supports that they need, and they themselves suffering from acute addictions with no support,
and just end up spiralling downward and getting further involved in the justice system and more trouble.

**MS. WHITNEY VAN BELLEGHEM:** We heard evidence earlier this week that Indigenous peoples, especially elders, can have difficulty communicating with officers due to language barriers. Would you agree that language reading or written barriers could prevent some Indigenous people from voicing their concerns about the police services they receive?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

**MS. WHITNEY VAN BELLEGHEM:** Would it be accurate to say that the online complaint process that you mentioned in your evidence, the Office of the Independent Police Review Director, that it's offered only in English?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I've never actually been on their website because I've never made a complaint, so I'm not aware of that. I think most Ontario government services are English and French, but I stand to be corrected on that if I'm wrong.

**MS. WHITNEY VAN BELLEGHEM:** Would you agree that a more accessible and culturally appropriate complaint process whereby Indigenous people could tender their complaints in their own language would be -- would foster a more positive relationship between the OPP and the communities it serves?
CHIEF SUPERINTENDENT MARK PRITCHARD: Yes, I would go a step further too and say that that's going to be an important factor with the self-administered services once -- if they choose to opt into the Police Services Act because then they become a police service and they're subject to the same civilian oversight as the OPP.

MS. WHITNEY VAN BELLEGHEM: Yesterday you provided information, and again today during your cross-examination, about how the OPP is attempting to mend relationships between the police and the communities they serve through programs such as Project Journey. But what steps is the OPP taking to reduce complaints, specifically complaints about officers neglecting their duties during investigations?

CHIEF SUPERINTENDENT MARK PRITCHARD: From Indigenous people?

MS. WHITNEY VAN BELLEGHEM: That's correct.

CHIEF SUPERINTENDENT MARK PRITCHARD: I actually looked into that last night. And over the last three years I found five complaints over a three-year period of Indigenous people complaining about OPP officers being neglectful of their duties. One's too many, but five over a three-year period that involves thousands and thousands of interactions is a relatively low number. And all of those incidents are investigated, either by the
OIPRD or the OPP and the officers are held to account to
t heir actions.

**MS. WHITNEY VAN BELLEGHEM:** Thank you. I
believe that's all my time for today.

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

Next we would like to invite up the
Government of Quebec. Maître Boucher will have 10-and-a-
half minutes.

--- CROSS-EXAMINATION BY MS. MARIE-PAUL BOUCHER

**Me MARIE-PAUL BOUCHER:** Bonjour. You're
going to need to put your headset on.

*Donc, bonjour tout le monde, Mesdames les
commissaires, Monsieur le commissaire. J’aurais quelques
questions pour le Capitaine Charbonneau.*

*Mais préalablement, je voudrais juste
souligner à la Commission qu’il semblerait que, avec tout
le respect pour les traducteurs, que hier il y aurait peut-
être eu certains termes inexacts qui auraient peut-être été
utilisés qui pourraient avoir rendu le témoignage du
Capitaine Charbonneau plus difficile à saisir ou à
comprendre juste aux vues des questions qui lui ont été
posées aujourd’hui.*

*Donc, je suggèrerais à la Commission et aux
parties de peut-être relire la traduction français ou de se
faire un petit peu aider pour ça pour juste être sûr*
d’avoir bien compris les nuances de son témoignage.

MS. CHRISTA BIG CANOE: Sorry, can we stop
the time now, please? Is this part of cross-examination or
are you raising a motion, making an objection?

MS. MARIE-PAUL BOUCHER: It's not a motion,
just a statement just to tell that we ---

MS. CHRISTA BIG CANOE: Yeah.

MS. MARIE-PAUL BOUCHER: --- from the
questions that we heard today, I’m just proposing that you
look into the notes ---

MS. CHRISTA BIG CANOE: Right. So ---

MS. MARIE-PAUL BOUCHER: --- because there
were, like, questions raised.

MS. CHRISTA BIG CANOE: Okay. So ---

MS. MARIE-PAUL BOUCHER: It's not a motion.

MS. CHRISTA BIG CANOE: Within the -- you're
asking the Commission for leave to do that, to look at
notes?

MS. MARIE-PAUL BOUCHER: And the parties
too, just to make sure that they really understood what was
said yesterday, because it was difficult for some parties
and there were some question raised today and the question
I think were asked because they were misled from the
translation on some term of the translation, or maybe it
was too fast.
MS. CHRISTA BIG CANOE: Right.

MS. MARIE-PAUL BOUCHER: It's just ---

MS. CHRISTA BIG CANOE: So again though, this is still part of a proceeding.

MS. MARIE-PAUL BOUCHER: Yeah.

MS. CHRISTA BIG CANOE: And for the purposes of today ---

MS. MARIE-PAUL BOUCHER: Yeah.

MS. CHRISTA BIG CANOE: --- if -- I'm not saying you can't do it, what I'm suggesting though is what that normally would require is a brief motion and request to the Commissioners, because you are making a position that you disagree with our -- and I know you're doing it very respectfully, so please let me finish. I understand you're doing it very respectfully and that you're recognizing, but you're -- it's a large -- you're talking about now days' worth of translation. And so this wouldn't fall normally under cross. This would normally look like just a request to leave to have the Commissioners -- essentially, what you've already said. But so that it's clear, it's not a cross-examination issue ---

MS. MARIE-PAUL BOUCHER: No, it's not a cross ---

MS. CHRISTA BIG CANOE: --- right?

MS. MARIE-PAUL BOUCHER: No, no, no. It's
just that in French it's fine, but the translation that we may have heard in your ear were, like, not, like, perfect, like, term used. It's only just so people know; okay?

**MS. CHRISTA BIG CANOE:** So ---

**MS. MARIE-PAUL BOUCHER:** So now I'm going to begin with my questions.

**MS. CHRISTA BIG CANOE:** Actually, you're going to wait one moment, please, because that would normally be on a motion base.

**MS. MARIE-PAUL BOUCHER:** A motion?

**MS. CHRISTA BIG CANOE:** Yeah.

**MS. MARIE-PAUL BOUCHER:** Oh, sorry. May -- but can you?

**MS. CHRISTA BIG CANOE:** So and I don't think we're going to resolve this quickly today. This seems like a more formal request. I know it's difficult because you were listening in first language on the floor ---

**MS. MARIE-PAUL BOUCHER:** Yeah.

**MS. CHRISTA BIG CANOE:** --- and not through a headset. It's a fairly large request and I think it's something that would have to be looked at a little more into.

So I'm not sure if -- part of the purpose is so that when you ask your questions, if you're asking the witness to explain what they meant or if this is just a
comment up front.

MS. MARIE-PAUL BOUCHER: A comment up front.

MS. CHRISTA BIG CANOE: Okay.

MS. MARIE-PAUL BOUCHER: Just ---

MS. CHRISTA BIG CANOE: So on that basis, it's going to be Commission Counsel's position to the Commissioners, I don't think this is an issue that's going to resolve today. I think it's going to take a little more input, given that counsel making the submissions wasn't actually listening to, so therefore doesn't know, what was said in interpretation, but that it's an issue you flagged that we do ---

MS. MARIE-PAUL BOUCHER: Yes.

MS. CHRISTA BIG CANOE: --- need to look at.

MS. MARIE-PAUL BOUCHER: Yeah.

MS. CHRISTA BIG CANOE: And probably requires follow up outside of this particular hearing. I will undertake to have follow up with you and we can include the appropriate -- or maybe have a full email to the counsel present that were on the notice of appearance following. And I would undertake to do that within a week of today.

MS. MARIE-PAUL BOUCHER: Thank you.

MS. CHRISTA BIG CANOE: So and it was correspondence. Obviously, that's not the resolution.
That's the first step. And then on that basis I would ask that you continue with just the cross-examination.

MS MARIE-PAUL BOUCHER: Thank you.

Donc, Monsieur le capitaine Charbonneau, hier, en interrogatoire et aussi, je crois, en contre-interrogatoire, il y a été question du poste de police communautaire mixte autochtone, communément appelé le PPCMA. C'est bien exact?

CAPITAINE PAUL CHARBONNEAU: Oui, c'est exact.

Me MARIE-PAUL BOUCHER: Vous avez aussi mentionné, hier, dans votre interrogatoire-en-chef qu'il y avait un vidéo relié au PPCMA?

CAPITAINE PAUL CHARBONNEAU: Oui, c'est exact. Il y a un vidéo qui a été... en fait, je crois qu'il y en a deux qui sont disponibles sur YouTube. Il y en a un qu'on a voulu déposer en preuve.

Me MARIE-PAUL BOUCHER: Donc, Madame la commissaire en chef, je vous demanderais si ce serait possible d'avoir une cote et de pouvoir déposer ce vidéo en preuve?

CHIEF COMMISSIONER MARION BULLER: Yeah, I just -- I want to have these videos as part of our record. I'm not clear on how we would mark a YouTube video as an exhibit. Maybe somebody can help me with this?
MS. CHRISTA BIG CANOE: Do you want to stop the time for a minute?

CHIEF COMMISSIONER MARION BULLER: Can we stop the clock? Yeah.

MS. MARIE-PAUL BOUCHER: You can see it on YouTube, but we did give it to the Commission.

CHIEF COMMISSIONER MARION BULLER: Yeah.

MS. MARIE-PAUL BOUCHER: We gave a copy of it. So the Commission ---

CHIEF COMMISSIONER MARION BULLER: Okay.

MS. MARIE-PAUL BOUCHER: --- has got one. But you can find it by yourself on YouTube too.

CHIEF COMMISSIONER MARION BULLER: Yes.

MS. MARIE-PAUL BOUCHER: But we gave a copy to the Commission.

MS CHRISTA BIG CANOE: A digital copy, yeah.

MS. MARIE-PAUL BOUCHER: Yeah.

MS. CHRISTA BIG CANOE: The one digital copy. Yeah, we received one digital copy. And I was looking back at the head of AV who was nodding to me that, yes, we have it in a digital copy.

CHIEF COMMISSIONER MARION BULLER: Okay.

MS. CHRISTA BIG CANOE: But I just want to be clear we received one video.

MS. MARIE-PAUL BOUCHER: Yeah, one video.
That's correct.

MS. CHRISTA BIG CANOE: One video, yeah.

MS. MARIE-PAUL BOUCHER: Yeah.

CHIEF COMMISSIONER MARION BULLER: Okay.

Then the -- pardon me. I don't know the proper terminology. Is it a CD or a -- what is it?

MS. CHRISTA BIG CANOE: A USB?

MS. MARIE-PAUL BOUCHER: It wasn't on USB.

It's a MP4.

MS. CHRISTA BIG CANOE: So it will be -- for the purposes of ours and for the Registrar, it's a QuickTime file that we will be able to produce to you.

MS. MARIE-PAUL BOUCHER: Yeah.

MS. CHRISTA BIG CANOE: Yes? Yes.

CHIEF COMMISSIONER MARION BULLER: Then I think the proper way of doing this -- I'm sorry, it's new to me -- is the QuickTime video of the PPCMA ---

MS. MARIE-PAUL BOUCHER: Yes.

CHIEF COMMISSIONER MARION BULLER: --- will be Exhibit 140.

--- EXHIBIT 140:

Sûreté du Québec video «Mamowi (Ensemble)» MP4 format, 31.8 MB (5 minutes 53 seconds)

Witness: Capitaine Paul Charbonneau,
Directeur par intérim, Autorité
disciplinaire et services juridiques,
Sûreté du Québec
Submitted by: Marie-Paule Boucher,
Counsel for Government of Quebec

**Me MARIE-PAUL BOUCHER:** Donc, Capitaine Charbonneau...

**MS. CHRISTA BIG CANOE:** So, please start the time again?

**MS. MARIE-PAUL BOUCHER:** Oh, sorry.

Capitaine Charbonneau, je comprends que une image vaut mille mots, vous souhaitez qu’on projette ce vidéo aujourd’hui?

**CAPITAINE PAUL CHARBONNEAU:** Oui, en fait, j’aurais aimé qu’on présente le vidéo, qui démontre bien la philosophie de police de proximité de la Sûreté du Québec et ses cinq fondements.

**Me MARIE-PAUL BOUCHER:** Donc, Monsieur le technicien, si c’est possible de partir le vidéo, s’il vous plaît?

**CHIEF COMMISSIONER MARION BULLER:** What is the duration of the video, please?

**MS. MARIE-PAUL BOUCHER:** I think it’s around nine minutes so.

**MS. CHRISTA BIG CANOE:** Six minutes
Yes.

MR. CAPITaine PAUL CHARBONNEAU: Si je peux me permettre un commentaire, ce vidéo-là a été produit lors du projet pilote, donc au début du PPCMA.

(VIDEO PRESENTATION/PRESÉNTATION VIDÉO)

Me MARIE-PAULE BOUCHER: Donc, Capitaine Charbonneau, est-ce que vous avez des commentaires additionnels à rajouter sur ce sujet?

CAPITaine PAUL CHARBONNEAU: Oui, Madame la commissaire, en regard du PPCMA, ce projet-là... parce que j’ai entendu entre autres dans le témoignage de M. Jean Vicaire cette semaine – que d’ailleurs a servi avec distinction la Sûreté du Québec –, il voulait être sûr qu’on ne crée pas deux entités avant... en fait, c’est pas ce qui se passe.

Le PPCMA, c’est le service de seconde ligne. À Val-d’Or, dans la région de Val-d’Or, le service de première ligne demeure le poste de la MRC de la Vallée-de-L’Or, et lorsque certaines interventions nécessitent plus de temps ou des services particuliers, une implication particulière de la part de la police, ben, pour être capable de le faire et de prendre le temps de le faire, nous avons cette équipe dédiée là qui est en seconde ligne.

Alors, le PPCMA, c’est pas quelque chose qui est différent et à part du poste de Val-d’Or, c’est un
service complémentaire, puis on avait identifié des
besoins, entre autres le problème de l’itinérance. C’est
d’ailleurs une philosophie de travail qui s’appelle
« EMIPIC » — Équipe mixte d’intervention policière,
intervenants communautaires et policiers. Cette façon de
travailler là va être transposée vers un projet à Sept-Îles
qui sera pas tout à fait pareil comme le PPCMA, et nous
avons appris du fait qu’au PPCMA, nous avons annoncé le
projet avant d’impliquer les communautés et c’est pas de
cette façon-là qu’on fait à Sept-Îles. Les communautés à
Sept-Îles, entre autres Uashat-Mak Mani-Utenam, ils sont
impliqués dès le départ, et c’est en primeur que je vous
annonce, parce qu’on l’a pas annoncé encore, que ce projet-
là s’en vient. Merci.

Me MARIE-PAUL BOUCHER: Est-ce que vous
pourriez nous expliquer la composition du poste de police
mixte pour que ce soit un petit peu plus détaillé en fait.

