

LA COMMISSION D'ENQUÊTE SUR LES RELATIONS
ENTRE LES AUTOCHTONES
ET CERTAINS SERVICES PUBLICS

SOUS LA PRÉSIDENCE DE
L'HONORABLE JACQUES VIENS, COMMISSAIRE

AUDIENCE TENUE AU
PALAIS DES CONGRÈS
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POUR LA COMMISSION :

Me Christian Leblanc, procureur chef
Me Paul Crépeau

POUR LES PARTIES PARTICIPANTES :

Me Marie-Ève Bordeleau, Assemblée des
Premières Nations Québec-Labrador

Me Wina Sioui, Assemblée des Premières Nations
Québec-Labrador

Me Jean-Nicolas Loisel, Service de police de
la Ville de Montréal

Me Maxime Laganière, Directeur des poursuites
criminelles et pénales

Me Marie-Paule Boucher, Procureure générale du
Québec

Me Denise Robillard, Procureure générale du
Québec

Me David Coderre, Association des policières
et policiers du Québec

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1

OUVERTURE DE LA SÉANCE

LA GREFFIÈRE-AUDIENCIÈRE :

2 La Commission d'enquête sur les relations entre les
3 Autochtones et certains services publics au Québec,
4 présidée par l'Honorable Jacques Viens, est
5 maintenant ouverte.

6 **L'HONORABLE JACQUES VIENS (LE COMMISSAIRE) :**

7 Alors bonjour. Bienvenue à tous. Nous sommes à
8 Montréal pour les deux (2) prochaines semaines,
9 semaine du douze (12) février commençant
10 aujourd'hui, semaine du dix-neuf (19) février. Et
11 ensuite, nous reviendrons au mois de mars pour les
12 semaines du douze (12) mars et du dix-neuf (19)
13 mars, tel qu'annoncé il y a déjà plusieurs
14 semaines.

15 Comme il est de tradition dans les nations
16 Autochtones lors des rassemblements, lors des
17 rencontres d'importance, il y a toujours une
18 cérémonie et/ou une prière, la plupart du temps les
19 deux, et nous sommes très heureux aujourd'hui
20 d'accueillir Sedalia Kawennotas Fazio de la Nation
21 Mohawk, qui va venir présider la prière et la
22 cérémonie.

23 Au moment où elle allumera la sauge, la
24 diffusion cessera.

1 Généralement, lors de cérémonies chez les
2 Autochtones, il n'y a pas de photos, il n'y a pas
3 de films, et encore moins, évidemment, de
4 diffusion, s'il y a pas de photos ni de films.
5 Alors, à ce moment-là, le film ou la prise de vue
6 cessera et elle continuera de procéder à la
7 cérémonie.

8 I will now present Sedalia Kawennotas in
9 English, because she is other language. Sedalia's
10 cultural roots lies across the bridge in Kahnawake.
11 The place where she grew up and lived most of her
12 life submerges in Mohawk traditions. Montreal was
13 simply another forgettable city and she has always
14 felt her heart belonged in the country.

15 In spite of this [pole], Sedalia moved to
16 Montreal eighteen (18) years ago, to be closer to
17 her first generation family.

18 Once here, she loves the ease of city life,
19 where services and necessities are always within
20 reach. But she quickly realize the physical tie
21 that encourages Aboriginal youth to connect to
22 their heritage was missing.

23 This lack of connection led Sedalia to begin
24 the ten (10) year long project that centered around
25 the creation of a sweat lodge, focusing on the

1 traditional healing methods of her culture, and the
2 bridging of cultural roots.

3 Sedalia's passion and dedication led to the
4 establishment of a permanent home for her community
5 project within the Botanical Gardens of Montreal.
6 Like many other citizens, Sedalia still believes
7 that the city needs work, especially when it comes
8 to strengthening Aboriginal ties. But she proudly
9 maintains that the move to the city, in the city,
10 does not mean that you need to set aside your
11 roots, and her family and children can attest to
12 that fact. They grew up of the reserve and have
13 pursued higher education, which has led to
14 opportunities on the island, all while keeping
15 their culture, traditions, language, and food alive
16 as well.

17 As a country girl from Kahnawake in the
18 metropolis of Montreal, Sedalia strongly believes
19 that her role is to promote people helping people,
20 a message that strongly resonates with her family
21 in their Ville LaSalle neighbourhood.

22 Sedalia, I'll let you the place.

23 SUSPENSION

24 -----

25 REPRISE

1 **LA GREFFIÈRE-AUDIENCIÈRE :**

2 Reprise de l'audience.

3 **LE COMMISSAIRE :**

4 Oui. Alors rebonjour. Merci d'être encore avec
5 nous, en cette belle ville de Montréal. Je vais
6 commencer par demander aux procureurs de
7 s'identifier.

8 **Me CHRISTIAN LEBLANC,**

9 **PROCUREUR CHEF POUR LA COMMISSION VIENS :**

10 Alors bonjour Monsieur le Commissaire. Christian
11 Leblanc, procureur en chef.

12 **LE COMMISSAIRE :**

13 Bienvenu Me Leblanc.

14 **Me MARIE-ÈVE BORDELEAU,**

15 **PROCUREURE POUR L'ASSEMBLÉE DES PREMIÈRES NATIONS**

16 **QUÉBEC-LABRADOR :**

17 Marie-Ève Bordeleau pour l'Assemblée des Premières
18 Nations Québec-Labrador.

19 **LE COMMISSAIRE :**

20 Bienvenue Me Bordeleau.

21 **Me JEAN-NICOLAS LOISELLE,**

22 **PROCUREUR DU SERVICE DE POLICE DE LA VILLE DE MONTRÉAL :**

23 Bonjour, Jean-Nicolas Loisel. Oh, excusez-moi.
24 Allez-y Collègue. Vous m'excusez.

25 **Me WINA SIOUI,**

1 **PROCUREURE DE L'ASSEMBLÉE DES PREMIÈRES NATIONS QUÉBEC-**

2 **LABRADOR :**

3 Oui. Bonjour. Wina Sioui, Assemblée des
4 Premières...

5 **LE COMMISSAIRE :**

6 Bienvenu Me Sioui.

7 **Me WINA SIOUI :**

8 ... Nations Québec-Labrador.

9 **Me JEAN-NICOLAS LOISELLE :**

10 Bonjour, bonjour. Jean-Nicolas Loisel, du
11 Service de police de la Ville de Montréal.

12 **LE COMMISSAIRE :**

13 Bienvenu Me Loisel.

14 **Me MAXIME LAGANIÈRE,**

15 **PROCUREUR POUR LE DIRECTEUR DES POURSUITES CRIMINELLES ET**

16 **PÉNALES :**

17 Oui, bonjour. Maxime Laganière, pour le Directeur
18 des poursuites criminelles et pénales.

19 **LE COMMISSAIRE :**

20 Bienvenu Me Laganière.

21 **Me MARIE-PAULE BOUCHER,**

22 **POUR LE PROCUREUR GÉNÉRAL DU QUÉBEC :**

23 Marie-Paule Boucher pour le Procureur général du
24 Québec.

25 **LE COMMISSAIRE :**

1 Bienvenue Me Boucher.

2 **Me DENISE ROBILLARD,**

3 **POUR LA PROCUREURE GÉNÉRALE DU QUÉBEC :**

4 Bonjour. Denise Robillard, pour la Procureure
5 générale du Québec également.

6 **LE COMMISSAIRE :**

7 Bienvenue Me Robillard.

8 **Me DENISE ROBILLARD :**

9 Bonjour.

10 **Me DAVID CODERRE,**

11 **PROCUREUR DE L'ASSOCIATION DES POLICIÈRES ET POLICIERS**
12 **DU QUÉBEC :**

13 Bonjour à tous, David Coderre, pour l'Association
14 des policières et policiers provinciaux du Québec.

15 **LE COMMISSAIRE :**

16 Bienvenu Me Coderre. Alors quel est le programme
17 de la journée Me Leblanc?

18 **Me CHRISTIAN LEBLANC :**

19 Alors, Monsieur le Commissaire, donc nous allons ce
20 matin... nous devons commencer par entendre un
21 témoin citoyen, monsieur Michel Tooktoo, mais nous
22 avons appris hier soir qu'il... bon, on a eu des
23 problèmes là, au niveau du transport, monsieur
24 Tooktoo devait voyager du Grand Nord québécois à
25 Montréal, et on a rencontré des problèmes hier.

1 Donc c'est un témoin qu'on devra... qu'on est
2 capable, je pense, de replanifier pendant notre
3 premier séjour ici à Montréal, si c'est pas cette
4 semaine, ça va être la semaine prochaine.

5 Et on va faire aussi un petit changement
6 aussi, on entendait deux témoins citoyens cet
7 après-midi. On va entendre le premier témoin
8 citoyen qu'on devait entendre à treize heures
9 (13 h), on va l'entendre ce matin, monsieur Etuk
10 Kasudluak. Et monsieur Daniel Dufresne, on va
11 l'entendre cet après-midi tel que prévu.

12 Demain, on entend un panel de témoins qui sont
13 de la Régie régionale de la Santé et des Services
14 sociaux du Nunavik. Donc on a trois (3) témoins.
15 On a également, en après-midi, un témoin citoyen.

16 Mercredi, on entend plusieurs témoins, en
17 fait, qui sont du Foyer pour femmes autochtones de
18 Montréal du Réseau de la stratégie urbaine de la
19 Communauté autochtone de Montréal, du projet Cabot
20 Square, pour le Foyer des femmes autochtones de
21 Montréal. On va parler d'itinérance également.
22 Donc on a plusieurs personnes qui viennent
23 témoigner dans ce contexte-là.

24 On a aussi, qui nous vient de Toronto,
25 monsieur Jonathan Rudin, qui est le Directeur du

1 programme *Aboriginal Legal Services* de Toronto.
2 Donc on l'entend dans ce contexte-là, on va
3 l'entendre également la journée suivante ou l'autre
4 journée, dans un autre contexte.

5 Donc jeudi, comme... on entend des gens du
6 Conseil des Mohawks de Kahnawake et également du
7 Département de la justice d'Akwesasne, donc on
8 parlera de justice. À ce moment-là on a une
9 commissaire et une directrice qui viendront nous
10 entretenir à ce sujet-là.

11 Également un procureur et une conseillère du
12 Tribunal Mohawk d'Akwesasne.

13 En après-midi, la Directrice du Département de
14 Justice d'Akwesasne, et procureure et conseillère,
15 mais cette fois-là du Tribunal Mohawk d'Akwesasne.
16 Dans l'après-midi, il y a un témoin pour lequel il
17 y a des demandes là, particulières, au niveau de la
18 protection de l'identité.

19 Enfin vendredi, nous allons recevoir Madame la
20 juge Mara Greene, qui est juge principale du
21 tribunal Gladue, au palais de justice de l'ancien
22 hôtel de ville de Toronto. Donc c'est un bloc...
23 en fait, ça s'inscrit dans notre preuve là, de
24 bonnes pratiques, c'est-à-dire de... on... où on
25 fait entendre des témoins qui viennent de

1 juridictions qui sont extérieures au Québec, mais
2 qui viendront nous parler de choses plutôt
3 innovantes qui se font dans d'autres provinces,
4 entre autres à Toronto, quand on parle des
5 tribunals... tribunaux Gladue.

6 Alors, et monsieur Rudin, dont je vous parlais
7 tout à l'heure, le Directeur du programme, viendra
8 également témoigner une deuxième fois.

9 Et madame Mylène, on terminera avec Mylene
10 Jocoud, qui est professeur titulaire à l'École de
11 criminologie de l'Université de Montréal. Ça
12 complétera notre semaine d'audience.

13 **LE COMMISSAIRE :**

14 Alors je vous remercie. Et avant d'aller plus
15 loin, j'ai compris que Me Bordeleau avait une
16 requête à nous présenter à la suite d'un changement
17 dans l'orientation de sa carrière.

18 **Me MARIE-ÈVE BORDELEAU :**

19 Oui. Alors...

20 **LE COMMISSAIRE :**

21 On vous écoute Me Bordeleau.

22 **Me MARIE-ÈVE BORDELEAU :**

23 Merci Monsieur le Commissaire. Alors
24 effectivement, je vous ai transmis une requête, un
25 avis, enfin, d'intention, afin de cesser d'occuper,

1 de représenter l'Assemblée des Premières Nations
2 Québec-Labrador. Donc, alors je vous demande de
3 prendre note que je vais... je cesse, à partir
4 d'aujourd'hui, de représenter l'Assemblée des
5 Premières Nations Québec-Labrador.

6 **LE COMMISSAIRE :**

7 Et j'ai compris que, en définitive, ce serait peut-
8 être plutôt une substitution de procureurs, étant
9 donné que Me Sioui est avec vous?

