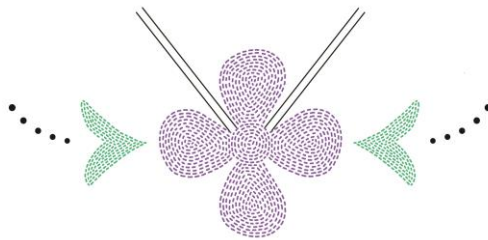


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



Enquête nationale
sur les femmes et les filles
autochtones disparues et assassinées

**National Inquiry into Missing and Murdered
Indigenous Women and Girls
Truth-Gathering Process
Part I: Statement Gathering
Hilton Vancouver Airport Hotel
Metro Vancouver (Richmond)
British Columbia**



PUBLIC

Saturday April 7, 2018

**Statement – Volume 376
Dianne Bastedo,
In relation to Joan Norma Tucker**

Statement gathered by Sheila Mazhari

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Statement - Public
Dianne Bastedo
(Joan Norma Tucker)

1

1 Richmond, British Columbia
2 --- Upon commencing on Saturday, April 7, 2018
3 at 1:10 p.m.

4 MS. SHEILA MAZHARI: Okay. Hello. Good
5 afternoon. My name is Sheila Mazhari, here statement
6 gathering with the National Inquiry into Missing Murdered
7 Indigenous Women and Girls.

8 Today is April 7th, 2018.

9 We're at the Hilton Hotel in Richmond,
10 B.C., here to receive a testimony of Dianne Bastedo, along
11 with her family members.

12 And I'll get everybody to introduce
13 themselves.

14 MR. CAM BASTEDO: I'm Cam Bastedo, Dianne's
15 husband.

16 MS. BETH BASTEDO: I'm Beth Bastedo,
17 Dianne's daughter.

18 MS. DIANNE BASTEDO: And I'm Dianne
19 Bastedo, Joan's daughter.

20 MR. SAM BASTEDO: And I'm Sam Bastedo,
21 Dianne's son.

22 MS. SHEILA MAZHARI: And also joined with
23 us for health support --

24 MR. MARLENE JACK: Marlene Jack.

25 MS. SHEILA MAZHARI: And I'm just going to

Dianne Bastedo

(Joan Norma Tucker)

1 read to you about the consent [...]

2 [Registrar's note: an off-the-record
3 discussion about informed consent ensues.]

4 MS. SHEILA MAZHARI: Okay. All right,
5 Dianne, let's go into your introduction.

6 MS. DIANNE BASTEDO: (Indigenous language
7 spoken) Dianne Bastedo (Indigenous language spoken) Joan
8 Norma Hall (Indigenous language spoken).

9 I introduced myself in the (Indigenous
10 language spoken) language rather than Mohawk, because I
11 don't know Mohawk.

12 We have been living in -- my family has
13 been living in Kamloops for about 20 years, more than 20
14 years -- more than 25 probably. And -- but we're originally
15 from Toronto, Southern Ontario. And what I said was my
16 name.

17 My name is Dianne Bastedo. My birth name
18 was Dianne Hall. My mother's name is Joan Hall. She was
19 born Joan Norma Tucker, and her mother's name is Elsie
20 Aiola (ph) Lickers -- well, Tucker, but she was born Elsie
21 Lickers.

22 Both my mother and grandmother are
23 deceased. And they're from the Six Nations in Ontario, from
24 Ohsweken.

25 And I'm here because this isn't -- this

Dianne Bastedo

(Joan Norma Tucker)

1 isn't a story of missing or murdered Indigenous women, but
2 I'm here because I think it's important to add a voice for
3 a large number of Indigenous women who have had the fortune
4 of not being -- having been murdered and not having gone
5 missing and yet have had terrible things happen to them.

6 When I first heard about the Missing and
7 Murdered Inquiry, I was paying a lot of attention. I've
8 known so many people who've lost mothers or sisters, or
9 daughters or sisters or aunts.

10 And so I was paying attention, and I
11 looked at the website and I looked at what was being
12 represented and what I was hearing in the news, and I felt
13 that there may be something that was missing.

14 And we heard the RCMP talking about I
15 think it was 1,200 or 1,700 -- they changed the numbers a
16 couple of times -- of people that they considered missing
17 or murdered.

18 And I thought, well that's just one police
19 force. How many police forces are there in Canada that we
20 don't have those numbers for? So what do we multiply that
21 by?

22 And then I thought further, if you
23 multiply that by 10, you wouldn't scratch the surface of
24 the number of Indigenous women who have suffered abuse or
25 have had brutality or harms inflicted on them.

Dianne Bastedo

(Joan Norma Tucker)

1 And I sent a letter to the Inquiry asking
2 that while there's some essential information that needs to
3 come to the Inquiry and there's some important stories that
4 need to be told and they need to be the focus, there are
5 people who need to tell the story of their loved ones who
6 have gone missing or who have been murdered and haven't had
7 justice.

8 There are countless others that we don't
9 want to take up space and take away that focus, and yet
10 they're part of the story, and that's why I'm here.

11 Yeah, they called me back and said do I
12 want to testify? And I thought, I guess I'd better.

13 My mom and her sister were born to Elsie
14 and Norman Tucker in Hamilton. And I want to go back before
15 that, I guess. Elsie, her parents were Percy Roy Lickers
16 who's Onondaga, and Edna Motkayouga (ph), who was Mohawk.
17 And they were farm workers.

18 Percy was killed in -- Percy Roy was
19 killed in the First World War when Elsie was quite young
20 and her sister Puna, or Punie. And Elsie was raised by her
21 grandfather for several years when she was very young, but
22 then she was taken away and put into a home. And I don't
23 understand what this home was, but it seemed as though it
24 was a home for children, Indigenous children whose parents
25 were -- had died in the War, so it was like a veterans'

1 orphans' home.

2 So she was raised in an institution.

3 When she got out, when she aged out at 18
4 they gave her \$1,000 and she packed her bags and walked out
5 the door, and my understanding from her is was basically
6 shut the door behind her and walked forward.

7 And ultimately she walked forward into
8 meet Norman Tucker who married her and got the \$1,000,
9 which I guess came in handy because he was looking to start
10 a business, and -- and they had my mom, Joan.

11 And at some point Elsie decided that she
12 missed home and needed to get back to the people at Six
13 Nations, and so she was spending more time there than I
14 think her husband wanted her to.

15 At some time after she was spending time
16 back on the reserve at Six Nations, my Aunt Dianne was
17 born. I'm named after Dianne. But I don't know that she's
18 Norman's daughter. I think she's not. And I think he thinks
19 she's not too.

20 When Joan and Dianne were about four years
21 old and two years old and maybe a bit younger Norman kicked
22 Elsie out of the house. Mom told me that she was -- it was
23 sort of emblazoned in her mind when she was very little and
24 she was at the window with her sister and the window was
25 open, and she was watching her mom walk away with a bag and

1 her father yelling at Elsie and calling her names.

2 And she and her sister were screaming:
3 Mommy, come back! And -- I don't know why I'm crying now.
4 That's an old story. But --

5 So she lost her mom, and her -- what she
6 told me is that Norman was yelling, you dirty Indian! Get
7 out of the house.

8 And so shortly after that Mom and Dianne
9 as a four and two year old were sent to an orphanage by
10 their dad, and they were raised also in an institution
11 until Mom became 16 and she was allowed to come home to her
12 father who was abusive.

13 And so she left and went to live with her
14 brothers and sisters who were also abusive, and then she
15 walked away from that situation and met my dad. They got
16 married.

17 I don't know what happened to Dianne. I
18 don't even know. We've seen her a couple of times. Her name
19 that I knew her was Dianne Nephew. But she doesn't -- she
20 hasn't spoken to the family and hangs up when we've tried
21 to get in touch with her, so I don't know what -- anything
22 about her.

23 So Mom raised me and my brother and two
24 sisters -- I'm the oldest -- in a very nice area in north
25 Toronto. And that marriage didn't work out. When I was 16

Dianne Bastedo

(Joan Norma Tucker)

1 my parents divorced. And Mom never really recovered from
2 that, for several reasons. She had difficulty and Dad
3 didn't. He was fine.