CAPITAINE PAUL CHARBONNEAU: Oui. En fait, et
c’est un engagement que j’avais pris hier ou ce matin là,
je me rappelle pus, la composition, y’a... en fait, y’a un
chef de poste et son adjointe — l’adjointe qui est une
Autochtone, Mme Sally Rankin de Pikogan —, y’a 16 policiers
au total, sur les 16 policiers, y’a 10 allochtones,
6 métis, et nous avons une infirmière qui est une
allochtone, nous avons des intervenants communautaires,
202
PANEL 3
Cr-Ex (Wylde)

y’en a 3 – c’est des allochtones –, et nous avons l’agente
de bureau, la réceptionniste, qui est une Autochtone.
Alors, ce qui fait que l’effectif actuellement au PPCMA,
c’est 23 personnes dont 8 autochtones ou métis.

Mme MARIE-PAUL BOUCHER: Je n’ai plus de
temps. Merci beaucoup.

MS. CHRISTA BIG CANOE: Thank you. I will
introduce you. Ms. Fanny Wylde is Commission Counsel.
Commission Counsel does get to cross any witnesses in which
they did not lead the evidence. And, in this case, Ms.
Wylde will have 10-and-a-half minutes like all of the
parties did for the standard time.

--- CROSS-EXAMINATION BY MS. FANNY WYLDE:

MS. FANNY WYLDE: Thank you. Good
afternoon. I have a question about the bracelets worn by
the SQ officers in Québec, but my question will be directed
to Chief Superintendent Mark Pritchard. I understand that
a similar sign of support where officers occurred in
Ontario where officers were wearing something known as the
Candean Pen (phonetic); am I correct?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. FANNY WYLDE: Why were they wearing it
and what were the lessons the OPP learned from these
events?

CHIEF SUPERINTENDENT MARK PRITCHARD: Why
they were wearing it, I think -- I don’t think I can answer that. I know I certainly never wore one. I guess it would have been an individual choice. It was very short lived because Commissioner Boniface in the day issued an order immediately prohibiting the wearing of the pin on duty and on uniform. So, it not only applied to officers in uniform, but it applied to officers in plain clothes.

**MS. FANNY WYLDE:** What would you or the OPP do if there were OPP officers wearing bracelets, pins or any symbol on their uniforms during duty that supported other officers that were being investigated or there were allegations of misconduct, harm or sexual violence against Indigenous women or girls?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** I don’t have any doubt that the Commissioner today, Commissioner Hawkes, would issue a similar order. There’s already a policy in place of not wearing things on your uniform that aren’t part of your uniform. I think the very meaning of uniform is that they’re all the same.

So, as my current understanding of our current policy is you wear your uniform and there is no additions. You’re allowed to wear a watch, you’re -- a wedding ring or limited jewellery, things like that, but you can’t pick and choose what you want to wear when you’re in uniform.
MS. FANNY WYLDE: Thank you. We heard you speak to the importance of good communications with families of a missing or murdered person. You also acknowledged the need to always improve. During testimony in Edmonton, at our community hearings, one witness, Mr. Paul Tikeroo (phonetic), made a particular recommendation about communications with families. Chief Commissioner and Commissioners, we have an excerpt of the testimony that the witness' counsel has consented to be put before the witness. You have had the chance to read this excerpt?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. FANNY WYLDE: Standing parties has also received copies electronically. If I can draw your attention to the excerpt and specifically to pages 46 and 47, specific recommendation about using forms regarding missing persons. Precisely, Mr. Tikeroo discusses accountability between families and police. He suggests that families also should have copies of forms and have a form that both police and families sign and have copies of the -- on the timeline of communication. You have read this?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

MS. FANNY WYLDE: Do you think this is a good idea that could be incorporated into your communication process?
CHIEF SUPERINTENDENT MARK PRITCHARD: As it’s in the early days, but as we’ve discussed it, there would be a copy provided to the family so the family has a record, as well as the police, on what the communication plan is. It would also provide the families with the contact number or contact numbers for the officer, so there’s no having to try and find the number.

And, I think asking the family to sign it, my inclination at this point would be that would be an option for them. I certainly wouldn’t want to have them feel they’re forced in a situation where they have to sign a document.

MS. FANNY WYLDE: Okay. So, that leads to my next question. Would you suggest that in the form, it could be a place that includes a place to say — that mentions, refuse to sign — in this example, a refusal to provide information at family’s request. Do you think it’s also a good idea?

CHIEF SUPERINTENDENT MARK PRITCHARD: For the signature? I’m sorry ---

MS. FANNY WYLDE: Well, on page 49, Mr. Tikeroo suggest that the form includes a place for refuse to sign. Do you think that’s also a good idea?

CHIEF SUPERINTENDENT MARK PRITCHARD: I don’t know if “refused” would be the word I would choose.
If they decline, they don’t wish to sign -- and I don’t think there would be an issue if they didn’t wish to sign a police document.

Ms. Fanny Wylde: Thank you. My next questions will be to Commissioner Brenda Butterworth-Carr. About the form at Exhibit 105, I believe the title was the Complainant Family Communication Schedule. When was this form created?

Deputy Commissioner Brenda Butterworth-Carr: The date is on the bottom left-hand corner, when it would have been revised. So, June 2018.

Ms. Fanny Wylde: Okay. So, was it revised on June 2018 or created on June 2018?

Deputy Commissioner Brenda Butterworth-Carr: I’ll have to follow up with that, because I apologize, I’m not sure.

Ms. Fanny Wylde: Okay. And, one last question about the remains being handled with dignity. I believe you mentioned that there was a policy regarding that; correct?

Deputy Commissioner Brenda Butterworth-Carr: Yes, the Human Death Policy?

Ms. Fanny Wylde: Yes. Okay. How do you ensure that this policy is being followed?
So, part of what occurs with this is supervisors, they have to be familiar with this. And so, in -- especially within -- well, all of our investigations, that they need to acknowledge and that -- in terms of ensuring that it’s captured within the actual investigation and they have to document it.

**MS. FANNY WYLDE:** Okay. And, also, I’m not sure, but I think you mentioned that usually there is meetings twice a year with families; am I correct?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** No, what I was referencing is my involvement with ---

**MS. FANNY WYLDE:** Okay.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** --- families. And, the family schedule or the commitment from the RCMP and the investigators is to meet with families as per their request.

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

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:** All I was referencing is what I did.

**MS. FANNY WYLDE:** Okay. So, that covers all of my questions. Going last, all of the questions were covered by other standing parties. Thank you.

**MS. CHRISTA BIG CANOE:** Thank you, Ms. Wylde. At this point, I will suggest that we potentially take a short break because we are now complete the cross-
examination of the witnesses, but I know that the
Commissioners will have question ---

CHIEF COMMISSIONER MARION BULLER: No, re-

examination.

MS. CHRISTA BIG CANOE: Sorry, re-
examination. Thank you. Did you -- I forgot the re-
examination. Would you like us to do the re-examination
before or after a break?

MR. JULIAN ROY: Could I ask for your
indulgence to consult people smarter than me to make the
decision on whether to re-examine? It shouldn’t be hard to
find someone like that.

CHIEF COMMISSIONER MARION BULLER: Okay.

Yes. I think it’s pretty unanimous. Let’s take the break
first.

MS. CHRISTA BIG CANOE: Thank you. 15

minutes, please.

CHIEF COMMISSIONER MARION BULLER: 15, yes.

Thanks.

--- Upon recessing at 2:12 p.m.

--- Upon resuming at 2:32 p.m.

MS. CHRISTA BIG CANOE: Chief Commissioner,
Commissioners, the counsel that will be doing the re-
examination -- re-examination assigned time is always 20
minutes. In this case, we’ve been advised by Mr. Roy that
there will be no need for re-examination on his part,
therefore the other two counsel will each have 10 minutes,
and I will ask Ms. Anne McConville to start.

--- RE-EXAMINATION BY MS. ANNE MCCONVILLE:

MS. ANNE MCCONVILLE: Thank you, Chief
Commissioner, Commissioners. I don’t have specific
questions for Deputy Commissioner Butterworth-Carr, but as
with witnesses on previous panels, I would like to give her
the opportunity to say anything in addition arising out of
the cross-examination that she hasn’t had a chance to say.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

I just want to begin by saying thank you for the
opportunity to be here and to hear from the families and
the stories that they’ve shared with us and through the
course of the Inquiry to date.

And, I remain optimistic with the future for
a number of reasons. The first being that, you know, I’ve
been in the RCMP for 30 years and I’ve seen evolution, and
I genuinely believe -- you know, with the men and -- the
employees, the men and women, and all the employees that I
work with, they genuinely want to make a difference. They
want to work with our families, they want to work in our
communities. You know, have we a number of areas to
improve on? Absolutely. There is a full acknowledgment of
that. But, I know with the people that I work with, we’re
going to continue to do that and investigate the files that need to be investigated, you know, work with our communities so that we can become more culturally reflective of the diversity that we have across this country.

And, where we need to, I would really appreciate the opportunity to reconcile some of the wrongs and make them right. And, I think, you know, as we continue moving forward, it’s a shared responsibility, you know, our community safety, and I really genuinely believe that, you know, we need everyone at the table. Policing and the RCMP is one aspect of that, and I think of all the isolated or limited duration communities that we're in, and even, you know, our larger centres, we can't do it alone. And we really need to be able to address the socio-economic issues that are happening in our communities. We need absolutely everybody working with us. And we need our own communities.

You know, I think, as I was mentioning before, I come from a self-government First Nation. We teach our kids our language. We even do that in the public school. And we, you know, we look after our own lands, you know, the harvesting and conservation and so many things. We have the ability to do that. We need to be able to do that, but we need the support to do it successfully.
And, you know, when I think about the over-population of our people in correctional facilities, they don't belong there. They -- we need to be able to, instead of constantly be reacting, be preventative and work with our communities holistically to prevent that.

And I just again want to say thank you very much for the opportunity and to be here on behalf of the RCMP. And to the families, thank you so much for sharing everything that you have. Masi-cho (phonetic).

MS. CHRISTA BIG CANOE: And you have nothing else to add, Ms. McConville?

MS. ANNE McCONVILLE: No.

MS. CHRISTA BIG CANOE: Thank you.

You can stop this time, please, Mr. Registrar, and reset it for 10 minutes so that Maître Jacob has the opportunity for 10 minutes to do his re-examination of Capitaine Charbonneau.

--- RÉ-INTERROGATOIRE PAR Me BERNARD JACOB:

Me BERNARD JACOB: Alors, j’invite tous les gens à prendre leurs earphones et je vais essayer de parler tranquillement pour la traduction.

D’entrée de jeu, Capitaine Charbonneau, j’aimerais savoir, la vidéo que ma consoeur, Me Boucher, vous a montrée à l’assemblée, elle a été faite dans quel objectif?
CAPITAINE PAUL CHARBONNEAU: L’objectif principal de cette vidéo-là était de présenter le projet à l’ensemble des officiers-cadres de la Sûreté du Québec. La première fois qu’elle a été visionnée c’est lors d’une réunion. Une fois par année, tous les officiers-cadres de la Sûreté du Québec se réunissent et la vidéo a été présentée à ce moment-là aux 400 officiers-cadres présents.

Me BERNARD JACOB: Corrigez-moi si je me trompe, Monsieur Charbonneau, mais nous ne voyons aucun citoyen interrogé à la caméra qui serait un membre des Premières Nations.

CAPITAINE PAUL CHARBONNEAU: Oui, c’est exact.

Me BERNARD JACOB: Et dans les policiers qui sont interviewés, nous ne sommes pas en mesure d’identifier s’il y a des Métis ou des autochtones? Corrigez-moi si je me trompe.

CAPITAINE PAUL CHARBONNEAU: Ben, moi, je ne suis pas capable de les identifier, non.

Me BERNARD JACOB: O.k. Il est possible qu’il en n’ait pas un?

CAPITAINE PAUL CHARBONNEAU: Je peux pas infirmer ou confirmer ça, non.

Me BERNARD JACOB: D’accord.

Monsieur Charbonneau, je vais vous inviter à
regarder ce que nous trouvons sous l’onglet J du cahier des commissaires et comme Exhibit 119 au dossier de la Commission.

On comprend que c’est le rapport de liaison annuel autochtone, c’est bien ça?

CAPITAINE PAUL CHARBONNEAU: Oui, c’est exact.

Me BERNARD JACOB: Et on vise la période du 1er avril 2016 au 31 mars 2017?

CAPITAINE PAUL CHARBONNEAU: C’est exact.

Me BERNARD JACOB: Juste un élément sur lequel je veux attirer votre attention, il y en a un en particulier. Je vais aller à la page 16 sur 76. Il est écrit, en ce qui concerne la communauté de Kitcisakik, qui est desservie par une section régulière de la Sûreté, c’est bien ça, c’est-à-dire des policiers de la Sûreté du Québec?

CAPITAINE PAUL CHARBONNEAU: Oui, c’est exact.

Me BERNARD JACOB: Donc, il est mentionné :

« Les membres de la communauté ont toujours une certaine crainte envers les policiers de Val d’Or suite aux événements de 2015. Le bracelet rouge porté par les policiers en solidarité avec les policiers de Val d’Or est mal
perçu par la communauté de Kitcisakik. »

Je comprends que ça, ç’a été écrit au plus tard le 31 mars 2017 et je comprends qu’encore aujourd’hui la problématique n’est pas encore réglée. C’est ce que je comprends. Au contraire, elle s’est amplifiée. Vous me dites que beaucoup d’autres policiers de la Sûreté du Québec ont commencé à le porter par solidarité avec leurs collègues de Val d’Or.

CAPITAINE PAUL CHARBONNEAU: En fait, ce que j’ai précisé c’est le port de ce bracelet-là, lorsqu’il a débuté, c’est devenu rapidement un mouvement provincial. Ça ne s’est pas amplifié depuis. C’est devenu rapidement un mouvement provincial. Et nous avons posé des actions à de multiples reprises et, comme je le répète depuis hier, nous tentons de convaincre au lieu de contraindre.

Certaines nouvelles dispositions législatives viennent d’entrer en vigueur et vont nous donner un levier. De toute évidence, on en reparle encore une fois. On en a parlé toute la journée. On en a parlé à multiples reprises.

Me BERNARD JACOB: Je pense que la directive va arriver.

CAPITAINE PAUL CHARBONNEAU: Ça va être un facteur que nous allons prendre en considération pour le
Mais par contre, je vous rappellerai que ce qui est important pour la Sûreté du Québec, d’abord et avant tout, c’est le service à la population, et nous, nous faisons une seule équipe, une seule sûreté, une force humaine au service de la population et de contraindre pourrait... et je cite le rapport Gilbert, l’analogie que j’ai faite tantôt, je le rappelle... si nous devons... nous nous devons, dans tous les cas, de sous-peser les conséquences possibles de toute action que nous menons, et c’est ce que nous sommes en train de faire.

Par contre, la Sûreté du Québec n’a jamais refusé de faire preuve d’introspection et de prendre de nouvelles décisions.

Me BERNARD JACOB: Mais corrigez-moi si je me trompe, Capitaine Charbonneau, mais le rapport Gilbert, ça portait sur la Sûreté du Québec dans la pinède et non pas sur un port d’équipement. On est vraiment dans un contexte... je pense que le rapport de M. Gilbert visait davantage à réfléchir avant de faire une action policière que plutôt de réfléchir sur le morale des troupes.

