National Inquiry into Missing and Murdered Indigenous Women and Girls
Truth-Gathering Process
Part 1 Statement Gathering
Hampton Inn
Membertou First Nation
Unama’ki (Cape Breton Island), Nova Scotia

PUBLIC

Tuesday October 31, 2017

Statement - Volume 69
Eleanor Kabatay & Danny Paul,
In relation to Michelle Ginnish

Statement Gathered by Alana Lee

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NOTE

The use of square brackets [ ] in this transcript indicates that amendments have been made to the certified transcript in order to replace information deemed inaudible or indecipherable by the original transcriptionist. Amendments were completed by listening to the source audio recording of the proceeding and were made by Bryan Zandberg, Registrar for the National Inquiry into Missing and Murdered Indigenous Women, Girls and 2SLGBTQ, August 23rd, 2018 at Vancouver, British Columbia.
Statement - Public
Eleanor Kabatay & Danny Paul
(Michelle Ginnish)

--- Upon commencing on Tuesday, October 31, 2017, at 1:44 p.m.

MS. ALANA LEE: This is Alana Lee with the National Inquiry into Missing and Murdered Indigenous Women and Girls speaking on the record with Eleanor Kabatay and Danny Paul. They're both of -- where are you guys -- where are you from?

MR. DANNY PAUL: Membertou.

MS. ALANA LEE: From -- both from Membertou First Nation.

MR. DANNY PAUL: We're brother and sister.

MS. ALANA LEE: Brothers and sisters.

Currently we are at -- in Membertou First Nation at the Hampton Inn. It is October 31st, 2017, and it is 1:44 p.m., and so, Eleanor and Danny, you guys are here on a voluntary basis?

MR. DANNY PAUL: Yes.

MS. ELEANOR KABATAY: Yes.

MS. ALANA LEE: Also in the room we have Sandra Miller as a health support, and your statement will be -- you agreed to have it audio-recorded today --

MR. DANNY PAUL: Yes.

MS. ALANA LEE: -- as well as video-recorded?
MR. DANNY PAUL: Yes.

MS. ALANA LEE: Okay. So just to start, what would you -- what would you like the commissioners to know?

MR. DANNY PAUL: For me, as I indicated earlier, there's a situation that I think has yet to be brought to the attention of all levels of government, and it's a historical aspect that I look at, and I go back to the time of Cornwallis and what he had done with our people, and I look at what Amherst also has done to our people and our territory and our ancestral lands here, and I was wondering in my head is this the root cause of what's been happening recently with all our women, our beautiful women and girls to be socially acceptable because of what they have done in their time by systemically -- in killing our people off and then to be honoured with -- with a township named after you or having a statue put up in your honour for what you have done to our people, and to me, you know, when I look at the plight of our people today, is it any different today than it was 300 years ago when this was socially acceptable and is it still socially acceptable to be going around killing our people off and being allowed to do that? That to me, whether you look at the city of Halifax, who Cornwallis was the founding father of, or if you go -- she's in the right place -- or if you come to
Amherst, you know, where this man, who knowingly gave
blankets infested with small pox to our people, and it
didn't matter, and that's what they do, and now recently
they've got another firm in British Columbia. Are they
going to honour that man for what he's done like what they
did with Cornwallis and with Amherst?

So, you know, I think we have to look at it
and say and ask that question and -- and charge the Inquiry
to come up with that answer and have the Commission, you
know, demand some kind of an answer from all levels of
government, and, you know, I can only speak of the
ancestral lands from which I come, so when I look -- so
when I -- when I see what's happening now and what are the
experiences of the people of -- of the Anishinaabe language
or the Cree, the Blackfoot, the Blood, you know, the
Haidas, all these different people we have right across the
country, are there -- you know, and they're similar
experiences with what we've gone through here out there,
and did it make it socially acceptable?

**MS. ALANA LEE:** Thank you. We just had
Elder (indiscernible) [Elder 1]? What's your last name?

**MR. DANNY PAUL:** Yes.

**MS. ELEANOR KABATAY:** Yes.

**MS. ALANA LEE:** [Elder 1]? Yeah, she just
joined us.
UNIDENTIFIED SPEAKER: Oh. I thought you were (indiscernible) [telling them].

MS. ALANA LEE: No.

UNIDENTIFIED SPEAKER: (Indiscernible).

MS. ALANA LEE: No, (indiscernible), just for the video. Sorry, Danny. Yes, you were making the connection --

MR. DANNY PAUL: Yes, and --

MS. ALANA LEE: -- like the strong connection colonization to ongoing.

MR. DANNY PAUL: Yes, and, you know, that to me is a form of systemic genocide, which is still perpetuated today, and when I look back with the incident that occurred with our family with the loss of Michelle, I was at the hospital to do a releasing ceremony for her.

MS. ALANA LEE: Sorry to interrupt. Can you state Michelle's name?

MR. DANNY PAUL: Michelle Ginnish.

MS. ALANA LEE: Michelle Ginnish.

MR. DANNY PAUL: Yes. She's one of the --

MS. ELEANOR KABATAY: Michelle Ray Ginnish.

MR. DANNY PAUL: -- one of the victims here in our community, and when I got there, I was told by the police and by the medical staff that I was not allowed to do anything. I wasn't allowed to touch her. I wasn't
allowed to do anything with her because she was evidence.

**MS. ELEANOR KABATAY:** You know, they told me the same thing 'cause I wanted to touch her there and I just wanted her to smile 'cause it was hard on me, and they told me to leave the room or they will call -- they were going to call security. She was my only daughter, though.

**MR. DANNY PAUL:** Yeah.

**MS. ELEANOR KABATAY:** And I can't -- it's -- you know, I -- it's sad. I couldn't believe it, but it happened. That's what they told me too. They told me to leave the room, and all I wanted to do is just touch her there [hair] one more time, and they wouldn't let me touch her. They were going to call security.

**MS. ALANA LEE:** So you weren't able to do

the --

**MR. DANNY PAUL:** Nothing.

**MS. ALANA LEE:** -- releasing ceremony, and you weren't able to have your last -- your last minute with your daughter.

**MR. DANNY PAUL:** No.

**MS. ALANA LEE:** What led up -- like what led up to her being in the hospital (indiscernible)?

**MR. DANNY PAUL:** She wasn't in the hospital. She was at a party with a -- a bunch of her friends, and
then she --

**MS. ELEANOR KABATAY:** She was at our cousin's house, and then so there was something going on at the convention -- or something -- trade centre, and then so they were leaving there, and when they were leaving there, they were partying while they were walking down, and while they were walking down, sure enough they were stopped by a party, and, okay, and so that's where she got killed.

**MR. DANNY PAUL:** She was stabbed in the neck by (indiscernible) [by one of her friends].

**MS. ELEANOR KABATAY:** I don't think -- I don't think (indiscernible) [she was her friend].

**MR. DANNY PAUL:** And everybody's drinking together for a while, and, from what I heard, that the -- the truth that Michelle spoke about with that girl was about her daughters, her children, and it was more important for her to be home with her children than that party on the bus.

**MS. ELEANOR KABATAY:** 'Cause they were smoking -- they were doing dope in the bathroom. Michelle came in [out of] the bathroom, and she told them. She said to them that you should be home with your kids when she was going out of the bathroom. Like they're different (indiscernible) [stories], so that's what they told (indiscernible).
MR. DANNY PAUL: Yeah, that's what it was led to that, and the girl went home and got some knives and came back, and they had an argument on the front step, eh, and that's where she was stabbed.

MS. ELEANOR KABATAY: She was sitting there with [C.], and she told [C.], I can't breathe, I think I got stabbed, she told her, and so [C.] ran home. Like all the houses are close, so [C.] ran home and he called an ambulance, and then by the time the ambulance got there, she was already dead.

MS. ALANA LEE: When did this happen?

MR. DANNY PAUL: 2005, wasn't it? Yeah, a couple years ago now, yeah.

MS. ALANA LEE: And it happened here in Membertou.

