

## Statutory Declaration

I, Tukulak Qalinqo, (1951-05-04) [REDACTED] Puvirnituk

(Name, first name, address, birth date)

I do solemnly declare that,

Meeting with Annick Wylde investigation agent from the provincial Inquiry Commissions Viens, on the 25th of July 2018 in Puvirnituk

Q1: What service do you want to speak about?

A1: Everyone knows that the justice system. There are a lot of problems because of the communication problem with the justice people. The Inuit people that don't speak Inuktitut (*sic*) very well, they need translation for everything they want to talk about. For some, not all of them. It's one of our problems in the North... here in the North... because they... communication is usually the problem between the justice system and the Inuit people that don't know much about justice, with the law. Sometimes, they don't understand why they're being charged for this and that, and justice people have to interpret that and try to explain to them what it's all about. And that's one of the biggest problems in the North, for Inuit people that don't speak either French... or that hardly... well, not too good in English. I think that's one of the problems that we have with the justice system, because the Inuit people just don't know much about the law, and why they're being charged for this and that. That's one of the problems that we have in the North, for the Inuit people.

Q2: It's the biggest issue?

A2: Yes. Unless you understand English well. Most of the Inuit people, they do understand English, but not French. And the language is usually in French when it comes to communication about the law and about why they're trying to arrest them and why they're putting them in jail, and this sort of thing. There's a breakdown... there's a big breakdown in the justice system, especially in the courts. When there's the language barrier or the language problem. But they do provide translation or interpretation. Some are very good interpreters or translators, so it breaks down a bit of the barrier in the justice system, and uncovering just about any issue, like concerning children and other issues that we come up with and we... interpretation and translation to understand different issues that are involved in the justice system. Now that covers everything, just about everything.

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Q3: You mean with the DYP and the justice?

A3: Yes. That's a new thing, people just don't understand why they're being treated this way, or why they're being charged, or they're taking their children, and this sort of thing. It's a big issue, and it touches a lot of leaders, like... Some of the Inuit leaders that are involved in this started to talk about it, and people who understand why the Inuit are unhappy about this issue, although they're beginning to understand more about it.

Q4: Did you feel discriminated, or did you feel racism about justice?

A4: Yes, because we didn't understand it. Especially when you don't speak good English or especially when you don't speak French. Although you can understand it to a certain extent, with an interpreter or translator, but still... it's still not too clear for them. That's especially, for older people like me... well, my age... That has been the issue although, when we talk about it, just like between you and me... It's easy for me to clarify things that I don't understand, or try to explain to you why I have this problem. That's easy to do, when you speak English well, or... I don't speak French but... I do speak Inuktitut well ... with a good interpreter or translator, it's easy for me to understand. So, we can cross that barrier, but it's not easy for most Inuit people that are around their sixties. They don't smile about it at all, when they don't understand.

Q5: They don't understand, and they won't know where to go?

A5: That's right! That's why they need to understand the law, to a certain extent. A lawyer that's able to explain what the problem is and what they can do about it. That has been a problem with the Inuit people... with our brothers... Cree people, and other nations. I think you understand well what I mean.

Q6: Do you have any recommendation for the justice people and the other services?

A6: For the justice system, like I explained to you already, we've come to a roadblock, because we didn't understand the law. Even if they try to explain to us what is going on, what they're going to do, and why they're going to do it... Because they're not in your system very well. But they're beginning to understand a little more about it. But you need to explain yourself and you need to ask questions. Many times, they come against a blockage, because they didn't understand what is going on. That was a big problem before, but now, the barrier is getting smaller and smaller.

Q7: Do you have any solutions?

A7: Solutions?

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Q8: Yes, I said recommendations. Do you see solutions, like ideas?

A8: First, you have to go one, two, three, and find out what the law is all about, and get an explanation from someone who understands, and why they're being charged for something or... somebody trying to confuse them. Most people about my age who understand English, or a little bit of French... that's where it comes. The solution comes by understanding the situation, which is the only way to do it. But it's been difficult, I tell you. Without understanding it, it's still very difficult for most Inuit people. And then they come across something that they don't understand, and they begin to complain about it. And then they give you a name... sort of a name... or someone who's not willing to cooperate with anything. And that's when the lawyer comes in, or someone who's charging them.

Q9: The police?

A9: Not the police, but the lawyer. The lawyer who's on the side of the law. It's easy for them to come against them. Very, very easy. We've been in court, many people have been in court, and they just shake their head, because they...

Q10: They don't understand?

A10: They don't understand.

Q11: Are they asking, when they don't understand? Are they asking them why?

A11: Yes, you can see that they're not smiling. You can see that they don't like what's going on, or what they're trying to do to them, when they feel like they haven't done anything wrong. Because that's the law! That's the law. It's been very hard for the Inuit people to...

Q12: To understand?

A12: To understand and try to correct the situation. Try to understand how they can get out of it. Sometimes, they have to do something or say something that may go against them. That's the law! So, you kind to have to be a lawyer, or para... para...