CAPITAINE PAUL CHARBONNEAU: En fait, l’analogie se tient parce que toute action, toute intervention que nous devons faire, nous devons sous-peser les conséquences. Et je vous rappellerai que le port de ce
bracelet-là... puis c’est une situation complexe qui est arrivée lors d’un événement complexe, avec des ramifications multiplies et nous devons bien analyser la situation et nous devons mesurer l’impact de chaque décision que nous allons prendre dans un cas comme celui-ci, dans un contexte particulier comme celui que nous avons connu.

Me BERNARD JACOB: Je vais toujours à la Pièce 119, Unité mixte d’enquête sur le crime organisé autochtone qu’on voit à la page 5 de 76.

Pouvez-vous expliquer c’est quoi l’Unité mixte d’enquête sur le crime organisé autochtone?

CAPITaine PAUL CHARBONNEAU: En fait, j’en n’ai pas de connaissance personnelle et profonde de cette initiative-là, qui est une initiative de la GRC à laquelle nous participons. L’Unité mixte, moi je la connais sous l’appellation UMÉCOA, Unité mixte d’enquête sur le crime organisé autochtone.

D’ailleurs, c’est cette unité... moi, j’ai eu contact avec cette unité lors de mes fonctions à titre de responsable des mesures d’urgence pour la région Outaouais-Laurentides où il y a eu une intervention avec l’UMÉCOA et la Sûreté du Québec qui y participait et le poste d’Oka sur le territoire de Kanesatake où il y a eu des perquisitions en matière de stupéfiants. C’est la
seule connaissance que j’ai de cette unité-là.

**Me BERNARD JACOB:** Capitaine Charbonneau, à
la page 11 de 76 de la Pièce 119, on voit qu’il y a une
liste d’agents de relation... agents de liaison autochtone.
Hier, vous avez pris l’engagement de nous indiquer combien
il y avait d’agents de liaison autochtone parmi les 10, si
je me trompe pas?

**CAPITAINE PAUL CHARBONNEAU:** Oui, en fait,
merci de me donner l’opportunité de remplir cet engagement.
Nous avons, au moment où on se parle, deux agents de
liaison autochtone qui sont des autochtones. Il s’agit de
Dave Bergeron, qui est présentement prêté au Service de
collection... et là je m’excuse pour la prononciation... Ieu
Innu à titre d’officier et ce prêt va être renouvelé aussi
parce qu’il y avait des besoins de la Nation crie à ce
moment-là. Le Sergent Bergeron à la Sûreté du Québec c’est
un Cri.

Nous avons également le Sergent Carlos
Kistabish. Je m’excuse encore une fois pour la
prononciation. J’en suis pas certain. Qui est un membre
qui est posté à Val d’Or pour la nation Anishinaabe-
Algonquine.

**Me BERNARD JACOB:** Merci.

Je vois, toujours à la page 10 sur 76 en
parlant de l’agent de liaison autochtone :
« Dans la mesure où il est perçu comme un interlocuteur fiable, il contribue à désamorcer des conflits et, le cas échéant, à maintenir le dialogue après les événements. »

Quelles mesures sont mises en place pour vous assurer, avant qu’il arrive une crise, que l’agent de liaison autochtone est perçu comme un interlocuteur fiable?

Quels sont les moyens à la Sûreté du Québec pour s’assurer que la personne mise en place rencontre les objectifs visés par la Sûreté?

CAPITAINE PAUL CHARBONNEAU: En fait, lors de l’arrivée en place d’un nouvel agent de liaison autochtone, on doit l’introduire à la nation où il va servir de liaison et c’est souvent fait par d’autres agents de liaison autochtones, surtout le coordonnateur provincial ou le responsable du Bureau des affaires autochtones. Alors, c’est un processus d’introduction dans ses nouvelles fonctions.

Et ce qu’il y a de particulier à la Sûreté du Québec, quand nous avons réorganisé la liaison autochtone en 2015-2016 avec la création du Bureau des affaires autochtones en 2016 et que nous les avons réorganisées par nation, nous avons aussi ramené au quartier général à Montréal la coordination provinciale. Le
but étant — et je le rappelle, je l’ai dit dans mon
témoignage principal — que les actions soient cohérentes
d’un agent à l’autre et qu’il y ait une uniformité dans la
façon de faire les choses. Ceci a créé l’équipe de liaison
autochtone qui est le Bureau des affaires autochtones, qui,
par le biais de conférences téléphoniques, de rencontres
ponctuelles, ils peuvent venir supporter le nouvel agent de
liaison autochtone. C’est de cette façon-là que nous
faisons le transfert d’expertise, ce qui est important pour
nous.

Me BERNARD JACOB: Dernière question pour
terminer. À l’onglet K, pièce 116, on va tourner les pages,
on voit dans un acétate :

« Mais avant tout le but avoué de la
Loi sur les Indiens, c’est
l’assimilation. »

Ça, c’est écrit dans la formation donnée par
la Sûreté du Québec la deuxième journée, le volet opérationnel.
Vous avez suivi cette formation-là?

CAPITaine PAUL CHARBONNEAU: Oui, j’ai suivi
cette formation-là.

Me BERNARD JACOB: Et c’est quoi la
conséquence de la Loi sur les Indiens sur vos interventions
policières? On sait que c’est une loi fédérale, mais c’est
quoi l’impact que ça peut avoir sur vos opérations
policières à vous?

**CAPITAINE PAUL CHARBONNEAU:** En fait, ça fait partie de la sensibilisation aux réalités autochtones que nous donnons à nos policiers. Il est important pour nos policiers de comprendre tout le cheminement historique, entre autres la Loi sur les Indiens, et les conséquences que ça a pu avoir sur les Premières Nations, ben, au Canada, mais plus spécifiquement pour nous, au Québec. Alors, la compréhension de ce phénomène-là va venir aider les policiers à comp… parce que quand qu’on sert une population là, il faut savoir d’où ils viennent pour savoir pourquoi ils pensent ce qu’ils pensent maintenant. Ça, c’est très important. Ça fait que en sachant d’où ils viennent et ce qu’ils ont vécu, ça vient nous aider à comprendre comment ils voient les choses maintenant et ça va nous aider à comprendre comment nous on peut faire les choses pour être mieux perçus. Parce que lors d’une intervention policière, des fois l’intervention, elle est bien faite, mais elle est mal perçue, et c’est une question de communication. Alors, quand qu’on veut que la communication fonctionne, nous devons – et c’est très important – savoir d’où on vient pour comprendre pourquoi on fait les choses comme ça aujourd’hui.

**Me BERNARD JACOB:** Merci, Capitaine Charbonneau.
MS. CHRISTA BIG CANOE: Thank you, counsel. That concludes the redirect. At this point, I would invite the Commissioners to ask questions of the witnesses.

--- QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:

CHIEF COMMISSIONER MARION BULLER: Okay. Just for the benefit of the witnesses, we are going to question witness by witness. So, Captain Charbonneau, you get to go first.

My first question for you, Captain, has to do with searches for lost loved ones. And, please tell me if this is outside of your area of experience or knowledge, what is the SQ Policy for stopping the search of a lost loved one?

CAPITAINE PAUL CHARBONNEAU: En fait, je vous remercie, Madame la commissaire en chef, de me donner l’opportunité d’en parler, et je peux vous en parler parce qu’avant d’être le directeur des Services juridiques, j’étais officier de mesures d’urgence pour la région Outaouais-Laurentides. En fait, un poste qu’officiellement j’occupe toujours.

Lorsque nous faisons des recherches terrestres à la Sûreté du Québec – on va parler des recherches terrestres, c’est aussi le cas dans les recherches nautiques –, on fonctionne par probabilités de détection. Alors, je m’explique.
Nous allons cesser des recherches terres lorsqu'un certain pourcentage de probabilités de détection est atteint. Ça peut être 90 %, 94 %, c'est déterminé lors de l'opération en fonction des outils que nous avons mis en place. À la Sûreté du Québec, il est possible d'effectuer des recherches terrain avec des policiers au sol, appuyés d'équipes de bénévoles qui sont dédiées à ça, c'est des équipes de bénévoles qui ont été formées, entraînées, et accréditées par Sécurité civile Québec. Ça, c'est un des outils que nous avons.

Nous avons aussi des maîtres-chiens qui vont faire des recherches aériennes avec... et là, je m'excuse, les termes sont peut-être pas exacts là, mais nous avons le « FLIR », le « forward-looking infrared », nous avons aussi des détecteurs de chaleur, en fait c'est ce que c'est, et nous avons des observateurs aériens. Nous avons la possibilité d'utiliser beaucoup d'outils pour faire de la recherche terrestre, et chacun de ces outils-là, et de façon scientifique, nous savons par exemple - et là, j'ai pas les chiffres exacts, je m'en excuse -, mais si on fait du travail avec un maître-chien et que nous faisons des recherches terrestres avec l'aide d'un chien, ben, la probabilité de détection lorsque le chien a fait une certaine zone, ben, ça monte à tant de pour cent. Et si on passe ensuite avec l'hélicoptère, c'est tant de pour cent,
et là qui offre la plus grande probabilité de détection,
c'est les recherches au sol, et nous avons des équipes
spécialisées à la Sûreté du Québec à la division des… à la
Direction des mesures d’urgence – on appelle ça « l’unité
d’urgence » –, y’a… ils sont basés à Saint-Hubert, à Québec
et à Mascouche pour avoir une posture opérationnelle nous
permettant de nous déployer rapidement un peu partout en
province. Alors, c'est des gens spécialisés en recherches
qui peuvent être appuyés de bénévoles, et ça, ça l’augmente
aussi le pourcentage de détection.

   Et ça, c'est toujours de concert avec la
famille. Ce qui est important pour nous lors de recherches,
c'est de parler avec la famille. On s’est rendu compte avec
les années que si la famille est au courant de ce que l’on
fait, pourquoi on le fait et de la façon qu’on va le faire,
y’a une meilleure compréhension des décisions
opérationnelles qu’on prend, et lorsqu’on termine une
recherche, la famille est avisée à l’avance que ça va se
produire, elle sait exactement pourquoi on va le faire, et
on est capable de lui expliquer.

   Et si y’a un fait nouveau… parce que tant
qu’une personne au Québec n’est pas retrouvée, le dossier
n’est jamais fermé, jamais, le but, c’est de la retrouver,
préférablement la retrouver vivante, mais malheureusement
il arrive des cas, Madame la commissaire, où ils ne sont
pas retrouvés vivants, mais dans tous les cas, c’est important de les retrouver, et lorsqu’un fait nouveau est porté à notre attention, l’enquête va être réouverte et il est possible que nous retournions, sur la base de ces nouvelles informations, refaire de nouvelles recherches terrestres ou de nouveaux types de recherches.

Les recherches nautiques, parce qu’il arrive que des gens qui sont disparus, c’est parce que y’ont fait une chute à l’eau, ben, nous avons des plongeurs qui ont des équipements spécialisés. On en a d’ailleurs, dans le but de favoriser les déplacements là, nous avons acheté... et là, je connais pas les termes techniques encore une fois, je m’excuse, mais je pense c’est des scooters sous-marins là, nos plongeurs peuvent couvrir de plus grandes distances avec cet équipement-là et nous avons des radars aussi, ça ressemble, physiquement là, j’en ai vu un une fois là, c’est comme une grosse torpille, et ça, ça nous permet de scruter les fonds marins. Ça aussi, y’a des pourcentages de détection possible. C’est un peu le même... je vous dirais la même technique, la même façon de faire que pour les recherches terrestres, mais à ce moment-là ça se passe sur l’eau.

Ça fait que c’est la façon de faire à la Sûreté du Québec. Pour répondre à votre question le plus simplement possible, nous allons cesser les recherches
lorsque toutes les choses possibles, toutes les actions possibles dans le but d’augmenter le pourcentage de détection ont été faites. À ce moment-là, nous allons prendre la décision et la famille va être avisée à l’avance.

CHIEF COMMISSIONER MARION BULLER: Thank you. Just so the other witnesses know, I’ll be asking you the same questions, and I’ll be asking you this same question too.

Captain Charbonneau, over the course of our hearings, and I know you have been following some of the hearings, we have heard numerous, numerous complaints from families and survivors about the investigation done or not done by an SQ member that has left that family member with a variety of questions that have gone unanswered, in some cases, for decades. What, if anything, is the SQ willing to do to answer the family and survivors’ unanswered questions at this point in time?

CAPITAINE PAUL CHARBONNEAU: En fait, il est possible de rencontrer le service d’enquête, l’enquêteur au dossier. Je sais que récemment nous avons organisé des rencontres. Au cours des deux dernières années entre autres, vous êtes pas sans savoir, Madame la commissaire, que ça a aussi été dit à la Commission provinciale. Alors, on a organisé... des fois, c'est une question de
communication aussi, et il arrive à l’occasion que les réponses qu’on donne ne sont pas satisfaisantes. Ça aussi, ça arrive. Par contre, des fois c’est un manque de... ça peut être un manque de communication. ...Peut-être qu’on a utilisé des termes techniques ou peut-être... des fois il faut juste s’assurer... parce qu’en communication, c’est non seulement de communiquer et de donner le message, il faut aussi s’assurer de la compréhension. Il faut aussi comprendre les filtres à travers lesquels on perçoit un message, parce que ça aussi ça vient nuancer le propos.

On a organisé au cours des deux dernières années, entre autres, et nous sommes assistés du Directeur des poursuites criminelles et pénales au Québec, il arrive que des procureurs et des enquêteurs conjointement rencontrent les survivants ou les familles dans le but d’expliquer. Le but est d’expliquer pourquoi nous en sommes rendus là, pourquoi... de donner toutes les réponses que nous avons.

Mais il arrive également que les familles ont des questions et nous avons les mêmes questions.

Il va quand même arriver des cas, Madame la commissaire, où on n’aura pas toutes les réponses.

**CHIEF COMMISSIONER MARION BULLER:** No, I certainly understand, Captain, that in some cases maybe there are no answers. But the families don't know that,
and that's what they're telling us. So we can't go into each case individually with you, but would the SQ be willing to, by way of a website or social media, provide one person, or a toll-free line, or something similar, or a combination of all of those to make it easy for families and survivors who have testified to reach the SQ to get the answers that they want?

**CAPITAINE PAUL CHARBONNEAU:** En fait, c'est une suggestion que nous allons prendre en considération.

Je rappelle ce que j'ai dit à votre collègue, la Commissaire Audette, ce matin. Il y a moyen de demander, aussi d'appeler au service de police et nous allons organiser les rencontres qu’il faut et communiquer les informations qu’il faut.

La Sûreté du Québec va prendre note de votre suggestion que vous venez de faire. Nous allons la prendre en considération.

**CHIEF COMMISSIONER MARION BULLER:** I realize -- to press further, sir, I appreciate what you've said, but I need more. Obviously, the existing ways of complaining or the existing ways of getting information haven't been working for these families and survivors, and obviously, they need another route to take.

So is the SQ willing to do this, to make a new route, a different way, a simpler way, an easier way
for families and survivors to get to investigators and
other members who can give them the answers, to talk to
them and to listen to them and to give them the answers
that they want and they deserve?

CAPITAINE PAUL CHARBONNEAU: En fait, la
Sûreté du Québec est prête à mettre tout en œuvre pour que
les familles aillent des questions.