10 **Me MARIE-ÈVE BORDELEAU :**

11 Oui, effectivement. Alors Me Sioui, je lui donne
12 la parole.

13 **Me WINA SIOUI :**

14 Bonjour Monsieur le Commissaire. On a de la
15 difficulté à se voir.

16 **LE COMMISSAIRE :**

17 On a Me Leblanc entre nous deux.

18 **Me WINA SIOUI :**

19 Bien oui, on a... Donc, bonjour. Merci de nous
20 accueillir ici aujourd'hui. Donc, effectivement,
21 une substitution de procureurs. Alors nous avons
22 présenté les requêtes en même temps. Alors un avis
23 de changement d'avocat. Et je serai donc
24 maintenant la représentante juridique pour
25 l'Assemblée des Premières Nations Québec-Labrador.

1 **LE COMMISSAIRE :**

2 Bon. Alors, évidemment, tout allait bien avec
3 Me Bordeleau, nous étions heureux de l'avoir avec
4 nous. Elle nous quitte quand même pour des bonnes
5 raisons.

6 **Me MARIE-ÈVE BORDELEAU :**

7 Um-hum.

8 **LE COMMISSAIRE :**

9 Et Me Sioui, bien, on avait eu le plaisir de se
10 rencontrer d'ailleurs préalablement, vous étiez
11 venue à Val-d'Or à nos bureaux, on avait eu...

12 **Me WINA SIOUI :**

13 Oui.

14 **LE COMMISSAIRE :**

15 ... des communications. Alors il va nous faire
16 plaisir de vous accueillir, comme procureure de
17 l'Assemblée des Premières Nations Québec-Labrador.

18 **Me WINA SIOUI :**

19 Merci.

20 **LE COMMISSAIRE :**

21 Je m'en voudrais de pas dire quelques mots en marge
22 avec le départ de Me Bordeleau, qui nous quitte
23 quand même pour des bonnes raisons. Tout le monde
24 est au courant qu'elle est devenue, à compter du
25 vingt-neuf (29) janvier, je crois,...

1 **Me MARIE-ÈVE BORDELEAU :**

2 Oui.

3 **LE COMMISSAIRE :**

4 ... Commissaire aux Affaires Autochtones à la Ville
5 de Montréal. C'est une bonne nouvelle. Mauvaise
6 dans le sens qu'on la perd, mais, plutôt bonne
7 parce que ça fait une personne de plus qui pourra
8 contribuer à améliorer les relations entre les
9 Autochtones et les Services publics et la
10 population en général.

11 Alors... et j'ai... j'avais d'ailleurs pris
12 connaissance du... d'un article publié sur Radio-
13 Canada Internet, alors évidemment, Me Bordeleau qui
14 devient la première Commissaire aux Affaires
15 Autochtones de Montréal. On y mentionne qu'elle :

16 « compte bien mettre sa longue expérience au
17 service de sa nouvelle mission, qui concorde,
18 selon ses mots, avec ses valeurs personnelles
19 et professionnelles.

20 La réconciliation, justement, Me Bordeleau
21 veut en faire le maître-mot de son mandat de
22 trois ans. Elle entend poser les bases d'une
23 « philosophie de Nation à Nation » dans les
24 relations entre les peuples autochtones et la
25 Ville de Montréal. Dans cet esprit, elle

1 prévoit faire la promotion de la déclaration
2 des Nations-Unies sur les droits des peuples
3 autochtones. Sa mise en oeuvre, dit-elle,
4 doit faire partie de ce grand projet de
5 réconciliation, de même que la décolonisation
6 des institutions. »

7 Et on peut y lire :

8 « Pour ce faire, elle entend s'attaquer à des
9 dossiers sociaux épineux, qui concernent
10 particulièrement les Autochtones, tels que les
11 défis liés à l'itinérance...

12 - dont on a entendu parler à plusieurs reprises
13 depuis les audiences, le début des audiences de la
14 Commission.

15 « Au niveau administratif, son approche
16 passera en premier lieu par des « formations
17 de conscientisation » auprès du personnel de
18 la Ville de Montréal, en particulier aux
19 employés en contact avec le public. »

20 Et Me Bordeleau soulignait qu'elle surveillait
21 de près les travaux de notre Commission d'enquête,
22 puis elle entend y trouver une source d'inspiration
23 pour orienter son travail et déterminer des
24 stratégies, notamment sur le racisme systémique.

25 Alors j'espère que nous aurons, et je suis

1 persuadé que nous aurons une très belle
2 coopération, et qu'on pourra échanger des
3 informations. Et nous allons aussi nous inspirer
4 des travaux que vous ferez, Me Bordeleau, soyez-en
5 assurée.

6 Alors je vous souhaite tout le succès dans ces
7 nouvelles fonctions, qui m'apparaissent
8 importantes, puis je tiens à souligner le...
9 l'initiative digne de mention de la Ville de
10 Montréal, de... d'abord d'avoir adopté la
11 Déclaration des Nations-Unies, de créer le poste de
12 Conseiller aux affaires Autochtones, on sent une
13 volonté de réconciliation, et j'espère que ça
14 amènera des fruits, de nombreux fruits.

15 Alors Me Bordeleau, merci de la période que
16 vous avez consacrée aux travaux de la Commission,
17 et nous vous souhaitons bonne chance dans ces
18 nouvelles fonctions.

19 Et bienvenue Me Sioui.

20 Alors...

21 **Me WINA SIOUI :**

22 Merci.

23 **LE COMMISSAIRE :**

24 ... ceci dit, je... avant de passer aux témoins, je
25 voudrais souligner, évidemment, peut-être que vous

1 avez appris que le Gouvernement du Québec a
2 prolongé notre mandat de la Commission d'enquête.
3 Je voudrais simplement souligner que, certains
4 faits saillants qui ont été repris dans le
5 communiqué du Gouvernement du Québec, qui disait
6 que :

7 « La Commission a été mise en place pour
8 répondre à la volonté du Gouvernement du
9 Québec de repérer les causes sous-jacentes à
10 toute forme de violence, de discrimination
11 systémique et de traitements différentiels qui
12 pourrait exister à l'égard des femmes et des
13 hommes autochtones lorsqu'ils ont recours à
14 certains Services publics au Québec. »

15 Le communiqué précise aussi que :

16 « Le Secrétariat aux Affaires Autochtones, le
17 ministère de la Justice, le ministère de la
18 Santé et des Services sociaux, des
19 représentantes et représentants de la
20 protection de la jeunesse, le ministère de la
21 Sécurité publique, la Sûreté du Québec, le
22 Directeur des poursuites criminelles et
23 pénales ainsi que le Secrétariat à la
24 condition féminine ont déjà été entendus à la
25 Commission. »

1 Des représentants sont venus se faire
2 entendre.

3 « Durant la première année d'activité, la
4 Commission a pu tenir quarante-sept (47) jours
5 d'audiences. »

6 Évidemment, c'est après avoir... on a commencé
7 les audiences au mois de juin, ou début juin, et
8 évidemment, vous aurez compris que les premiers
9 mois ont été consacrés à s'organiser sur le plan
10 matériel, sur le plan personnel, de recruter des
11 gens qui pouvaient être utiles dans les divers
12 services qui sont opérés à la Commission; on parle
13 des enquêtes, on parle du soutien mieux-être, du
14 service juridique, de la recherche, qui est très
15 importante aussi. Alors tous ces... et les
16 communications, évidemment. Alors tous ces
17 domaines-là ont fait en sorte que nous avons dû
18 recruter des gens.

19 Nous avons, je pense, choisi des bonnes
20 personnes. Nous sommes entourés, je suis entouré
21 d'une équipe formidable, que... dont je suis très
22 fier, et je suis persuadé que tout ce travail
23 pourra nous amener à un rapport, le ou avant le
24 trente (30) septembre deux mille dix-neuf (2019),
25 qui pourra contribuer, je l'espère, à mieux faire

1 connaître les raisons pour lesquelles on s'est
2 retrouvé dans les situations qui existent au cours
3 des quinze (15) dernières années qui sont ciblées
4 par le mandat de la Commission, mais évidemment,
5 cette situation-là a pas commencé il y a quinze
6 ans, elle a commencé plutôt il y a cent cinquante
7 (150) ans et peut-être même plus.

8 Alors on va regarder ça pour voir à ce que...
9 où ça nous amène, et comment on peut tenter de
10 trouver des solutions. Et ça, il faut le faire
11 tous ensemble; les gens... des leaders autochtones,
12 les membres des communautés, des individus - ce
13 qu'on appelle, nous, les "témoins citoyens" - les
14 leaders autochtones, des gens des services publics.
15 Et comme je l'ai mentionné à plusieurs reprises,
16 les intervenants des services publics, qui sont les
17 gens qui travaillent au quotidien avec les gens qui
18 reçoivent des services, peuvent, dans leur travail,
19 sentir certaines lacunes qui les empêchent de faire
20 ce qu'ils aimeraient peut-être faire, que ça soit
21 au niveau de l'organisation matérielle,
22 l'organisation personnelle, les budgets. Alors ces
23 gens-là on les invite à la Commission, à venir nous
24 dire ce qui pourrait les aider à améliorer les
25 services rendus aux Autochtones, bien sûr, mais

1 parfois ça peut être à l'ensemble de la population
2 aussi, mais évidemment, on est concerné pas mal
3 plus par les Autochtones.

4 Alors comme je mentionnais, on a tenu
5 quarante-sept (47) jours d'audience, on a entendu
6 cent trente et un (131) témoins, puis évidemment,
7 plusieurs avaient le profil d'experts ou de
8 représentants officiels, mais on commence de plus
9 en plus à entendre des témoins citoyens, selon ce
10 que vous avez entendu de Me Leblanc tout à l'heure.

11 On a eu des visites aussi, dans les
12 communautés. Il y a eu soixante-deux (62) sessions
13 d'informations, dix-neuf (19) visites de courtoisie
14 dans les communautés. Et ça a produit plus de
15 trois cent cinquante (350) dossiers d'enquête qui
16 ont été ouverts, puis il y en a déjà plus d'une
17 centaine transférés au service juridique, qui
18 l'analyse avant d'amener les gens en audience.

19 J'ai pris quelques commentaires du ministre
20 Kelley qui émettait le communiqué et de madame
21 Vallée, ministre de la Justice, que j'ai le goût de
22 citer parce que, bon, ça... je trouvais ça agréable
23 de le lire. Alors, du ministre Kelley, on dit :

24 « Nous acquiesçons à la demande du
25 Commissaire Viens qui nous fait part de

1 la nécessité de prolonger le mandat afin
2 d'entendre le plus grand nombre de
3 témoignages possible. Vu la quantité de
4 thèmes qui ont émané des audiences, il
5 s'avère essentiel de poursuivre le
6 dialogue et la réflexion si nous voulons
7 trouver de véritables solutions durables
8 pour les communautés afin d'améliorer les
9 relations entre les Autochtones et
10 certains services publics au Québec... du
11 Québec. Dans l'optique d'améliorer leurs
12 conditions de vie, je suis convaincu que
13 cette prolongation de dix (10) mois sera
14 au bénéfice de tous. »

15 La ministre Vallée disait :

16 « Le but de la Commission est de repérer
17 et documenter des problèmes réels qui
18 affectent le climat de confiance entre
19 les intervenantes et les intervenants des
20 services publics et les communautés
21 Autochtones. Je suis particulièrement
22 fière de l'équipe dévouée mise en place
23 et du travail accompli jusqu'à
24 maintenant. Toutes et tous conviennent
25 que l'ampleur des travaux et du

1 territoire à couvrir nécessite de
2 prolonger le mandat de la Commission. »

3 Effectivement, il y a onze (11) Nations au
4 Québec, dix (10) Premières Nations, plus les
5 Inuits. Il y a cinquante-cinq (55) communautés,
6 six (6) services publics à couvrir, et je m'en
7 voudrais de... d'exiger de mentionner qu'il y a une
8 douzaine de Centres d'amitié Autochtone en milieu
9 urbain et que maintenant, plus de la moitié des
10 Autochtones vivent en milieu urbain.

11 Dans d'autres provinces, la proportion est
12 encore plus grande que ça, et c'est un phénomène
13 qui augmente. Alors il faut s'y... il faut y
14 penser aussi.

15 Alors ceci dit, je tenais à le mentionner
16 avant d'aller plus loin.

17 Alors Me Leblanc, est-ce que vous voudriez
18 avoir quelques minutes avant qu'on aille avec notre
19 prochain témoin ou si...?

20 **Me CHRISTIAN LEBLANC :**

21 Oui, Monsieur le...

22 **LE COMMISSAIRE :**

23 Oui?

24 **Me CHRISTIAN LEBLANC :**

25 ... Commissaire, je vais vous demander une petite

1 pause, très courte là, pour permettre le changement
2 là, c'est mon collègue Me Paul Crépeau qui va
3 prendre la relève.