MR. DANNY PAUL: Yeah, it's just -- just around the corner from here pretty well, and, you know, when -- everything happened so -- so fast. It was my brother-in-law who came and told me, but I had already heard the ambulance go by, police cars flying up the road, and I said, Something bad happened.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: And about five minutes later my brother-in-law is banging at the door, and I answered, and he said, You know, Michelle is dead. That's
how he said it to me, and -- oh. And I just got dressed, jumped in my truck, and, you know, I took off down the road, and I found out where it was, and -- and just had too much anger, and --

**MS. ELEANOR KABATAY:** She was my only daughter, and two of my sons I think were there too, and they were trying to -- they were trying to re -- trying to bring her back to life and they could save her, and they just (indiscernible) [broken]. They -- they couldn't. She died -- she died right in front of them, so they didn't have enough time to -- all three of them since, they've all been in trouble since, and they've been having a rough time since.

**MS. ALANA LEE:** Difficult to watch.

**MR. DANNY PAUL:** Well, yeah. Well, you know, the -- the two older boys were in Halifax, [Son 1] and [Son 2]. I had to go get them the next day, and before I went there, I told the cops they had to get that family out of town, the family of the girl that stabbed Michelle.

**MS. ALANA LEE:** Yeah.

**MR. DANNY PAUL:** And --

**MS. ALANA LEE:** What was the girl's name?

**MR. DANNY PAUL:** Krystal Paul. Yeah, they were neighbours. And they couldn't understand why, and I said, Look, I know these boys, I helped raise them, and I
know what -- what's going through their brains right now, and if you don't get them people out of town, they're going to kill them. It's as simple as that. They've got no problem going to prison.

**MS. ELEANOR KABATAY:** They always (indiscernible) [the whole reserve was mad].

**MR. DANNY PAUL:** And then -- you know, and then all the women who were friends with Michelle, their anger was directed towards their family also, eh, so it was -- it was a real tense time here for everybody, you know, and then when I see how -- what my sister here had to go through and my other sisters 'cause we know -- we -- we raised Michelle, all of us. We had -- we had a part in what she was doing, and when you see that extinguished just like that, you don't see --

**MS. ALANA LEE:** How old was she?

**MR. DANNY PAUL:** Well, she was 21, eh, I think, yeah.

**MS. ELEANOR KABATAY:** 22.

**MR. DANNY PAUL:** 22?

**MS. ELEANOR KABATAY:** Yeah, 'cause she was born in 1980.

**MR. DANNY PAUL:** Yeah, and when -- so when it happened, it took another child from me. I had already lost one, a baby. He died -- he died in my hands, and then
when this happened, that happened all over again, and so
when I look back and I see my sisters and what they're, you
know, able to do and how they're able to cope, it's
amazing.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: And, you know, it's sad to
say, but we were already close, but this even brought us
closer and tighter 'cause we didn't want anything happening
anymore to any family members.

MS. ELEANOR KABATAY: You know, what
surprised me, it was a while after the funeral, and then
the police came and it wasn't even a month, and then I had
to go through the court, the court case, and then my two
sons, [Son 3] and [Son 1], and they were like that, and I
could feel their hands, and they said, You all right, mom?
And I said, Yeah, 'cause I was trying to be strong for
them, and they just -- she only got five years and then she
only spent three years in there, and then they said she got
a lesser sentence than that. She got out earlier.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: And that's where I have
problems because the Crown attorney, when he first
approached me on the matter, and he said that, We are
looking at first-degree murder charges, and I said, Well,
fine, you know.
MS. ALANA LEE: M'hm.

MR. DANNY PAUL: And that's what they were going to pursue, and then in the end, she ended up getting charged for manslaughter, and, like she said, she only got five years, but she only served a year and a half in prison.

MS. ALANA LEE: A year and a half?

MR. DANNY PAUL: A year and a half, and when this Inquiry was first introduced there three years ago, two years ago, I was in Halifax, and they asked us to come and sit in on it, right, at the beginning of the process, and one of the -- one of the counsellors they had in place was the father of that girl who killed Michelle.

MS. ALANA LEE: Yeah.

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: My son had a hard time too 'cause he said, Oh, I -- my son's been in and out of jail since that happened like. Like they -- I don't know. They just got (indiscernible) [got out] and then my son said -- so he was doing time in jail, and then he said when (indiscernible) [Krystal Paul’s Father] came in, and then so they had to do a smudge -- not a smudge, but they had to do something anyway, so [Son 2] said just to get out the -- just -- just to get out of the thing there, he said, I felt like killing him, but, he said -- but he said, I
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just wanted to get out of there, and -- he said, so he had
to face the fact that facing that man when his daughter
killed his sister.

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: But, you know, we
didn't -- you know, like time -- time, you know, it's like
we don't hate the people. We don't hate them. It's just
her that I really -- and like what -- how she got away with
so easy.

MR. DANNY PAUL: That's the most bothersome
part, eh.

MS. ALANA LEE: A year and a half --

MR. DANNY PAUL: And she gets to go --

MS. ALANA LEE: -- and you lost a life --

MR. DANNY PAUL: Well, she's living -- she's
living in another city in [Province 1] now.

MS. ELEANOR KABATAY: (Indiscernible) [Yeah

wherever].

MR. DANNY PAUL: You know, like the rumour
mill, like on every reserve, is pretty bad around here, but
there are instances where people said that she was here,
and she's not supposed to be in this community. I don't
know if that's true or not, but they were saying she was in
this community two or three times since the incident.

MS. ALANA LEE: (Indiscernible).
MR. DANNY PAUL: Yeah. So what the hell is going on?

MS. ALANA LEE: Is she restricted from Membertou like (indiscernible)?

MR. DANNY PAUL: I believe so, yeah. Yeah.

MS. ELEANOR KABATAY: My son, he did time in jail, my oldest. He was kicked off the reserve, and so he lived in -- where was it? New Brunswick? No, not New Brunswick. (Indiscernible) [But uh,] New Glasgow, and then --

MS. ALANA LEE: It's under [mode (indiscernible)].

MS. ELEANOR KABATAY: New Glasgow he lived, and then he -- he lived there, but he had to move away from here 'cause he's -- they said he wasn't -- they wouldn't let him back in -- in Membertou, and so he said, Tell you what, he said, I'm not going to -- he already went through enough, and so he got (indiscernible) [left, he moved away] and -- but that -- I don't know. That really -- I don't know how they can shove their own people off the reserve like that. Oh, for killing and that, but, him, he would get caught for beating up people and being -- and doing other things, like you know, but he never got five years. One time they said he was going to go to the big house and this and that, and they are minor charges.
They weren't really that big of charges, and I said even a person -- you might as well kill somebody, you'll even get a lesser charge. You know, I -- you know, sometimes when I really get mad.

**MS. ALANA LEE:** Yeah.

**MS. ELEANOR KABATAY:**

And -- but -- and -- but, no, but he done a lot -- they all did a lot of time in jail.

**MS. ALANA LEE:** If I can go back to when you guys were mentioning that night they made the -- Michelle was murdered. When you guys -- when you guys -- you mentioned just about arriving kind of on the scene and, you know, you wanting to touch her.

**MS. ELEANOR KABATAY:** Oh, the hospital?

**MS. ALANA LEE:** Yeah. So it was at the hospital?

**MR. DANNY PAUL:** That was at the hospital, that part.

**MS. ALANA LEE:** Okay. Yeah. Can you --

**MR. DANNY PAUL:** When I got to the scene itself--

**MS. ALANA LEE:** Okay.

**MR. DANNY PAUL:** -- I was restricted from that area because it's, you know --

**MS. ALANA LEE:** M'hm.
MR. DANNY PAUL: -- still investigating the area that they were looking at, and everybody inside was in lockdown because of the witnesses, a major crime, and then from there I went to the hospital, and they brought her in on a gurney, and I wanted to do that ceremony, but they wouldn't allow me. They said -- they said she was evidence. To me evidence is something like that box of kleenex there or a firearm you're charged with possessing or a knife or whatever.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: But a human being, a loved one? You know --

MS. ELEANOR KABATAY: Yeah, and I -- I just wanted to touch her. I was hoping she'd just smile one more time at me. She had a nice smile, and they told me I couldn't touch her, and they told me, No, you have to leave here, and then they said, 'Cause if you don't leave, we're going -- security's going to take you out.