Vous comprendrez, cependant, que je ne peux
pas prendre l’engagement devant vous aujourd’hui de faire
un toll-free line ou un site web. Je ne peux pas prendre
cet engagement-là aujourd’hui.

Ce que je peux faire c’est vous dire que
toutes les suggestions qui vont nous permettre d’accomplir
notre mission en sécurité publique, nous allons les prendre
en considération et en mesure de la faisabilité de celles-ci, nous allons les mettre en œuvre, le cas échéant.

CHIEF COMMISSIONER MARION BULLER: By when
could you give the commissioners and myself, the families
and survivors, an indication of the SQ’s intentions?

CAPITAINE PAUL CHARBONNEAU: Je pourrais pas
vous donner un horizon de temps parce que je devrai
consulter les decision makers et la faisabilité de ça, mais
très certainement je... I could follow up on it. I could
follow up on it, for sure.

CHIEF COMMISSIONER MARION BULLER: Okay.
Could you follow up with the commissioners and myself in 30 days?

CAPITAINE PAUL CHARBONNEAU: In 30 days, I guess we could.

CHIEF COMMISSIONER MARION BULLER: Okay.

Thank you, sir.

CAPITAINE PAUL CHARBONNEAU: We will.

CHIEF COMMISSIONER MARION BULLER: Okay.

--- QUESTIONS BY COMMISSIONER QAYAQ ROBINSON:


Captain Charbonneau, you provided us with a number of policy manuals that described standards for investigating specific kind of offenses. My French isn't that great, but I understand so there was the Missing Persons manuals, Sexual Violence and Domestic Violence.

Are those manuals or policies available in English?

CAPITAINE PAUL CHARBONNEAU: Pas à ma connaissance, non.

COMMISSIONER QAYAQ ROBINSON: And these are the manuals that your police officers are trained with and they implement, it's their marching orders?

CAPITAINE PAUL CHARBONNEAU: Oui.
COMMISSIONER QAYAQ ROBINSON: Are you aware of the languages spoken in Nunavik, the northern part of Quebec where Inuit live?

CAPITAINE PAUL CHARBONNEAU: Oui, c’est l’inuktitut. Par contre, toutes les directives de la Sûreté du Québec, les policiers de la Sûreté du Québec comprennent et parlent le français et les manuels dont vous faites référence et les politiques de gestion, c’est dédié aux policiers de la Sûreté du Québec.

Les policiers aux Nunavut, ma compréhension est que c’est le Kativik Regional Police Force. La Sûreté du Québec a certains effectifs à Kuujjuaq, mais les politiques de gestion que nous avons fournies sont dédiées à la Sûreté du Québec et non aux autres corps de police. À ce moment-là, il faut que les autres corps de police prennent référence dans le Guide des pratiques policières du Québec, qui est rédigé par le ministère de la Sécurité publique.

COMMISSIONER QAYAQ ROBINSON: I appreciate that. Not quite where my question's going though.

The SQ is responsible for major crimes investigations in the Nunavik Region?

CAPITAINE PAUL CHARBONNEAU: Oui.

COMMISSIONER QAYAQ ROBINSON: And that -- and those investigations would be greatly assisted by
having Inuit Inuktitut-speaking officers as part of the SQ. Wouldn't you agree?

**CAPITAINE PAUL CHARBONNEAU:** Oui, ça serait un avantage indéniable.

**COMMISSIONER QAYAQ ROBINSON:** Now, in the Nunavik Region, my understanding, and if you have stats to correct me, I will take it, the first language for more than 80 percent of the population is Inuktitut. The second language most spoken is English. Under the education provisions, Inuit are exempt from mandatory French education.

So the pool of French-speaking Inuit that the SQ could recruit is not that high; wouldn't you agree?

**CAPITAINE PAUL CHARBONNEAU:** Oui, de la façon que vous le présentez, oui.

**COMMISSIONER QAYAQ ROBINSON:** And if all of your polices and manuals are in French and not in English, the second language of most Inuit, that is a barrier to them serving within the SQ?

**CAPITAINE PAUL CHARBONNEAU:** Oui. En fait, par contre, la Sûreté du Québec doit opérer dans un cadre juridique bien précis, un cadre légal bien précis à l’intérieur de la Province de Québec qui est soumis à la Charte de la langue français au Québec. La langue officielle au Gouvernement du Québec c’est le français et...
ma compréhension... et là je vous dis ça de mémoire; je ne suis pas un expert... le Gouvernement du Québec ne traduit que des lois et règlements en anglais.

Alors la Sûreté du Québec, dans nos politiques de gestion, nous ne sommes pas tenus... et d’ailleurs, ç’a été expliqué durant la session ici. On n’est pas tenu de tout traduire en anglais.

Ce que nous faisons, nous traduisons en anglais certains formulaires destinés au public. Ça c’est traduit en anglais, les formulaires de déclarations, et cetera, ce genre de formulaire-là.

COMMISSIONER QAYAQ ROBINSON: I'm not disputing on the legality of it, I'm just looking at systemic issues which may cause there to be obstacles in having Indigenous people in the force, but then also to the investigation. So thank you for that.

I would also suggest that having these types of policing standards clear to the public so they know these types of policing standards clear to the public so they know what to expect is something that would be beneficial, so people know what to expect from the police, would you agree with me?

CAPITAINE PAUL CHARBONNEAU: Oui, je serais d’accord.

COMMISSIONER QAYAQ ROBINSON: And, that
again, having these standards only available in one of two
colonial languages amongst an Indigenous population that
predominantly speak their own language is an obstacle to
information as well?

CAPITAINE PAUL CHARBONNEAU: Je... j’ai pas
bien saisi là. Un obstacle à...?

COMMISSIONER QAJAQ ROBINSON: The public
understanding what the standards are and what to expect of
police.

CAPITAINE PAUL CHARBONNEAU: Oui. Les
politiques de gestion ne sont pas publiées de façon
publique à la Sûreté du Québec. Je les ai... on les a remis à
la Commission pour votre compréhension de nos pratiques,
mais elles sont destinées au personnel policier de la
Sûreté du Québec.

COMMISSIONER QAJAQ ROBINSON: Okay. I want
to move onto the services that the Sûreté du Québec provide
in Nunavik. We’ve heard from Chief of the Katavik Regional
Police Force that under the agreement, I believe it’s a
tripartite agreement, there is an expectation that there
are to be seven SQ officers within the Nunavik territory.
Are you aware of this provision?

CAPITAINE PAUL CHARBONNEAU: J’ai pas pris
connaissance de l’entente spécifiquement, par contre je
suis pas certain que c’est sept policiers, mais plutôt sept
membres de la Sûreté du Québec, ce qui inclurait du
personnel civil, et puis actuellement ma compréhension
c’est que y’en a cinq à Kuujjuaq.

COMMISSIONER QAJAQ ROBINSON: Okay. We were
advised that currently there is one employee of the Sûreté
du Québec within Nunavik in Kuujjuaq. Are you aware of
this?

CAPITAINE PAUL CHARBONNEAU: Ben, je
pourrais vérifier ça. Ce que j’ai vérifié par contre, quand
j’ai fait la demande, quand j’ai entendu le témoignage de
M. Larose, j’étais ici cette semaine, y’a cinq personnes
présentement à l’emploi de la Sûreté du Québec au poste de
Kuujjuaq, et effectivement, tel que mentionné par
M. Larose, nous avons des... certains défis de recrutement et
c’est quelque chose sur lequel nous travaillons
actuellement. Nous en sommes conscients et nous travaillons
là-dessus actuellement.

COMMISSIONER QAJAQ ROBINSON: Okay. We also
heard from Mr. Larose that, on average, when it comes to
the investigation of a serious sexual assault, specifically
an aggravated assault, that the wait can be on average six
months. Is this a timeframe that you are aware of?

CAPITAINE PAUL CHARBONNEAU: En fait, il
faudrait nuancer. Lorsqu’il y a une agression sexuelle qui
est commise au Nunavik et que le Service de police régional
de Kativik nous demande assistance, nous dépêchons des enquêteurs. La portion des fois où on attend jusqu’à six mois, c'est pour la portion entrevue vidéo, qui est une forme de preuve spécifique, ça prend des enquêteurs entrainés, et il arrive que c'est plus long pour organiser. Y’a des éléments techniques là, il faut enregistrer les entrevues sur différents CDs en même temps, y’a certains équipements, c’est... on peut pas faire ce genre d’entrevue là en mettant juste une caméra numérique comme ça, y’a une façon de le faire, c’est très technique, ce qui peut expliquer les délais.

Toutefois, la SUQ est prête à regarder ces délais-là et les façons de faire pour peut-être les réduire. Mais à ce moment-ci, c’est la réponse que je peux vous donner. Mais en aucun temps lorsque la sécurité de quelqu’un est compromise, est-ce que y’a des délais de cette nature-là. En aucun temps. Quand qu’on me parle d’un délai de 12 heures, ça, c'est fort possible parce que le temps de noli... parce que les enquêteurs, dépendamment de leur position opérationnelle du moment, les enquêteurs peuvent partir pour se rendre... si on va à Kuujjuaq ou à Salluit, c’est pas la même chose aussi, c’est pas le même temps de vol, alors faut rappeler le personnel, organiser l’équipe, noliser l’avion, mettre sur l’avion l’équipement requis pour aller faire... parce que y’a peut-être des
expertises à faire, y'a certains équipements qu'il faut apporter avec nous, et là y'a le temps de vol aussi, et le type d'appareil utilisé peut influer le temps de vol. Et souvent, dans des régions éloignées, moi, j'ai travaillé à Schefferville là, je connais bien là, quand je prends le DASH-8 de Schefferville à Sept-Îles, c'est une demi-heure, si je prends un Piper Navajo, c'est deux heures. Ça fait que ça aussi ça vient influencer sur le délai qu'il peut avoir. Mais en aucun temps lors que la sécurité de quelqu'un est compromise, on y va sans délai, le plus rapidement possible.

Mais il arrive que des enjeux météo aussi peuvent venir jouer là. Je vais vous donner un exemple concret. Lorsque j'étais à Schefferville, lorsqu'on détient quelqu'un pour comparution, il faut le faire comparaître dans les 24 heures, pis c'est déjà arrivé à Schefferville que j'ai gardé quelqu'un au poste de police trois jours parce que la météo ne permettait pas à l'avion d'aller à Sept-Îles et y'a aucun autre moyen pour descendre à Sept-Îles que par avion.

COMMISSIONER QAJAQ ROBINSON: I grew up even further north, so I’m very familiar with the challenges of weather and flights. I’m appreciative that the SQ is prepared to look at this issue. And, we’ve heard a lot of, you know, “as soon as possible”, and “as soon as we can”, 
and “as soon as permitted”, are you prepared to undertake
to give us a report with respect to the response times
within Nunavik by the SQ as you look at this issue to
provide us with an idea or a baseline of what the current
state is?

It’s clear that there are issues with there
being community based resources available and perhaps the
current model isn’t the best one. So, I’m asking that in
light of what was shared with us by Mr. Larose and what you
raised with us today, if you would be able to provide us
with that information about response times to calls within
Nunavik by the SQ?

CAPITAINE PAUL CHARBONNEAU: En fait, je ne
sais pas si des statistiques sur le temps de réponse
existent. Je suis pas en mesure de confirmer que nous avons
des statistiques sur les temps de réponse, mais si elles
existent, oui, c’est quelque chose que nous pourrions
fournir à la Commission.

COMMISSIONER QAJAQ ROBINSON: I appreciate
that. If they don’t exist, I want to know that too.

CAPITAINE PAUL CHARBONNEAU: Oui, tout à
fait.

COMMISSIONER QAJAQ ROBINSON: Okay. There
is one dynamic that we’ve heard from families and
survivors, and again it goes back to this language issue,
and it has been shared with us a couple of times that
Inuit, particularly when outside of Nunavik, in dealing
with police officers have at times been -- when it comes to
the language spoken, officers or police staff have refused
to speak English. Is this something that police are
entitled to do?

CAPITAINE PAUL CHARBONNEAU: En fait, je... à
la Sûreté du Québec, on tente toujours de communiquer le
mieux possible avec tout le monde, et un policier qui
comprend l’anglais, qui parle l’anglais, je comprends pas
pourquoi il refuserait de le faire. Par contre, on a des
policiers à la Sûreté du Québec qui ne sont qu’unilingues
francophones, et ça, ça peut être un enjeu effectivement,
ça peut d’ailleurs être un enjeu pour nos centres d’appel
egalement.

COMMISSIONER QAJAQ ROBINSON: Okay. I
believe those are all my questions. Merci. And, I look
forward to receiving the additional information.

COMMISSIONER QAJAQ ROBINSON: Captain
Charbonneau, I don’t have any additional questions for you.
So, at this point, I just want to thank you for coming, and
attending, and giving your evidence and answering
questions. Thank you very much.

CAPITAINE PAUL CHARBONNEAU: Thank you,
Commissioners. I appreciate the time that I was allowed.
COMMISSIONER QAJAQ ROBINSON: We’re going to ask you some questions now Deputy Commissioner Butterworth-Carr if you don’t mind.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Of course.

COMMISSIONER QAJAQ ROBINSON: I want to thank you as well for being here. Before we start, there have been a number of manuals, modules that were provided. I was wondering if the RCMP also have specific directives for domestic violence, child sexual abuse and sexual assaults as well?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes, we do.

COMMISSIONER QAYAQ ROBINSON: Could we get copies of those as well?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Of course.

COMMISSIONER QAYAQ ROBINSON: Thank you.

One of the issues that was raised in the Oppal Inquiry as -- and, quite frankly, it's something that we've heard from a number of families is this inter-jurisdictional information sharing. How do police officers in one jurisdiction know about what's happened in another jurisdiction? So, for example, an individual's record of encounters with police or how many times perhaps a survivor
has had encounters with the police?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

We have our internal records communication, and it has the ability to speak to each other. And also, we have -- you know, if it's a missing person I mentioned with respect to the National Centre Missing Persons and Unidentified Remains, they'll have a repository of information there. We have the Canadian Police Information Centre that all law enforcement have access to.

So there is a number of entities over and above that, you know, depending upon the geographical location. So what I mean specifically by that is that we have the ability to communicate with Vancouver Police Department. And, you know, when I was here in Saskatchewan, Regina Police Services, Saskatoon, Prince Albert, we have the ability to talk to each other.

**COMMISSIONER QAYAQ ROBINSON:** Okay. And is this -- and this is CPIC; right? C-P-I-C? The Canadian --

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

There's aspects of investigations that are in there ---

**COMMISSIONER QAYAQ ROBINSON:** Okay.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

--- that is it's located in one jurisdiction it'll identify and inform another police agency if they're making inquiry.
In addition to the other internal systems that we have, we can certainly provide information on that.

COMMISSIONER QAYAQ ROBINSON: Okay. I guess what I'm asking is, in this day and age, access to information is so fundamental. And we as citizens move around a lot.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: M'hm.

COMMISSIONER QAYAQ ROBINSON: And the reality in the north is because of a lack of services people come south; because a lack of schooling opportunities people comes south. The Nunavut territory, if you want to go to university you have to leave your territory. If you need medical attention that's not available to you within the regional hospital -- and there's a lot -- you go to Ottawa. And if you need major psychiatric intervention, you go to Ontario. You go to Manitoba. So this is the reality there.