4 So that's -- that's my story as background
5 to my mom. My husband and I moved out to B.C. in 1989 to
6 get a job and to -- because we could buy a house anywhere
7 in Canada except in Ontario at the time.

8 UNIDENTIFIED FEMALE SPEAKER: B.C.

9 MS. DIANNE BASTEDO: And B.C. was even
10 tough, but we managed that. And so we raised our kids from
11 the time they were eight and younger in B.C.

12 And around 1993-1994, realized I was going
13 to have another baby, and I called my mom and asked her if
14 she would stay with us for a while for helping me with the
15 baby.

16 So I had -- my fourth baby was born in
17 Kamloops.

18 So she came out and surprised us all by
19 sending along all her worldly goods at the same time, and
20 we realized that she thought that she was moving in with
21 us. So she did. But what can you say? I didn't mean that,
22 Mom.

23 So she came and stayed with us, and she
24 was a good influence and a bad influence on my kids. She
25 had a difficult way with her and people that she loved she

Dianne Bastedo

(Joan Norma Tucker)

1 tended to push away, and people would think that she was
2 awesome and cool and wonderful, and then they would get to
3 know her better and then she would make herself horrible to
4 them and -- until -- push and push until they didn't --
5 couldn't be around her very much anymore.

6 So she was a difficult lady to be around.
7 But I learned a lot of good things from her.

8 She moved out of our home I guess when Joe
9 was about four? No, younger than that. Yeah. Just a couple
10 of years. So she was with us for a couple of years and then
11 she moved out, and she moved to a few different places in
12 Kamloops and had finally settled in a place called Fairlane
13 Apartments.

14 And it was a funny little place. I think
15 it was in Kamloops. It was on the North Shore West Side
16 kind of area. It was -- it was a little rough in that area,
17 and the Fairlane Apartments were a funny little -- it went
18 off the side of the main road and it looked like old army
19 barracks, and they were kind of aligned this way and then
20 aligned up this way.

21 And I have a picture of that. I'd like to
22 bring that up.

23 MR. CAM BASTEDO: It's Cam speaking. I
24 believe they were actually constructed for railway workers.
25 They're very old, wooden structures, and they were

Dianne Bastedo

(Joan Norma Tucker)

1 dilapidated 20 years ago. And, yeah, actually they had some
2 work done on them, so.

3 MS. DIANNE BASTEDO: If you can do this.

4 MS. SHEILA MAZHARI: Yeah. A little bit
5 higher.

6 MR. CAM BASTEDO: That's the sign. It's not
7 the apartments.

8 MS. DIANNE BASTEDO: Thank you. So that's
9 the entrance to the Fairlane Apartments.

10 MS. SHEILA MAZHARI: Okay.

11 MS. DIANNE BASTEDO: And that's the --
12 that's the first -- that's the apartment number one, which
13 is where Mom lived. So that what was where she was living
14 and it was a set of four and then another set of four. I
15 think there were three sets of four? There it is.

16 This is looking into -- so there's --
17 there's a sort of a boulevard in between another -- there's
18 one line of apartments here and then an equal number on the
19 other side. So they're not very far apart from each other,
20 but they're far enough that they're comfortable.

21 MR. CAM BASTEDO: Although that's a dirt
22 road.

23 MS. DIANNE BASTEDO: Yeah. It's just a
24 gravelly dirt road there. And again, that's Mom's
25 apartment. And I'm showing it because that's where she was

Dianne Bastedo

(Joan Norma Tucker)

1 when -- one night she was out sitting on a sort of fall
2 warm evening with a neighbour. So from two down, so that's
3 Mom's place here. That's Mom's place. And she was right
4 about here, sitting in front of the apartment with a lady.

5 And I can't remember her name, and I'm
6 going to call her Barbara, but I don't think it is. And
7 they were having a beer and maybe a second beer. I don't
8 know, maybe a third beer.

9 They were chatting and laughing and
10 whatnot, and then Barbara's boyfriend came by. He was a
11 little man, and I don't know his name for sure, but I think
12 he looked like Bernie, so I'm going to call him Bernie.

13 MR. CAM BASTEDO: Didn't you say you think
14 it was Bernie?

15 MS. DIANNE BASTEDO: Yeah, I think so, eh?

16 MR. CAM BASTEDO: Yeah.

17 MS. DIANNE BASTEDO: I kind of feel like it
18 is.

19 And Mom in her whatever mood that she was
20 in, she told me she lipped off to him, so I don't know what
21 that means, but she liked to do that. She liked to give
22 people a hard time and snag at them and see if she could
23 get them going.

24 And Bernie lit into her, and he -- he
25 punched her and he kicked her. And Barb or whatever joined

Dianne Bastedo

(Joan Norma Tucker)

1 in beating my mom. My mom was going on 80, and he was,
2 what, maybe in his 30s? They were both in their 30s, I'm
3 guessing, and kicking her when she was on the ground.

4 I know I did see the police had a file
5 with pictures of her from the hospital, and her face I
6 could hardly recognize. It was the wrong colour. She was
7 black. She was blue. She was scraped and bleeding and
8 swollen when I saw her the next day.

9 And the neighbours -- of course she was
10 screaming -- and the neighbours were out. It was a warm
11 night. They were out. They saw what was happening. Everyone
12 knew who Bernie was. Everyone -- because he was around a
13 lot. Everyone knew her -- Mom and Barbara. They all knew
14 each other. They were quite -- there was a small community,
15 so they were all there and trying to yell at him to stop,
16 but he was going pretty -- pretty mental.

17 And so they called the ambulance and they
18 called the police. And they -- they told the police that
19 they thought that he had -- they thought that they -- I
20 heard this from three different people down there that he
21 had something in his hand and they thought it was brass
22 knuckles, which is the bizarrest thing. Why would somebody
23 have that?

24 But anyway, that's what they thought they
25 saw. He had something hard in his hand that he was punching

1 her with. And he had pretty heavy boots on.

2 So when the ambulance came, and this is
3 what my mom told me, when the ambulance came she was on the
4 ground and in excruciating pain. And she thought they were
5 treating her as though she had fallen over because she was
6 drunk. And they picked her up -- and she was a fairly
7 heavysset woman -- they picked her up and put her on her
8 feet, and she fell again, because she had a broken hip in
9 the beating. And they laughed at her.

10 And they picked her up again. She said, I
11 can't. It hurts. My hip hurts. And when she fell again then
12 they thought maybe there was something else wrong, so they
13 -- I guess they put her on a stretcher and they took her
14 away to the hospital.

15 The police, for their part, allowed Bernie
16 to go back into Barbara's apartment and change. They talked
17 to him at the door. They never came into the apartment to
18 see what he had. They never came in to see if there were
19 any such thing as brass knuckles or what he was holding.
20 Whatever evidence he had, there was no attempt to look into
21 that.

22 They said: Okay, you go on inside and be
23 quiet and I'll talk to the people. So they got some initial
24 statements from the people around who said well, he did it.
25 He has brass -- They were right there. They were standing

Dianne Bastedo

(Joan Norma Tucker)

1 right with the police in front of the house that Bernie had
2 just gone into, and they were talking to the police and
3 saying what they had seen. And that was that.

4 After I heard about this, and I didn't
5 hear about this until the next day, one of the -- one of
6 Mom's neighbours spoke to Beth. She found Beth at Beth's
7 work and said: Your mom's just been beaten up. She's in the
8 hospital. And -- her grandma, sorry.

9 But I didn't hear about it until the next
10 day where I got a call, I think from the hospital, at work,
11 and they told me about that. So when I got there the next
12 day, that's when I saw Mom and her injuries. She told me
13 that she couldn't see out of one eye, that her hip was
14 broken, and she could hardly talk because her mouth was all
15 swollen.

16 And that's the last time really that --
17 she went to the hospital and she didn't get out until she
18 died except for one day. So she died about six months
19 later, and they sent her home after about three months, I
20 think, and they had us organize her house so that it was
21 wheelchair friendly because now she couldn't walk, put in
22 bars and grab bars and toilet things and make the house so
23 that she could get back into it.