4 On a... vous avez tantôt autorisé une
5 substitution de procureurs dans les... au niveau
6 des représentants de l'Assemblée des Premières
7 Nations. Je m'en voudrais de pas souligner la
8 présence du Chef régional...

9 **LE COMMISSAIRE :**

10 Ah.

11 **Me CHRISTIAN LEBLANC :**

12 ... Ghislain Picard, de l'Assemblée des Premières
13 Nations Québec-Labrador, qui est avec nous. Alors
14 c'est toujours un plaisir. Et donc une petite
15 pause de quelques minutes, permettre aux... à la
16 traductrice de s'installer et au témoin de
17 s'installer, et mon collègue également.

18 **LE COMMISSAIRE :**

19 Et bien sûr, et comme je mentionnais au Chef Picard
20 de l'Assemblée des Premières Nations Québec-Labrador
21 pendant la pause précédente, eh bien, nous sommes
22 toujours heureux d'avoir sa présence et nous sommes
23 ouverts à toutes les suggestions qui pourraient
24 venir de l'Assemblée des Premières Nations Québec-
25 Labrador. C'est... dans le fond, qui représente, je

1 crois, trente-trois (33) communautés ou quelque
2 chose comme ça? C'est quand même une bonne
3 proportion des gens dont nous avons à couvrir les
4 préoccupations.

5 Alors, ceci dit, nous allons prendre quelques
6 minutes? Cinq minutes?

7 **Me CHRISTIAN LEBLANC :**

8 Cinq minutes.

9 **LE COMMISSAIRE :**

10 Et on reprend. Très bien.

11 **LA GREFFIÈRE-AUDIENCIÈRE :**

12 Suspension de quelques minutes.

13 SUSPENSION

14 -----

15 REPRISE

16 **LA GREFFIÈRE-AUDIENCIÈRE :**

17 The Commission is back in session.

18 **LE COMMISSAIRE :**

19 So welcome back. Me Crépeau, I understand you're
20 replacing Me Leblanc?

21 **Me PAUL CRÉPEAU :**

22 Yes, I'll take the next two witnesses,
23 Mr. Commissioner. You have Mr. Etuk Kasudluak
24 sitting with us, and the translator which I forgot
25 her name. So...?

1 **MME ANNIE PISUKTIE**

2 Annie Pisuktie.

3 **Me PAUL CRÉPEAU :**

4 Okay.

5 **LE COMMISSAIRE :**

6 So welcome both of you.

7 **MME ANNIE PISUKTIE :**

8 Thank you.

9 **M. ETUK KASUDLUAK :**

10 Thank you.

11 -----

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1 Annie Pisuktie
2 Translator Inuktitut/English English/Inuktitut
3 Duly sworn

4 -----
5 Etuk Kasudluak
6 Civil witness
7 Duly sworn

8 -----

9 **LA GREFFIÈRE-AUDIENCIÈRE :**

10 Your witness.

11 **LE COMMISSAIRE :**

12 Welcome.

13 **Me PAUL CRÉPEAU :**

14 And Mr. Kasudluak express the wish to testify both
15 in English and Inuktitut, which is his mother
16 tongue. And sometimes, he will have some
17 difficulty, so, we'll ask the translator to help
18 Mr. Kasudluak.

19 **LE COMMISSAIRE :**

20 Okay. So when you'll speak in Inuktitut, after a
21 short sentence...

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **LE COMMISSAIRE :**

25 ... you stop, so the translation may be done by the
26 translator. Okay?

27 **M. ETUK KASUDLUAK :**

28 Yes.

1 **Me PAUL CRÉPEAU :**

2 So, good morning, Mr. Kasudluak. Maybe we would
3 just like to hear who you are. So, just tell us
4 where you were born and a little bit about your...
5 when you went to school up to what grade, where you
6 live for the time being.

7 **M. ETUK KASUDLUAK :**

8 I'm from Puvirnitug and I was born in Puvirnitug in
9 nineteen eighty-nine (1989), September twenty-four
10 (24).

11 **Me PAUL CRÉPEAU :**

12 Okay. And you... do your parents still live in...?

13 **M. ETUK KASUDLUAK :**

14 Yes. I was... stay away from my parents.

15 **Me PAUL CRÉPEAU :**

16 Okay.

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 You were staying with your parents. I understand
21 that for the time being, you are not living in
22 Puvirnitug.

23 **M. ETUK KASUDLUAK :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 You are detained in Saint-Jérôme.

2 **M. ETUK KASUDLUAK :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 A detention center. Okay.

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 We'll just stay a little bit in Puvirnitug. You...
10 did you live all your life in Puvirnitug?

11 **M. ETUK KASUDLUAK :**

12 No. I was stay with... (inaudible) for eleven (11)
13 years and I go back in (inaudible).

14 **Me PAUL CRÉPEAU :**

15 Okay. But you always lived up North...

16 **M. ETUK KASUDLUAK :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 ... in Quebec. Okay. You went to school up to
20 what grade, Mister....?

21 **M. ETUK KASUDLUAK :**

22 I was stopped Grade 4.

23 **Me PAUL CRÉPEAU :**

24 Okay. And up to recently, before coming to...
25 going to jail, were you working in Puvirnitug?

1 **M. ETUK KASUDLUAK :**

2 No, not right now.

3 **Me PAUL CRÉPEAU :**

4 Okay.

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 Good. Now, we'll have to go back to your story,
9 why... the reason why you're here. You know that
10 you told me the story...

11 **M. ETUK KASUDLUAK :**

12 Yes.

13 **Me PAUL CRÉPEAU :**

14 ... before, but you'll have to tell it to
15 Mr. Viens, the Commissioner, now. So, just tell us
16 how it comes that, at one point, you received an
17 order from the police not to drink.

18 **M. ETUK KASUDLUAK :**

19 Yes. I was... police came to my father's place,
20 and they pushed me down the stairs and broke my
21 ribs, and broke my leg.

22 **Me PAUL CRÉPEAU :**

23 Okay.

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 Now we have the whole story. We'll just go a
3 little bit before that. The... at one point you
4 were ordered, by the police, not to have... not to
5 drink.

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 Can your remember when... this happened? The year.

10 **M. ETUK KASUDLUAK :**

11 That was last year in... around February, but I
12 don't know the date.

13 **Me PAUL CRÉPEAU :**

14 Okay. Around February.

15 **M. ETUK KASUDLUAK :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 So you were ordered by the police. Did you receive
19 a document, something that you signed saying, "I'm
20 being ordered not to have any kind of alcohol"?

21 **M. ETUK KASUDLUAK :**

22 Yes. Conditions. Conditions...

23 **Me PAUL CRÉPEAU :**

24 Conditions.

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 So you had condition by the police not to drink.

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Okay. Did you always respect that condition?

8 **M. ETUK KASUDLUAK :**

9 No.

10 **Me PAUL CRÉPEAU :**

11 Okay. So you say that, at one point, they came to
12 your place in February?

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 We want to hear the story, but, just tell us a
17 little bit about... more about it. When you...

18 **M. ETUK KASUDLUAK :**

19 Um...

20 **Me PAUL CRÉPEAU :**

21 ... say in February, who was at... in the house at
22 that time?

23 **M. ETUK KASUDLUAK :**

24 My cousins and my brother.

25 **Me PAUL CRÉPEAU :**

1 Okay, your...

2 **M. ETUK KASUDLUAK :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 ... cousin, what's her first name?

6 **M. ETUK KASUDLUAK :**

7 Nelly.

8 **Me PAUL CRÉPEAU :**

9 Nelly was there?

10 **M. ETUK KASUDLUAK :**

11 Yes.

12 **Me PAUL CRÉPEAU :**

13 And your brother, his first name is?

14 **M. ETUK KASUDLUAK :**

15 Eddy.

16 **Me PAUL CRÉPEAU :**

17 Okay. Apart from you three (3), was there anybody
18 else in the house? Your parents?

19 **M. ETUK KASUDLUAK :**

20 No, we was drinking beer and the cops came and...

21 **Me PAUL CRÉPEAU :**

22 Okay.

23 **M. ETUK KASUDLUAK :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 So you were drinking beer at your father's house.

2 Do you remember the time of the day when it
3 happened?

4 **M. ETUK KASUDLUAK :**

5 I don't know the date and...

6 **Me PAUL CRÉPEAU :**

7 Not the date. The time of the day.

8 **M. ETUK KASUDLUAK :**

9 Oh. Maybe around six (6) or seven p.m. (07:00p.m.)

10 **Me PAUL CRÉPEAU :**

11 P.m.

12 **M. ETUK KASUDLUAK :**

13 Yes.

14 **Me PAUL CRÉPEAU :**

15 Having a beer with cousin and brother.

16 **M. ETUK KASUDLUAK :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 Now, did you have more than one beer? Do you
20 remember how many beers you could have drink that
21 night?

22 **M. ETUK KASUDLUAK :**

23 I think... eight (8) beers.

24 **Me PAUL CRÉPEAU :**

25 Eight (8) beers. Okay. How were you feeling after

1 eight (8) beers?

2 **M. ETUK KASUDLUAK :**

3 A little bit buzzed.

4 **Me PAUL CRÉPEAU :**

5 A little bit...

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 ... buzzed?

10 **M. ETUK KASUDLUAK :**

11 Yes.

12 **Me PAUL CRÉPEAU :**

13 Okay. But, do you remember well what was going on?

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 At that time, last year, where you quite used to
18 drink alcohol?

19 **M. ETUK KASUDLUAK :**

20 Just beer.

21 **Me PAUL CRÉPEAU :**

22 Just beer. But...

23 **M. ETUK KASUDLUAK :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 ... were you... Was it a habit of having alcohol
2 on a regular basis at that time?

3 **M. ETUK KASUDLUAK :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 Okay. So, after six-seven (6-7) or eight (8)
7 beers, were you, I mean, dead drunk or just drunk?

8 **M. ETUK KASUDLUAK :**

9 Just a little bit drunk. Not too much.

10 **Me PAUL CRÉPEAU :**

11 Okay.

12 **M. ETUK KASUDLUAK :**

13 Yes.

14 **Me PAUL CRÉPEAU :**

15 I just miss this answer.

16 **L'INTERPRÈTE :**

17 A little bit.

18 **M. ETUK KASUDLUAK :**

19 And I have (Inuktitut).

20 **L'INTERPRÈTE :**

21 No, he wasn't really that drunk.

22 **Me PAUL CRÉPEAU :**

23 Okay. So, you're in the house. Now, what happens.

24 How does it all start. Tell the story...

25 **M. ETUK KASUDLUAK :**

1 Uh...

2 **Me PAUL CRÉPEAU :**

3 ... to Mr. Viens, the Commissioner.

4 **M. ETUK KASUDLUAK :**

5 We have fun and we have... we was a little bit
6 drinking with my cousin and my brother, and now
7 that (Inuktitut).

8 **L'INTERPRÈTE :**

9 The police showed up unexpectedly.

10 **M. ETUK KASUDLUAK :**

11 Yes. And they pushed me in... outside, and they
12 pushed me in the stairs all the way down, and they
13 pushed my cousin too, Nelly, and same thing of me,
14 and they took me in the police station, for sober
15 up for one night.

16 **Me PAUL CRÉPEAU :**

17 Okay.

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 We'll go back again at the beginning. The police,
22 they came into the house? Did they knock first
23 before the arrest?

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 Okay. So, you hear someone knocking at the door.

3 **M. ETUK KASUDLUAK :**

4 It...

5 **Me PAUL CRÉPEAU :**

6 Who...?

7 **M. ETUK KASUDLUAK :**

8 It's [at] someone else and there was the police.

9 **Me PAUL CRÉPEAU :**

10 They were police.

11 **M. ETUK KASUDLUAK :**

12 Yes.

13 **Me PAUL CRÉPEAU :**

14 Did anyone in the house, yourself, your cousin or
15 your brother, did anyone call the police?

16 **M. ETUK KASUDLUAK :**

17 Nobody.

18 **Me PAUL CRÉPEAU :**

19 Okay. Was there a telephone in the house?

20 **M. ETUK KASUDLUAK :**

21 No. No telephone.

22 **Me PAUL CRÉPEAU :**

23 Okay. And at the time, before the police arrived,
24 were you making any kind of trouble in the house?

25 **M. ETUK KASUDLUAK :**

1 No.

2 **Me PAUL CRÉPEAU :**

3 I mean from the outside, was it possible to know
4 that people were drinking inside? Or...

5 **M. ETUK KASUDLUAK :**

6 Um...

7 **Me PAUL CRÉPEAU :**

8 ... you were making noise and everybody around knew
9 that you were drinking in the house?