If you are incarcerated outside of the territorial sentence and you're a woman, you're in Nova Scotia. If you are male you will likely be housed in Ontario Penitentiary.

So people are moving, but people are also moved.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
COMMISSIONER QAYAQ ROBINSON: So I would like to know and -- how many of these databases are shared by all these multiple police forces? Is there something centralized and what is it? And I feel like I'm playing a little bit of -- like trying to figure out how this all fits together because I hear different terms used and different acronyms, so I'm apologizing if this has been answered. But we heard about Power Case. We hear about CPIC. We hear about the Missing Persons' database. And I want to know if there's events that happened in, say, northern Quebec, Salluit, and the people involved in that now live in Burnaby, do the police have this information?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
We would be able to acquire it, yes.

COMMISSIONER QAYAQ ROBINSON: Acquire it how? Asking where the people lived before or within a system where it's centralized?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
It may be within a centralized system and/or it may be that one detachment or location would call back to that physical area.

COMMISSIONER QAYAQ ROBINSON: Okay. I'm going to ask you that one after.

There's been a lot that we've heard from
families about issues with suicides and accidental deaths and how they've been characterized. Would information in, say, CPIC, which it seems to be the most widely accessible data system, would information about the circumstances surrounding a suicide or an accidental death be in the centralized data systems like CPIC?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

No, not that I'm aware of.

**COMMISSIONER QAYAQ ROBINSON:** Okay.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

No. If a person was missing, they would -- you know, there would be an indication within the Canadian Police Information Centre. But if it was a suicide, that would be retained in the system for the police of jurisdiction.

**COMMISSIONER QAYAQ ROBINSON:** And if there were, say, like, a public disturbance that involved, say, a couple, and it didn't result in any charges, but it was -- the police were involved, would that public disturbance end up in CPIC and you'd have some record of it?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

It would end up in the internal system relative to the organization.

**COMMISSIONER QAYAQ ROBINSON:** Okay.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

So in the province of British Columbia, as an example, we
have what is referred to as PRIME. All police or
jurisdictions, like the entire -- all the independent and
RCMP are on PRIME. And then throughout the rest of the
RCMP jurisdiction we're on PROS, which is a separate
system. But PROS and PRIME have the ability to speak to
each other. So if something did happen in one area, we
would be able to know about it from another area.

COMMISSIONER QAYAQ ROBINSON: Within RCMP?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yes.

COMMISSIONER QAYAQ ROBINSON: Okay.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

And -- yes.

COMMISSIONER QAYAQ ROBINSON: Okay. Any
other police forces? Do First Nations police forces put
data into PRIME?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

In the province of British Columbia, yes.

COMMISSIONER QAYAQ ROBINSON: Okay.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

And in Saskatchewan, we have -- like I said, RCMP
jurisdiction has PROS, and then the independent police have
what's referred as TUNISH (ph), which is essentially a
variation of PROS, but there's a portal they can talk to
each other through.
COMMISSIONER QAYAQ ROBINSON: Okay.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

It's very complex.

COMMISSIONER QAYAQ ROBINSON: I ---

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Yeah, it's not -- yeah, there isn't, like, a massive centralized system based upon what it is.

COMMISSIONER QAYAQ ROBINSON: Okay. So that's an area I gave you about that, you know, from Salluit from Burnaby, if a couple, a young couple, you know, have a couple of -- the hallmark starting points of a domestic violence situation occurring in the early stages of their relationship in a northern part of Quebec, for example, it comes on -- or police radar in the form of, you know, public disturbances. Then, you know, the young couple wants to go to school. They don't have access to education in their territory. They move to Ottawa under the jurisdiction of the Ottawa City Police. There's a couple of instances that get into the police radar of actual possible assaults, but for one reason or another there's no charge. There's no conviction. Then she fled to, say, Vancouver because the violence has gotten more serious. But again, no charge, no conviction. But they're on the radar.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
M'hm.

COMMISSIONER QAYAQ ROBINSON: Each of those police stations, Kativik Regional Police Force has had interactions. Ottawa City Police has had interaction. Now she's in B.C. She's fleeing. She wants to go to university. He follows her. She ends up dead. How does the police there know about all these events that occurred before and how quickly can you access that information?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: We would be able to -- if it was in -- so I was describing the different areas, we would be able to access it. There would be a record of investigation wherever this occurred regardless of whether there was charges or convictions. There would still be a report that was required to be completed. And, we would be able to trace it back to the originating interaction. As long as there’s a police report, we would be able to trace it back.

COMMISSIONER QAJAQ ROBINSON: But, how quickly? Like, you can’t go into one system. You would have to investigate back from police force to police force; is that fair?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: It depends, but yes.

COMMISSIONER QAJAQ ROBINSON: Yes. On this
last point of information management, we heard from retired
Sergeant Yvonne Niego who’s with the Government of Nunavut
that trying to download an email with an attachment -- and
would you agree that access to high-speed, reliable
internet in remote areas, northern provinces and the
northern territories, is a must for these robust
information management and case management systems to have
the impact and the effectiveness that you hope they will
have within these areas?

DEPUTY COMMISSIONER BUTTERWORTH-CARR:
Absolutely it is. And I know that, you know, in terms of
our informatics we have the ability to go and boost certain
areas, so that would be brought in if we had to fly in to
remote location, which obviously would happen. And then,
of course, there’s aspects of it that we could, you know,
do from afar. So in Iqaluit, as an example, versus the
remote locations.

COMMISSIONER QAYAQ ROBINSON: Okay, thank
you.

I don’t want to -- I have so many question
but I’m going to narrow it a little bit down to the
implementation of the policies, in particular. And really
what I want to ask about is -- is sort of the
implementation of these policies and manuals.

We heard from -- sorry. We heard from Chief
Superintendent Pritchard that within the OPP system there’s -- in the system, computer system, a way to record completing of tasks, and if they’re not completed, there’s a trigger to supervisors.

Within the RCMP’s system is there this same sort of thing?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Absolutely.

**COMMISSIONER QAYAQ ROBINSON:** Okay. And do you have the capacity to extract data on frequency of non-compliance?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes, we do.

**COMMISSIONER QAYAQ ROBINSON:** Are you able to provide us with that type of data? And I know I should narrow it to a window to help you with this one.

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Because it would be -- what data specifically would you be looking for?

**COMMISSIONER QAYAQ ROBINSON:** Particularly with respect to benchmark offences and MCM files. How long has this system -- like, this is about a -- 10 years you’ve been operating under these systems?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So those electronic systems for major case management have
been in existence for quite some time within the RCMP jurisdictions. And I’m just trying to understand exactly—like, when you talk about benchmark offences, and/or serious major crime files, there’s a significant amount of rigour around them, so in terms of follow-up or investigative pieces, they’re constantly being reviewed and

**COMMISSIONER QAYAQ ROBINSON:** Yeah, and it’s the reports from those reviews that I’d like to know how much you -- what’s the rate of compliance? Are you finding that in, say, more remote areas where there are fewer officers that you’re seeing higher rates of non-compliance and supervisors are getting those notifications that tasks aren’t being completed?

I’m going to hold off on asking for the productions of any reports until I’ve sort of formulated what I need, but thank you for sharing with us that this mechanism is in place. I think that will be very informative. And specifically it’s relating to the MCM-type cases and the benchmark cases.

In the material with respect to benchmark cases and the oversight, it states, particularly in your overview, that when it comes to monitoring benchmark offences, reporting and weekly updates are required for active investigations, I think. What -- and I understand
from Commissioner Lucki’s testimony what “active” means; it’s there’s avenues of investigations that are available for pursuit.

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** M’hm.

**COMMISSIONER QAYAQ ROBINSON:** In the event that a matter goes inactive, what is the reporting and updating requirements for benchmark cases that become inactive?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So you mean historical; if they’re transitioned from -- okay. So essentially it’s the same thing. They still have to have a robust review that’s completed because the determination and this isn’t, you know, a “nice to do”; this is a “it will be done”.

**COMMISSIONER QAYAQ ROBINSON:** Okay. And that weekly requirement to bring forward and check in is still required.

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yeah, they’re constantly analyzed.

**COMMISSIONER QAYAQ ROBINSON:** Okay. And this is across the RCMP?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** For benchmark offences there’s specifically in the Province of British Columbia.

**COMMISSIONER QAYAQ ROBINSON:** Okay. So for,
say, a case of a murder in Nunavut, what would the -- that
has gone inactive, what would the reporting and sort of
check in on that file requirements be? Would that be under
the -- a different policy?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It’s
still with respect to the major case management principles,
right, so at the end of the day there’s still a stewardship
required. I can’t speak definitively to what, you know,
the timing would be in Nunavut. We can certainly provide
you that information. And that’s where the new National
Investigative Sources and Practices Unit that’s coming into
existence is going to further ensure that there’s that
rigour of constant analysis.

**COMMISSIONER QAYAQ ROBINSON:** Okay, thank
you.

I want to talk a little bit about the
Missing Persons Policy. And, again, within your overview
you talked about steps that are required prior to issuing a
news release. And I’m going to bring you to the page, if I
can find it. It’s on page 6 of Exhibit 100, your overview.

With respect to public -- becoming public
there were certain steps that were outlined -- and this is
2.3 -- that were taken prior to issuing a public release.
For example, checking to see if the person was admitted to
hospital, or was arrested, is in custody; interviewing
friends and associates; obtaining bank records, phone records; reviewing social media accounts; or identifying location of cell phone pinging.

Why are those steps significant prior to issuing a public release?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It’s dependent upon the missing person. So, as an example, Retired Chief Weighill described our habitual runaways. So if we know we’ve got people that are continuously running away, that we still obviously take them and do that thorough analysis but because we know they have a history of it, that’s when we would look at these aspects. If it met the high-risk threshold, then we would immediately look to release information into the media.

**COMMISSIONER QAYAQ ROBINSON:** Okay. This discourse around risk assessment and high risk, I’ve got to tell you it’s something that we’ve heard a lot from families. It seems to be that high risk can do one of things, in people’s minds. I’m not saying that this is the case but this is what I’m hearing. High risk could mean that, you know, this is a pattern, perhaps a lesser response is required. And that somehow I think some families have felt that that characterization has resulted in a decreased response. And then the risk assessments, in the language used in our discourse this week, is if they
risk high, then there’s a more robust and quicker response.

Is this a question of language use or -- I’m struggling with how we talk about risk.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

So, in the Missing Persons Policy that I provided, Operational Manual, Chapter 37.3, it defines what a high-risk person would be, for missing person investigations, means that the missing person’s health or well-being may be in imminent danger, and it lists out a number of aspects, and that’s where the analysis is anchored.

**COMMISSIONER QAJAQ ROBINSON:** Okay. I noticed the difference in approach between the OPP and the RCMP with respect to the family liaison. As I understand from Superintendent Pritchard’s testimony, the family liaison in Major Case Management is part of the investigative team. But, within the RCMP, I understand that that is not the case.

Superintendent Pritchard provided us an explanation as to why it’s their view that internal to the investigation is beneficial. I would like to hear from you as to why the RCMP’s view is the need for some distance.

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

So, it actually varies. So, the example that I gave with the Integrated Homicide Investigative Team, they have a family liaison person attached to the unit. Our Major
Crime Units, they have family liaisons attached to the units. But, if you’re in a detachment, it may be -- if it’s a larger detachment, it’ll be attached to the detachment, but we don’t have that consistently everywhere.

COMMISSIONER QAJAQ ROBINSON: Okay.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

That’s the variance.

COMMISSIONER QAJAQ ROBINSON: But, are they part of the investigative team?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

If it’s a major crime, or a major case, or a benchmark offence, yes.

COMMISSIONER QAJAQ ROBINSON: Okay. Are you able to provide us with some stats around where -- which detachments across Canada have family liaison positions?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

We would -- yes, we would be able to do that.

COMMISSIONER QAJAQ ROBINSON: Thank you.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

I just can’t do it right now.

COMMISSIONER QAJAQ ROBINSON: Yes. No, I know. Sorry, I have a couple of other questions on another document.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

And, sorry, just to clarify, they may not be identified as
a family liaison. It would be Victim Services. That’s what we would utilize, but essentially support for our families.

COMMISSIONER QAJAQ ROBINSON: Okay. And, the Victim Services are RCMP Victim Services?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: We have RCMP Victim Services and community Victim Services.

COMMISSIONER QAJAQ ROBINSON: Okay. Could you -- your detachments would know if they have access to that resource though.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: Absolutely.

COMMISSIONER QAJAQ ROBINSON: So, regardless of the title, I’d like to know.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: Yes.

COMMISSIONER QAJAQ ROBINSON: There’s been some instances where families, unhappy with investigative processes, have taken it upon themselves to do their own investigations or, in some circumstances, hire private investigators. What’s the RCMP’s, sort of, position on, one, those -- that happening; and, two, working with those private investigators if a family chooses to engage on?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: It’s the communication that has to happen between the
investigators and the families, absolutely. And, in particular, you know, if families have information that the current investigation isn’t aware of, it’s critical that that’s conveyed.

COMMISSIONER QAJAQ ROBINSON: Okay. A lot of families have described to us -- a number of families have described to us situations where their loved one is found deceased in -- with circumstances, for example, without pieces of their clothes on, and then coroners determining that the cause of death being natural causes, and that those determinations by coroners have resulted in there not being any investigations. Would this type of a report from a family concern you? And, does the word of a coroner, in that type of scenario, sufficient to justify there not being an investigation?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: Well, coroners have the determination based upon the Coroners Act and what their authorities are. So, if the family had concerns, I think it’s imperative that they bring those concerns forward.

COMMISSIONER QAJAQ ROBINSON: Okay. In a number of jurisdictions -- well, all jurisdictions on the advent of the calling of the Inquiry were given money to set up Family Information Liaison Units where families can go to get assistance in gaining information about the
status of investigations, as well as specific information about their loved ones’ case. Has your division engaged in any proactive steps to assist FILU or Families Connect?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

We absolutely have worked with the FILUs, yes. Yes.

**COMMISSIONER QAJAQ ROBINSON:** And, can you describe a little bit what, sort of, proactive steps you’re taking? It seems that there’s inconsistency there. At some jurisdictions, the expectation is the families to go forward, and when they come forward, then the process is triggered. But, it seems that a number of families aren’t aware of that, and are you assisting with that starting -- connecting these two organizations and families together in any way?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

So far as I’m aware, and I stand to be corrected but, from my knowledge, a lot of the requests have come in from the FILU. But, I can say that we’ve also -- once we’ve become aware, we’ve also reached out to them to ask -- to help facilitate that communication. So, it’s been a bit of both, I just can’t tell you exactly how many times it’s occurred.

**COMMISSIONER QAJAQ ROBINSON:** Okay. I think the rest of the questions I’ve had were answered by other people’s questions. I want to thank you very much for
making yourself available, and I also want to raise my
hands to you as a northern woman for the road you’ve paid.
Thank you.