24 And she was in the house for less than 24
25 hours before the pain was too much. She couldn't manage it,

1 and she went back into the hospital. So she was basically
2 in the hospital from the time that she was beaten until the
3 time that she died.

4 MS. SHEILA MAZHARI: And which hospital was
5 she in?

6 MS. DIANNE BASTEDO: Royal Inland Hospital.

7 MS. SHEILA MAZHARI: Royal -- ?

8 MS. DIANNE BASTEDO: Royal Inland Hospital
9 in Kamloops.

10 MS. SHEILA MAZHARI: And what day did the
11 incident take place?

12 MS. DIANNE BASTEDO: I don't -- that's one
13 of the things I'd like to find out for sure. I've been
14 trying to look up the (inaudible) information, and I can't
15 find my way through it. But it was sometime in 1990 --

16 MS. BETH BASTEDO: 2000.

17 MS. CAM BASTEDO: It'd be 2000.

18 MS. DIANNE BASTEDO: It would have been
19 2000.

20 MR. CAM BASTEDO: Yeah.

21 MR. SAM BASTEDO: You have this written
22 here. (Inaudible).

23 MS. DIANNE BASTEDO: Yeah.

24 MS. SHEILA MAZHARI: So it was summertime -

25 -

1 MS. BETH BASTEDO: It was fall.

2 MS. DIANNE BASTEDO: It was in the --

3 MS. BETH BASTEDO: It was in fall.

4 MS. DIANNE BASTEDO: Yeah. That's another
5 picture, just to keep track of dates.

6 MR. SAM BASTEDO: Oh, okay. 2001.

7 MS. DIANNE BASTEDO: So she died in the
8 spring of 2001.

9 MR. SAM BASTEDO: But she'd been in
10 hospital for about six months.

11 MS. DIANNE BASTEDO: For about six months,
12 so it would have been in the fall of 2000. I'm thinking it
13 was September.

14 MS. SHEILA MAZHARI: And do you have all
15 the police reports yourself?

16 MS. DIANNE BASTEDO: No.

17 MS. SHEILA MAZHARI: Like were you able to
18 --

19 MS. DIANNE BASTEDO: No.

20 MR. CAM BASTEDO: That was one of the
21 things -- Cam speaking. That's one of the things we were
22 hoping the lawyer would be able to ascertain.

23 MS. SHEILA MAZHARI: Mm-hmm, okay.

24 MS. DIANNE BASTEDO: Before she was beaten
25 she had just received a notice from her doctor that she had

1 cancer, or that it looked like it was coming back. And 10
2 years before she had had breast cancer and had gone through
3 treatment, had a mastectomy and was clear. So she was okay,
4 but they were keeping an eye on it.

5 So sometime in the summer of 2000 she
6 understood that it looked like the cancer, that she had
7 cancer again, but they would keep an eye on it and start
8 talking about how to -- what their next course was going to
9 be, but that hadn't started yet.

10 When her hip broke the cancer that was in
11 her bones, in her hip -- I'm not medical -- but it spread
12 from there. It's like it bloomed and just went -- just
13 progressed exactly from where her hip was broken.

14 I asked the oncologist, Mom's doctor, if
15 there was any connection, because it seemed as a layperson
16 that there -- it didn't make sense that there wouldn't be
17 some kind of connection between cancer in her hip and the
18 hip breaking and then the cancer just going from quiet to
19 raging basically right away.

20 And they said; Oh no, no, no. No, no, no,
21 no. No. But he didn't explain how that -- how they're not
22 connected. So I don't understand that.

23 And of course so my feeling is that there
24 is a direct connection between the rapid spread of the
25 cancer to her -- to the beating and to the broken bones and

1 to her -- to her weakened condition. I don't know what
2 else, but it seems as though if nothing else, the beating
3 shortened her life as well as made it a horror, a horrible
4 last six months of her life. But I feel as though that
5 there was a connection with the length of time that she had
6 left and that beating.

7 So when my mom was in the hospital, the
8 police came to see her, three times maybe that I am aware
9 of, maybe four times, and they never got a statement from
10 her.

11 And when I called to say: What's going on?
12 And I called three or four times, but I only got through
13 maybe once, and I was told, well she's always like stoned
14 right out of it. We can't talk to her. We can't get a
15 statement from her. I said: What do you mean she's stoned
16 right out of it? Well she's on pain -- she's on pain meds.
17 What are you saying, she's stoned? Why are you saying it
18 like that?

19 I don't know. But she was on pretty strong
20 medication, but I know I would -- I was able to visit with
21 her. I was able to talk to her. She was able to give me a
22 statement. She was able to give my husband a description of
23 what happened. So she was coherent and she was able to
24 speak to people. So I don't know how much they really
25 tried.

1 MR. CAM BASTEDO:

2 MS. DIANNE BASTEDO: And then when I did
3 get through I would say, let me know when you're coming,
4 please, and I'll come with you. I'll get off work. I'll
5 come in or somebody will be with you so that you're able to
6 speak to her or maybe she's uncomfortable, but you need to
7 get her statement. You need to get that information. And I
8 never heard back from them.

9 So now she's in the hospital with
10 lacerations and bruising and broken this and that. And
11 cancer. And I don't know how these things work in the
12 hospitals or anything, but it seems as though her injuries
13 from the beating were less interesting to the hospital than
14 the cancer, and that's what they were concentrating on. And
15 I don't want to sound cynical. I feel like I said that in a
16 cynical way and I don't mean it that way, but -- and that's
17 probably not exactly true. I'm sure that they were taking
18 care of her to some extent, but it seemed that all I heard
19 about once -- once they realized that she had the cancer
20 and that it was progressing so much, they -- I never heard
21 back about what happened to her. Was she blind in one eye?
22 She had had surgery in one of her eyes and that she said
23 she couldn't see out of. She was blind in that eye now.

24 I don't know what happened with that. I
25 don't know that the kicking in the stomach had anything to

1 do with internal injuries that weren't being addressed.

2 She became a cancer patient, and that's
3 what she was being treated for. And because, I guess, bone
4 cancer can be pretty painful, and so she was being treated
5 for the pain from the cancer. So it wasn't straightforward.
6 And eventually bruises cleared up, but I don't know what
7 else happens with her other injuries.

8 The -- she died in the beginning of March
9 2nd.

10 MS. BETH BASTEDO: Second.

11 MS. SHEILA MAZHARI: In 2001.

12 MS. DIANNE BASTEDO: 2001.

13 MS. SHEILA MAZHARI: And when's her
14 birthday?

15 MS. DIANNE BASTEDO: December the 8th, 1931
16 or three. One?

17 MR. CAM BASTEDO: Thirty-one.

18 MS. DIANNE BASTEDO: Thirty-one. Thank you.

19 But she didn't die of cancer. It was
20 either -- what she -- what happened was her -- I'm going to
21 say -- the layman's terms -- her bowels ruptured, and --

22 MR. SAM BASTEDO: Septic shock --

23 MS. DIANNE BASTEDO: -- septic semia or
24 something set in, and they couldn't clean -- clean it out
25 very well. So she didn't die of the cancer. She may have

1 died with complications from the cancer treatment or it may
2 be that this was part of the injuries that she received in
3 her stomach when she was being kicked, and I don't know
4 that.

5 MS. CAM BASTEDO: Mm-hmm.

6 MS. DIANNE BASTEDO: And because I don't
7 know that I feel as though there's -- it makes sense why --
8 why was there that weakness there? I don't know. Anyways.
9 Again, it seems to me that there's a connection with the
10 beating that she'd received six months earlier.

11 And I'd like to take a break.

12 MS. SHEILA MAZHARI: Sure.

13 --- (break)

14 MS. SHEILA MAZHARI: Okay.

15 MS. DIANNE BASTEDO: Okay. So some pictures
16 that I brought along. This is a picture of my mom when she
17 was probably around 20, give or take a couple of years. She
18 could have been as young as 18 or as old as 22. She was
19 working up in northern Ontario.