10 **M. ETUK KASUDLUAK :**

11 No.

12 **Me PAUL CRÉPEAU :**

13 Okay.

14 **M. ETUK KASUDLUAK :**

15 No noise.

16 **Me PAUL CRÉPEAU :**

17 No noise. So,...

18 **M. ETUK KASUDLUAK :**

19 No.

20 **Me PAUL CRÉPEAU :**

21 ... the police arrives at the door. How many
22 policemen?

23 **M. ETUK KASUDLUAK :**

24 Two (2) police.

25 **Me PAUL CRÉPEAU :**

1 Two (2) police. And I say "policemen", were they
2 police women? Men...?

3 **M. ETUK KASUDLUAK :**

4 Men. Two (2) men.

5 **Me PAUL CRÉPEAU :**

6 Two (2) men.

7 **M. ETUK KASUDLUAK :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 At that time in Puvirnitug, to your knowledge, was
11 there any police woman?

12 **M. ETUK KASUDLUAK :**

13 Uh, no...

14 **Me PAUL CRÉPEAU :**

15 Or just...?

16 **M. ETUK KASUDLUAK :**

17 No police woman. Just men.

18 **Me PAUL CRÉPEAU :**

19 Just men. Okay.

20 **M. ETUK KASUDLUAK :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 So they are two (2) at the door. You open up the
24 door and... who speaks? Just tell us how it
25 happens. How come they take you out.

1 **M. ETUK KASUDLUAK :**

2 They took me in my hands and we are going to
3 outside, and they push me down, and they jumping on
4 me after that, yes, with my knee, and my ribs...

5 **Me PAUL CRÉPEAU :**

6 Ribs.

7 **M. ETUK KASUDLUAK :**

8 ... (inaudible).

9 **Me PAUL CRÉPEAU :**

10 It's just at that... I don't want to go that fast.
11 I want to know what happened. You opened up the
12 door,...

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 ... there are two (2) policemen?

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 What happened? Someone...

21 **M. ETUK KASUDLUAK :**

22 Um...

23 **Me PAUL CRÉPEAU :**

24 ... speaks? Who speaks?

25 **M. ETUK KASUDLUAK :**

1 I speak and they say, "you break your conditions."
2 And I say no. And they took me, and they pushed me
3 down...

4 **Me PAUL CRÉPEAU :**

5 Okay.

6 **M. ETUK KASUDLUAK :**

7 ... all the way down the stairs.

8 **Me PAUL CRÉPEAU :**

9 Good.

10 **M. ETUK KASUDLUAK :**

11 And outside.

12 **Me PAUL CRÉPEAU :**

13 So they told you that you were breaching your
14 condition.

15 **M. ETUK KASUDLUAK :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 Did the policemen, those two (2) policemen, did
19 they come into the house to pick you up, or you
20 went outside with them on a voluntary basis?

21 **M. ETUK KASUDLUAK :**

22 After that then, they put me in the car.

23 **Me PAUL CRÉPEAU :**

24 I know. I'm still in the house.

25 **M. ETUK KASUDLUAK :**

1 Oh.

2 **Me PAUL CRÉPEAU :**

3 They knock on the door, they say, "you are
4 breaching your condition." Did they arrest you?
5 Did they tell you that you were arrested?

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 Okay.

10 **M. ETUK KASUDLUAK :**

11 They arrest me...

12 **Me PAUL CRÉPEAU :**

13 Okay.

14 **M. ETUK KASUDLUAK :**

15 ... and they... and I cannot breach, and I say
16 that. And "no, you got breached", and they took me
17 and...

18 **Me PAUL CRÉPEAU :**

19 Okay.

20 **M. ETUK KASUDLUAK :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 So they arrest you, and then they want to take you
24 to the police station.

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 That's right?

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Now, go slowly. Just tell us the... Don't go down
8 the stairs right away, okay? They take you out?

9 **M. ETUK KASUDLUAK :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 And tell Mr. Viens how it happened. What happened?
13 When you come, when you open up the door at your
14 father's place, are we on the ground or up in the
15 stairs?

16 **M. ETUK KASUDLUAK :**

17 Up in the stairs, the ground.

18 **Me PAUL CRÉPEAU :**

19 Okay.

20 **M. ETUK KASUDLUAK :**

21 They push...

22 **Me PAUL CRÉPEAU :**

23 So...

24 **M. ETUK KASUDLUAK :**

25 ... me...

1 **Me PAUL CRÉPEAU :**

2 ... you are up in the stairs?

3 **M. ETUK KASUDLUAK :**

4 Yes. All the way down, they push me, and I was lie
5 down in the ground.

6 **Me PAUL CRÉPEAU :**

7 Yes.

8 **M. ETUK KASUDLUAK :**

9 Then, I still lay down and they jumped on me.

10 **Me PAUL CRÉPEAU :**

11 Okay.

12 **M. ETUK KASUDLUAK :**

13 Yes.

14 **Me PAUL CRÉPEAU :**

15 I'm still going up the stairs. Before you come
16 down,...

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 ... do you remember how many... about how many
21 stairs are there?

22 **M. ETUK KASUDLUAK :**

23 There was maybe eleven (11) or twelve (12) stairs.

24 **Me PAUL CRÉPEAU :**

25 Okay.

1 **M. ETUK KASUDLUAK :**
2 Yes.

3 **Me PAUL CRÉPEAU :**
4 It's quite... It's quite high.

5 **M. ETUK KASUDLUAK :**
6 Yes.

7 **Me PAUL CRÉPEAU :**
8 So you have to go down.

9 **M. ETUK KASUDLUAK :**
10 Yes.

11 **Me PAUL CRÉPEAU :**
12 And these stairs are made of what kind of material?

13 **M. ETUK KASUDLUAK :**
14 It's metals and...

15 **Me PAUL CRÉPEAU :**
16 Metals.

17 **M. ETUK KASUDLUAK :**
18 Yes.

19 **Me PAUL CRÉPEAU :**
20 Like a kind of steel?

21 **M. ETUK KASUDLUAK :**
22 Yes.

23 **Me PAUL CRÉPEAU :**
24 Okay. And perforated with spikes to...

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 ... so your boots can...

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 ... catch on the stairs? Okay. Like all the house
8 in Puvirnitug, I suppose.

9 **M. ETUK KASUDLUAK :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 Okay. So, you come... Who's coming down the
13 stairs first, who's the first one who's going down?

14 **M. ETUK KASUDLUAK :**

15 Dietrich. Dietrich.

16 **Me PAUL CRÉPEAU :**

17 Dietrich. Who's...

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 ... Dietrich?

22 **M. ETUK KASUDLUAK :**

23 A policeman.

24 **Me PAUL CRÉPEAU :**

25 He's a policeman? So...

1 **M. ETUK KASUDLUAK :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 ... Dietrich goes before you...

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 ... in the stair?

9 **M. ETUK KASUDLUAK :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 Okay. And, after Dietrich, who's the second one?

13 **M. ETUK KASUDLUAK :**

14 I don't know who's that name.

15 **Me PAUL CRÉPEAU :**

16 Okay, I mean, there's another policeman.

17 **M. ETUK KASUDLUAK :**

18 Yes, another policeman.

19 **Me PAUL CRÉPEAU :**

20 So the policemen are in front of you?

21 **M. ETUK KASUDLUAK :**

22 They was in my back, both of it.

23 **Me PAUL CRÉPEAU :**

24 Okay. So they're in your back, so...

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 ... we'll go... slowly.

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Who's the first person who's coming down the
8 stairs?

9 **M. ETUK KASUDLUAK :**

10 Me.

11 **Me PAUL CRÉPEAU :**

12 You.

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 And the police are in your back.

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 What happened while you were going down the stairs?

21 **M. ETUK KASUDLUAK :**

22 I was lay down and they jumped on me.

23 **Me PAUL CRÉPEAU :**

24 Okay.

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 You just didn't tell us what happened while you
4 were coming down the stairs. Did you say that you
5 had been pushed?

6 **M. ETUK KASUDLUAK :**

7 Yes, I got pushed, and I was lie down in the
8 ground, and they were jumping on me again.

9 **Me PAUL CRÉPEAU :**

10 Okay.

11 **M. ETUK KASUDLUAK :**

12 Yes.

13 **Me PAUL CRÉPEAU :**

14 So you got pushed, fell down...

15 **M. ETUK KASUDLUAK :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 ... on the ground?

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 And you say they jumped on you?

23 **M. ETUK KASUDLUAK :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 Just explain... Tell us how did they jump on you?
2 What part of the body, which parts of your body did
3 they touch?

4 **M. ETUK KASUDLUAK :**

5 They... it's like that.

6 **Me PAUL CRÉPEAU :**

7 Say it in Inuktitut, if it's...

8 **M. ETUK KASUDLUAK :**

9 Uh-hum.

10 **Me PAUL CRÉPEAU :**

11 ... it's easier.

12 **M. ETUK KASUDLUAK :**

13 (Inuktitut).

14 **L'INTERPRÈTE :**

15 They jumped on his leg and it broke right away.

16 **Me PAUL CRÉPEAU :**

17 Okay. Jumped on your leg. And they broke it.

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 Which one?

22 **M. ETUK KASUDLUAK :**

23 The right one.

24 **Me PAUL CRÉPEAU :**

25 Right one.

- 1 **M. ETUK KASUDLUAK :**
2 Yes.
- 3 **Me PAUL CRÉPEAU :**
4 Okay. They broke your right leg.
- 5 **M. ETUK KASUDLUAK :**
6 Yes.
- 7 **Me PAUL CRÉPEAU :**
8 In which part of your leg?
- 9 **M. ETUK KASUDLUAK :**
10 That was in the knees.
- 11 **Me PAUL CRÉPEAU :**
12 It was in the knee, okay.
- 13 **M. ETUK KASUDLUAK :**
14 Yes.
- 15 **Me PAUL CRÉPEAU :**
16 Apart from your leg,...
- 17 **M. ETUK KASUDLUAK :**
18 Yes.
- 19 **Me PAUL CRÉPEAU :**
20 ... you said, you were talking about ribs?
- 21 **M. ETUK KASUDLUAK :**
22 And my ribs too.
- 23 **Me PAUL CRÉPEAU :**
24 Okay.
- 25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 You just showed up which part... on what side?

4 **M. ETUK KASUDLUAK :**

5 Uh, right. Right side.

6 **Me PAUL CRÉPEAU :**

7 The right side.

8 **M. ETUK KASUDLUAK :**

9 Yes.

10 **Me PAUL CRÉPEAU :**

11 Okay. How many ribs were...

12 **M. ETUK KASUDLUAK :**

13 Three (3).

14 **Me PAUL CRÉPEAU :**

15 Three (3). Were they...

16 **M. ETUK KASUDLUAK :**

17 Ribs.

18 **Me PAUL CRÉPEAU :**

19 Broken or...?

20 **M. ETUK KASUDLUAK :**

21 Broken.

22 **Me PAUL CRÉPEAU :**

23 Broken.

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 And this, the broken ribs and the legs,...

3 **M. ETUK KASUDLUAK :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 ... it happened while you were coming down the
7 stairs, when you fell down the stair or while you
8 were on the ground, do you remember?

9 **M. ETUK KASUDLUAK :**

10 I was still down, and right away, there was
11 broking.

12 **Me PAUL CRÉPEAU :**

13 Okay.

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 Then, you are down on the ground.

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 Does it hurt?

22 **M. ETUK KASUDLUAK :**

23 Yes. Very hurt.

24 **Me PAUL CRÉPEAU :**

25 A lot?

1 **M. ETUK KASUDLUAK :**
2 A lot, yes.

3 **Me PAUL CRÉPEAU :**
4 Which one, which... where does it hurt most?

5 **M. ETUK KASUDLUAK :**
6 Most, my ribs.

7 **Me PAUL CRÉPEAU :**
8 Ribs?

9 **M. ETUK KASUDLUAK :**
10 Yes.

11 **Me PAUL CRÉPEAU :**
12 Okay. At that time, when you were lying on the
13 ground, down the stairs, did you know that there
14 were something wrong with your leg or it was just
15 the ribs that hurt?

16 **M. ETUK KASUDLUAK :**
17 Just the ribs.

18 **Me PAUL CRÉPEAU :**
19 Just the ribs.

20 **M. ETUK KASUDLUAK :**
21 Yes.

22 **Me PAUL CRÉPEAU :**
23 Okay. It hurts. Do you say anything? Did you...

24 **M. ETUK KASUDLUAK :**
25 Uh...

1 **Me PAUL CRÉPEAU :**

2 Do you tell the policeman that it hurts?

3 **M. ETUK KASUDLUAK :**

4 After... if I go to detention and I try to still
5 have... after... if you go out and you're going to
6 hospital by yourself, that's it.

7 **Me PAUL CRÉPEAU :**

8 Okay. So, that's much later on.

9 **M. ETUK KASUDLUAK :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 But at that time, while you were down on the
13 ground, and you had just been hurt,...

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 ... did you tell them that it was hurting?