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: And I just left, and -- and you know what? And that's -- I was -- I was drinking like crazy. I didn't want -- I didn't want to believe it. I didn't want to believe (indiscernible) [the whole thing].

MS. ALANA LEE: M'hm.
MS. ELEANOR KABATAY: And then these girls came over at the house, and they were trying to tell me by the -- about how -- how everything happened and that, and I told them, Get out. I kicked the girls out. They were my friends, but you don't go telling a mother like something like that, and I told the girls, You guys get out, and I threw the girls out. I was already hurting enough.

MS. ALANA LEE: Yeah.

MS. ELEANOR KABATAY: Yeah. They tried to go into detail on how she's -- I didn't want to hear it.

MR. DANNY PAUL: Yeah, that's the really hard part, you know, having to hear the detail from so many who were there. They had their own version of what they saw. It led to the same thing, but we knew. We don't need to hear it no more --

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: -- you know, because again, like she said, she drank hard.

MS. ELEANOR KABATAY: Oh, I --

MR. DANNY PAUL: Her anger was there, and I understand why because I had the same anger.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: I had to -- I was lucky. Our uncle was an RCMP officer, and I gave him all my firearms and my weapons that I use for hunting and fishing.
MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: I even tried fighting him.

MR. DANNY PAUL: 'Cause I was afraid of what I was going to do.

MS. ELEANOR KABATAY: So crazy.

MR. DANNY PAUL: And then, you know, like she said, we got into a lot of fights, her and I, and, you know -- you know, we come from a broken family, all of us. We were part of the Sixties Scoop.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: We were fortunate that we ended up with family members, them in Eskasoni and me here, and our other brother is still in Eskasoni with one of the elders there.

MS. ALANA LEE: How many of there was you, like how many siblings?

MR. DANNY PAUL: Well, there was -- there's six of us all together, yeah, but there were four of us that were separated at an early age 'cause their father went out to get some milk and cigarettes, and he never came back.

MS. ELEANOR KABATAY: He used to beat my mother up.

MR. DANNY PAUL: And then, you know,
single -- single mother --

MS. ELEANOR KABATAY: He beat up my mother.

MR. DANNY PAUL: And the Indian agent, when he came into the community, heard about that, and it was right away, and then they tried to get me in residential school, and they took the rest of us away. So, you know, when you -- later when our mother moved back from Alberta that time, it was shortly afterwards the girls moved back with her, and then I was about 18 when I moved back with her, yeah.

MS. ALANA LEE: Did your mother attend residential school?

MR. DANNY PAUL: No. No. She -- she went to the day school here with us. We went to day school here also, yeah.

MS. ELEANOR KABATAY: But you know what? Those are (indiscernible) [aunts that took us in].

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: See we were lucky because we were -- it was not like with stranger families. It was from our aunts and that that took us in, so we were lucky there. That's why my sister, she works for Children's Aid. She went to school for that 'cause I told her. I said, I -- it's hard to see people being put on different reserves and how they're treated and everything
else, and --

MR. DANNY PAUL: You know, plus --

MS. ELEANOR KABATAY: -- let them stay like.

MR. DANNY PAUL: I can only imagine the horror of living off reserve. To me that would be horrible to be raised by a non-native family. What do they know about me? What do they know about my background? And then, you know, when you see your family blown apart 'cause the government says, well, you're a single mother and we can't have that, even though she lived with her father. When the grandfather was alive, that was his house where she was living.

MS. ELEANOR KABATAY: (Indiscernible).

MR. DANNY PAUL: My great-grandmother lived across the street. That's where I went to live, with her, and then Indian Affairs said that she wasn't capable of looking after me because she was elderly. She was in her eighties. So they left -- they left me in the care of my aunt and my uncle, you know, and, again, like she said, we were fortunate we went with family, and that's what really kept us together, and then when we see our family start breaking apart, well, we step in, like you know, when -- when they intervened, but her now, my sister and I, we stepped in. We took care of her -- her children.

MS. ELEANOR KABATAY: Yeah. (Indiscernible)
I really fell apart.

**MR. DANNY PAUL:** Yeah. So, you know, we stepped up like that there, and we raised them as our own.

**MS. ELEANOR KABATAY:** I just told Children's Aid, There's no way you guys are taking them off the reserve.

**MS. ALANA LEE:** Was this after Michelle's death?

**MS. ELEANOR KABATAY:** Oh, no.

**MR. DANNY PAUL:** This was before.

**MS. ALANA LEE:** Okay.

**MR. DANNY PAUL:** Yeah.

**MS. ELEANOR KABATAY:** But she -- she had her whole life set, you know. I read the letter that she had written, and when she said I am not -- I'm going to finish school, I'm going to go to college, and when I meet a man, you know, a man that I (indiscernible) [you know, that you know she is going to meet] the man (indiscernible) [who she really loves or they] love each other, and then she'll have a child, and, you know, she -- she had her whole life set, and then she worked over at junior's store, and then she worked at the Native place at the college, and her life was just taken away so quick.

**MR. DANNY PAUL:** Yeah. She was on -- she just got (indiscernible) for her goals, and, you know,
she -- she finished her high school. She was in university when this happened.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: And, you know, she was looking to establish --

MS. ELEANOR KABATAY: Her whole life.

MR. DANNY PAUL: -- establish a museum, a Native museum in one of our communities.

MS. ALANA LEE: Wow.

MR. DANNY PAUL: That was her ambition, so when I -- when she would come to me and ask me stuff, I started grooming her about our -- what I know about our culture, about our way of life.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: And we would spend hours talking. She had that thirst that I was looking for in someone, and then when that happened, like --

MS. ELEANOR KABATAY: She --

MR. DANNY PAUL: -- it almost killed my spirit.

MS. ELEANOR KABATAY: She spoke Indian, yeah.

MR. DANNY PAUL: So, you know, when --

MS. ELEANOR KABATAY: You know, when she was born, I had her in Boston and I had her in the bedroom. I
delivered her myself, and I'm so glad -- I'm so glad I got
(indiscernible) [God, oh God]. You know, gave her -- you
gave her to me so quick and you took her so quick from me.
Everything was (indiscernible), but now I find I'm a little
bit more -- I'm a lot more stable. I still say my prayers
every night, and I know she's in my heart, and -- but
it's -- cause I remember when she was a little girl 'cause
she was big. She was like nine five, and she was --

MS. ALANA LEE: Nine five?

MS. ELEANOR KABATAY: M'hm.

MS. ALANA LEE: Wow, and you delivered her
on your own.

MS. ELEANOR KABATAY: Yeah.

MS. ALANA LEE: Wow.

MS. ELEANOR KABATAY: And then by time the
ambulance got there, they said, Oh, she's delivered
herself, but even while she was growing up, like she was
(indiscernible) -- [always big (laughs)].

MR. DANNY PAUL: Between -- [Elder 1] here
was one of her early childhood development people. Yeah.

MS. ELEANOR KABATAY: Yeah.

MR. DANNY PAUL: So we all --

MS. ALANA LEE: Yeah.

MR. DANNY PAUL: We all lost someone
special.
MS. ELEANOR KABATAY: I always say to myself sometimes I wish I could be so forgiving like you. It's not -- it's hard, I know. Like you said, like I said, I cry to myself sometimes, but I just (indiscernible) [went through the worst part]. Now I'm starting (indiscernible) [, everything is more settled] and --

MS. ALANA LEE: (Indiscernible) [How is it--] So you had mentioned there was -- like you guys coming together as a family, coming together and helping out and helping in ways the children after Michelle's --

MR. DANNY PAUL: No, this was before her.