20 And that's a portrait that my sister in
21 Toronto has.

22 This is small -- this is my mom with her
23 four kids. That's Joan Norma Hall, which I didn't spell
24 yet, and my sister Carrie, and myself, Dianne, and my
25 brother Michael, and my youngest sister Rosemary at

1 Christmastime.

2 And it looks like it was around about 1967
3 because my youngest sister, Carrie, has an Expo '67 T-shirt
4 on.

5 MR. CAM BASTEDO: Yeah. A clue.

6 MS. DIANNE BASTEDO: Okay. I have to find
7 the next picture. I want a mouse. See if you can find the
8 next picture for me. Okay.

9 And Joan Tucker -- Joan Hall -- J-O-A-N,
10 last name Hall, H-A-L-L. And I think that's it then. Yeah,
11 that's fine. Okay.

12 So the two individuals, Bernie and
13 possibly Barbara, were charged, and I think one of their
14 last names was something like Stretchniak (ph), but don't
15 ask me to spell that. They were charged with assault. And
16 I'd left my job in Merritt so that I could be closer to my
17 mom so I could help with her. I got a job in Kamloops so
18 that I could visit her in the hospital without being so
19 late at night. And so I was able to be there for the court
20 case. And Cam, my husband, came with me, and we went to
21 court. We hadn't had any discussion with the Crown or
22 anybody.

23 And so in the court the people that came
24 out, and I knew them, they were the neighbours that had
25 been there, that had talked to the police. They were all,

1 one after another they came forward to do their duty and to
2 explain what had happened and to give their testimony, and
3 they all, every one of them, was challenged in some way by
4 the -- by the defence because they were old or they were
5 poor or they were drinking or they were poor or whatever --
6 whatever.

7 So everything that they had seen, and I
8 showed the picture, they weren't that far away. They had
9 spoken to the police right there. They knew who the person
10 was. There was no -- there was no evidence. There was no
11 evidence. They had pictures of her face and her arms and
12 her back and her legs. They had pictures of her stomach.
13 They had the pictures, so they know that she was beaten.
14 They had people who saw and knew the person who had done
15 it. They had people who had spoken to the police at that
16 time and said, yeah, he's right there, that saw him going
17 into the house that they knew.

18 And yet in court at the end of the trial -
19 - and Cam remembers this as well, my husband does -- is the
20 judge berated the police and said: I have to let these
21 people go. You don't have enough evidence for the charges
22 to stick. If you had done your job, they wouldn't be
23 walking away.

24 And they walked away.

25 And, I mean, I know that they -- it made

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1 everyone feel terrible because they had gone out of their
2 way to make themselves available for this and felt that
3 they had been smeared and --

4 MR. CAM BASTEDO: Dismissed.

5 MS. DIANNE BASTEDO: Yeah, dismissed and,
6 worse, humiliated for doing what they needed to do and
7 doing what was right. So they got away with it.

8 And so that's the end of the direct issue
9 with my mom. She wasn't murdered, and technically she
10 wasn't even killed, apparently. Technically and legally, no
11 one was held responsible for her injuries. And we're left
12 with a lot of questions and a lot of regrets.

13 How much more should I have done in
14 pushing the police to do their job? I don't know. That's
15 part of that responsibility.

16 Going back, my mom raised us in north
17 Toronto, a beautiful area -- doctors and lawyers and hockey
18 players and artists and opera, ballet people -- a really
19 nice place. And I think often that if what had happened to
20 her could have happened in front of her house on St.
21 Clements in north Toronto, there would have been no stone
22 unturned without finding the people who did it and nailing
23 them.

24 That's not what happened. I don't know how
25 much to read into what I saw. How much was because she was

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1 Indigenous or because the area that she lived in was about
2 50 per cent Indigenous population, or how much of it was
3 class? How much of it was because she was living in an area
4 that was almost all either on welfare or pension, or just
5 plain poor? How much of it was because she was just an old
6 lady and not worth worrying about?

7 Not important. I don't know. But it's not
8 justice. It's not right that people in north Toronto should
9 have, in my fictional north Toronto incident, that somebody
10 should have the full force of the law coming down to
11 protect them when they live their whole life protected. And
12 then you see people who are afraid to talk to the police
13 because they know that there's no protection there. Or are
14 suspicious of courts because they don't seem to work for
15 them.

16 And so I'd like to talk a little bit about
17 that and about justice and the courts in Canada and the
18 legal system.

19 And so this is not necessarily just me.
20 This -- if anyone else wants to say something, but I've
21 been watching -- I've been watching over the years, and I'm
22 going to include the Jian Ghomeshi case for a reason.
23 Gerald Stanley. That Richard Cormier. And my mom's case.
24 And others that I've paid attention to.

25 And there's something that's similar in

1 all of them, and the similarity that I've seen is the
2 weakness of the Crown to pursue justice, the weakness of
3 the police to investigate. They don't seem to know what
4 their job is.

5 And you know, I've been listening to
6 Connie Walker and her Murdered and Missing podcast, and I
7 recommend you do so too, that the police don't seem to
8 know. On the TV they investigate. They are detectives. They
9 figure things out. They look for clues and they put them
10 together and find out who did it.

11 And instead what we've got is people who
12 know who did it and don't bother looking for evidence and -
13 - and things don't happen.

14 Even if the police know who did it it's
15 like well, that means we have to do some work and figure
16 out who did it, so I don't know if it's worth it. That's me
17 being cynical. That's how it feels sometimes.

18 So it may be like the justice system right
19 now is made up of all these different parts, and I think a
20 weakness that I keep worrying about and wondering about is
21 why is it that the Crown -- after the Colten Boushie Gerald
22 Stanley case I looked at the, well I look at the Alberta,
23 I was looking up different statements of Law Societies and
24 it seems as though the Crown can't lose is what I heard;
25 that the Crown never loses a case because they just want to

1 make sure that all the evidence is presented and challenged
2 and made sure that all the evidence is correct, and then
3 the outcome of the quick case is the correct one.

4 And what that seems to mean is that the
5 Crown is hands-off. And when the victim is, or the
6 witnesses are browbeaten and their testimony is discounted,
7 even if it's true, their testimony is true, but the defence
8 fights against it and the Crown doesn't support it. The
9 Crown doesn't say: back off. The Crown doesn't seem to say
10 that they have any opportunity to put that person back on
11 their feet and say, no, this is -- this is an honest
12 person. This is a person who's telling the truth. Whatever
13 they were -- they did the night before. Whatever their job
14 is or isn't. Whatever kind of income they have or whatever
15 colour their skin. What they're speaking is the truth, and
16 that's not what's happening.

17 All the different marks against them are
18 held up as being reasons not to listen to them.

19 And that's what happened with my mom.
20 That's what I've seen happening in so many of these public,
21 far more public cases that have been in the news recently
22 and over the years.

23 And maybe the Crown is in different places
24 and in different times has been able to make sure that good
25 evidence is brought forward. I don't know what their part

1 in getting the police to get more evidence, but do they
2 just sit back and wait for the police to maybe do their
3 job, or maybe not or do they direct the police and say you
4 haven't got enough evidence for me to take this to trial.
5 You need to get people. You need to stand up and get out
6 there and get -- find what the guy was wearing. Get the --
7 get what his -- what was on his clothes or whatever he
8 ditched in the apartment. Get that information and get that
9 evidence because the Crown has to rely on the police to do
10 that.

11 And then -- and then the courts have to
12 rely on the Crown and the defence to fairly defend the
13 accused and fairly make sure that good evidence is
14 presented. And that's where I'm seeing a big weakness.

15 It's almost like there's like a hands-off
16 attitude. Like whatever the evidence presented it's oh
17 well, okay. Well, work with what you got. Okay, you can
18 slander my -- or slam my witnesses. I don't care. It's all
19 right. It doesn't matter because I'm going home at 5:00
20 anyways and I don't care. A little bit of cynicism. Sorry.
21 I'm going to smudge again.