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 Okay. Do you know how your ribs came to be broken?
22 How it happened?

23 **M. ETUK KASUDLUAK :**

24 My deep breath was... very pain. I tried...

25 **Me PAUL CRÉPEAU :**

1 Uh-hum.

2 **M. ETUK KASUDLUAK :**

3 ... a deep breath and there was big pain..

4 **Me PAUL CRÉPEAU :**

5 But what...

6 **M. ETUK KASUDLUAK :**

7 ... in my rib.

8 **Me PAUL CRÉPEAU :**

9 What I want to know is, your ribs, were they broken
10 when you fell down the stairs or when you were down
11 on the ground? You said they jumped on you. I
12 mean,...

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 ... do you know when your ribs were broken?

17 **M. ETUK KASUDLUAK :**

18 There was jump on me and... and there was broke...

19 **Me PAUL CRÉPEAU :**

20 Okay.

21 **M. ETUK KASUDLUAK :**

22 Yes.

23 **Me PAUL CRÉPEAU :**

24 So, you're down on the ground. How did you get to
25 the police station?

1 **M. ETUK KASUDLUAK :**

2 They put me in a car and they put me in the police
3 station.

4 **Me PAUL CRÉPEAU :**

5 Okay.

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 Uh...

10 **M. ETUK KASUDLUAK :**

11 They...

12 **Me PAUL CRÉPEAU :**

13 What...

14 **M. ETUK KASUDLUAK :**

15 ... throw me in a police car.

16 **Me PAUL CRÉPEAU :**

17 They... Excuse me. They...?

18 **M. ETUK KASUDLUAK :**

19 Throw me in a police car.

20 **Me PAUL CRÉPEAU :**

21 Okay. They throw you.

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 At that time, did you have... handcuffs when you

1 were...

2 **M. ETUK KASUDLUAK :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 Okay. So you were handcuffed.

6 **M. ETUK KASUDLUAK :**

7 And they throw me in a police car.

8 **Me PAUL CRÉPEAU :**

9 Okay.

10 **M. ETUK KASUDLUAK :**

11 Yes.

12 **Me PAUL CRÉPEAU :**

13 Then, you go to the PUV police station,...

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 ... which is not very far...

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 ... from your house, I suppose?

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 Okay. What happened? You arrive at the police

1 station. How do you get out of the car? All by
2 yourself or are you being...

3 **M. ETUK KASUDLUAK :**

4 Um.

5 **Me PAUL CRÉPEAU :**

6 ... helped to do that?

7 **M. ETUK KASUDLUAK :**

8 Helped.

9 **Me PAUL CRÉPEAU :**

10 By?

11 **M. ETUK KASUDLUAK :**

12 By the police.

13 **Me PAUL CRÉPEAU :**

14 By the police.

15 **M. ETUK KASUDLUAK :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 I'm still asking, but at that time, did... was...

19 were you still suffering from your ribs?

20 **M. ETUK KASUDLUAK :**

21 Yes, there was big pain.

22 **Me PAUL CRÉPEAU :**

23 Big pain.

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 We'll try to... That pain lasted for quite a
3 while. In your ribs. You took medication for your
4 broken ribs?

5 **M. ETUK KASUDLUAK :**

6 After release, I was going home and after one week,
7 I go to a hospital and I take pills from hospital.

8 **Me PAUL CRÉPEAU :**

9 Yes. Do you remember what kind of pills they gave
10 you at the hospital?

11 **M. ETUK KASUDLUAK :**

12 Morphine.

13 **Me PAUL CRÉPEAU :**

14 Morphine.

15 **M. ETUK KASUDLUAK :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 So you took morphine for how many days, weeks...?

19 **M. ETUK KASUDLUAK :**

20 For... three (3) weeks.

21 **Me PAUL CRÉPEAU :**

22 Three (3) weeks, okay.

23 **M. ETUK KASUDLUAK :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1

2 So, you were in morphine for... that was just for
3 the pain with your broken ribs.

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Okay. Okay, so we're coming back, you just arrive
8 at the police station.

9 **M. ETUK KASUDLUAK :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 Do you tell the policeman that it's still hurting?

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 Okay. What do they tell you? How do they react to
17 your...

18 **M. ETUK KASUDLUAK :**

19 Uh...

20 **Me PAUL CRÉPEAU :**

21 ... to your request?

22 **M. ETUK KASUDLUAK :**

23 They was said... I was... maybe I got the broken
24 ribs and I tell him, "if you go out, just going to
25 a hospital", that was said that.

1 **Me PAUL CRÉPEAU :**
2 Okay. You asked to go to the hospital?

3 **M. ETUK KASUDLUAK :**
4 Yes.

5 **Me PAUL CRÉPEAU :**
6 Were you...

7 **M. ETUK KASUDLUAK :**
8 And...

9 **Me PAUL CRÉPEAU :**
10 ... were you brought to the hospital?

11 **M. ETUK KASUDLUAK :**
12 No.

13 **Me PAUL CRÉPEAU :**
14 No. They always tell you that... But they... what
15 do the policemen tell you about your hurting?

16 **M. ETUK KASUDLUAK :**
17 They say, "you have to wait for... if you go out."
18 That was say that.

19 **Me PAUL CRÉPEAU :**
20 Okay. You told us earlier that you were arrested
21 around six (6) or seven (7) at night?

22 **M. ETUK KASUDLUAK :**
23 Yes.

24 **Me PAUL CRÉPEAU :**
25 When were you released?

1 **M. ETUK KASUDLUAK :**
2 Nine O ten (09:10) in the morning.

3 **Me PAUL CRÉPEAU :**
4 Okay.

5 **M. ETUK KASUDLUAK :**
6 Yes.

7 **Me PAUL CRÉPEAU :**
8 That's more than twelve (12) hours later.

9 **M. ETUK KASUDLUAK :**
10 Yes.

11 **Me PAUL CRÉPEAU :**
12 During those twelve (12) hours, you were...?

13 **M. ETUK KASUDLUAK :**
14 I was (in) big pain.

15 **Me PAUL CRÉPEAU :**
16 Big pain?

17 **M. ETUK KASUDLUAK :**
18 Yes.

19 **Me PAUL CRÉPEAU :**
20 At the police station?

21 **M. ETUK KASUDLUAK :**
22 Yes.

23 **Me PAUL CRÉPEAU :**
24 Did you receive any kind of medication at the
25 police station?

1 **M. ETUK KASUDLUAK :**

2 No.

3 **Me PAUL CRÉPEAU :**

4 Where were you put, in a cell?

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 Were you able to sleep?

9 **M. ETUK KASUDLUAK :**

10 Not too much.

11 **Me PAUL CRÉPEAU :**

12 Okay.

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 So you stayed there all night?

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 And at eight (8), nine... nine in the morning

21 (09:00 a.m.), you say that you were released...

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 ... from the police station?

1 **M. ETUK KASUDLUAK :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 Okay. Do you remember, were you given any kind of
5 Court papers or charged for an offense?

6 **M. ETUK KASUDLUAK :**

7 They gave me only conditions paper.

8 **Me PAUL CRÉPEAU :**

9 Okay.

10 **M. ETUK KASUDLUAK :**

11 Yes.

12 **Me PAUL CRÉPEAU :**

13 For your breach of condition?

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 Okay. Then they release you.

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 So you are now coming out of the police station at
22 nine in the morning (09:00 a.m.) and it still
23 hurts, your...

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 ... ribs?

3 **M. ETUK KASUDLUAK :**

4 Yes. There was big pain, and... I just go home and
5 I try to take Tylenol...

6 **Me PAUL CRÉPEAU :**

7 Yes.

8 **M. ETUK KASUDLUAK :**

9 ... and I try to take for two... one (1) or two (2)
10 weeks, I tried, and it's still pain and it's not
11 working, and I go to hospital that... for that.
12 After two... or one (1) week after.

13 **Me PAUL CRÉPEAU :**

14 Okay. One... about one (1) week after the... that
15 event.

16 **M. ETUK KASUDLUAK :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 Okay. At that time, when you're released from the
20 police station... now you know that you had broken
21 ribs, but...

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 ... at that time, when you're released, did you

1 knew, did you feel that something was broken...

2 **M. ETUK KASUDLUAK :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 ... or...? Yes?

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 Did... you didn't go to the hospital right away
10 when you're released.

11 **M. ETUK KASUDLUAK :**

12 No.

13 **Me PAUL CRÉPEAU :**

14 Why?

15 **Me PAUL CRÉPEAU :**

16 Because I tried... I think it's going to help my
17 Tylenol and it's not help.

18 **Me PAUL CRÉPEAU :**

19 Okay.

20 **M. ETUK KASUDLUAK :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 So you took Tylenol.

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 Regular Tylenol?

3 **M. ETUK KASUDLUAK :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 The one that you... we brought... we buy everywhere
7 là?

8 **M. ETUK KASUDLUAK :**

9 Yes.

10 **Me PAUL CRÉPEAU :**

11 Okay. And then, what did you do? You go back
12 home?

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 You were not working at that time?

17 **M. ETUK KASUDLUAK :**

18 No.

19 **Me PAUL CRÉPEAU :**

20 So, you go back home, take Tylenol, and for how
21 long did you take Tylenol at home?

22 **M. ETUK KASUDLUAK :**

23 Every four (4) hours I...

24 **Me PAUL CRÉPEAU :**

25 Yes?

1 **M. ETUK KASUDLUAK :**

2 ... think the...

3 **Me PAUL CRÉPEAU :**

4 But, how many days did it take before you decided
5 to go to the hospital?

6 **M. ETUK KASUDLUAK :**

7 After one (1) or two (2) weeks.

8 **Me PAUL CRÉPEAU :**

9 One (1) or two (2) weeks.

10 **M. ETUK KASUDLUAK :**

11 Yes. Still pain. Big pain.

12 **Me PAUL CRÉPEAU :**

13 Big pain.

14 **M. ETUK KASUDLUAK :**

15 Yes. And I...

16 **Me PAUL CRÉPEAU :**

17 And did you go during the daytime or during the
18 night, at the hospital?

19 **M. ETUK KASUDLUAK :**

20 During the night. There was... at five in the
21 morning (05:00 a.m.), I go to hospital...

22 **Me PAUL CRÉPEAU :**

23 Yes.

24 **M. ETUK KASUDLUAK :**

25

1 ... and... because I had big pain that time.

2 **Me PAUL CRÉPEAU :**

3 Okay. So it was hurting that much that you decided
4 to go at five in the morning (05:00 a.m.).

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 You tell... you speak a lot about your ribs, but
9 you don't talk very much about your knee. Did you
10 know, at that time, or did your knee hurt?

11 **M. ETUK KASUDLUAK :**

12 There was less pain in my knee.

13 **Me PAUL CRÉPEAU :**

14 Okay.

15 **M. ETUK KASUDLUAK :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 Less pain.

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 So you go to the hospital and... just tell us what
23 kind of treatment you received at the hospital.

24 **M. ETUK KASUDLUAK :**

25 I take... morphine for my ribs and for my leg, and

1 I got X-ray for my ribs, there was broken for three
2 (3) ribs.

3 **Me PAUL CRÉPEAU :**

4 Three (3) ribs.

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 Okay.

9 **M. ETUK KASUDLUAK :**

10 And my knee was *scratched* (sic).

11 **Me PAUL CRÉPEAU :**

12 You said "cracked"?

13 **M. ETUK KASUDLUAK :**

14 Yes, cracked.

15 **Me PAUL CRÉPEAU :**

16 "Cracked", okay.

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 You don't know the name of the bone that was
21 cracked or...? Okay. There...

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 ... was a bone that was cracked.

1 **M. ETUK KASUDLUAK :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 Did you... did they put you in a cast?

5 **M. ETUK KASUDLUAK :**

6 No.

7 **Me PAUL CRÉPEAU :**

8 Okay. So, what did they tell you about your knee?

9 What did you have to do?

10 **M. ETUK KASUDLUAK :**

11 You have to take a cast and I don't want. I was
12 said that.

13 **Me PAUL CRÉPEAU :**

14 Oh, you did worn a cast.

15 **M. ETUK KASUDLUAK :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 Okay. They wanted to put you in a cast.

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 Okay. And then they gave you medication, you said
23 morphine?

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 That you took for three (3) weeks?

3 **M. ETUK KASUDLUAK :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 Okay. So after that, with this medication, you
7 went back home. So you were not working, so I
8 suppose you were staying mostly at home?

9 **M. ETUK KASUDLUAK :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 With that pain?

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 Anything else happened? Did you... I'll ask you.
17 Were you charged again for breach of condition for
18 having alcohol in the days after that?

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 Do you remember... how many days after you went to
23 the hospital you were charged again?

24 **M. ETUK KASUDLUAK :**

25 About one (1) *month* (sic).

1 **Me PAUL CRÉPEAU :**

2 One (1) week [sic] after that?

3 **M. ETUK KASUDLUAK :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 How did it happen? Just tell us the story.