MS. ALANA LEE: Okay.

MR. DANNY PAUL: Yeah, before she passed 'cause we -- she had issues she was dealing with, and --

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: -- and, like she said, she told Children's Aid or the Mi'kmaq Family Children Services that she didn't want them going anywhere but with us.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: So they asked us, and we stepped in and we took -- you know, took on that role.

MS. ALANA LEE: And that takes a lot of strength and courage for you as a mother to say, you know what, I'm going to let family while I help -- help myself.

MS. ELEANOR KABATAY: Yeah, it is because me
and my husband had split up, and while we were split up,
and then this man got killed in my house, and he was
supposed to be there to help me to houseclean, and I didn't
feel good that night, and I told him no. I said, No, I
said, Maybe tomorrow if I'm feeling a little better we'll
start, and he kept saying, No, no, I'll go over and I'll
start it, and then when he was -- and I just told him I
wasn't feeling good, but he started walking up, and I could
see the dogs even all barking at him, like trying to stop
him. I -- I don't know why. I could see the dogs there,
and -- but he still went up there, and then in the morning
my sister came to get me, and then she said -- I was at
somewheres else, and then she came to get me, and she says,
Oh, something bad happened at your house, Eleanor, and so
we went there, and I could see them taking pictures and
everything, and then I told her. I said, Oh, something's
not good, [Sister]. I said, I can see them taking pictures
and that, and then so when -- and then so she said, Let's
go talk to the police, to them 'cause it's your house,
Eleanor. So we went there, and the cop said, No, no, you
can't come in, and then -- but they took me -- they took me
to the police station, and they told my sister, no, she
couldn't come with me, and they told me what happened, so,
you know, like it was a rough time.

MS. ALANA LEE: Yeah. (Indiscernible) [Just
from] a bit of you had mentioned, you know, growing up and
seeing violence in the home. You mentioned that -- was it
your father?

Ms. Eleanor Kabatay: We didn't see that.

My -- we got taken away when we were young.

Mr. Danny Paul: I saw it.

Ms. Eleanor Kabatay: But he did 'cause my
aunt and my grandmother -- you know Donald Marshall?

Ms. Alana Lee: M'hm.

Ms. Eleanor Kabatay: And his wife lived
across the street, (indiscernible), and then -- and my aunt
and her husband lived there too, and they used to see my
mother get beat up, and then they saw him, how he treated
Danny, and then so [Uncle] went over there, and [Uncle]
told him we're going to look after, and he saw him beat up
my mother, and then that's when [Uncle] went after him, and
then that's when we were -- we were taken to Eskasoni
to -- [Uncle] and (indiscernible) took us to Eskasoni, and
that's how he --

Mr. Danny Paul: That's the -- that's the
reason why my -- our brother is the way he is.

Ms. Eleanor Kabatay: She was -- she was
pregnant with him.

Mr. Danny Paul: She was pregnant with
her -- with him, and he was saying that's not her -- that's
not his baby.

**MS. ELEANOR KABATAY:** I wasn't -- I wasn't

his -- I wasn't his and --

**MR. DANNY PAUL:** And he was punching her in

the belly and kicking her, and --

**MS. ELEANOR KABATAY:** My mother was

pregnant.

**MR. DANNY PAUL:** -- she was big like this,

and I saw that, and, you know, the way she treated myself,

I was left outside in the dead of winter, and back then

they had no central heating, just a wood stove in the

house.

**MS. ALANA LEE:** M'hm.

**MR. DANNY PAUL:** And I was left on the back

step on the porch on the steps, and (indiscernible) [C.O.]

was coming from [S.]’s. He just bought some home brew, and

I could hear him walking by the bridge, could hear the snow

crunching 'cause we lived near that area, eh. It was that

cold and sparkly snow, and it was crunching as he was

walking, and he heard me crying on the back step, and he

came over with his coat on, and he bust down that door and

he went inside, and that man was in there, and I remember

the stove was glowing red on top. I almost froze to death,

and he was inside like that.

**MS. ALANA LEE:** Was he your father
or your --

MR. DANNY PAUL: He was my stepfather, yeah.

MS. ALANA LEE: Your stepfather.

MR. DANNY PAUL: Yeah. It was her father and [Sister]’s and [Brother]’s father, yeah.

MS. ELEANOR KABATAY: See in our family we never had to go through the abuse. The only abuse really that -- you know, when we were taken to Eskasoni, we never seen abuse. We spoke Indian, and we were (indiscernible) [brought up good, we didn’t, there was no cursing] and it wasn't -- but it wasn't until I was in Membertou, and then when my daughter got killed, that's when everything --

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: I never thought -- and it's not -- I never thought anybody got killed (indiscernible) [could kill another person like that].

MR. DANNY PAUL: So all our lives we've been dealing with trauma, one trauma, one trauma, one trauma, one trauma.

MS. ELEANOR KABATAY: My son --

MR. DANNY PAUL: And you learn to cope and try not be bitter about things, eh. That was -- that's probably the most challenging part for me at times because, you know, when I look at my whole life.

MS. ALANA LEE: One of the biggest things
I've heard -- I heard you say is that, you know, all this trauma, I'm hearing there a lot of stuff that you dealt with, and you said it brought you -- like it's brought you guys closer together.

MR. DANNY PAUL: Oh, yeah.

MS. ALANA LEE: You know, that's -- that's amazing. Sometimes it's the opposite.

MR. DANNY PAUL: Oh, yeah, but all the shit that I went through. You know, I'm going to be 60 in another year and a half, and I can remember probably 55 years of my life from seeing my brother get beat up when he was in my mother's belly to all the way up and then to train myself as a tradesman to be one of the best around and then to become a building inspector and then to become an instructor with CMHC and had that all undermined by our leadership here and then be blacklisted for speaking the truth here.

MS. ALANA LEE: Speaking the truth?

MR. DANNY PAUL: In this community.

MS. ALANA LEE: Okay.

MR. DANNY PAUL: You know, even this morning the two people that despise me the most are our housing director and our chief, and walking from that fire to the convention centre, who do I see? The first one is the housing director, and as soon as he noticed me, like that
he turned his head and looked the other -- wouldn't even
look at me in the eye, and I know the chief hates my guts, so I went -- I walked ahead of them 'til I got to the door, and he was right behind me, and I held the door open for him, and I didn't -- said hello to him or thank you for holding the door open. Yeah. To me that speaks volumes about who he is, and, you know --

MS. ELEANOR KABATAY: That's just wrong.

MR. DANNY PAUL: -- I don't give a -- I don't give a rat's ass who anybody is.

MS. ELEANOR KABATAY: I think that he's the lower --

MR. DANNY PAUL: You're not better than anybody else.

MS. ELEANOR KABATAY: He's the lower one.

MR. DANNY PAUL: You're not better than anybody --

MS. ELEANOR KABATAY: That's the way I look at it.

MR. DANNY PAUL: You're not better than anybody, and nobody's any better than you.

MS. ELEANOR KABATAY: I went to the children's school for -- what was it -- three years? I worked with [Elder 1], yeah, and we were -- I worked with children in Boston for about ten years, ten years, and then
they opened up the first Cree school, and I always liked
working with children.

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: Yeah, and, you know, like to me, like life seems so backwards like.
I -- I -- and after that happened, it just seemed to me that -- well, to me anyway. (Indiscernible).

MS. ALANA LEE: You had a really amazing kind of story that Michelle was born in Boston, you had her, you know, on your own. How long did you guys live in Boston for?

MS. ELEANOR KABATAY: Oh -- okay. My sister was up there. Yeah, like I said, I was -- I worked with children there for about ten years, and I started going with this guy and I had my oldest son, and he was the type that never worked, and I was the one that always worked. I worked at Boston Indian Council, and then he never worked. He just wasn't the type, and then, you know, like Michelle, that wasn't planned, like to have Michelle, and I said, no, 'cause I don't believe in abortion. I don't believe in stuff like that, and so I had her, and I mean she was (indiscernible) [like a baby, healthy and everything], and then after she was born, I found an apartment in Boston in (indiscernible) 'cause I moved out on him. I said, No, I don't want you near the kids.
MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: And -- but I knew he -- they'd never leave me alone, the [Family in Boston] at that time, and so I said, I'm going to go back to Canada, and that's when I came back. I moved back to Canada.