22 And it's the -- it's in the interest of
23 Canada to -- I would like to see changes to the way courts
24 are -- handle cases, criminal cases particularly. I think
25 that there's a lot to be learned from Indigenous systems of

1 justice. I think there's a lot to be learned from humanity.
2 There's -- people feel in their hearts when something has
3 gone wrong, and yet the courts know what's right because
4 our court -- the jury said this, and so that's what the
5 truth is, and that's not what the truth is. That's just
6 what the jury said. That's what the jury was able to
7 determine.

8 And so there's something wrong, and I
9 think that part of that has to do with the mandate of the
10 Crown prosecutor.

11 MS. SHEILA MAZHARI: Do you want to talk a
12 little bit about more in comparison with Indigenous systems
13 of justice, what that would look like?

14 MS. DIANNE BASTEDO: No. I don't have
15 enough knowledge. I don't.

16 MS. SHEILA MAZHARI: That's fine.

17 MS. DIANNE BASTEDO: Okay.

18 MR. CAM BASTEDO: Well they didn't have a
19 prison system for one thing.

20 MS. DIANNE BASTEDO: It's true. And they
21 didn't have a prison system, and right now we have over-
22 representation that's gross of Indigenous people in a lot
23 of the otherwise known as social and justice institutions.

24 Another sort of offshoot of this, for me,
25 and one of the reasons that I introduced myself at the

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1 beginning in Okanagan was -- is because I've been working
2 for the past 20 or so years with the (native language
3 spoken) and the Okanagan people as an accountant, and
4 different bands in this region and Kamloops -- in Kamloops
5 and an hour an a half radius of Kamloops.

6 And so I've, you know, learned a little
7 bit of the languages of the peoples that I'm working with.

8 But as an accountant working for First
9 Nations, I've seen an issue that actually came into play
10 with my mom. When she died the funeral director said: Oh,
11 she's Indigenous. Is she status? Well, you should get in
12 touch with the band and they'll pay for it. I don't think
13 so. I doubt it. No, no. Go ahead. So all right, sent off
14 and just checked with them and said: No, she's off reserve.
15 I know that. No, we don't have any money for that. Yeah, I
16 know that. So no, there was no help.

17 And at the time for us it was really a
18 struggle to come up with suddenly thousands of dollars,
19 even for a very minimal funeral and the service and
20 whatnot. So that was a struggle, and we got some help, but
21 not from my mom's home community.

22 So regarding that, my experience working
23 with First Nations and the Social Development Departments
24 of several different bands is that they get money for
25 social assistance, for basic needs, for shelter. They also

1 get an amount annually as part of the basic needs package
2 for funerals.

3 And I haven't been able to determine what
4 their formula for that is. They have a lot of it was --
5 it's always been formula based on population and distance
6 and a few other different factors, many different factors.

7 But what happens is we get funding at the
8 beginning of the year. We know what it's going to be. And
9 the funeral portion that's set aside is something like
10 \$2,400 for a funeral, which doesn't go very far for
11 funerals these days.

12 And when the money runs out, I don't know,
13 you have to find the money some other way. So, you know,
14 there may be three funerals in a year. There may be three
15 funerals in a month. There may very well be three funerals
16 in a week. That happens. There'll be a bad year where
17 terrible things happen, and they tend to come in groups way
18 too often. And the funding is only applied or allowed to be
19 applied for on reserve members of the band. So that leaves
20 off reserve band members without any assistance, and it
21 leaves -- it leaves the band in a situation where as the
22 year progresses towards the end of the fiscal year, you're
23 looking at -- you've depleted the funeral costs. Where are
24 we going to get any more money?

25 And while the -- most of the population in

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1 Canada, a funeral is a family matter, a private matter,
2 something that you generally will plan for and talk to a
3 funeral director and get these things set up and put in a
4 savings plan or whatever, my experience with the First
5 Nations communities that I've worked with and known of is
6 that a death in the community is a community responsibility
7 too.

8 It's not just the family that's lost a
9 person, but it's the community, and there's a far stronger
10 coming together of everyone. And maybe that's partly been
11 trained to look for handouts because that has been the way
12 for a long time that there's a weakness there.

13 But there's also a fear that the band
14 won't be able to help or crazy things happen where somebody
15 -- somebody who gets a fancy funeral paid for by the band
16 and somebody else doesn't, and it sets up resentments and
17 it sets up hard feelings between different families.

18 And it's so easy, I think, to stir up
19 animosity within the community and it's so destructive to
20 the community when that happens.

21 And I have -- I have tried to find other
22 ways of dealing with this. So I've phoned insurance
23 companies and said listen, I want to be able to ensure all
24 the band members, we have 1,000 people who are band
25 members. Can we set up an insurance policy so that we can

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1 get some money on somebody's death paid to the band so that
2 we can, you know, help the family with their funeral
3 arrangements or with firewood or food or something or the
4 casket or something like that?

5 And there's no products available from the
6 insurance companies that I've been able to talk to. And
7 like I say, I've tried several times. So there's nothing
8 else out there.

9 There's also the fact that a lot of First
10 Nations communities, that is to say Indian bands, on
11 reserve population, tends to have a higher proportion, much
12 higher proportion, of poverty and difficulties, all sorts
13 of difficulties, living on reserve.

14 The job -- most bands, the job
15 possibilities on reserve are few and far between. The pay
16 isn't particularly good. I don't know how true it is right
17 now because I haven't checked what the provincial rates
18 are, but even the welfare rates are different. So there's -
19 - there's a population that is less -- has less capacity to
20 plan for funerals. I'm sorry.

21 And I know that, you know, someone said,
22 well you know, grow up. Take care of your own problems. But
23 it's not an individual problem and it's not a family
24 problem. A funeral is a community event. It's a community
25 responsibility.

1 And I would like to allow the Commission
2 to bring this up because I would like to see a better way.
3 I would like to see that whenever a funeral for a band
4 member happens, that INAC and (indiscernible), call them
5 DIA when I'm mad at them, but INAC will allow the band to
6 apply for funds to take care of certain things.

7 I mean, certain things are definitely part
8 of the community. End of life ceremonies. So there's the
9 firewood. Where's that? That's always a problem. Wherever
10 I've been also, how do you get the firewood? Who's going to
11 bring up the firewood? Who's going to pay for the firewood?
12 Where are we going to get the firewood?

13 And that's an important part of people,
14 and I think that's almost universal for sacred fire. Even
15 in Toronto. And big cities that have that, they're making
16 that available, but you still need to get the firewood.
17 Who's going to bring the food? You can do potluck, but when
18 people are struggling to keep food on the table for
19 themselves, it's hard to have enough to share.

20 So there's challenges, so I would like
21 there to be an opportunity to have a look at the -- the
22 ability for INAC to support bands' responsibility to their
23 members when it comes to important ceremonial times, like
24 funerals.

25 I wanted to also mention -- and this is in

1 here somewhere. It should be under the Joan file, but it's
2 not a picture; it's a PDF.

3 My daughter's here as my support. Thanks,
4 Beth. And my son and husband are also here to be with me,
5 but this is my official support.

6 My official support was going to be my
7 sister and she's not here. She died last month. She had
8 cancer. And Missing and Murdered Indigenous Women's Inquiry
9 was really important to her. So see if we can make that
10 seeable.

11 Carrie Melinda Lester. Her name was given
12 to her. Skipadami (ph). Is that right? Padaman Kwi (ph).
13 She was born in 1960, died February 24th this year. Oh
14 yeah, I can't do that. It's not that kind of screen. Make
15 it go up. It's my sister Carrie. You can make it a whole
16 thing. Just the one page.

17 She's been a very active member of the
18 Toronto Missing and Murdered Inquiry. She was part of the -
19 - I don't know if I should say this out loud as if someone
20 might come and get us, but she was one of the three women
21 who occupied INAC in Toronto and began that movement. She
22 was part of the Idle No More community.

23 Yeah, that's good. Okay. This is Carrie,
24 my sister. She stood on a train track with four or five
25 other women with a large banner saying justice for murdered

1 -- missing and murdered Indigenous women. And that was in
2 2014, which I think was a response to Stephen Harper.