7 **M. ETUK KASUDLUAK :**

8 Um... (Inuktitut comments with Translator).

9 After... maybe one (1) week, I got arrested
10 again, and breached condition again.

11 **Me PAUL CRÉPEAU :**

12 Uh-hum.

13 **M. ETUK KASUDLUAK :**

14 Yes. And my girlfriend was... got naked in a cell.

15 **Me PAUL CRÉPEAU :**

16 Okay.

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 Now we have two stories. We'll just take it
21 slowly.

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 You said you were arrested about one week later?

1 **M. ETUK KASUDLUAK :**
2 Yes.
3 **Me PAUL CRÉPEAU :**
4 Where were you when you got arrested?
5 **M. ETUK KASUDLUAK :**
6 Home again.
7 **Me PAUL CRÉPEAU :**
8 Home again?
9 **M. ETUK KASUDLUAK :**
10 Yes, I was... father's, my place.
11 **Me PAUL CRÉPEAU :**
12 How did it happen that time?
13 **M. ETUK KASUDLUAK :**
14 Drinking again.
15 **Me PAUL CRÉPEAU :**
16 Yes.
17 **M. ETUK KASUDLUAK :**
18 And the police came again for no reason again. I
19 don't know how they was coming. I didn't know they
20 was coming again.
21 **Me PAUL CRÉPEAU :**
22 Okay.
23 **M. ETUK KASUDLUAK :**
24 Yes.
25 **Me PAUL CRÉPEAU :**

1 And you got arrested again, you...

2 **M. ETUK KASUDLUAK :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 ... were drinking, so arrested for breach of
6 condition?

7 **M. ETUK KASUDLUAK :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 Were you hurt that time, that second time you're
11 just talking about?

12 **M. ETUK KASUDLUAK :**

13 Second time. And I got phone appearance...

14 **Me PAUL CRÉPEAU :**

15 Yes.

16 **M. ETUK KASUDLUAK :**

17 ... next day. And I got... I have to a phone
18 appearance.

19 **Me PAUL CRÉPEAU :**

20 Okay. Because you stayed detained and there was a
21 phone appearance.

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 Now, you're talking about a lot of... a breach of

1 condition. If we try to resume all the situation,
2 at one point, were you charged or convicted in
3 Court for breach, for many breach of condition?

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Do you...

8 **M. ETUK KASUDLUAK :**

9 I got lots.

10 **Me PAUL CRÉPEAU :**

11 ... remember... Oui.

12 **M. ETUK KASUDLUAK :**

13 Lots of breach.

14 **Me PAUL CRÉPEAU :**

15 Lots of breach?

16 **M. ETUK KASUDLUAK :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 Always related to alcohol?

20 **M. ETUK KASUDLUAK :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 Okay. So it all started with that first condition
24 when you were... prohibited for drinking alcohol by
25 the police,...

1 **M. ETUK KASUDLUAK :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 ... and then there were many breach of condition.

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 Do you have an idea how many breach of condition
9 there were?

10 **M. ETUK KASUDLUAK :**

11 I think it's eighty (80) breach.

12 **Me PAUL CRÉPEAU :**

13 Eighty (80)?

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 Okay. You convicted and... Is this the sentence
18 that you are serving now?

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 Okay. And your sentence you are serving is how
23 many months in jail?

24 **M. ETUK KASUDLUAK :**

25 For nine (9) months. My two-thirds, and I got...

1 the judge gave me thirteen (13) months, and...

2 **Me PAUL CRÉPEAU :**

3 Okay. He gave you...

4 **M. ETUK KASUDLUAK :**

5 ... my two-third is going to...

6 **Me PAUL CRÉPEAU :**

7 ... thirteen (13)?

8 **M. ETUK KASUDLUAK :**

9 Yes.

10 **Me PAUL CRÉPEAU :**

11 Okay. And that was... when were you sentence?

12 **M. ETUK KASUDLUAK :**

13 June. Last June.

14 **Me PAUL CRÉPEAU :**

15 June?

16 **M. ETUK KASUDLUAK :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 Okay, last June. And before the month, before you

20 were sentenced in June, for thirteen (13)

21 months,...

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 ... were you detained for a few weeks too?

1 **M. ETUK KASUDLUAK :**

2 I got detained for... four (4) months.

3 **Me PAUL CRÉPEAU :**

4 Four (4) months.

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 That would be around February or March...?

9 **M. ETUK KASUDLUAK :**

10 March.

11 **Me PAUL CRÉPEAU :**

12 March two thousand seventeen (2017), you were...

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 ... detained up to June,...

17 **M. ETUK KASUDLUAK :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 ... and then in June, sentenced for something like,

21 you say, around eighty (80)...

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 ... breaches of condition.

1 **M. ETUK KASUDLUAK :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 Okay. We spoke about the... these two (2) events
5 when you were charged for breach of condition,...

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 ... but these are not the only times that you went
10 to jail? You...

11 **M. ETUK KASUDLUAK :**

12 Yes.

13 **Me PAUL CRÉPEAU :**

14 ... to jail, to... in the detention center, at the
15 police station, in PUV.

16 **M. ETUK KASUDLUAK :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 That's like... I'd like you to talk about what you
20 know about the detention center in PUV.

21 **M. ETUK KASUDLUAK :**

22 Yes.

23 **Me PAUL CRÉPEAU :**

24 Is it in the police station?

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 Okay.

4 **M. ETUK KASUDLUAK :**

5 In the police station, yes.

6 **Me PAUL CRÉPEAU :**

7 Okay. Do you have an idea how many times you went
8 and stayed for a night, or more than a night, in
9 the detention center in PUV?

10 **M. ETUK KASUDLUAK :**

11 For one night.

12 **Me PAUL CRÉPEAU :**

13 For one night.

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 Well, but did...

18 **M. ETUK KASUDLUAK :**

19 After phone appearance, I got a release...

20 **Me PAUL CRÉPEAU :**

21 Okay.

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 But before that, okay, did you go into the

1 detention center in two thousand sixteen (2016)?

2 **M. ETUK KASUDLUAK :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 Yes. Okay. Just tell us you were brought, put in
6 a cell?

7 **M. ETUK KASUDLUAK :**

8 Yes. They brought me in cell and I was naked, and
9 I don't know why they put me naked in a cell.

10 **Me PAUL CRÉPEAU :**

11 What, did... you don't know why you were naked, but
12 were you told why you were put naked in a cell?

13 **M. ETUK KASUDLUAK :**

14 No.

15 **Me PAUL CRÉPEAU :**

16 Okay. Did you undress yourself or someone
17 undressed you?

18 **M. ETUK KASUDLUAK :**

19 The guard they give me, after next day, my clothes.

20 **Me PAUL CRÉPEAU :**

21 Okay.

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 But do you remember or did you undress yourself?

1 Do you remember how it happened that you came to be
2 naked in the cell?

3 **M. ETUK KASUDLUAK :**

4 Police.

5 **L'INTERPRÈTE :**

6 It was the police that undressed him.

7 **Me PAUL CRÉPEAU :**

8 It was the police?

9 **L'INTERPRÈTE :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 That undressed you? Okay. And you... when you say
13 you were naked, completely naked, absolutely no
14 piece of clothe on you?

15 **M. ETUK KASUDLUAK :**

16 No.

17 **Me PAUL CRÉPEAU :**

18 Did you receive a blanket at least, to cover you?

19 **M. ETUK KASUDLUAK :**

20 No.

21 **Me PAUL CRÉPEAU :**

22 No?

23 **M. ETUK KASUDLUAK :**

24 No.

25 **Me PAUL CRÉPEAU :**

1 Okay. And you stayed there, like that, for a
2 night.

3 **M. ETUK KASUDLUAK :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 It... how many times this... something like this
7 did happen...

8 **M. ETUK KASUDLUAK :**

9 Uh...

10 **Me PAUL CRÉPEAU :**

11 ... to yourself?

12 **M. ETUK KASUDLUAK :**

13 Even my girlfriend, they put her naked too, they
14 put in a cell, in other cell, completely naked.
15 And after that, I tried to get a release and I saw
16 her and tell me "I'm naked in a cell."

17 **Me PAUL CRÉPEAU :**

18 Yes.

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 This is... we'll talk a little bit. In a minute,
23 we'll talk about your girlfriend being naked in the
24 cell.

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 Now I'm talking about you. You said at least once,
4 you were put naked...

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 ... in a cell?

9 **M. ETUK KASUDLUAK :**

10 One.

11 **Me PAUL CRÉPEAU :**

12 Once.

13 **M. ETUK KASUDLUAK :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 Okay.

17 **M. ETUK KASUDLUAK :**

18 Once.

19 **Me PAUL CRÉPEAU :**

20 And nobody told you why you were put naked in a
21 cell, okay. Now, you're talking about something
22 else. Someone, your girlfriend.

23 **M. ETUK KASUDLUAK :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 Just give us her first name, so we know...

2 **M. ETUK KASUDLUAK :**

3 [Alisi Tulua.]

4 **Me PAUL CRÉPEAU :**

5 Alisi. Okay. So, Alisi was your girlfriend at
6 that time.

7 **M. ETUK KASUDLUAK :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 And is this the same time... the same event when
11 you were put in the cell or another event?

12 **M. ETUK KASUDLUAK :**

13 Another event.

14 **Me PAUL CRÉPEAU :**

15 Okay.

16 **Me PAUL CRÉPEAU :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 So, how come... who went to jail that other event
20 when you say Alisi was put naked in a cell?

21 **M. ETUK KASUDLUAK :**

22 Alisi told me "I was naked in a cell" and she told
23 me that. And...

24 **Me PAUL CRÉPEAU :**

25 When did she tell you that? Where were you when

1 she told you that she was...?

2 **M. ETUK KASUDLUAK :**

3 During the cell. We were...

4 **Me PAUL CRÉPEAU :**

5 Another cell?

6 **M. ETUK KASUDLUAK :**

7 Yes. We were arrested both of us.

8 **Me PAUL CRÉPEAU :**

9 Okay.

10 **M. ETUK KASUDLUAK :**

11 Yes.

12 **Me PAUL CRÉPEAU :**

13 Do you remember why you were arrested, you and
14 your... Alisi?

15 **M. ETUK KASUDLUAK :**

16 I got a breach again.

17 **Me PAUL CRÉPEAU :**

18 Breach again, okay.

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 Breach of condition, drinking alcohol.

23 **M. ETUK KASUDLUAK :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 Okay. You and Alisi are taken to the police
2 stationé

3 **M. ETUK KASUDLUAK :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 Put in different cell?

7 **M. ETUK KASUDLUAK :**

8 Yes, different...

9 **Me PAUL CRÉPEAU :**

10 Okay.

11 **M. ETUK KASUDLUAK :**

12 ... cell.

13 **Me PAUL CRÉPEAU :**

14 Do you see... When you are in your cell, do you
15 see Alisi in her cell? Do you...

16 **M. ETUK KASUDLUAK :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 ... see her?

20 **M. ETUK KASUDLUAK :**

21 Yes, I see her. I'm trying to got a release and I
22 saw her there was naked.

23 **Me PAUL CRÉPEAU :**

24 I just want... Not when you're released. While
25 you are in your cell...

1 **M. ETUK KASUDLUAK :**
2 Uh...

3 **Me PAUL CRÉPEAU :**
4 ... can you see her?

5 **M. ETUK KASUDLUAK :**
6 No.

7 **Me PAUL CRÉPEAU :**
8 Okay. Can you talk to her?

9 **M. ETUK KASUDLUAK :**
10 Yes.

11 **Me PAUL CRÉPEAU :**
12 Okay. And what did she tell you at that time?

13 **M. ETUK KASUDLUAK :**
14 She tells me "I was completely naked."

15 **Me PAUL CRÉPEAU :**
16 Ah, "I was"... she was completely naked. And you
17 say... Who was naked in the cell at that time?
18 Alisi or...

19 **M. ETUK KASUDLUAK :**
20 ... Alisi.

21 **Me PAUL CRÉPEAU :**
22 ... you? Alisi.

23 **M. ETUK KASUDLUAK :**
24 Yes.

25 **Me PAUL CRÉPEAU :**

1 Okay. Now, this is what she tells you?

2 **M. ETUK KASUDLUAK :**

3 Not... she tells me "not just once, they put me
4 then, and... "not just once", that was say that.

5 **Me PAUL CRÉPEAU :**

6 Okay.

7 **M. ETUK KASUDLUAK :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 Now, did you see her yourself? Did you see...

11 **M. ETUK KASUDLUAK :**

12 Yes.

13 **Me PAUL CRÉPEAU :**

14 ... her naked in her cell that night?