Q13: Paralegal I know what you mean ?

A13: Paralegal people. So people, especially younger people who are in grade 11 or grade 12, it's easy for them, but not for the older generation that just didn't understand the new system, or the new

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way. But it's coming, it's coming... to understand it more. And now, some people have become very good in the legal system, or the para...

Q14: Paralegal.

A14: Paralegal people. In order to get out of it, you know. I you want to get out of it, you have to try and understand it, find a way to speak about it, and try and suggest or... try to say that: "Okay, I know I have to do this. I want to do it. Can you help me?" That's a good statement. It's happening, for many.

Q15: Inuit's having a hard time understanding the law and the justice?

A15: The lawyers.

Q16: The lawyers, are they taking time, with the clients, when they see them?

A16: Yes, some. But the lawyers, once they see a person, the way they're speaking, the way they're talking, the way they think... They can take that advantage and do things that are not right. It's happened a lot. But if you know a little bit about the law, what you have seen during the legal system, it's easier. It's easier.

Q17: Do you have a recommendation for the justice?

A17: Yes. We have some good lawyers, now, who are willing to help. But it's not always that way. There on the side of the law, it's their job to make the law right, but it's not always the case every time.

Q18: Okay, do you want to speak about other services. You talked about justice: how about the correctional services?

A18: Well, it depends on what you have done, and what the law is wanting to do to make things right. It's not always... the right thing has not always been done. They take advantage of a person who doesn't know the law, especially what they have done. Especially what they have done and how much jail time they have had, how many... how much law they have broken. What they have done to others, especially when it comes to your relationship with your... with people... your family, your parents, your brothers and sisters, friends. It's easy to take advantage of that, because you don't want these things to happen to... or do anything to anyone. That takes a little handling, with a good explanation by your lawyer to try and explain to you what you could do to make a correction, or to make things right. If they see that you're willing to cooperate and do something about it, that's easy. It's not... it doesn't happen all the time.

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Q19: No?

A19: No. They're willing to fight. Many are willing to fight. But things can be done. You need to understand the situation, you need to understand the law system, you need to understand how you can correct yourself. And just show yourself to be a person, in front of these people that are trying to charge you for any law. It depends on how you act and what you say and what you want to do. And show the judge, or the lawyer, that they can see that you're willing to make a correction. You're willing to show these... about what you do... if you go in the correctional system. They can see that you're willing to do something about it, which is a big effort for something that will help you a lot. You've got to know these things. Not all of these people do. People like me, who understand a little bit about it, I'm there to translate, to interpret for them: "I think this is what you have to do." I'm kind of like a... not a lawyer, but someone... I try to help and explain how they can get out of it.

Q20: Do you have any recommendations about correctional services. Just like you said... It would be easier if they had detention here in... up North, instead of going down South.

A20: Yes, that's been a big problem, here in the North, because the leadership didn't want the jail system here in the community. They think they could have approached it differently, so it would be better for the community. Somehow, they want to cross the road, thinking that it would be better and that people would understand more if they did it themselves. I mean, that's what I thought. If they did it themselves... they thought that it would make things better, but now we don't have that system in the North. I don't know if they want to do it. Maybe they will. I'm not sure.

Q21: Did you feel discrimination or racism about the justice system, the justice people and the correctional services.

A21: Yes.

Q22: Can you explain it?

A22: They take advantage of people who don't know anything about the law. That's the biggest problem. That's why you need people that do understand a little bit about the law... and how they can avoid being charged for this and that... so they have understanding... to make things better for them. That's what I see. For people who are willing to correct themselves and do something about it, it's easy, but there are lots of angry people. It's not always possible to... unless the person really wants to correct themselves and understand their mistakes, by understanding that if you do this or that, you're still going to get into it again. You're still going to get into it again if you don't do anything about it. The issue is the anger in the person. For some reason, that happened to them, or done by the justice

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system, or done by their family, or done by their friends... and they'll fight with that. But now, somebody has to explain to them that if you continue, you're going to go back.

Q23: It has to be well explained to the people who got in the justice system.

A23: Yes, the lawyers are good for that. The lawyers are very good with that, but depending on if the person is willing to work with them, and show themselves that they're correcting themselves and that they're going to do something about it. If they get witnesses, or some help, like their spouse or their friends or their parents. If they come in with a helping hand and talk to the lawyer who's trying to charge them, that's going to help them. It's a big help. Many have changed their ways, and many still haven't changed their ways at all.

Q24: Traditional ways?