3 She was -- made herself available for the
4 -- well the INAC, the INAC stand occupation was because of
5 Pikangikum. Not Pikangikum. Attawapiskat and the children
6 that are dying in the suicides. She made every effort that
7 she could for the past -- since my mother died.

8 And the reason I'm bringing this up
9 because how did my mom's death impact us? And the impact on
10 my sister was that she went back to Elsie at Six Nations
11 and began to learn about our family, met our cousins,
12 learned and learned and learned.

13 She was able to speak in Mohawk and in
14 Oneida and in Ojibwe and changed the way the land
15 acknowledgements are done in Toronto, that the Mississauga
16 are -- had always been acknowledged as the -- in the land
17 acknowledgements, and she said, no. You get that right. So
18 she made that correction, so that it's the Haudenosaunee
19 are also in -- and the Anishinaabe are also recognized.

20 She camped out in High Park and other
21 places at the burial mounds for the Iroquois. Yeah. She
22 spent the last, you know, I don't know, 10 years of her
23 life working without -- without sleeping, I think, to bring
24 justice and fairness to lives of people that have been
25 marginalized in their own country, marginalized in their

1 own lands, and she would be here with me if she could have.

2 MS. BETH BASTEDO: She's here.

3 MS. DIANNE BASTEDO: She's here. I was told
4 there would be an empty chair for my mother with a blanket.
5 I'm in the wrong room. And I was going to ask for a chair
6 for my sister. And there is none.

7 MS. SHEILA MAZHARI: Oh, I didn't know.

8 MS. DIANNE BASTEDO: That's okay.

9 MR. CAM BASTEDO: You should mention the
10 dialysis machines.

11 MS. DIANNE BASTEDO: Yeah. Again, the
12 Lion's Club of Canada President came to speak to me while I
13 was with my sister in Toronto in the palliative care unit
14 last month and told me that if it hadn't been for my sister
15 Carrie, there wouldn't be -- what was it? -- 17 dialysis
16 machines going to northern Ontario where there had only
17 been one or two. There had been two, maybe.

18 MR. CAM BASTEDO: And maybe in --

19 MS. DIANNE BASTEDO: In Thunder Bay, which
20 no one wants to go to these days. These days. Which no one
21 has wanted to go for a long time. It's not a safe place for
22 indigenous people, so, yeah.

23 At the time that my sister was in hospital
24 dying, they were loading up the trucks with dialysis
25 machines -- dialysis machines to go north into the

1 communities and that they had found doctors and nurses who
2 were going to go with them and train people. So that's
3 something that was happening.

4 And she also told me from the Lion's Club
5 International that they had a \$31 million indigenous centre
6 going in downtown Toronto, and she thanked me for Carrie's
7 part in making that possible.

8 And I think Carrie's part was twofold is
9 that she would get up with a microphone and she would
10 speak, and she would -- she would say what needed to be
11 said, and she also knew a lot of people and was able to
12 connect people together who needed to speak, and then when
13 they spoke they needed to speak about this and the she'd
14 set them going and things would happen. So I'm sorry she
15 can't be with us right now to speak.

16 MS. SHEILA MAZHARI: Can we spell Carrie's
17 name?

18 MS. DIANNE BASTEDO: Yes. Carrie is C-A-R-
19 R-I-E. And her last name, Lester, L-E-S-T-E-R. I know my
20 sister's name, but my other sister's name is --

21 MR. CAM BASTEDO: Lister.

22 MS. DIANNE BASTEDO: Lister, so I have to
23 keep them straight.

24 MS. SHEILA MAZHARI: And when was she born?

25 MS. DIANNE BASTEDO: Twenty-fourth of May

1 1960.

2 MS. SHEILA MAZHARI: And she passed away
3 you said?

4 MS. DIANNE BASTEDO: February the 24th this
5 year, 2018. And because my heading and talking about my
6 sister or my excuse maybe to talk about my sister was how
7 did my mom's death impact or have an impact on me and our
8 family, and then as the mother of my family?

9 You know, you miss your mom. She taught me
10 things. She was a terribly difficult person to be around a
11 lot of times. No one wanted her back in Toronto when she
12 came to live with us. The rest of the family back in
13 Toronto said, you idiots, but thank you. Take her. Take
14 her.

15 But she had a really big heart and she had
16 a lot of love and she had a lot of issues about showing
17 that love, I think, and for many good reasons. But I know
18 that for some bizarre reason my family loves her and they
19 all miss her. And they all talk to me about her, and
20 remember when Gram used to say, I remember when Gram did
21 this. What would Gram say? What would Gram do?

22 And usually we say that with a smile.

23 But I think the hard part was the way that
24 she died and the way there was no justice.

25 MR. CAM BASTEDO: Mm-hmm.

1 MS. DIANNE BASTEDO: And the questions that
2 we have that we never really got answers to.

3 I'm going to mention now that I hope that
4 I get to speak to the lawyer that I spoke to last month,
5 Wendy, who said that she was going to be able to get
6 records from the ambulance service that attended Mom, from
7 the hospital where Mom stayed, from the doctor's records,
8 and from the police records, and from the court documents.
9 And I hope to get some more information from her on that,
10 if that's available.

11 But those were the questions that we may
12 never understand that Mom had a difficult time and -- She
13 was beaten up. She was an old lady and she was beaten up
14 for no reason, and she died a pretty -- a horrible death,
15 and we don't know why.

16 We don't know what those people who beat
17 her up got away with. We know they got away with assault,
18 but we don't know if there's -- if they got away with more
19 than that.

20 I know in the court it was a funny
21 situation, one moment, when one of the lawyers was
22 presenting the case and the pictures, and the judge asked,
23 well where is the victim? And they said: Well, she's dead.
24 And he looked startled and said, but -- And they said, oh
25 no, it's -- there's no charges of murder.

1 And he looked up and he met my glance, and
2 I looked at him, and I know that my face was in protest.
3 No! That's wrong. And I don't know what that meant to him,
4 but I felt as though I was giving our message that you're
5 not getting the whole story, which of course doesn't get
6 written down in the court records at all.

7 It has nothing to do with what kind of
8 decision he's going to make, but I think that he needed to
9 see that there were people that cared about what was
10 happening and didn't like it.

11 So otherwise, you know, for me, my family
12 have missed out on learning things from my mom. My, you
13 know -- I don't know if you guys know how to fold your
14 clothes properly yet, and I haven't gotten around to it or
15 do the hospital corner thing with your sheets, but I'll get
16 back to that later.

17 But there are things that you know, we --
18 I guess what it is is missing Mom, I don't have somebody
19 that I can pick up and say: Did you see what happened? Did
20 you hear this? Have you been watching? She liked CBC, just
21 as I do, just as Carrie does -- did.

22 So we often talked about books and the
23 news and bigger things like that. And so she's not there,
24 and now Carrie's not there. So you are it. And I don't know
25 if anybody else here, but this would be a moment that maybe

1 you want to say something about that.

2 MS. BETH BASTEDO: So I'm Beth Bastedo,
3 that's who's talking.

4 And part of the impact has actually been
5 on my two sons. So I have a five year old and a three year
6 old. The little boy is three, cries at least once a week
7 about the fact that he doesn't know his Great-grandma Joan.
8 He sleeps almost every night with a blanket that she made.

9 And we took them to where she was buried,
10 and both boys just -- were almost in tears and cuddled on
11 my lap and just saying how much they miss Great-grandma
12 Joan. And they've never met her. And I'm sure if they did
13 meet her, she would tell them that they were ridiculous and
14 --

15 MS. DIANNE BASTEDO: What are you good for?

16 MS. BETH BASTEDO: And what are you good
17 for? They'd learn to say: Absolutely nothing.

18 But at the same time they would be baby
19 boy, and she'd probably spoil them more than she ever did
20 to myself. Probably just as much as she did to my brothers.
21 For whatever reason she loved her boys.

22 But the impact was something that you
23 don't even know until it happens. You just -- It's taken --
24 I'm the same way. I don't understand how the courts could
25 possibly say that this was not a direct correlation. She

1 got beat up. She broke a hip. The cancer exploded from the
2 hip and she died.