15 **M. ETUK KASUDLUAK :**

16 Yes. No, after next day, I see her.

17 **Me PAUL CRÉPEAU :**

18 Okay. Just tell us how it happens. The next
19 day...

20 **M. ETUK KASUDLUAK :**

21 Yes, I was... I try to go to a release and I passed
22 by in a cell and I see her.

23 **Me PAUL CRÉPEAU :**

24 You saw her?

25 **M. ETUK KASUDLUAK :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 And she was naked?

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Okay. Was there any police woman in the police
8 station at that... to your knowledge, was there any
9 police woman?

10 **M. ETUK KASUDLUAK :**

11 No.

12 **Me PAUL CRÉPEAU :**

13 Or warden or any...?

14 **M. ETUK KASUDLUAK :**

15 Only *mans*.

16 **Me PAUL CRÉPEAU :**

17 Only men?

18 **M. ETUK KASUDLUAK :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 Okay. Do you know the first name of that man?

22 **M. ETUK KASUDLUAK :**

23 Dietrich.

24 **Me PAUL CRÉPEAU :**

25 Dietrich. Is that the same policeman...?

1 **M. ETUK KASUDLUAK :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 Okay.

5 **M. ETUK KASUDLUAK :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 And is there a way, to your knowledge again, do you
9 know if there's a way to... so that the policeman,
10 in the police station, can watch people in their
11 cell?

12 **M. ETUK KASUDLUAK :**

13 Yes.

14 **Me PAUL CRÉPEAU :**

15 Is there a way?

16 **M. ETUK KASUDLUAK :**

17 Yes. They have cameras.

18 **Me PAUL CRÉPEAU :**

19 Cameras.

20 **M. ETUK KASUDLUAK :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 You saw a camera in your... own cell?

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 Okay.

3 **M. ETUK KASUDLUAK :**

4 All the cells, they have a camera.

5 **Me PAUL CRÉPEAU :**

6 Okay. So it's possible to see what's going on in
7 the cell.

8 **M. ETUK KASUDLUAK :**

9 Yes.

10 **Me PAUL CRÉPEAU :**

11 Okay. Is it that... what you just related, the
12 fact that Alisi was put naked in a cell, was it the
13 only time that you heard something like that, that
14 women were let alone naked in a cell in PUV?

15 **M. ETUK KASUDLUAK :**

16 [Other people], they do that to other girls. The
17 police officers, they do that. They don't know...

18 **Me PAUL CRÉPEAU :**

19 Okay.

20 **M. ETUK KASUDLUAK :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 But you heard about that?

24 **M. ETUK KASUDLUAK :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 This is not something that you saw, but you heard
3 that, other girls were left...

4 **M. ETUK KASUDLUAK :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 ... naked in cell.

8 **M. ETUK KASUDLUAK :**

9 Yes.

10 **Me PAUL CRÉPEAU :**

11 In PUV. Okay. Apart from that, the... this part
12 of being left naked in a cell, either to yourself
13 or your girlfriend, do you have anything else that
14 you can tell us about the detention center in... or
15 the detention condition in PUV?

16 **M. ETUK KASUDLUAK :**

17 No.

18 **Me PAUL CRÉPEAU :**

19 No? Okay. Okay. So, since that time, you...
20 since that time, when you plead guilty to all these
21 charges, you are serving your sentence?

22 **M. ETUK KASUDLUAK :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 And you intend to go back to PUV when you'll come

1 out...

2 **M. ETUK KASUDLUAK :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 ... next month or something like that.

6 **M. ETUK KASUDLUAK :**

7 Yes.

8 **Me PAUL CRÉPEAU :**

9 Okay. These are the questions that I had to ask to
10 Mr. Kadsudluak.

11 **LE COMMISSAIRE :**

12 Do councils have questions?

13 **Me JEAN-NICOLAS LOISELLE :**

14 Yes, I will have a small question.

15 **LE COMMISSAIRE :**

16 Yes? If you want to come nearby? It's going to be
17 easier.

18 **Me JEAN-NICOLAS LOISELLE :**

19 Hi Mr. Kasudluak. My name is Jean-Nicolas
20 Loisel. I'm a lawyer for the police department
21 for the City of Montreal.

22 **M. ETUK KASUDLUAK :**

23 Okay.

24 **Me JEAN-NICOLAS LOISELLE :**

25 I just want to be sure, because I'm not sure that

1 it was precised. Where the event have been done
2 for all the police arrestation? It was in what
3 city?

4 **M. ETUK KASUDLUAK :**

5 In Puvinituq.

6 **Me JEAN-NICOLAS LOISELLE :**

7 In Puvinituq...

8 **Me PAUL CRÉPEAU :**

9 Puvirnituaq.

10 **Me JEAN-NICOLAS LOISELLE :**

11 Okay. Perfect. And the police officer that you're
12 talking about, was the policer of the Kativik
13 region police force?

14 **M. ETUK KASUDLUAK :**

15 Yes.

16 **Me JEAN-NICOLAS LOISELLE :**

17 Okay, perfect. It was the only question that I
18 have. Thank you very much.

19 **M. ETUK KASUDLUAK :**

20 Yes.

21 **LE COMMISSAIRE :**

22 Me Laganière?

23 **Me MAXIME LAGANIÈRE :**

24 Je n'aurai pas de questions, je vous remercie.

25 **LE COMMISSAIRE :**

1 Me Boucher?

2 **Me MARIE-PAULE BOUCHER :**

3 J'aurai pas de questions Monsieur le Commissaire.

4 Je vous remercie.

5 **Me DAVID CODERRE :**

6 Pas de questions pour moi non plus, merci.

7 **Me DENISE ROBILLARD :**

8 Aucune.

9 **LE COMMISSAIRE :**

10 Alors le Procureur général a deux (2) procureurs.

11 Bon. Alors I understand this is all for this
12 morning, Me Crépeau? Do we have another witness
13 this morning?

14 **Me PAUL CRÉPEAU :**

15 We have another witness. I will propose that we
16 begin this afternoon with Mr. Dufresne. We don't
17 need translation for Mr. Dufresne. He speaks very
18 well in English and he wishes to testify in
19 English, so it will be all right for Mr. Dufresne
20 this afternoon.

21 But it would be preferable to do it in the
22 afternoon, it will be quite longer.

23 **LE COMMISSAIRE :**

24 Okay. At what time?

25 **Me PAUL CRÉPEAU :**

1 Uh...

2 **LE COMMISSAIRE :**

3 Twelve thirty (12:30)? Is it...

4 **Me PAUL CRÉPEAU :**

5 Well...

6 **LE COMMISSAIRE :**

7 ... okay with you? I have twelve... No, I'm

8 sorry, I'm...

9 **Me PAUL CRÉPEAU :**

10 One...

11 **LE COMMISSAIRE :**

12 I have one...

13 **Me PAUL CRÉPEAU :**

14 One thirty (01:30p.m.)?

15 **LE COMMISSAIRE :**

16 One p.m. (01:00p.m.) on the schedule, but would you

17 like to have one thirty (13:30)?

18 **Me PAUL CRÉPEAU :**

19 Yes, I'll be ready.

20 **LE COMMISSAIRE :**

21 We'll give some more time for lunch.

22 **Me PAUL CRÉPEAU :**

23 Yes and we have...

24 **LE COMMISSAIRE :**

25 Okay.

1 **Me PAUL CRÉPEAU :**

2 ... the problem with the detention, so they have
3 the... to have time to...

4 **LE COMMISSAIRE :**

5 Ah.

6 **Me PAUL CRÉPEAU :**

7 ... [lunch].

8 **LE COMMISSAIRE :**

9 So, we'll suspend until one thirty (13:30).

10 **Me PAUL CRÉPEAU :**

11 Okay.

12 **LA GREFFIÈRE-AUDIENCIÈRE :**

13 Suspension jusqu'à une heure trente (13 h 30).

14 -----

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1 REPRISE

2 **LA GREFFIÈRE-AUDIENCIÈRE :**

3 La Commission reprend ses audiences.

4 **L'HONORABLE JACQUES VIENS (LE COMMISSAIRE) :**

5 Alors bonjour. Bienvenu cet après-midi à la
6 reprise de nos audiences. Alors Me Crépeau, je
7 comprends que vous prenez la... (vous) continuez
8 cet après-midi?

9 **Me PAUL CRÉPEAU :**

10 La suite, oui, Monsieur le Commissaire.

11 **LE COMMISSAIRE :**

12 Et avec votre prochain témoin.

13 **Me PAUL CRÉPEAU :**

14 Oui. So I'd like to introduce monsieur Daniel
15 Dufresne from Kuujjuaq, who is ready to testify.

16 **LE COMMISSAIRE :**

17 I understand he will testify in English?

18 **Me PAUL CRÉPEAU :**

19 In English.

20 **LE COMMISSAIRE :**

21 Okay. Welcome Mr. Dufresne.

22 **M. DANIEL DUFRESNE :**

23 Thank you.

24 **LE COMMISSAIRE :**

25 I will ask the Clerk to proceed.

1 Daniel Dufresne
2 Assermenté

3 -----

4 **Me PAUL CRÉPEAU :**

5 Okay. Mr. Dufresne, where were you born?

6 **M. DANIEL DUFRESNE :**

7 I was born in Kuujjuaq, also raised in Kuujjuaq.

8 **Me PAUL CRÉPEAU :**

9 Okay. Did you live most of your life or all your
10 life in Kuujjuaq?

11 **M. DANIEL DUFRESNE :**

12 All my life.

13 **Me PAUL CRÉPEAU :**

14 All your life. So, born in what year?

15 **M. DANIEL DUFRESNE :**

16 Ninety-four ('94).

17 **Me PAUL CRÉPEAU :**

18 Okay. We'll be talking about, ... a little bit
19 about the life in Kuujjuaq and - ous, excuse me -
20 and some things that happened to you.

21 Maybe just, would you tell - excuse me - do
22 you still have family living in Kuujjuaq?

23 **M. DANIEL DUFRESNE :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

26

1 Okay. And what's your work? What do you do for a
2 living?

3 **M. DANIEL DUFRESNE :**

4 No work right now.

5 **Me PAUL CRÉPEAU :**

6 No work right now.

7 **M. DANIEL DUFRESNE :**

8 Numéro.

9 **Me PAUL CRÉPEAU :**

10 But before...

11 **M. DANIEL DUFRESNE :**

12 Before, I was working as a mechanic.

13 **Me PAUL CRÉPEAU :**

14 As a mechanic, okay. We'll be talking about
15 something that happened in November two thousand
16 twelve (2012), okay?

17 **M. DANIEL DUFRESNE :**

18 Okay.

19 **Me PAUL CRÉPEAU :**

20 And, I think, I'll let you tell us this story,
21 okay? What happened to you in November two
22 thousand twelve (2012), in Kuujjuaq?

23 **M. DANIEL DUFRESNE :**

24 What happened was, it was one the first times I
25 went to the bar and got in a fight with a guy, and

1 the police got caught from that. When the police
2 showed up, I resisted arrest. Just, I just twisted
3 my body and there were two (2) polices who slipped
4 on the ground - because there was... it was...
5 there's snow on the ground - so one the police, the
6 guy on the left, maybe took it personal and... I
7 stopped resisting after they both went to the
8 ground, maybe the guy took it personal and he went
9 all the way, putting my arm... pushing it all the
10 way up, until he hears a snap, and the guy on the
11 right, the other police, was all right. He didn't
12 do nothing, he just held it there, on the spot.
13 And when the two (2) put the handcuffs on me, the
14 guy on the left put it tight, tight to the bottom,
15 which make it swell, and the guy on the right
16 didn't do the same, he did... just put it on
17 normally.

18 And when they brought me to the police
19 station, they were unable to remove the handcuffs,
20 it took maybe like ten (10), fifteen (15) to remove
21 it, because the swelling on my wrist, because he
22 put it tight, tight.

23 So I asked to go to the hospital and they
24 refused me for a minute, but I was keep bugging
25 them, keep bugging them. That's when they took me

1 to the hospital. And the nurse who would check it,
2 just put a bandage around it, and brought me back
3 to the hospital... I mean, the police station.

4 Then, the next morning, I woke up, I still had
5 the thing on, so, they released me. First thing, I
6 went to go back to the hospital and they X-rayed my
7 whole arm. That's when we found out they had a
8 bone chipped off on my elbow from the arrest, and
9 they changed the cast to the full cast to my... up
10 to my shoulder. That's when we knew my wrist
11 wasn't broken, but my elbow was broken instead.

12 **Me PAUL CRÉPEAU :**

13 Okay. So we'll go just a little bit slower, slowly
14 with that story. So you said that's one... first
15 time that you went to the bar after becoming
16 eighteen (18)?

17 **M. DANIEL DUFRESNE :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 Okay. There was a fight. Okay. The fight is not
21 important, but, you fight with some people. Then
22 the police arrived?

23 **M. DANIEL DUFRESNE :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 Okay. How many policemen?