--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:

COMMISSIONER BRIAN EYOLFSON: Thank you. Just a couple of questions, Deputy Commissioner. First, I
just wanted to follow-up on a question that Commissioner
Robinson was just asking you about where there’s -- a
family has a death of a family member, and it’s determined
by the coroner to be natural causes or, say, suicide, and
they may have concerns because, for example, there may have
been previous history of violence. And, you said if
there’s concerns, they should bring them forward, but who
do they bring the concerns forward to, the RCMP or the
coroner?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
Typically to the coroner but, you know, they always have
the opportunity to bring it forward to the RCMP as well.
We can help facilitate any follow-up.

COMMISSIONER BRIAN EYOLFSON: So, what would
happen if a family member brought forward some additional
or new evidence that raised concerns? Would the RCMP open
an investigation at that point even though there’s a
coroner’s ruling? Like, how does -- what would happen?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:
We would have to take it, and basically verify that with the coroner. And so, yes, there is an investigation.

COMMISSIONER BRIAN EYOLFSON: Okay. Thank you. I just have a few questions, so I’m going to jump around a bit. With respect to a family that has a missing loved one and, say, the RCMP does a search, like a ground search, and after that’s over, if the family wants to continue to conduct searches going forward, does the RCMP provide any support or guidance to the family in any way?

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR: Yes. Yes, and we’ve actually done that. And, in fact, we’ve actually worked with community members that are still interested in doing that and, you know, as long as they have the support of the family and, you know, we try to facilitate that. But, it’s important, you know, that we have knowledge as well so that we can work with the families. Particularly, if they happen to come across something that, you know, we need to make sure that they are aware of, you know, identifying it, letting us know, if it’s potential evidence so that we can make that determination, so that’s part of what we do too. And, with our Indigenous policing services section, they are a coordinator for that. Yes.

COMMISSIONER BRIAN EYOLFSON: Okay. Thank you. I just wanted to ask you about Complainant Family
Communication Schedule at Tab 8 of your Book of Documents, and whether or not Indigenous families with lost loved ones were involved in the design of that form, and if not, if you think it would be beneficial to have Indigenous families with lost loved ones involved in the design of that form or an alternate written communication?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes, I absolutely do agree with that in terms of the form. And certainly, from what we were hearing and sharing that there was a standardized approach to our communications with families across the organization because it is inconsistent, and it varies from division to division, we would absolutely welcome that. Because a lot of our other practices, and as I was mentioning with the national strategy in other areas there has been consultation, so yes.

**COMMISSIONER BRIAN EYOLFSON:** Okay. Thank you. So those are all the questions I had for you. So I just want to thank you very much for coming here and giving your evidence and answering all the questions. And I think the Chief Commissioner might have some questions for you.

**CHIEF COMMISSIONER MARION BULLER:** Thanks. Thank you.

--- **QUESTIONS BY CHIEF COMMISSIONER MARION BULLER:**

**CHIEF COMMISSIONER MARION BULLER:** Deputy
Commissioner, I have a few questions. We'll come to the searches and the outreach in a few minutes.

First of all, what type of work is it, or what other considerations are there to take something that is currently a program in the RCMP and making it a unit?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: That is a great -- that is a great question. I'm going to have to turn my mind to it, in terms of the logistics. I think it's something that I'm really going to have to follow up so I can provide a sound response.

CHIEF COMMISSIONER MARION BULLER:

Certainly, that's fine, and I'm sure counsel will help facilitate that. Thank you.

Then turning to the RCMP Members' Code of Conduct, it does state, and I don't know if it's article or section, but it's 8.3, and I'll paraphrase it. That if conduct of a member contravenes the Code of Conduct, then the observing member has to report that breach or that conduct as soon as feasible. But it doesn't say to whom that report is made.

Can you tell us, please, what the process is, sometimes called "whistleblower" process, but what the process is to make that, or to report that contravention? What types of encouragement there is in the way of mandatory reporting or otherwise, and how the reporter is
protected from recrimination?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So typically, when a conduct is observed or a misconduct, pardon me, is observed, then the reporting person would bring it to their supervisor's attention. But if there is concerns with whether or not the immediate supervisor is going to address it appropriately, they have the opportunity to report it through an icon on their desk where they can report it and it can go into the central national headquarters or into a divisional repository where we're immediately advised and then a proper assessment can be made a proper response.

So you know, if the individual doesn't have confidence in their current location, there is a number of avenues that they can bring it forward.

**CHIEF COMMISSIONER MARION BULLER:** And is that reporter protected any way from backlash by co-workers or other members?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** It depends upon what it is. If it's, you know, egregious in nature -- we want to ensure that people are comfortable reporting whatever the issue is, that's the first thing, and that when that information comes forward it's assessed appropriately.

If there's concern for the individual's
well-being, as an example, for retribution, as you've indicated, you know, then we would look at potentially relocating that individual or -- there's so many options available. But ultimately, the organization that, you know, we are actively trying to create is that people will hold each other accountable and they will report and, you know, it's -- I can tell you it's immediately responded to.

CHIEF COMMISSIONER MARION BULLER: So if one member overhears another member make a racist or a sexist comment, is there an obligation to report that?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Absolutely.

CHIEF COMMISSIONER MARION BULLER: And if it's not reported, what happens? Immediately?

DEPUTY COMMISSIONER BUTTERWORTH-CARR: Yeah. So essentially, when that becomes knowledge, an investigation then ensues, and you know, everyone is interviewed and -- to ascertain what their knowledge is. And the question will be, why didn't you report it? And there, in turn, could in fact be a discipline process initiated against the other individual.

We're trying to create an environment where people are feeling comfortable and competent to come -- comfortable and -- sorry. I just lost my train of thought; I apologize. We're trying to create an environment where
people have confidence to come forward and report any issues that are ongoing within the workplace, and we're trying to make that as accessible as possible.

And I can tell you that, you know, in many of our provinces and territories, well in every one of them now, we have what's -- a Gender and Harassment Committee. And I meet with them, and I can assure you that they have no problems bringing any kind of concerns forward to myself.

And you know, as I have said to all of my senior supervisors, I talk very publicly about this, we made a declaration, so myself and the senior team, that was crafted for us by my Diversity and Inclusion Committee, and again, representing the demographics and geographics of the province, that our sole responsibility is to ensure that we're providing a safe environment for our people. That they feel safe to come to work, that they feel valued, and that they are contributing in a meaningful way. And anything else, I will not tolerate.

CHIEF COMMISSIONER MARION BULLER: Thank you.

There -- turning now to the Missing Women Commission of Inquiry, also known as the OPAL Inquiry. There were several recommendations that were addressed specifically to the RCMP and/or other agencies.
Was there an action plan devised by the RCMP, especially "E" Division, in response to the recommendations?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes, absolutely. And a lot of the items were being implemented prior to the final report being completed, but I can say that definitely all recommendations have been responded to and an action plan was put in place.

**CHIEF COMMISSIONER MARION BULLER:** Okay. As requested with another action plan, would you be able to provide that document to us?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** Yes.

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

Now, let's turn to searches, ground searches, specifically. What is the policy for stopping a search, and -- for a lost loved one, and how is that communicated to the family?

**DEPUTY COMMISSIONER BUTTERWORTH-CARR:** So in terms of a specific timeline in stopping the searches, they're individually assessed based upon the geography, based upon the circumstances. And there's no definitive okay, it's going to be 7 days or 10 days. It's have we exhausted all avenues that we possibly can, utilizing what has been described by my other colleagues here.
Because we all have, you know, the technological advancement in addition to, you know, the resources, whether it's our police dog services, whether it's our emergency response teams, and so forth. And we continue to work with search and rescue and others until, you know, it's at a point where we have done everything that we possibly can.

And the communication with families is really critical, and -- for so many reasons because -- well, as you've heard, it's traumatic. It's traumatic when your loved one is gone, and you don't know where they are, and then you're looking at the police and you're thinking that they're not doing anything. And -- so that communication is critical along the whole way.

And you know, if there's a -- you know, the time when it's transitioning into police no longer being, you know, searching, then we sit with the families and we make sure that there's family support and we're able to convey that. And -- yeah.

CHIEF COMMISSIONER MARION BULLER: I'll follow up with families and survivors we’ve heard from. Commissioner Lucki’s apology was very heartfelt and certainly a big step on the part of the force, but as I said to Captain Charbonneau, we’ve heard from families who, for decades, have gone without answers to their questions,
and they, I think you would agree, deserve answers to those questions and sooner than later. So, at this point, what can you say the RCMP is willing to do to make it easy for families to access that information?

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

I would say confidently that we will do whatever we can to make it easier. And, I don’t know, you know, definitively what that would look like, it’s a discussion that I’m certainly going to take back to the Commissioner and the senior team and -- you know, because it’s not lost on any of us that there’s a continuation of miscommunication and/or lack of communication. So, for us as -- you know, we’ve all -- whether it’s the Commissioner or myself, we’re accountable to our families and we’ll do what we have to to make sure that they’ve got responses.

**CHIEF COMMISSIONER MARION BULLER:** Okay. I won’t show favourites here, so I’ve asked of Captain Charbonneau an indication within 30 ---

(TECHNICAL DIFFICULTIES)

**DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:**

Absolutely.

**CHIEF COMMISSIONER MARION BULLER:** Okay. Thank you. And, Commissioner Robinson found the one question she was missing, but thank you very much. No? We have the answer? Thank you, those are our questions after
all. And, we’re very grateful, Deputy Commissioner, that you were able to join us. Thank you.

DEPUTY COMMISSIONER BRENDA BUTTERWORTH-CARR:

Thank you.

--- QUESTIONS BY COMMISSIONER BRIAN EYOLFSON:

COMMISSIONER BRIAN EYOLFSON: Chief Superintendent, I have a few questions for you, if you don’t mind. In your evidence in-chief, you were asked about potential improvements and you testified that the OPP is looking to make changes to a form. And, I assume you were talking about the Search Urgency Form at Tab 9 of your materials. You said to include if the missing person is Indigenous, and if residence is on-reserve but they live in an urban area?

CHIEF SUPERINTENDENT MARK PRITCHARD:

Correct.

COMMISSIONER BRIAN EYOLFSON: You were talking about that form -- okay. And, you also said this was in response to the Seven Youth Inquest, I believe?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

COMMISSIONER BRIAN EYOLFSON: So, was that a recommendation in the inquest and can you comment a little bit more on the change and your practice for the change in this form?

CHIEF SUPERINTENDENT MARK PRITCHARD: They
arise from the recommendations that were made at that
inquest because of the nature of the kids that were the
subject of the inquest, that were all from remote First
Nations communities, but had gone missing in the city of
Thunder Bay and ended up dying.

COMMISSIONER BRIAN EYOLFSON: Okay. You
also testified about supervisors getting involved in
missing persons cases. Does a supervisor ensure that a
First Nations liaison officer is notified in all cases when
an investigation concerns an Indigenous person, is that the
case?

CHIEF SUPERINTENDENT MARK PRITCHARD: The
policy stipulates that, yes, that if the missing person is
Indigenous, that they are to engage a First Nations liaison
officer which, operationally, is a member of our provincial
liaison team.

COMMISSIONER BRIAN EYOLFSON: Okay.

CHIEF SUPERINTENDENT MARK PRITCHARD:
Mostly.

COMMISSIONER BRIAN EYOLFSON: And, could you
just explain a little bit more about what the First Nation
liaison officer would do?

CHIEF SUPERINTENDENT MARK PRITCHARD: They
would be the communicators with the community, with Chief
and council, establish that two-way communication, listen
to the needs. Certainly potentially receive information
from them in regards to the missing person and further
potentially investigative information that may help locate.
Certainly they can sometimes receive background information
on what might be the underlying cause.

COMMISSIONER BRIAN EYOLFSON: Okay. Thank
you. I just had a question related to how the missing
persons file becomes subject to Major Case Management.
And, to be clear, that’s if the circumstances indicate a
strong possibility of foul play or also where foul play is
not yet ascertained, but the person has been missing for 30
days, are those the ---

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.
Under the regulation -- the Major Case Management
regulation, if the person remains missing and foul play
hasn’t been eliminated after 30 days, it becomes a major
case.

COMMISSIONER BRIAN EYOLFSON: Okay. And,
does it get assigned to a new investigator, a different
investigator at that point, at the 30 day point?

CHIEF SUPERINTENDENT MARK PRITCHARD: The
investigative oversight and command changes with the
assignment of a major case manager who, in our world in the
OPP, is at the rank of inspector and a senior trained --
highly trained criminal investigator.
COMMISSIONER BRIAN EYOLFSON: Okay. So, it’s the change in the management of oversight, not the investigator?

CHIEF SUPERINTENDENT MARK PRITCHARD: That’s a potential as well. It’s very likely that there would be additional investigators, detectives that are brought on board. Depending on the abilities of the initial investigating officer, if it’s perhaps a one-year officer that doesn’t have much experience versus perhaps a 10-year officer with a lot of experience, it would be very situation driven.

COMMISSIONER BRIAN EYOLFSON: Okay. Thank you. And, I wanted to ask you about the PowerCase software. You testified that three First Nations police forces were on it, but I take it from your materials, NAPS, Treaty 3 and Anishinabek Police aren’t on it? Those aren’t…?

CHIEF SUPERINTENDENT MARK PRITCHARD: Six Nations, Wikwemikong and Akwesasne are on it. The other six ---

COMMISSIONER BRIAN EYOLFSON: Okay.

CHIEF SUPERINTENDENT MARK PRITCHARD: --- are not. Although, that’s not necessarily the full answer because many times the OPP would be going in to case manage them -- those investigations so the information would be on
PowerCase, but not always.

**COMMISSIONER BRIAN EYOLFSON:** Okay. Would it be helpful if these other First Nations police services were on it?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes. And, as I said, in fairness to them, it has nothing to do with them not wanting to be on it, it’s completely a resource issue and how they’re funded.

**COMMISSIONER BRIAN EYOLFSON:** Mm-hmm. And, I wanted to ask you about the Missing Persons Act, 2018, referred to in your materials with three new measures to assist police services in locating missing persons. And, can you explain how that act would be beneficial once it’s in force?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** It’s going to provide police with tools that they can use, mostly related to technology such as -- like, you can only get a Criminal Code search warrant, but you’re not necessarily investigating a crime. So, you will be able to apply for an order to -- for instance like Facebook, or Bell or Telus to provide information on their cell phone activity or social media activity. There could be orders of apprehension. So, it’s really just a number of new tools in the toolbox so to speak.

**COMMISSIONER BRIAN EYOLFSON:** Right.
Including, like you said, being able to get a warrant in the absence of an actual criminal investigation?

CHIEF SUPERINTENDENT MARK PRITCHARD: Correct.

COMMISSIONER BRIAN EYOLFSON: Right. Okay. And, that legislation doesn’t exist in all jurisdictions -- it’s not in force in Ontario yet, but it doesn’t also exist in all jurisdictions across Canada, like provinces like Manitoba or...?

CHIEF SUPERINTENDENT MARK PRITCHARD: I’m not aware of that, I’m sorry.

COMMISSIONER BRIAN EYOLFSON: Would it be helpful if it did exist across Canada?