3 And how can you possibly think anything
4 other than if she hadn't been beaten up, if she hadn't been
5 beaten up, if the ambulance people had actually cared and
6 taken the time maybe she wouldn't have gotten as hurt.

7 If the cops had done their job and
8 actually taken the guy into custody immediately, if
9 anything had changed then she would -- she might still be
10 here. She may not be.

11 MR. SAM BASTEDO: Might have had more time.

12 MS. BETH BASTEDO: But at least we'd have
13 had more time.

14 MS. DIANNE BASTEDO: Less pain.

15 MS. BETH BASTEDO: Less pain. Like -- And
16 that's the impact on my family that my sons don't know
17 their great-grandma, and yet they love her so desperately.
18 So --

19 And I see my mom, and that's the impact on
20 me too.

21 Anything else, Mom?

22 MS. SHEILA MAZHARI: Sam, you don't have to
23 share right now if you don't want to. Whenever you're
24 ready.

25 MR. SAM BASTEDO: No, I can't.

1 MR. CAM BASTEDO: Maybe I can share about
2 Sam's. Probably the impact of Joan's sickness on me --

3 MS. SHEILA MAZHARI: It's Cam speaking.

4 MR. CAM BASTEDO: Cam is speaking -- sorry
5 -- was that I actually got to know her in a way that I
6 hadn't before because as has been alluded to, she was not
7 an easy person to get along with. And you know the whole
8 thing about your mother-in-law? Well, with me that was kind
9 of it on steroids. We had a very hard time getting along
10 together.

11 MS. DIANNE BASTEDO: Mm-hmm.

12 MR. CAM BASTEDO: But in the last six
13 months of her life, I think I spent more time with her than
14 anyone else in the family actually. I went to visit her
15 almost every day and we'd play cribbage together and got to
16 know each other. So I was really glad for that time. I wish
17 it could have been under different circumstances.

18 But there's no doubt in my mind that
19 injustice occurred that should not happen in a country that
20 says that there is equal rights for all its citizens
21 because she was swept away like garbage, and that's wrong.
22 Yeah.

23 MS. DIANNE BASTEDO: And I think another
24 thing is that we all have to live with some small bit of
25 guilt and --

1 MR. SAM BASTEDO: Yeah.

2 MS. DIANNE BASTEDO: -- or regrets not
3 being there for her when she needed us at times.

4 And I didn't even talk about, you know,
5 the circumstance around her actual demise, and I'm not
6 going to, but it was a horrible way to die. And we didn't
7 get to say goodbye properly.

8 MR. CAM BASTEDO: We couldn't.

9 MS. DIANNE BASTEDO: And that was very
10 hard.

11 MS. SHEILA MAZHARI: With the charges of
12 aggravated assault, did that happen within that same year
13 of her passing, So 2001?

14 MS. DIANNE BASTEDO: Yes.

15 MS. SHEILA MAZHARI: And then what did that
16 result in for sentencing? Nothing?

17 MS. DIANNE BASTEDO: Yeah. They were
18 acquitted? Is that the right word for it? Yeah.

19 MR. SAM BASTEDO: The charges were dropped.

20 MS. DIANNE BASTEDO: No.

21 MR. SAM BASTEDO: Insufficient evidence or
22 something like that. I don't know what --

23 MS. DIANNE BASTEDO: To convict is all I
24 know. I don't know what the actual legal terminology for
25 that is.

1 MS. SHEILA MAZHARI: And then did you ever
2 try to reopen the case at any point or --

3 MS. DIANNE BASTEDO: No.

4 MS. SHEILA MAZHARI: Do you feel like you
5 had support afterwards if you wanted to appeal or -- ?

6 MS. DIANNE BASTEDO: The witnesses, I don't
7 think, at least some of them have passed away. It's a long
8 time ago now.

9 MR. CAM BASTEDO: Mm-hmm.

10 MS. DIANNE BASTEDO: And I don't know where
11 they would be. So I -- I don't think that there would be a
12 different outcome under the current system. I don't think
13 that there'd be any real point, unless there was a change
14 in the way justice is done. Yeah, that's not going to
15 change. So I don't think so.

16 And it's an injustice. It's almost like
17 it's secondary in a way. The bigger thing is that she's
18 gone, and it was difficult to lose her the way we did.

19 The problem with the police and the courts
20 and all that is a problem, but it's not -- it's not the
21 worst thing. It's just that she's not with us and -- and
22 she didn't -- she had a terrible last six months of her
23 life, and that's not going to change. Yeah. But I'm sure
24 that there are many, many cases that could be reopened with
25 a different outcome, even under the current system, if --

1 even -- it's not for me to say on that. Yeah.

2 MS. SHEILA MAZHARI: And so you don't have
3 the exact names of the people as we were talking?

4 MS. DIANNE BASTEDO: No.

5 MR. CAM BASTEDO: Because we were hoping
6 that the lawyer would supply that. Cam speaking.

7 MS. DIANNE BASTEDO: Yeah.

8 MS. SHEILA MAZHARI: So we're after those
9 documents to have that, okay. And as far as you know
10 they're probably still around or -- ?

11 MS. DIANNE BASTEDO: Yeah, the court
12 documents, definitely. I don't know about medical records.
13 Apparently the ambulance records should still be in
14 existence, but I don't know. I have no knowledge about that
15 at all. But the court documents, for sure. And I think the
16 police records as well.

17 MS. SHEILA MAZHARI: And the perpetrators
18 that did this, do you think they're still alive? Are they
19 still around?

20 MS. DIANNE BASTEDO: I have no way of -- no
21 idea. I really don't know. I heard that they were in town
22 about six months later after the court thing, but I don't
23 know. Again, that was a long time ago and there's no reason
24 for them to still be in Kamloops particularly.

25 MS. SHEILA MAZHARI: And you said they were

1 non-Indigenous, right?

2 MS. DIANNE BASTEDO: Yeah, they were non-
3 Indigenous. No.

4 MS. SHEILA MAZHARI: And your mother's
5 father, was he non-Indigenous?

6 MS. DIANNE BASTEDO: Yes. Yeah. That was
7 Norm. I think, I'll just see if there's something in here
8 that I've forgotten to say. I think that's all we have. No.
9 I guess one other, just a side note almost is that I know,
10 I believe it was the same police officers who a year later
11 were -- they were supposed to be investigating a young
12 man's killing, and the outcome, as it was reported, and
13 this one got to the news because it was a chief's son, I
14 think.

15 MR. CAM BASTEDO: Ronson (ph).

16 MS. DIANNE BASTEDO: Mmm?

17 MR. CAM BASTEDO: Ronson?

18 MS. DIANNE BASTEDO: Yeah. And I don't want
19 this to be about another family or to bring their names
20 into this, but -- and I did speak to Wendy about that so
21 she has that information, but -- it was reported in the
22 news that the judge was upset with the work that the police
23 didn't do in bringing the perpetrators to justice.

24 Again, there was no -- there was no real
25 police work done. So --

1 MS. SHEILA MAZHARI: And that incident took
2 place in?

3 MS. DIANNE BASTEDO: I think it was about
4 the same time as when -- that's why I think it was the same
5 police officers perhaps or the same detachment, I guess.
6 But it was about a year later or less than that. Something
7 like that. It was in 2001-2002. Yeah.

8 MS. SHEILA MAZHARI: Do you have any
9 recommendations for the Inquiry?

10 MR. CAM BASTEDO: Change the justice
11 system.

12 MS. DIANNE BASTEDO: Make the police do
13 their jobs properly. They need more training.

14 MR. CAM BASTEDO: They need more staff.

15 MS. DIANNE BASTEDO: They need more staff.

16 MR. CAM BASTEDO: They're overworked. I
17 think that's part of it.

18 MS. DIANNE BASTEDO: Yeah. I mean I'm sure
19 it's time-consuming to actually do an investigation, but it
20 doesn't seem like they really are able to do that.