MS. ALANA LEE: When you say not leave you alone, just like in terms of --

MS. ELEANOR KABATAY: He --

MR. DANNY PAUL: He would harass her.

MS. ALANA LEE: Okay.

MR. DANNY PAUL: Yeah.

MS. ALANA LEE: Yeah.

MS. ELEANOR KABATAY: Yeah, and he would say, No, no, that's my -- you know, that's our children. No, not like that, but --

MS. ALANA LEE: Yeah.

MS. ELEANOR KABATAY: -- they would always want to see them or want them or -- and when in Boston, they were tough people, so -- and I just said I'm not going to put up with any of that --

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: -- and so I just -- I moved back.

MS. ALANA LEE: When you moved back to
Canada, you moved to Membertou?

**MS. ELEANOR KABATAY:** M'hm. Yeah. And then I moved back to Membertou, and then that's when I started -- we started working at the day care, and I worked there a year. Was it a year? A year or two, I think, I worked there, was it? Yeah. Yeah. (Indiscernible) [Longer? Like two or four years].

**MR. DANNY PAUL:** About five years there, eh?

**MS. ELEANOR KABATAY:** Yeah, you know, and so to me -- and that's when I met my husband, and he's an Ojibwe, and then -- but me and the -- we broke up, and my other thing was -- seemed to be falling apart, and that's when I asked my family to take care of my kids 'cause I knew I was drinking too much and I was -- I was falling apart. So they looked after my children, and I said no, and I started seeing counsellors. I started going to a counsellor, and then so I started working with (indiscernible) [adult care], and then so [--so yeah].

**MS. ALANA LEE:** So did your kids eventually come back and live with you?

**MS. ELEANOR KABATAY:** Oh, I never stopped seeing them.

**MS. ALANA LEE:** Yeah.

**MS. ELEANOR KABATAY:** My family let them -- my family let me see them any time I wanted because
I would never go there drunk or anything like that.

Ms. Alana Lee: Yeah.

Ms. Eleanor Kabatay: I'd go there sensible.

I -- like if I brought anything for them, and I would never just -- you know, and I'd never just take them or try to take them. I would never do nothing to -- too sensible for that.

Ms. Alana Lee: Yeah.

Ms. Eleanor Kabatay: So, yeah, but they helped me out when I was going through a rough time.

Ms. Alana Lee: So you mentioned Michelle. She graduated from high school. She was on her way, looking at going to university and --

Mr. Danny Paul: She was in university.

Ms. Alana Lee: She was in university.

Mr. Danny Paul: Yeah. Yeah.

Ms. Alana Lee: Yeah. Wow.

Mr. Danny Paul: And, like I said, you know, that's one of her dreams was to have that museum and (indiscernible) [it all ended with her].

Ms. Alana Lee: M'hm.

Mr. Danny Paul: I sort of turned inward myself because of it. I just saw so much potential, and I haven't seen it again.

Ms. Eleanor Kabatay: She had a lot of
ambition. She reminds me, like you know, like you want to do something and you're going to do it. That's the way she was.

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: Yeah, and I -- and that -- I keep thinking something was going on at the trade centre 'cause they were over at my cousin's place, [Cousin]'s. That's at my uncle's place, right, and [Cousin], she just felt so bad for the longest time. She said, I shouldn't have let her leave.

MR. DANNY PAUL: No, it was a wedding reception that night.

MS. ELEANOR KABATAY: Something, yeah. There was something going on, and she says, Oh, she looked so pretty and she was --

MR. DANNY PAUL: September, eh. I'm sure that's what it was. It was a wedding reception they were at.

MS. ELEANOR KABATAY: Something was going on, yeah, and then [Cousin] kept it in herself for the longest time. She said, I shouldn't have let her leave the house, but she can't tell Michelle not to leave. She wasn't going to listen to you anyway.

MR. DANNY PAUL: No. We all say we should have, could have, would have after, eh. There's nothing.
MS. ELEANOR KABATAY: And then --

MR. DANNY PAUL: It's just the way things rolled out.

MS. ELEANOR KABATAY: And then there was a bunch of them partying when they were on their way down the road, and then they dropped in there. That was her last stop.

MS. ALANA LEE: So after -- well, during the investigation process, what was that like for -- for you guys because you were contacted by the RCMP, and I remember you said your uncle was an RCMP officer?

MR. DANNY PAUL: Yeah. Well, he -- he worked in another community.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: But he was about the only one I could trust with my weapons, eh, because I knew if I handed them over to the city police, they'd never have been given back to me.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: And I needed them for hunting, which I do (indiscernible) [you know, communal] hunt, and I do fishing, and I -- you know, the salmon. I'm the one who brought that in.

MS. ALANA LEE: Oh, wow.

MR. DANNY PAUL: Yeah.
MS. ALANA LEE: Thank you.

MR. DANNY PAUL: Yeah.

MS. ALANA LEE: Thank you. Yeah.

MS. ELEANOR KABATAY: You know what? I can't ever remember, though, if they ever questioned me that time when the police questioned me about the whole thing.

MR. DANNY PAUL: No, me either, you know, come to think of it.

MS. ELEANOR KABATAY: No, they didn't, eh?

MS. ALANA LEE: Were you offered any support services, victim services or --

MS. ELEANOR KABATAY: No, nothing.

MR. DANNY PAUL: No.

MS. ELEANOR KABATAY: And then --

MR. DANNY PAUL: Just at the hospital for what we were doing there.

MS. ELEANOR KABATAY: I had to leave.

MR. DANNY PAUL: But after we were told to leave because of what we wanted to do --

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: -- that was it. There was a nun there.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: Yeah.
MS. ALANA LEE: So --

MR. DANNY PAUL: I don't know what her name, sister whatever anyway. That's who was there --

MS. ALANA LEE: Okay.

MR. DANNY PAUL: -- as a grievance counsellor, I suppose, or support, Christian support or --

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: [M.]

MR. DANNY PAUL: Could have been.

MS. ELEANOR KABATAY: She's the one that --

MS. ALANA LEE: You weren't able to do your ceremony --

MR. DANNY PAUL: No.

MS. ALANA LEE: -- but she was -- there was a nun there.

MR. DANNY PAUL: Well, there was -- but we were told you can't -- I couldn't do what I wanted -- needed to do --

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: -- because my -- my girl was evidence and I would have been tampering with evidence, according to them.

MS. ELEANOR KABATAY: I wasn't even allowed to touch her.

MR. DANNY PAUL: And I can't -- --
MS. ELEANOR KABATAY: That's (indiscernible) [what I couldn’t get over], and, you know, like it was my friends, two of my friends that came to get me, and they says, It's not very good news, Eleanor, and then this is like five o'clock in the morning they came to get me 'cause they said they kept calling, and once I'm asleep, I'm asleep. I won't open the door for anybody.

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: And then finally at five o'clock they kept knocking, knocking, 'cause it was [E.], [E.] and [J.], and they said, It's not very good news, Eleanor, and so they took me to the hospital, and then (indiscernible) [and so they went up], and I saw Michelle there, and there were other people in the room, though. (Indiscernible). They just -- and that's when I tried to touch her, and they told me, You can't, and then I think it was [E.] that told me. She said, Security's going to take you out, and once they took me out, I just went home and I drank, cried and I drank.

MS. ALANA LEE: Throughout the court process were you guys offered any supports like victim services or --

MR. DANNY PAUL: No.

MS. ALANA LEE: -- anything like that?

MS. ELEANOR KABATAY: No.
MS. ALANA LEE: Any -- any supports within your community in Membertou?

MR. DANNY PAUL: No.

MS. ALANA LEE: Like did anybody come to court with you guys?