A24: Yes, we've come through that road, especially through the group that's trying to help the lawyers, explain to the lawyers: "This is what this person is like. He's not a bad person, but he has a problem." We've talked to them, we've talked to him or her, and we have seen he's willing to correct himself. They're willing to correct themselves and they understand their mistake. That's a good explanation to the lawyer who has a hand to grab this person and arrest them again. This is what I want to do. This is what those people that are trying to help these people... to explain to them: "This is what's going on." And we explain to the lawyer who's charging them: "This person is actually a good person." We've seen his ways, we've seen he's trying to stop drinking, we've seen he's being good to his spouse, or their family, or their children, and we have proof of that. And then you do something legal to try to help that person. So, it takes understanding by the person who's trying to help them. And then, an understanding by the person who's doing it. And to see that he's willing to correct themselves. It does happen, some people have really come full circle and done the right thing. So, the justice system has its problems, and it takes explanation and understanding to make the justice system better. But we do know, for those of us who have seen the system, it still doesn't work. It still doesn't work.

Q25: In 2018, it still doesn't work?

A25: No. It still doesn't work because we see, by the records, in the jail system, the justice system, that we still need to do a lot of things, here.

Q26: Lots of improvements.

A26: Yes, that's right. That's hard to do. Yes, that's hard to do. Especially today, in Puvirnituk. Alcohol is very strong, here. A lot people are learning to drink. It becomes a big obstacle with the justice system.

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And that's what they say: "How much do you drink?" and "Are you going to stop drinking?", and that sort of thing.

Q27: Do you feel discriminated... Are they feeling discriminated when they see alcohol abuse, and everything... or drug abuse?

A27: Yes, because they know that's the reason why they have this problem. Unless they see the person is willing to correct his life, see their mistake and understand it. If they see they make an effort to try and heal the family, heal the family system or the community system. It does help. And it will help. We really do want to see an improvement in the system, especially with people in the communities like Puvirnituk, who have been experiencing alcohol. Experience with the system that's not doing very well. It starts there. It starts there, especially with the social workers that talk to the radio stations... If you do this and you do that, there's going to be a problem, you'll probably end up in jail. You'll probably go in jail again. Because this is what you're doing, and it has to stop. If you keep doing it, the law is going to go against you. So, the social people, or social workers, or hospital system that are in social work, when they come on the radio station, it really helps a lot. It really helps a lot. Because people want to heal! Most people want to heal, and it's... I cannot say it's going backwards, you know. There's some forward, there's some backward. Do something about it.

Q28: Anything else to add?

A28: For the legal system? For the justice system?

Q29: Yes.

A29: People are so much against the legal system because they went through trouble with that... they've gone into trouble again with that and they don't want to deal with it. But you need someone who will explain and talk to them on the radio station or talk to them personally. Like the people that are in the courts, listening to the people that are in trouble, and they're willing to help them and talk to them. In a kind of... In a room where they will talk to them and that's a lot of improvement. I think we should have more of that.

Q30: Did the people went to talk to them before going to court, before going to the justice system?

A30: And then these people will talk to the lawyers and say: "We know this person. He has problems, that's why he's in trouble. We talked to them, and they're willing to change and make a correction." If you say that to a lawyer, with a group of people who have an open heart, that changes a lot. That can change a lot.

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Q31: And listening,

A31: Yes. So, somebody has to do something about it. That's what I know.

Q32: You made a lot of recommendations, we'll keep the recommendation. Do you have anything else to say about the justice and the correctional?

A32: A lot of the lawyers are more experienced now, in the North. Before, they absolutely not you have to educate them about the situations that are in the North, with the Inuit, and why they are this way, and that way. We have to do the educating. Our job has been educating the lawyers. There's a lot of improvement, I can tell you that. They're understanding more. The lawyers, they come in, the new ones, and they don't know anything about the North. They don't know the Inuit people very well. But once they've been here two or three years, we can see that...

Q33: What would you recommend for those lawyers, when they're coming for the first time?

A33: They will begin to understand by themselves: "Why are these people this way? How come they continue to break the law? How come they continue to..."

Q34: Being that way?

A34: Yes. They start to ask questions themselves, and then the opportunity comes in when the people that are in the court system, or those in the... I don't know how to explain... There are people that are willing to help in understanding that person: "We know this person is a good person. We know why he's in trouble. We know why he keeps going back. We understand him and he's willing to change." And then you make a presentation, or kind of a note saying: "I'm sure this person can change. We've talked to him, talked to her, and we've seen their family situation. Now, there's no more violence in there anymore. I'm sure we can do something about it." I mean, these kinds of talks are strong. They're strong. So, there's a chance for change. There's an opportunity for change, as long as you want to stop being the way you are. It does happen to many.

Q35: Too many cases.

A35: Unless you have a group that's against everything and you're leading them to fight. I mean, this is something that I have seen. Without having seen it, I just don't know how to talk about it, or try to make somebody else understands how we can improve this or make a change.

Q36: That's what you're here.

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A36: Yes.

Q37: That's why we came here. We want to know what's going on and we want to make changes. That's what the commission is for.

A37 You know, the best... If you face a person like that, and you want to make a change with his... going back to prison again. You need to put him aside, on or two people... put him aside and talk to them. That can make a change. That can make a change. Well, I have...

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