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

COMMISSIONER BRIAN EYOLFSON: Okay. And, you had mentioned being involved in 14 FILU meetings and being surprised at what you heard in terms of dissatisfaction. And so, I’m wondering, going forward, does the OPP intend to implement measures to obtain feedback on services provided to Indigenous communities, particular measures that could assist in -- with issues of violence against Indigenous women and girls?

CHIEF SUPERINTENDENT MARK PRITCHARD: The FILU process has been very educational to us. We’re going to continue with that process. I know there’s more
meetings scheduled. We’ve reassigned two cases for further investigation as a result of those meetings, based on information that the family has expressed. And, those meetings also involve the coroner being in attendance and part of those discussions.

COMMISSIONER BRIAN EYOLFSON: Okay. So, those are all the questions I have for you, so I just want to thank you very much as well for spending time here and giving your evidence and answering questions. Thank you.

CHIEF SUPERINTENDENT MARK PRITCHARD: Thank you.

--- QUESTIONS BY COMMISSIONER QAJAQ ROBINSON:

COMMISSIONER QAJAQ ROBINSON: Thank you, Superintendent. Much like I asked of your colleagues, I would like if you would be willing to provide the policies and the directives with respect to domestic violence, child sexual assault and sexual assault, generally, how those are investigated.

CHIEF SUPERINTENDENT MARK PRITCHARD: Yes.

COMMISSIONER QAJAQ ROBINSON: Thank you.

MR. JULIAN ROY: Can I just -- being the picky, careful lawyer ---

COMMISSIONER QAJAQ ROBINSON: Yes.

MR. JULIAN ROY: I would just qualify that with one thing. There is investigative privilege
potentially that can be implicated in policies. I doubt that it would be in these three, but you’ll notice in the investigative procedures policy that we disclosed, there’s a redaction ---

COMMISSIONER QAJAQ ROBINSON: Okay.

MR. JULIAN ROY: --- the claim of investigative procedures privilege. And so, subject to that of course, thank you.

COMMISSIONER QAJAQ ROBINSON: And, we’ll have those discussions when that time comes.

MR. JULIAN ROY: Okay. Just being picky.

COMMISSIONER QAJAQ ROBINSON: Yes.

MR. JULIAN ROY: Picky lawyer.

COMMISSIONER QAJAQ ROBINSON: Doing your job, my friend. I want to talk to you a little bit about this -- the issue around accessing information. And, as you can imagine why this is of interest to me is because in a lot of cases where women are murdered, there is a history. There’s a history of them either having been assaulted by that person or interaction with the police. And, it’s that escalation that is -- and how we capture and understand that escalation is why I’m asking the questions that I’ve asked about a centralized information system.

In Ontario, if you arrested somebody, say, in the Peterborough area for a domestic violent situation,
how quickly can you get the information about potentially
the circumstances and incidents that happened in the City
of Ottawa or -- and the First Nation where they call home?

CHIEF SUPERINTENDENT MARK PRITCHARD: Well,
with inside Ontario, it’s fairly straight forward, and I’ve
been sitting here trying to think of the acronym, and it’s
not coming to me. But, within our Records Management
Systems, although we’re not all on the same system, we do
have the ability to check each other’s systems for past
occurrences, and domestic violence is one of those.

Most police services in Ontario are on the
same -- the company that owns the software is called Niche
Records Management System, but some of the bigger police
services have their own systems, and that’s for the day-to-
day use of occurrences. So, there is that ability to check
the other services with a tick box on the submission when
you’re running that person on, like, our system. So, that
information is readily available, not necessarily so much
outside of Ontario.

COMMISSIONER QAQAQ ROBINSON: Okay.

CHIEF SUPERINTENDENT MARK PRITCHARD: Like,
CPIC, the Canadian Police Information Centre which links
all police services together for certain information, it’s
not an analytical tool nor is it the software that you --
that runs your records management. It’s more of a -- if a
person’s wanted, or the car’s stolen, or that type of thing. Plus, there’s DNA and disease on it as well.

But, if I could speak to it briefly in terms of, like, now, currently with missing persons investigations with the RCMP running the National Centre for Missing Persons and Unidentified Remains, there’s two provincial centres, Ontario and I think Alberta might be the other one. And then the -- or BC. And then the RCMP are operationalizing in other provinces, but that’s limited to if that information on the missing person is entered on CPIC. So, if the police service or the officer doesn’t enter that information on that missing person on CPIC, then the RCMP wouldn’t see it and we wouldn’t see it. And, that actually is one of our recommendations that we’re making.

And, in speaking in the context of a major case, all police services in Ontario are linked through PowerCase that looks for commonalities. And, I believe that was also a recommendation that Oppal made, was that there be a Canada-wide system, and importantly that that system be an analytical tool, not just an information storage piece of software. So, I hope that answers -- I know it’s a little complicated ---

COMMISSIONER QAJAQ ROBINSON: Yes. No, I ---

CHIEF SUPERINTENDENT MARK PRITCHARD: ---
but the systems are complicated and could certainly be improved upon ---

**COMMISSIONER QAJAQ ROBINSON:** Okay.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** ---

but have been approved upon very much over years gone by. And, PowerCase has been in Ontario since 2002, and the Ministry of Community Safety and Correctional Services does conduct audits on PowerCase compliance, but I don’t recall how deep they dive on the compliance measurements. It was a few years ago for me, but there is that system in place for conducting audits.

**COMMISSIONER QAJAQ ROBINSON:** Thank you for that. I mean, it is an incredibly complex dynamic that we do need to understand, because it’s quite clear to all of us that the sharing of information is so key. Why I’m asking specifically about -- and I think it’s really important to understand that, like I said, things escalate. So, those things that, in the past, at the time, may have seemed like a simple disturbance, within five years, we look back at it as something very different.

The information that I asked you about between the First Nations Police Force, Ottawa City Police and you in that scenario, I know that in terms of whether you detain or release somebody, there is a short window whether you hold somebody in custody, have a bail hearing,
you have very quick timelines. Can you get that information in a timely way so that those -- that history can be part of the consideration when it comes to a bail hearing?

CHIEF SUPERINTENDENT MARK PRITCHARD: I’d have two parts to that answer. Yes, for Ontario.

COMMISSIONER QAJAQ ROBINSON: Okay.

CHIEF SUPERINTENDENT MARK PRITCHARD: If the individual also had been outside of Ontario, maybe yes, maybe no, but there’s certainly nothing from preventing officers from calling that jurisdiction where they lived. If, you know, the person was arrested in Kenora, there would be nothing stopping the officer from calling the RCMP and asking, you know, if you’ve dealt with this person.

COMMISSIONER QAJAQ ROBINSON: Yes. And, in that scenario of, you know, where you have people from northern parts of Canada outside of Ontario who, by virtue of the lack of services right down to education, have to go to Ontario to access these services, this inter-jurisdictional dynamic I could see playing a role in the investigations of cases involving those people. So, that’s -- I just want to give you a little bit of context.

I only have one more question. You’ve talked about the impact of the Ipperwash Inquiry on the OPP. Have the OPP produced any reports in response to the
Ipperwash Inquiry recommendations? And, if so, outlining the actions and the steps taken in response to the Ipperwash? And, have there been any, sort of, evaluations of the steps that have been taken in response to Ipperwash?

**CHIEF SUPERINTENDENT MARK PRITCHARD:** Yes.

One of the recommendations from Ipperwash is that we create a yearly report. Those reports are posted on our website every year, and they’re available to the public. The second part of your question was the evaluation?

**COMMISSIONER QAJAQ ROBINSON:** Yes. Sort of, you know, what works.

**CHIEF SUPERINTENDENT MARK PRITCHARD:** The answer to that is no, but we’ve tried. I think that’s our only outstanding recommendation from Ipperwash was an independent academic assessment of our framework for dealing with critical incidents involving First Nations. And, we’ve made a number of attempts to have that done by various academic institutions without any access. Why the institutions haven’t been interested in taking that on, I’m not really sure. I know we did have a budget to cover the costs for that. When I was in Indigenous policing here we continued to make those attempts. We came really close, but didn't succeed.

**COMMISSIONER QAALAQ ROBINSON:** Thank you for your time. Those are all my questions.
--- QUESTIONS BY COMMISSIONER MARION BULLER

CHIEF COMMISSIONER MARION BULLER: To start, Chief Superintendent, thank you for being here. Also, would you kindly pass along our sincere gratitude to the participants in the Project Journey video. That was very moving. And I don't know if you were watching the room, but there were very few dry eyes in the room, so please pass along our sincere gratitude.

You mentioned in passing initiatives regarding human trafficking. Could you give us a brief overview of what those initiatives are?

CHIEF SUPERINTENDENT MARK PRITCHARD:

There's been a number. We have a Provincial Strategy. We have a newly created Human Trafficking Unit that's headquartered in Orillia -- Anti-human Trafficking Unit, to be accurate. Human trafficking was added as a criteria offence to major case management. I think you'd be hard to find a human trafficking case that didn't involve more than one jurisdiction. We are part of the RCMP-led project Northern Spotlight, which involves a number of police services across Canada.

Without getting into investigative technique, which is actually very creative, it helps identify those that are being trafficked and rescue them from it. I know last fall in Ontario I think there was --
I'm going to say approximately 20 different police services involved in Operation Northern Spotlight and there were a number of girls that were rescued from that situation.

There's also some education initiatives underway for hotels. These situations take place in hotels, so for hotel employees to be aware of what the signs are and what to look for.

And it's really -- it's a topic in law enforcement that's really emerging and growing. And very importantly, I'd credit my colleague, Chief Napish in Treaty 3, for some of the work he's done in regards to education of -- in human trafficking as well as the other self-administered police services in Ontario. I think the leadership have all identified the vulnerabilities of their young girls.

And we have incorporated into our missing person's awareness days a human trafficking awareness as well. I mentioned that we're doing that through a grant. Graciously, the Nishnawbe Aski Police Service are the service that that money is flowing through in order to cover the expenses for those.

So there is a lot of work. The provincial strategy, which I do not have, but I could get for you ---

MR. JULIAN ROY: It's been produced. We've already produced that to you, Chief Commissioner and
Commissioners, and with some information about the non-
policing responses that are part of Ontario's human
trafficking strategy. It's not in the ---

CHIEF COMMISSIONER MARION BULLER: Yes, I
don't know ---

MR. JULIAN ROY: --- exhibit book. It was
produced previously pursuant to a summons.

CHIEF COMMISSIONER MARION BULLER: Ah, okay.

Okay. Thank you. Now, turning to the
question about searches, what is the OPP's policy for
ending searches ---

CHIEF SUPERINTENDENT MARK PRITCHARD: I
don't have the ---

--- and --

CHIEF SUPERINTENDENT MARK PRITCHARD: ---
policy in front of me, but I think I can ---

CHIEF COMMISSIONER MARION BULLER: Yeah.

---

paraphrase it. And it's very much in line with both the SQ
and the RCMP, so exhausting all the search areas and the
possibilities. In practice, our search masters meet with
family to show them on a map what's been searched. And
very importantly, I know it says in the policies just
because the search is suspended or ended doesn't mean that it can't be started again when circumstances change or new information comes in, technology changes, seasonal changes, new information.

The use of technology's been important. It wasn't so many years ago that we found the remains of a couple that had been missing for more than 50 years with the use of a side scanning sonar device that hadn't been available. So I don't think I could really add anything to the SQ or the RCMP other than we -- our technology's no different than what's available to them. And I think we all need to have that in mind that, hmm, that's new. Let's give that a try.

CHIEF COMMISSIONER MARION BULLER: Thank you.

CHIEF SUPERINTENDENT MARK PRITCHARD: I think the use of unmanned aerial devices has been a great assistance to all of us as that technology has emerged and become more sophisticated.

CHIEF COMMISSIONER MARION BULLER: Now, answers to questions, as I've asked the other witnesses or put to the other witnesses, that we've heard complaints from families and survivors who want answers and have been waiting for answers for decades. And I'm sure, after your experience with the 14 interviews you have a whole other
insight into this issue. What, if anything, would the OPP be willing to do to provide answers to these families and survivors?

CHIEF SUPERINTENDENT MARK PRITCHARD: I think I have some insight into that, having been a homicide investigator for 10 years as well. And the answers aren't always what the family hoped for. And the answers are never good. I think continuing with the FILU process for us as an organization is very good.

And I would encourage those that aren't satisfied to contact the OPP. If they feel that the matter was done in a neglectful manner, there's other remedies available to them through the Civilian Oversight in Ontario as far as a service delivery complaint. And I think, very importantly, when we meet with the families, listening to them.

And as I said, we just reassigned and two investigations the families weren't happy with the classification and wanted more work to do. So in conjunction with the chief coroner who agreed that that would be done, the cases were reassigned and are being re-explored.

CHIEF COMMISSIONER MARION BULLER: Well, certainly there are existing ways of accessing information. But for many families, obviously, those existing systems
haven't worked. What, if any, new options would the OPP be willing to create to make it easier?

CHIEF SUPERINTENDENT MARK Pritchard: I think that FILU being so mobile, just last week the FILU team was in Big Trout Lake, which is our most northern community, meeting with families there to discuss an investigation. The -- if the matter they're not happy with is a missing person's investigation, there is a toll-free number at the provincial center. And I would encourage communication with their local detachment commander.

I think the provincial liaison team certainly with their contact with Chiefs and Council, again, and every community is different, but in northern Ontario there seems to be a real connection with the communities often with Chief and Council. I think Chief and Council bringing that to the attention of the OPP would be a positive step that could be explored. And we'd certainly be listening to any recommendations that are made to us from this Commissioner to implement.

CHIEF COMMISSIONER MARION BULLER: Thank you, sir.

Well, on behalf of the other Commissioners and all of us here at the National Inquiry, I want to thank our three very knowledgeable witnesses. Thank you for participating, for sharing your knowledge with us, your
experiences, at times your humour, thank you for that as well.

To counsel, thank you for your preparations. It's been -- it's really made a big difference to our work.

All three of you have made great contributions to the work of the National Inquiry and we're grateful for that. I think it’s important to know that you’ve made a difference, and in your work, you will continue to make a difference. So, we want to thank you for your dedication and commitment that you’ve shown.

Because you’ve given the gift of your time, and your knowledge and your experience, we have gifts for you. They are eagle feathers. I won’t go into all of the cultural significances of eagle feathers because we could be here for quite some time, and to be honest, I’m still learning them as we travel across Canada. But, I can say this, we give them to you in the spirit of holding you up on the days when it’s hard, and as warriors, you’re working very hard. And, they are also there to lift you up even higher so you can accomplish even more than what you have accomplished so far. So, these are our gifts to you with our sincere thanks for having spent so much time with us. We’re appreciative and we’re grateful for your dedication.

Thank you.

And, for the record, with respect to
Exhibits 25, 49 and 84, which are all CVs, I’m ordering that they be redacted to remove personal information including, but not limited to, home addresses and telephone numbers. And, on that note, unless Commission Counsel has anything else to add, we’re ended for the day. No? Okay. Thank you. Then, we’re concluding this hearing today. Thank you.

--- CLOSING CEREMONY

MR. VERN BELLEGRARDE: Thank you very much. Ladies and gentleman, just by way of a closing ceremony, I’d like to call on Bernard and Joanne, are you here? Bernard and Joanne Jack. I don’t see them, they left at 3:30 when they had closing ceremonies on their own. Is the wooden face drum group here yet? They left for the pow wow as well.