MR. DANNY PAUL: No.

MS. ELEANOR KABATAY: I had to go to the doctor's. I went to [Doctor]. I told him I needed help, and I told him. I said, I need help because I need some counselling. I need help, and he said -- [Counsellor]. That's her name. [Counsellor], that was her name.

MR. DANNY PAUL: That's the counsellor, eh?

MS. ELEANOR KABATAY: Yeah.

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: Yeah. So I saw her for about a year and a half.

MS. ALANA LEE: Wow.

MS. ELEANOR KABATAY: Yeah, and then I'd -- I'd go there half-cut sometimes. You know, sometimes at first I did.

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: And then she says, Eleanor, can you come sober 'cause I -- you know, I started to trust her, and so I went there sober.

MS. ALANA LEE: M'hm.
MS. ELEANOR KABATAY: And then I brought pictures of her -- to her about my sons, and then she made everything seem altogether different than the way I was looking at things.

MS. ALANA LEE: M'mmm.

MS. ELEANOR KABATAY: So she -- she helped me out a lot, but a year and a half.

MS. ALANA LEE: And you found that helpful.

MS. ELEANOR KABATAY: 'Cause nobody could even mention Michelle's name. I'd go -- I'd go crazy, yeah, but after -- after that counselling, you know, I was -- I -- like now I can even say Michelle and -- but if I didn't go for that counselling, I wouldn't have been able to.

MS. ALANA LEE: Wow, and so it was you who reached out.

MS. ELEANOR KABATAY: Yeah. Yeah, I had --

MS. ALANA LEE: You reached out to counselling, and, you know, even if you were coping in a different way with alcohol, you still managed to make your counselling appointments.

MS. ELEANOR KABATAY: I had to ask [Doctor] for help, yeah, and he says, Okay, and he sent me to [Counsellor]. Yeah, that's her name.

MR. DANNY PAUL: Yeah, nobody -- nobody ever
MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: It seems like you have to ask for it, eh.

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: 'Cause I had a hard time.

MR. DANNY PAUL: What happened with my son, it was a good thing that it happened at the IWK 'cause their support network there is incredible, you know, and my hat's off to them people. They allowed me to do the ceremony with my son right in the critical care unit, and they, you know, even asked the other kids in the room if they wanted to leave or take part, and the kids said, No, he's one of us.

Yeah, but when -- what happened to Michelle, the only thing that was asked of me is by the courts, and that was for a victim impact statement, so I did that, but as far as getting any help or support, whether from this community or from the legal system, nothing. By then I've already toughened up to know to hell with them. I know what I need to know and I know how and where I can turn to, eh, and, you know, that's the traditional role that I'm on, and it's a great network for me because I can travel all over North America and I can talk to whoever I need to talk
to. I can talk to community members right here with [Elder 1], [L.], other people, eh, that are of the same mind-set.

MS. ALANA LEE: Yeah.

MR. DANNY PAUL: And to me, that's something that when I saw that nun sitting there, I couldn't -- I can't talk to them people.

MS. ALANA LEE: Tell me what that made you feel like.

MR. DANNY PAUL: Oh, you know, my first day of school was down here in the Catholic school, you know, from the reserve, and the first hour and a half that I was in that school, I was taken out of the class by [Nun], taken up to her office, [Classmate 1], myself and [Classmate 2], and we were all assigned desks in front of the class, and as soon as that nun came walking in, she says, You, you and you come with me. So we went up to her office, and she took our little hands and she hit them ten times each. We were -- we were just turning five.

MS. ALANA LEE: Just babies.

MR. DANNY PAUL: Yeah. We're sitting at our desks 'cause we were Native, so when I see nuns today, that's what you remind me of. You might be the nicest one around, well-intended, but to me you're guilty by association, and when I hear the atrocities of what happened in the residential schools, it only compounds
what's in my brain about them, eh, so I step away from them. Like I say, they may be the best-intended people, but I can't trust them. It's like trusting an Indian agent. I can't trust them buggers either. I remember all this.

**MS. ELEANOR KABATAY:** (Indiscernible) [Hmm, I had lots of --] It's funny. When we were -- when we were at the school there, they'd be checking our head. The only ones that got notes too were Indians. (Indiscernible) [Would be [Classmate 3] and us] in the class, and we got notes. Oh, God, put that poison in our heads [hair]. (Indiscernible) [Then she] took us back to school 'cause, you know, (indiscernible). She wouldn't put up with any of that, eh. There'd be tears in our eyes, red and everything from all that poison, and she scrubbed (indiscernible) [really scrubbed our heads]. It was funny how they -- how they didn't [they’d] even check your hair. It was -- and they checked the white kids, children's hair, but it was all Indians, I said, that had the notes. They were the ones that only got the notes.

**MR. DANNY PAUL:** Yeah.

**MS. ELEANOR KABATAY:** And the grand chief's wife didn't like that when she put poison in our hair, scrubbed it. Yeah.

**MR. DANNY PAUL:** But, you know, all of it --
MS. ELEANOR KABATAY: She's a strong woman --

MR. DANNY PAUL: -- brought it out --

MS. ELEANOR KABATAY: Was.

MR. DANNY PAUL: -- what we are today.

MS. ALANA LEE: M'hm.

MR. DANNY PAUL: You know, as much as I despised what -- what had happened to our people at residential schools, I'm grateful because it gave our people the opportunity to understand what was being written about us. Our people learned how to read and write from them people.

MS. ELEANOR KABATAY: Michelle's birthday's going to be on Remembrance Day.

MS. ALANA LEE: On Remembrance Day?

MS. ELEANOR KABATAY: Is her birthday, yeah, 'cause mine is Thursday and Michelle's is on Remembrance Day. [Son 2]'s is on the 18th.

MS. ALANA LEE: What do -- what does Remembrance Day look like for you now?

MS. ELEANOR KABATAY: Well, my grandfather is part of World War I and II, so --

MR. DANNY PAUL: World War I -- II.

MS. ELEANOR KABATAY: Yeah, he went to two.

MS. ALANA LEE: He went to two?
MR. DANNY PAUL: He went to one, World War II.

MS. ALANA LEE: Okay.

MS. ELEANOR KABATAY: II? Okay. Yeah, and so I -- I don't know. I don't know. I just don't feel it's -- 'cause even -- I always had her and [Son 2]'s birthday on the same day, and then -- you know, and then when I go up to the graveyard and I go sit there and talk, and I'll bring her flowers or something, you know, I bring her, and like the hurting part isn't as bad as it was because of the counselling.

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: If I hadn't gone to that counsellor, I don't think I -- I don't even think I'd be here right now.

MS. ALANA LEE: Yeah.

MS. ELEANOR KABATAY: Yeah.

MS. ALANA LEE: Yeah.

MS. ELEANOR KABATAY: But that really helped me 'cause it was -- you just never expect your child to die.

MS. ALANA LEE: No.

MR. DANNY PAUL: No.

MS. ELEANOR KABATAY: You know, his son was younger, and he -- he came out of school, was just crossing
the street, and a car hit him. You just don't expect it.

MS. ALANA LEE: No.

MS. ELEANOR KABATAY: But when people want to go into detail about -- like what the girls did, I -- they're my friends, but they were going into detail about how she died, and -- 'cause I chewed them out.

MS. ALANA LEE: Yeah.

MS. ELEANOR KABATAY: And even now I don't think I really have any friends. I don't really hang around with anybody. I -- I find it hard. I find it really hard. The more --

MR. DANNY PAUL: That's what happens to me.

MS. ELEANOR KABATAY: I'm a loner more or less. I'm by myself a lot.

MR. DANNY PAUL: Yeah.

MS. ELEANOR KABATAY: Yeah.

MR. DANNY PAUL: I'm lucky I've got my wife, you know, a few friends here that I know. If I want, I can just go and knock on the door and say, We need to talk. I know that, but most of the time I just lay awake. I sleep an average of maybe four to five hours a night. Yeah. Sometimes I just lay there and cry.