21 MR. CAM BASTEDO: Mm-hmm.

22 MS. DIANNE BASTEDO: Maybe they need more
23 staffing. We need more -- I mean everything costs money,
24 so. I think a bigger issue is to look at the mandate of the
25 Crown, which is huge. Like I know that that's -- that's not

1 what they want to hear about from this and it's certainly
2 not something that they're going to say, oh well, the
3 Missing and Murdered Inquiry says we should fix the justice
4 system, and it just --

5 But it's the whole backbone of the way our
6 justice system proceeds through courts is -- and I know
7 there have been times when people have said, you know, that
8 the criminals need harder sentences. We have to get tough
9 on crime, that people are getting a slap on the wrist for
10 doing terrible things, and that's not the bigger problem.

11 The bigger problem, I think, is that
12 justice doesn't work. Is the part that the Crown plays in
13 this, I think, would make a big difference if they could
14 ratchet that in some way to make it so that there is an
15 effort made by the Crown to pursue justice rather than to
16 sit back and wait for it to fall in their lap.

17 MR. CAM BASTEDO: May I add something?

18 MS. DIANNE BASTEDO: Yeah.

19 MR. CAM BASTEDO: I think --

20 MS. DIANNE BASTEDO: That's Cam.

21 MR. CAM BASTEDO: This is Cam -- is that
22 there's not the same level of advocacy for the victim as
23 there is for -- or excuse me, for the defence -- for the
24 victim that there is for the defence. They don't have
25 anything invested.

1 MS. DIANNE BASTEDO: Yeah. Thank you.

2 MR. CAM BASTEDO: And when you're losing,
3 it's just justice will be done. And since on the one side
4 you've got somebody actively trying to defend and on the
5 other passively trying to prosecute --

6 MS. DIANNE BASTEDO: Yeah.

7 MR. CAM BASTEDO: -- you don't have the
8 investment in bringing about justice. And that's --

9 MS. DIANNE BASTEDO: That's much clearer.

10 MR. CAM BASTEDO: Yeah, I've been listening
11 to you for a while.

12 MS. DIANNE BASTEDO: Thank you.

13 MR. CAM BASTEDO: I think that's what you
14 mean to say.

15 MS. DIANNE BASTEDO: Now you listen to me.
16 Yeah, so that would be one thing.

17 And then the other thing that I would like
18 the Inquiry to -- again, these are kind of side issues in a
19 way, but they have an impact on communities -- is look at
20 the way the funerals are dealt with, and if there's a way
21 of making that better for all the communities across Canada
22 to be fair and respectful and honouring of people when
23 they've passed away or when they've lost somebody.

24 I think that the ability for people to
25 feel that respect has been damaged a little bit just

1 because of the way we're forced to operate within the
2 Indian Act and the funding system, and it's harmful.

3 So something could -- that shouldn't be as
4 big a fix as fixing the justice system.

5 MR. SAM BASTEDO: In the meantime.

6 MS. DIANNE BASTEDO: Yeah.

7 MS. SHEILA MAZHARI: Do you think if this
8 would have happened to a non-Indigenous woman in the same
9 complex by the same perpetrators, do you think -- ?

10 MS. DIANNE BASTEDO: It's so hard to say.

11 MS. SHEILA MAZHARI: It is hard to say.

12 MS. DIANNE BASTEDO: It's so hard to say. I
13 mean, my knowledge of Haudenosaunee people is that visually
14 there's more ability to blend in with other like European
15 based Canadians.

16 And so unless you see that person in a
17 context, and with my mom, if you saw her in north Toronto
18 you wouldn't even think, I wonder if she's Indigenous?
19 Whereas if you saw her in, when she would go out with the
20 elders in Kamloops, there would be no question. You
21 wouldn't even wonder if she was or wasn't. You would just -
22 - yeah. She would look Indigenous with indigenous people
23 and she would look white with white people. We're white.
24 But she --

25 MR. CAM BASTEDO: The problem isn't

Dianne Bastedo

(Joan Norma Tucker)

1 necessarily just Indigenous. It's Cam speaking. Thanks,
2 Beth. Because it was an economic prejudice involved as
3 well.

4 MS. DIANNE BASTEDO: Yes.

5 MR. CAM BASTEDO: So yeah, the same thing
6 might have happened because they treated the witnesses who
7 were of various backgrounds with utter contempt because
8 they were poor, you know. And so, yeah.

9 MS. DIANNE BASTEDO: Yeah. Yeah.

10 MR. CAM BASTEDO: So the problem in the
11 justice system is wider than just against Indigenous, but
12 it certainly includes --

13 MS. DIANNE BASTEDO: But there's a lot of
14 having been borne by Indigenous people. Yes.

15 MS. SHEILA MAZHARI: You said you're white,
16 but do you yourself consider yourself Indigenous as well or
17 (inaudible...)?

18 MS. DIANNE BASTEDO: I'm -- I'm C3 status.
19 My mom was C31 status. Elsie, my grandmother, was C31.

20 MS. SHEILA MAZHARI: So what's the
21 difference?

22 MS. DIANNE BASTEDO: So my -- Elsie married
23 a white guy, so she lost her membership. And then her kids,
24 Dianne and Joan, when they were born they were -- they
25 wouldn't have been status. That doesn't mean that they

1 weren't Indigenous, that they weren't recognized.

2 And part of the Indian Act and the way
3 membership and status is confirmed by this government,
4 which isn't even part of the community, is it's an
5 imposition. It's imposed, so.

6 Elsie was -- was ashamed to be considered
7 Indigenous. I know that she gave Mom a smackdown of some
8 sort when Mom said, but you look beautiful. You look like a
9 beautiful Indian. And she told Mom, when Mom was probably
10 about 12, 14 or something when they had a visit. Anyways,
11 she shut that down.

12 You're no more Indigenous than you are
13 Negro. And I don't know what that meant, but she was just
14 like really -- she was a little bit like -- those two
15 didn't get along very well. They were very similar.

16 But Mom raised me and my brother and
17 sisters to pay attention and to be aware of issues
18 affecting Indigenous people. I know when I was pretty young
19 I used to go through my mom's files. And she loved the news
20 and we used to get to the newspapers and she'd cut out all
21 these articles every time there was something in the news
22 about some Indians here or there, that there was a file
23 folder about this thick after like 10 years or something.
24 It wouldn't happen today. You would get something on the
25 third or fourth or eighth page on a newspaper, a little

1 tiny story about something that was happening on one of the
2 reserves. But she made me know about that.

3 I consider myself basically white, but I
4 honour my Indigenous heritage, and I'm proud of it. And I
5 wish I had learned some Mohawk with my sister, but I'm -- I
6 am -- I am far happier and more comfortable working in
7 First Nations than I have been working in any other place.
8 I feel at home. So --

9 MR. CAM BASTEDO: It's the only place
10 you've worked for the last 25 years.

11 MS. DIANNE BASTEDO: Pretty much. I worked
12 at your school for a bit, but no. I'm -- I appear white; I
13 look white; I've been raised white. I'm a secret Indigenous
14 person.

15 MR. CAM BASTEDO: Undercover.

16 MS. BETH BASTEDO: Undercover.

17 MS. DIANNE BASTEDO: And my kids have been
18 raised kind of the same way I think, to be aware of and to
19 be respectful of and to be -- to honour and be proud of
20 their own Indigenous knowledge and roots, so. Yeah, if that
21 helps.

22 MS. SHEILA MAZHARI: Is there anything else
23 you'd like to share?

24 MS. DIANNE BASTEDO: I'm done.

25 MS. SHEILA MAZHARI: Okay.

1 MR. CAM BASTEDO: You did a good job.

2 MS. SHEILA MAZHARI: Thank you so much.

3 --- Whereupon the statement concluded at 2:34 p.m.

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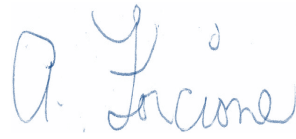
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I HEREBY CERTIFY THAT I have, to the best
of my skill and ability,
accurately transcribed from a pre-existing recording
the foregoing proceeding.



A. Forcione

Antoinette Forcione, Legal transcriptionist