I’d just like to recognize the National Family Advisory Circle, and I’d just like to read their names, some have already left us -- they had to go to the pow wow as well or they’ve gone home to make bannock. Pamela Fillier, Darlene Osborne, Norma Jacobs, Gladys Radek, Charlotte Wolfrey, Myrna LaPlante, Cynthia Cardinal and Bonnie Fowler. Thank you for being here with us and spending time and listening to the comments. Really appreciate you being here.

At this point, I’d like to call on the
Commissioners to make some closing remarks, and I’d like to start with Chief Commissioner Buller, and then Commissioner Brian and then Commissioner Robinson. I’m going to give her 15 seconds. She wasn’t listening as usual.

(LAUGHTER)

MR. VERN BELLEGARDE: Following the comments by the Commissioner, I’d like to have Bernard and Joanne Jack, as well as Rita Blind come forward and say some closing prayers. The Women’s Council -- Family Advisory Circle, sorry.

MS. MYRNA LAPLANTE: Are we all here? Okay. So, my name is Myrna LaPlante and the -- some of our National Family Advisory Circle members have had to leave, and so on behalf of the members of the National Family Advisory Circle, we would like to thank all of you for being here. And, I especially want to thank the elders, the pipe carriers of course, the women leadership, Indigenous leaders.

It’s been an interesting week. We’ve listened to so much information on the topic of policing and police practices. This week, some people attended a funeral for a local missing Indigenous woman, some went to a sweat at Fort Qu’Appelle and some visited at the justice for our stolen children camp. Really, really important activities and issues that are absolutely close to our
hearts and really important for the work that all of us do.

We would like to thank the police who have participated in this process. We wanted to acknowledge you for having these conversations and providing the National Inquiry and families with some answers. However, we as family members also need to let police across this country know that you have to do better.

(APPLAUSE)

MS. MYRNA LAPLANTE: We need improved services for Indigenous women and girls who have been victims of violence. We need you to examine racism and how that affects Indigenous women and girls. We need to say that police are often the perpetrators of violence against Indigenous women and girls, something that has not been acknowledged here today.

(APPLAUSE)

MS. MYRNA LAPLANTE: Many of us family members have witnessed police purposely targeting and victimizing us, and this is an issue that is ongoing. Some of these stories are horrific, police abusing Indigenous women, assaulting them and disrespecting them in the worst ways. This cannot continue.

We need the justice system to create tougher laws against rapists, pedophiles, murderers who target our women. We need to ensure that dangerous offenders are not
let out to re-offend. So, if their file says, high risk to re-offend, they should not be given the opportunity to re-offend by releasing them. Institutional violence against Indigenous women and girls still exist and it needs to stop.

We would like to thank all family members who have come this week seeking truth, justice and accountability. We pray for you to continue your healing in a good and positive way. We would like to thank the Commissioners and staff of the National Inquiry for inviting us here. We would like to thank the people of this territory for welcoming us in such a beautiful way. My territory. We would like to thank all the parties with standing for being here, for asking great questions and for your dedication to the issue of missing and murdered Indigenous women and girls.

We are all here to ensure the safety and security of our future generations. We need to take every action we can to make sure this violence against our women and girls ends. It is unfortunate and infuriating that the government has only given this Inquiry six months to finish its work. Six months is not enough for the National Inquiry to properly fulfil its mandate.

Since the moment of colonization, our Indigenous women and girls have suffered violence, much
have been forced by the police and sanctioned by the
government. To address these longstanding issues within
the length of this Inquiry is impossible. We as NFAC
members refuse to accept this six month extension and will
continue to fight for the two years requested by the
Commissioners who have travelled this country, away from
their families, to find justice for us, the families and
for Indigenous women and girls everywhere in this country.
Many families have been left without a mother, sisters,
daughters, cousins, grandchildren, aunties and
grandmothers. This is an epidemic in Canada, and we
strongly urge the government to reconsider this six month
extension.

We, as NFAC, are so proud to be here and
standing with one another to fight for our loved ones.
And, with that, we wish you all a safe and good journey
home. Hai-hai and thank you. And, Norma, did you want to
add some things? No? Okay. Good. Thank you. Thank you,
Chair.

(APPLAUSE)

MR. VERN BELLEGARDE: Thank you very much,
Myrna with the National Family Advisory Circle. At this
point, I’d like to call on Chief Commissioner Buller;
followed by Brian, if I could say your last name, I would;
followed by Commissioner Robinson for closing remarks.
COMMISSIONER QAJAQ ROBINSON: So, if you could say my first name, you would?

(LAUGHTER)

CHIEF COMMISSIONER MARION BULLER: Well, thank you, Vern. And, I want to start, Vern, by thanking you for reminding us of, first of all, being on time which, you know, is very important to me, but also to remind us of how we need the men in our lives and how important you are all of us -- to all of us. So, thank you, Vern, for your kind words, your humour, your reminders all week. You’ve made a -- made this a great event for us, and I’m very appreciative.

I also want to thank, oh, gee, the pipe carriers, the elders, the drummers that we’ve had this week, the members of NFAC who quite literally have our back. I want to thank all the counsel and representatives for your questions, for your patience, for your understanding. You’ve -- all of you have made a big difference to our work, especially this week. So, parties, thank you very much.

Thank you also to the people of Treaty 4 and people here in the Métis homeland for making us feel so welcome, and for making this hard work a little bit easier. Your hospitality, generosity and warmth has been, what I’d like to say, palatable at times.
This has been a hard week. We’ve learned about police policies, practices and procedures. And, you know, some of it I really didn’t want to hear, but I did. I still am somewhat surprised by the apology extended by Commissioner Lucki. As I said earlier this week, I don’t think any of her predecessors would have had the courage to say and do what she did. I hope that’s a sign that we’re moving forward and a sign of positive change, because when we spend so much time in the world of questions that have gone unanswered and what appears to be negligence and hate, sometimes we lose track of the opportunity to move forward with hope. So, I am encouraging everyone to move ahead after this week with more hope than when you started this week.

I’m going to conclude by wishing everyone a safe trip home. We’ve all been away from our families, our friends, our loved ones, and I think it’s important, especially after this week, to go home and remind them how much we love them. So, I’m not going to say good bye, I’m going to say until we meet again. Thank you.

(APPLAUSE)

COMMISSIONER BRIAN EYOLFSON: Wow. It’s -- in some ways, it seemed like a long week, and in some ways it feels like it’s flown by. I think we’ve -- it’s been such a busy, packed schedule. So, in closing this
afternoon, I first want to say thank you to the people of this territory for welcoming us so graciously, the people of Treaty 4 and the Métis Nation for being -- for welcoming us to their traditional territory.

I would like to thank our elders and knowledge keepers and the pipe carriers who have got us started in a good way every day this morning -- every day this week, sorry, and for helping us through the week. I also want to acknowledge the drum and the singers as well that are here. And, our grandmothers and the members of the National Family Advisory Circle for being with us this weekend for the continued guidance and support. And, Vern, our master of ceremonies, thank you for keeping us on track and providing us with many moments of levity and honouring us with your stories. Thank you.

And, to our witnesses and our parties with standing, thank you very much, chi meegwetch for sharing with us, and also for the parties asking so many thoughtful questions and contributing to the work of the National Inquiry. Thank you. And, to all the family members who have joined us whether here or watching online, and community members who are following us, thank you for listening with us together. And, also to the entire National Inquiry team, thank you for your hard work and making this week a success, and for your dedication and
Like I said, I think we had a very busy schedule this week, but we’ve learned a great deal about policing policies and practices, and this important information that was shared with us this week will build on the truth that family members and survivors shared with us in our community hearings and our statement gathering events, and the other institutional expert hearings we’ve had. And, this information, I’m confident, will help inform the -- our findings and the recommendations in our final report that will help end the violence towards Indigenous women and girls, and trans and two-spirit people in our country as we move forward.

So, in closing, I just want to wish you all a safe journey home, whether that be near or far, and I look forward to our continued work together in the future. Thank you. Chi meegwetch.

(APPLAUSE)

COMMISSIONER QAJAQ ROBINSON: And, we’ll start the clock. I hate the clock too. I wish we had time to discuss this and dig deeper, dive deeper. Sometimes it feels like this giant ocean, and everything that we’re doing is just little drops, and the ripples aren’t what I want them to be, but it’s the time we have, and I’m committed to keep doing the best we can with it.
I want to thank, (speaking Indigenous language), first of all to the elders, knowledge keepers who have been such good medicine and guidance all week, holding us up, guiding us in the right way, to the qu’liq, the drum, the songs, and the quiet prayers in the hallways, as well as in this room.

To the families and survivors here, those watching, and the members of the National Family Advisory Circle, you helped me understand what we’re hearing about in such dynamic ways, ways that I couldn’t have imagined understanding, and I wish we had more time to go into that, but I want to thank you so much for what you do, teach and guide us with.

I want to thank our hosts, the Treaty 4 Nations, as well as the Métis Nation. And, I want to thank the parties with standing, those -- with phenomenal questions that have, again, helped us guide our understandings.

To the witnesses all week, thank you. You have sat in the hotspots and the hot seats, and I think you've come forward in the spirit that I asked with your seeds, your heart and your brain on your sleeves, on the outside, and have received as well as given us such precious information.

I asked a lot of questions this week about
what works, what does success look like. There’s always
this discussion about statistics. Well, the crime rate is
this, and this is happening in this community. And that
narrative hurts. I listened to Yvonne talk about what it
feels like to be talked about as a victim, and that was
what motivated me to have that discussion, what does
success look like.

We’ve heard a lot about taking steps that
come from a strength-based approach, and that’s what I’ve
learnt so much from families and survivors. They have so
much strength, and it’s their strength that has brought
this Inquiry forward and has resulted in so much change.

Even in the course of the Inquiry, we’re
hearing police institutions making change. The source of
that change, as I see it, is the strength of families and
Indigenous communities. So I want to acknowledge that
strength today.

I would like to share a little bit of what
I’ve been learning. I think you guys know that about me by
now. And one of the things that we’ve heard as being so
foundational to successful policing this week is confidence
and trust.

And what builds that confidence and trust?
We’ve heard about the importance of prevention programs,
community-based programs that foster relationships. We’ve
heard about the importance of training, of recruitment, of concrete policies that look to ensure that the right people are in the jobs and that they are using the right values and mindsets.

We've also heard that fundamentally one of the biggest, biggest elements of building trust and confidence is police doing their job, and doing it well, and doing it equally for everyone that comes before them. We haven't touched enough this week on what we do when that goes wrong. The issue of accountability for us remains, and it's something that with the limited time we have moving forward we will be discussing more about.

So with that said, I wish you all a good summer, safe travels home, and again, I express my gratitude for your contribution. I think we are making some waves, and I trust that it will continue.

So nakurmiik, tawnsi, ma'na, nasicho (ph), meegwitch, nakurmiik.

(APPLAUSE)

**MR. VERN BELLEGARDE:** Thank you. Thank you very much, Commissioners.

Another group that was very vital and necessary is our video crew. You guys did a great job.

(APPLAUSE)

**MR. VERN BELLEGARDE:** As well, our sound
system. Super. Thank you.

(APPLAUSE)

MR. VERN BELLEGARDE: Is Bernard and Joanne here? Bernard and Joanne to say our closing prayer?

Okay. I'll say it. Amen.

(LAUGHTER)

MR. VERN BELLEGARDE: Okay. I will say a closing prayer at the end.

And at this point, I'd like to call on Rita. Is Rita here? Rita Blind? To say a closing prayer. And we'll follow this with the extinguishing of the Qu'liq.

Just prior to the closing prayer ---

UNIDENTIFIED FEMALE SPEAKER:

Mr. Bellegarde?

MR. VERN BELLEGARDE: Yeah.

UNIDENTIFIED FEMALE SPEAKER: Can I say something about what's happening in the park today? That protest?

The protest that's happening in the park today, in case you all don't know about it, it's because of the 487 dead children in this province since 2006. It's because of the 85 percent of children who are apprehended in this province, whereas in other provinces it's only 44 percent.

I urge you, and the other thing is I'm
really concerned, is why you didn't speak about the Regina City Police and their actions towards First Nations people. There is a law here. It's called the Safer Communities Act, and in every other province it's fine, but in Saskatchewan, we only have like 200,000 people in Regina. We have very few neighbourhoods for people to leave and move to.

This neighbourhood in North Central has had -- and they took -- the city police took the website down, so we can't count how many have been murdered. But the last count in 2006 was 44 dead in a little 3 mile area. And the city police took down that website, so we can no longer count how many people have died there because of this law.

I'm just urging you to come out tomorrow to the Trespassers Pow-wow at the park and to pray for us because we need your prayers. Thank you.

MR. VERN BELLEGARDE: Thank you very much. I appreciate that.

(APPLAUSE)

MR. VERN BELLEGARDE: Again, I -- a special thank you to the witnesses and counsel as well. Thank you very much. Much appreciated.

Our elder will say our prayer for us.

ELDER RITA BLIND: (Speaking native
language). I just -- first of all, I just want to thank the elder that spoke. Thank you so much. And our prayers will be for the park.

I was there yesterday, just to visit the teepees and also to the sweat lodge, and then I went to the funeral. Thank you. It's very important what you just said. Very important.

(CLOSING PRAYER)

(speaking Indigenous language).

MR. VERN BELLEGARDE: Thank you so much, elder. We will have the extinguishing of the qu’liq by Grandmother Louise Holly.

GRANDMOTHER LOUISE HOLLY: Okay. I’m going to get you to vision how this qu’liq is -- was used. If you vision yourself out in the tundra with -- where there’s no trees and you only have the qu’liq with oil and ox cotton, and that is your only source of heat melting snow, and when your clothings are wet, and qu’liq only can make it dry -- make them dry, and you make -- you heat your food only through qu’liq, and -- that’s how we were using our qu’liq when we were travelling.

And so, the first thing when we put our shelter, first thing we put out is our qu’liq to have the heat, to have the light, to get warm. And so, daily, if you’re spending days, you have the qu’liq on daily. So,
for this meeting, it’s the same. So, we kept the qu’liq going. And, the qu’liq is usually used by the families. So, by visioning this meeting, you’re all are family going to -- using this all qu’liq for this week. So, that’s how we use our qu’liq. But not in our communities. We have other resources now. But, if we’re travelling, we still use it.

So, anyways, I just wanted to share this, and thank you, everyone, for being here, and also providing us with the oil. It’s a very good oil. I think I was asking, what kind of oil is this? It doesn’t drip very much. And, I was told it’s a vegetable oil. So, this is what I wanted to share. And so, have a safe trip, everyone. So, I’m going to blow it out or -- no, I won’t blow it out. So, I’m closing it now. Tey-ma (phonetic. That’s it.

MR. VERN BELLEGARDE: Thank you. Thank you very much, Mother Louise. To wrap up our conference on institutional hearings on police services and practices, we’ll now have the closing with the drum.

--- Upon adjourning at 5:02 p.m.
I, Félix Larose-Chevalier, 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.

Félix Larose-Chevalier

June 29, 2018