MS. ELEANOR KABATAY: I -- it's hard for me to cry. It's hard for me to [show my feelings]. It's --
MR. DANNY PAUL: After --

MS. ELEANOR KABATAY: I don't know.

MR. DANNY PAUL: -- dealing with a lifetime of trauma, you kind of shrug it off after a while, but when you're alone, that's when (unreportable sound) just comes --

MS. ALANA LEE: Yeah.

MR. DANNY PAUL: -- with nobody around to see it or hear it.

MS. ELEANOR KABATAY: Yeah, I think that's about the only time I do cry is when I'm by myself. There's something -- something (indiscernible) [something] if I'm by myself, but I won't cry in front of people.

MS. ALANA LEE: You guys mentioned earlier that it was about a month later that you were in court for -- for Michelle.

MS. ELEANOR KABATAY: Yeah.

MS. ALANA LEE: They handled the investigation pretty fast?

MS. ELEANOR KABATAY: To me it seemed like she had just gotten buried because she had it over -- my sister had it over at her place, yeah, 'cause I couldn't. I wouldn't have been able to handle it. I was a (indiscernible) [pretty much] dead for a while too, [mad at the world]. I was just dead to the world, but anyway, and
then they came to the house and then they told me that I had -- seemed like a month later. It was --

MR. DANNY PAUL: It was quick anyway.

MS. ELEANOR KABATAY: And then -- and then she kept crying like all in the courtroom.

MS. ALANA LEE: Who did?

MS. ELEANOR KABATAY: That Krystal.

MR. DANNY PAUL: That killed her.

MS. ELEANOR KABATAY: And then -- then she asked -- she asked the lawyer to ask me if I would forgive her, and then they asked me to stand up, and I said, No, no, no, no way. I said, She was my only daughter, and, I said, She's gone. You took her away, you know, you killed her. No, I wouldn't. I wouldn't, and so the judge -- the judge just told her, No, she will not accept your -- she wouldn't accept that, and then -- so when it came down to the sentencing and he said five years, like I automatically -- watching TV, you think they'd get life sentences and things like that, eh.

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: And he only said five years, and then -- then I heard she only did three, and somebody else told me she did less.

MR. DANNY PAUL: I think she did a year and a half and then she was six months or eight months in the
halfway house in [City], and that's where she's at today, [City].

**MS. ELEANOR KABATAY:** See my kids -- my son, he got almost two years for beating up someone; didn't even beat them up bad but beat him up, and that was it, but they didn't kill him, but he didn't almost kill him or nothing like that. He was just charged with beating him -- beating him up because he had a criminal -- he had a record before that, and then -- but they said -- they -- they charge -- he served two years, and then they threw him out of Membertou.

**MS. ALANA LEE:** M’hm. Different treatment.

**MR. DANNY PAUL:** Well, yeah, and you wonder why, and when you have -- when they ask you to have trust in what they do as representatives of the judicial system.

**MS. ALANA LEE:** M’hm.

**MR. DANNY PAUL:** And then you see how miserably the judicial system fails us. It's incredible, and you wonder why people have the animosity towards them that they do, why they think it's a joke.

**MS. ELEANOR KABATAY:** There's even an --

**MR. DANNY PAUL:** And then they look right across the country and --

**MS. ELEANOR KABATAY:** There's a man up there. He goes to --
MS. ALANA LEE: (Indiscernible) [Can you turn it off?]

MS. ELEANOR KABATAY: There's a man. He's up there, and he's been in jail, geez, about every second week or every third week, and he's told he cannot come -- he's not supposed to be in Membertou. As soon as he gets out of jail, he goes right back to that place (indiscernible) [same place].

MS. ALANA LEE: Wow.

MS. ELEANOR KABATAY: Oh, yeah, and, yeah, that's [person’s relative]. It's -- well, it shouldn't make any difference.

MS. ALANA LEE: When we began, you started with historical context.

MR. DANNY PAUL: Yes.

MS. ALANA LEE: You know, talking about how colonization has kind of -- has informed almost and (indiscernible) [and sorry] what women are, you know, missing and murdered Indigenous women today. What do you think would make it better for future generations?

MS. ELEANOR KABATAY: Well, nowadays I find they're being well educated now in a lot of the -- I find a lot of children are going to school and they're going to colleges more, and I find they'll be -- maybe that might make a change. What do you think?
MR. DANNY PAUL: This is my third inquiry.

I -- I was one of the -- I was the first one that was in contact with Donald Marshall Junior, and I'm the guy who started everything for him in his wrongful conviction back in 1980. I lost my job over it because of what I'd done. Out of the 88 recommendations, today how many have been enacted into law, okay? That's 37 years now.

And then I just finished work with the Truth and Reconciliation Commission also on their inquiry in residential schools and the residential school survivors, and when I was there when -- in Ottawa when they made that announcement about this Inquiry itself and Justice Sinclair made that announcement and then Minister Valcourt was ordered by the Prime Minister's office to not acknowledge or stand when that announcement was being made or any of the recommendations and now this? And I asked the question, you know, 37 years later from my initial one to here --

MS. ELEANOR KABATAY: I find --

MR. DANNY PAUL: -- let's start over here where the first one was.

MS. ELEANOR KABATAY: (Indiscernible)

[there’s a lot of --]

MR. DANNY PAUL: How many -- how many have been implemented so far? Now we had 93 more that come out
of the Truth and Reconciliation Commission and their findings. How many of those will be acted upon?

This Inquiry, because of what I said at the onset, I know what's going to happen. This is going to be another dust collector in someone's office in the Justice Department. I don't want to seem cynical about it and I wish to hell I'm wrong, but this has been my -- this is, like I said, my third inquiry, and how much faith do I have in the system? Well, let's look at the history of what -- what I've witnessed so far, what I had to live through.

You know, I pray to God that they start their housecleaning with the Marshall investigation first, work their way to the TRC and then get into the Inquiry one, get their housecleaning in order, and I would love to see it. If there's 120 recommendations out of here, well, act on it immediately.

You know, this Truth and Reconciliation they're talking about, reconciliation, the word reconciliation bothers me because it says that two parties did something wrong. What the hell did our children do wrong in residential schools? They were brown people. That was their mistake. That was their problem. That was their thing that got them killed and tortured.

MS. ELEANOR KABATAY: They were just killed.
They weren't fed right.

MR. DANNY PAUL: So let's look at the word reconciliation --

MS. ELEANOR KABATAY: (Indiscernible) [There were just --]

MR. DANNY PAUL: -- again. Who has to reconcile here and why hasn't the church stepped up? What's the Canadian government going to do with this now? Harper wanted to suppress it as long as he could. He didn't want to deal with it. Now it's Trudeau's ball. He took -- he championed the cause, and I'm grateful for that, but where is it going? I would love to see it become a mandatory course in junior high, high school and university.

MS. ALANA LEE: Can you say more about that? I was going to ask you about recommendations, a mandatory course in what exactly?

MR. DANNY PAUL: In our studies as a -- like I hate the word Aboriginal because the prefix of the word is ab, which means not. Now, you're saying Aboriginal, not original. Native. Well, you know, you're native to Halifax. Let's throw that one out the window. First Nations. Well, they have yet to recognize us as a nation, so let's throw that one out the window. Why don't they go and ask the people who they are, right? And here on the
eastern seaboard primarily are not Mi’kmaw. We’re Oonow [L’nu]. We’re Oonow [L’nu].

MS. ELEANOR KABATAY: A lot of us --

MR. DANNY PAUL: Our ancestral lands.

MS. ELEANOR KABATAY: -- they have a hard time pronouncing that. That's --

MR. DANNY PAUL: Our ancestral lands.

MS. ELEANOR KABATAY: (Indiscernible) First Nations is easier.

MR. DANNY PAUL: Our ancestral lands are known to me as (speaking Mi’kmaw), and today when you say (speaking in Mi’kmaw), it refers to a reservation. No, it's beyond that. Our language tells us that, but conditioning through the colonialistic (sic) attitudes that were imposed and constantly imposed upon us lead us to say that (speaking in Native language) is a reserve. Bullshit. When you're in your territory, your area, your ancestral lands, what do you call it in your language? (Speaking in Native language) [Anishnaabekwe].

MS. ALANA LEE: And you know what? I don't know the answer to that.

MR. DANNY PAUL: And that's the problem.

MS. ALANA LEE: I know when I introduce myself, I say, you know, I'm Anishinaabe.

MR. DANNY PAUL: Yeah, but that's the
problem. Now we have to -- we have to be the ones to take
that lead, take that initiative and say I'm not Indian, I'm
not First Nations, I'm not Aboriginal. I am (speaking
Mi’kmaw). These are my ancestral lands known as (speaking
in Mi’kmaw), and this is what you call Atlantic Canada
today, and that to me should be suffice, and it goes into
Quebec, which is where Quebec City is today. The word
Quebec comes from our language, (speaking in Mi’kmaw) or
the Big River Narrows, and it's right at Quebec City, and
on the other side is (speaking in Mi’kmaw) over this way
near the bottom part of eastern -- or western Labrador.

MS. ELEANOR KABATAY: I always say
Membertou, and I like to say I'm a Native.

MR. DANNY PAUL: Yeah, that's up to you.

MS. ELEANOR KABATAY: (Indiscernible) [I’m
proud, I’m proud].

MR. DANNY PAUL: That's up to you, but this
is -- this is what I think we have to do to educate the
whole process because we've been conditioned over a long
period of time to say that we're otherwise, and I'm tired
of it. This is who I am. This is what I understand to be
my homeland.

So when I see in my homeland that statue,
like I mentioned earlier, of Cornwallis in the place we
call (speaking in Native language) The Great Fire, after
what he had done to our people, and, like I said earlier, that was a socially acceptable thing at that time, and it was allowed to perpetuate itself to become what it is today. Now they're defending the man.

If I went to the land of Jerusalem and put up a statues of Adolph Hitler and said that he was a great man, I wouldn't get his -- I wouldn't even get the base of it made. I'd be killed. So why should they get away with this stuff? Why would Jeffery Amherst have a town named after him? And what's to add to insult there is that that's where the head office of Indian Affairs Atlantic is.

You know, let's look at it for what it really is, and, like I said earlier, it's systemic genocide, and it has been something that has been accepted as being, well, it's only an Indian, it's only an Indian, and it's not just a Canadian problem. It's a North American problem.

Look at what happened to Anna Mae Aquash, and now they're trying to say that what happened to Aggie's baby sister, Virginia, because it happened in the States, they can't do anything about it. I say that's a crock of shit because that's part of (speaking in Native language). It's part of our ancestral lands before it became the United States, and our people have always travelled in that area.
Yeah. So let's -- you know, let's call a snake a snake and a frog a frog and dig into the matter and find out what is actually happening here. Find out who is actually responsible, and if it's the cops that are responsible for a number of these, call them to task on it. Have an independent agency look at what their actions are all about because if you have the police policing the police, it's like they have the insane looking after the insane in the asylum. You know, we have to answer to people like my sister, answer to people like me.

MS. ALANA LEE: Absolutely. Is there anything else you'd like to add, Eleanor?

MS. ELEANOR KABATAY: I don't know. (Indiscernible) [Anything else]. I almost fell asleep. No. No, I'm sorry. I was listening to you.

MS. ALANA LEE: (Indiscernible) [I appreciate what you say] as well.

MS. ELEANOR KABATAY: I -- I just don't know what to do. I don't know what else to say. It's just my daughter, and I wanted to move out of Membertou, and then I said, No, and then I said I'm -- I said, Don't let them in. You know what I mean? Like you know, if you move, then there's -- there's going to be more people doing it to somebody else 'cause they'll just say he moved away. They'll move away anyway, yeah, but don't -- just be strong
and get help. Some people can be stronger. They don't need the help. At that time I did. I needed the help, and I got counselling, and I -- 'cause I thought everything was negative. I hated -- I hated a lot of stuff, and -- you know, and just the way she was is -- she was -- I just -- she had so much life in her, and, you know, it just -- I don't even see that in my sons anymore. They don't have that life in them anymore either, and -- but I think it's -- I hope everything will be all -- everything works out.

**MS. ALANA LEE:** Do you have any recommendations that you would like to tell the commissioners or to the Inquiry?

**MS. ELEANOR KABATAY:** What happened with -- okay. With the one that ran over your son, what happened there?

**MR. DANNY PAUL:** He died within the year, couldn't live with what he did.

**MS. ELEANOR KABATAY:** Oh, okay. So you could -- oh, okay. I was going to say --

**MR. DANNY PAUL:** He never spoke to me.

**MS. ELEANOR KABATAY:** You know, like I -- I can't say I hate their family. Oh, I did for a while. I hated their family, her family, but now I don't, but I -- I just hope she just never comes back and never comes back or
I never see her, and I hope if I ever do see her, I'm just scared of what I'm going to do to her, and then with the commissioners and them, I hope -- I hope they were -- they would have been stronger.

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: Yeah, and I hope they -- that -- that was just a slap on the wrist. Yeah, and, like I said, and like I have a hard time with my sons now because they're going --

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: Her name -- her name comes up, and they'll flip out really. They still -- 'cause they wouldn't go to any counselling and they wouldn't go to anything like that, but to say to the commissioners and that is that -- that we had more people that'll speak out and say things like that --

MS. ALANA LEE: M'hm.

MS. ELEANOR KABATAY: -- and be stronger and that there is help, and I hope there is -- I hope there will be more native -- I hope there will be native counsellors that will really help. See she was a white woman. She was from town that helped me. Yeah, and then, like I said, I'm -- yeah, and that's just about it, I guess. Yeah.

MS. ALANA LEE: Thank you for that. Thank
you both for sharing. It does take a lot of strength and
courage, and on behalf of the Inquiry, we thank you for
sharing. Can I ask you both, like Eleanor and Danny, do
you guys -- do you feel like you've been heard today? And
you don't have to say yes just because I'm sitting here. I
want your honest -- honestly do you feel like you've been
heard?

MS. ELEANOR KABATAY: Well, you have it
taped, and if you're going to show the tape and then we
will be heard, right?

MR. DANNY PAUL: Yes, I think being heard is
one thing, but being listened to and doing something about
it is another. You know, we hear the children when they're
spoiled rotten. So what do we do with them? How do we
teach them? Well, this is where they're at now. They're
hearing the children. Now it's time to do something, not
ignore anymore.

MS. ALANA LEE: Absolutely.

MR. DANNY PAUL: Yeah, do something.

MS. ALANA LEE: Absolutely.

MR. DANNY PAUL: And it better have meaning.

It better have bite.

MS. ELEANOR KABATAY: I feel like with the
schools, though, I find most of the schools do. They're
teaching -- they're teaching them how to speak Mi'kmaq, and
so they're getting them to be proud of who they are, and
even when they are like at Sydney Academy or wherever, and
they can say, yeah, I'm a native, I'm from Membertou. They
can't say I'm from the reserve. They say Membertou 'cause
Membertou is bigger than Sydney, and, you know, that's what
I'm proud of, you know, and, you know, Membertou has
accomplished a lot, and that's what I'm -- I'm proud of.

MS. ALANA LEE: Is there anything else you
would like to add, either one of you?

MR. DANNY PAUL: I'm fine. I'm fine.

MS. ELEANOR KABATAY: Yeah.

MS. ALANA LEE: Yeah?

MS. ELEANOR KABATAY: I'm all right, yeah.

MS. ALANA LEE: Okay. Thank you both.

MR. DANNY PAUL: Okay.

MS. ALANA LEE: We're going to conclude the
interview, and it is 3:12 p.m.

--- Upon adjourning at 3:12 p.m.
LEGAL DICTA-TYPIST'S CERTIFICATE

I, Shawn Hurd, 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.

Shawn Hurd
March 7, 2018