2 **M. DANIEL DUFRESNE :**

3 Two (2) of them...

4 **Me PAUL CRÉPEAU :**

5 Two (2) of them.

6 **M. DANIEL DUFRESNE :**

7 From (what) I remember.

8 **Me PAUL CRÉPEAU :**

9 First of all, how... did you had drinks at the bar
10 that night?

11 **M. DANIEL DUFRESNE :**

12 Yes.

13 **Me PAUL CRÉPEAU :**

14 In what state were you at that time? How did you
15 feel? Were you... The alcohol, what's the effect
16 on you at that time?

17 **M. DANIEL DUFRESNE :**

18 I was a bit drunk. I remember what happened.

19 **Me PAUL CRÉPEAU :**

20 You remember, okay. So, are you outside when the
21 police arrive?

22 **M. DANIEL DUFRESNE :**

23 Yes, I was behind the bar.

24 **Me PAUL CRÉPEAU :**

25 Behind the bar, okay.

1 **M. DANIEL DUFRESNE :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 Is this where the fight occurred? Outside?

5 **M. DANIEL DUFRESNE :**

6 The first fight occurred in front of the bar, and,
7 the second one was behind the bar. Because the
8 brother of the first victim came, tried to fight me
9 too.

10 **Me PAUL CRÉPEAU :**

11 Okay.

12 **M. DANIEL DUFRESNE :**

13 That's when I...

14 **Me PAUL CRÉPEAU :**

15 So there was two (2) fights.

16 **M. DANIEL DUFRESNE :**

17 Yeah.

18 **Me PAUL CRÉPEAU :**

19 Okay.

20 **M. DANIEL DUFRESNE :**

21 That's when the police arrived.

22 **Me PAUL CRÉPEAU :**

23 Then the police arrived. Are you still fighting
24 with the second man...

25 **M. DANIEL DUFRESNE :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 ... when they arrive?

4 **M. DANIEL DUFRESNE :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Okay. Does that fight stops when the police
8 arrive?

9 **M. DANIEL DUFRESNE :**

10 We stopped, and the guy blamed me for the fight
11 when the police arrived.

12 **Me PAUL CRÉPEAU :**

13 Okay.

14 **M. DANIEL DUFRESNE :**

15 That's when the two (2) polices held on to me, and
16 I was so mad, so I just twisted my body and they
17 both fell.

18 **Me PAUL CRÉPEAU :**

19 Okay, both...

20 **M. DANIEL DUFRESNE :**

21 So one of...

22 **Me PAUL CRÉPEAU :**

23 Both of them. We'll try just to put first name on
24 these two... Do you know these two (2) policemen?

25 **M. DANIEL DUFRESNE :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 Okay. You're from Kuujjuaq, it's not (a) large
4 community, so you happen to know who they are.

5 **M. DANIEL DUFRESNE :**

6 Yes.

7 **Me PAUL CRÉPEAU :**

8 So, maybe just on the first name basis, it's not
9 necessary, but, just to know who's doing what. Who
10 is taking care of your right arm?

11 **M. DANIEL DUFRESNE :**

12 On the right arm was Rick, on the left arm, Mike.

13 **Me PAUL CRÉPEAU :**

14 Mike, okay. There are two (2) policemen from the
15 KRPF.

16 **M. DANIEL DUFRESNE :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 And just for the public knowledge, the KRPF is the
20 Kativik Regional Police Force, the police force
21 that serves Kuujjuaq and the thirteen (13) other
22 communities...

23 **M. DANIEL DUFRESNE :**

24 Correct.

25 **Me PAUL CRÉPEAU :**

1 ... up North, okay. So both of them intervene,
2 both of them... you twist your whole body and they
3 fell down?

4 **M. DANIEL DUFRESNE :**

5 Yes.

6 **Me PAUL CRÉPEAU :**

7 Okay. Did you hit them, the policemen, before...

8 **M. DANIEL DUFRESNE :**

9 No.

10 **Me PAUL CRÉPEAU :**

11 ... they fell down?

12 **M. DANIEL DUFRESNE :**

13 No, I did not.

14 **Me PAUL CRÉPEAU :**

15 Okay. But you resisted.

16 **M. DANIEL DUFRESNE :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 Okay. Then, after they fell down, just... maybe a
20 little bit slower, they come up and they take care
21 of... each one take one of your arm?

22 **M. DANIEL DUFRESNE :**

23 Yes, they put me on the ground, that's when I
24 stopped resisting, but the guy on the left, Mike,
25 was... I think he took it personal, so he got mad.

1 My both arms were on my back and I was not moving.
2 That's when he pushed all the way up until he hears
3 a snap.

4 **Me PAUL CRÉPEAU :**

5 Maybe you can... you've shown it with your whole
6 body, so you're showing that your left arm was
7 pulled up in your back?

8 **M. DANIEL DUFRESNE :**

9 Yes. From my back,...

10 **Me PAUL CRÉPEAU :**

11 Okay.

12 **M. DANIEL DUFRESNE :**

13 ... all the way up.

14 **Me PAUL CRÉPEAU :**

15 All the way up.

16 **M. DANIEL DUFRESNE :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 And, on the right side, the one that Rick took
20 care?

21 **M. DANIEL DUFRESNE :**

22 The guy on the right side, he was just right there.

23 **Me PAUL CRÉPEAU :**

24 Holding you.

25 **M. DANIEL DUFRESNE :**

1 Yes.

2 **Me PAUL CRÉPEAU :**

3 Before that, this event occurred, did you have
4 any... were you hurt on your left arm?

5 **M. DANIEL DUFRESNE :**

6 No.

7 **Me PAUL CRÉPEAU :**

8 Before... okay. So it was all right...

9 **M. DANIEL DUFRESNE :**

10 On my wrist. On my wrist and shoulder, yes. But
11 not on my elbow.

12 **Me PAUL CRÉPEAU :**

13 Okay. So your elbow was all right?

14 **M. DANIEL DUFRESNE :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 Okay. Did you feel something cracked? You said
18 your... there was a cracked bone?

19 **M. DANIEL DUFRESNE :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 Did you feel it cracked?

23 **M. DANIEL DUFRESNE :**

24 I felt it.

25 **Me PAUL CRÉPEAU :**

1 You felt it?

2 **M. DANIEL DUFRESNE :**

3 Yes, but the pain was mostly over here, because it
4 was swollen from the handcuffs.

5 **Me PAUL CRÉPEAU :**

6 Okay. But the handcuffs were put after your left
7 arm was twisted in your back?

8 **M. DANIEL DUFRESNE :**

9 Yes.

10 **Me PAUL CRÉPEAU :**

11 Okay. And when you say... - let's go back to the
12 handcuffs - it was put very tight on your bone?

13 **M. DANIEL DUFRESNE :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 Can you... was it possible to put a finger between
17 the...?

18 **M. DANIEL DUFRESNE :**

19 No.

20 **Me PAUL CRÉPEAU :**

21 Absolutely not?

22 **M. DANIEL DUFRESNE :**

23 It was very, very tight. I actually have a scar
24 from it. Small dot.

25 **Me PAUL CRÉPEAU :**

1 Okay, you still have a scar...

2 **M. DANIEL DUFRESNE :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 ... and that happened five (5) years ago.

6 **M. DANIEL DUFRESNE :**

7 Five-six (5-6) years ago.

8 **Me PAUL CRÉPEAU :**

9 Okay, okay. So, he twists your arm, took out
10 the... after that you were handcuffed, both arms,
11 taken to the police station? Okay. And then you
12 complained about the pain?

13 **M. DANIEL DUFRESNE :**

14 Yes.

15 **Me PAUL CRÉPEAU :**

16 Okay. You went to the hospital that night?

17 **M. DANIEL DUFRESNE :**

18 Yes.

19 **Me PAUL CRÉPEAU :**

20 Okay. Do you remember what time it was? About.

21 **M. DANIEL DUFRESNE :**

22 One (01:00 a.m.)? Two (02 :00 a.m.).

23 **Me PAUL CRÉPEAU :**

24 In the morning?

25 **M. DANIEL DUFRESNE :**

1 Yes, in the morning.

2 **Me PAUL CRÉPEAU :**

3 What treatment did you get at the hospital?

4 **M. DANIEL DUFRESNE :**

5 They just checked my swollen wrist and put a half-
6 cast bandage on it, and brought me back to the
7 station.

8 **Me PAUL CRÉPEAU :**

9 Okay. But it's not... it was not a regular cast,
10 hardened...

11 **M. DANIEL DUFRESNE :**

12 It wasn't.

13 **Me PAUL CRÉPEAU :**

14 ... regular cast.

15 **M. DANIEL DUFRESNE :**

16 No.

17 **Me PAUL CRÉPEAU :**

18 No, okay.

19 **M. DANIEL DUFRESNE :**

20 It was just half.

21 **Me PAUL CRÉPEAU :**

22 Okay. Did you (see) a doctor during the night or
23 just a nurse?

24 **M. DANIEL DUFRESNE :**

25 I think it was just a nurse.

1 **Me PAUL CRÉPEAU :**

2 Okay. So, okay. This bandage that they put on,
3 and did they give you any kind of medication for
4 the pain?

5 **M. DANIEL DUFRESNE :**

6 Maybe some pain killers. I don't remember.

7 **Me PAUL CRÉPEAU :**

8 You don't remember, okay.

9 **M. DANIEL DUFRESNE :**

10 No.

11 **Me PAUL CRÉPEAU :**

12 So, after the visit at the hospital, what happened?
13 You go back to the police station?

14 **M. DANIEL DUFRESNE :**

15 Yes, they brought me back to the police station,
16 and I just went to sleep.

17 **Me PAUL CRÉPEAU :**

18 Okay. Did you stay all night, all that night...

19 **M. DANIEL DUFRESNE :**

20 Yes.

21 **Me PAUL CRÉPEAU :**

22 ... at the police station? Okay. Were you able to
23 sleep?

24 **M. DANIEL DUFRESNE :**

25 Yes, I fell asleep.

1 **Me PAUL CRÉPEAU :**

2 Okay.

3 **M. DANIEL DUFRESNE :**

4 Maybe because I was drunk.

5 **Me PAUL CRÉPEAU :**

6 Okay. So the night goes on. In the morning,
7 you're released?

8 **M. DANIEL DUFRESNE :**

9 Yes, the next morning, I was released. That's when
10 I went back to the hospital, and they finally did
11 an X-ray and found out the problem was on my elbow.

12 **Me PAUL CRÉPEAU :**

13 Okay. And did you say - I just missed it - did you
14 say a "crack" or a "chip" bon, in your...?

15 **M. DANIEL DUFRESNE :**

16 Chip off. Seven (7) to eight (8) millimeter bone
17 chip off.

18 **Me PAUL CRÉPEAU :**

19 Chip off in your elbow.

20 **M. DANIEL DUFRESNE :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 That's when... then they put... a cast?

24 **M. DANIEL DUFRESNE :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 From where to where? Just... From here...

3 **M. DANIEL DUFRESNE :**

4 From my wrist to my shoulder.

5 **Me PAUL CRÉPEAU :**

6 Okay. Just to get your elbow fixed in a...?

7 **M. DANIEL DUFRESNE :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 Okay. Okay. Did you get any medication during
11 that morning?

12 **M. DANIEL DUFRESNE :**

13 No.

14 **Me PAUL CRÉPEAU :**

15 Okay. Just the cast.

16 **M. DANIEL DUFRESNE :**

17 Yes.

18 **Me PAUL CRÉPEAU :**

19 Okay. And what about your wrist? During the night
20 time, you said that your wrist was more... painful?

21 **M. DANIEL DUFRESNE :**

22 Yes.

23 **Me PAUL CRÉPEAU :**

24 What... In the...

25 **M. DANIEL DUFRESNE :**

1 It was...

2 **Me PAUL CRÉPEAU :**

3 But in the morning, there's no more handcuffs?

4 **M. DANIEL DUFRESNE :**

5 It was just swollen.

6 **Me PAUL CRÉPEAU :**

7 Swollen.

8 **M. DANIEL DUFRESNE :**

9 Yes.

10 **Me PAUL CRÉPEAU :**

11 Okay. Was there any X-ray on your wrist too?

12 **M. DANIEL DUFRESNE :**

13 It's for sure there was.

14 **Me PAUL CRÉPEAU :**

15 Okay. Okay. After this event - okay, in the
16 morning, you went to the hospital, you get treated,
17 you get a cast - what did you do with that
18 situation?

19 **M. DANIEL DUFRESNE :**

20 I actually didn't do nothing. My late father went
21 to the Court and I get a report sheet, he told me
22 to fill it out, but, I don't know why I refused it.

23 **Me PAUL CRÉPEAU :**

24 Okay. Do you know to whom it was addressed, that
25 form that you were... that your father recommended

1 you to fill?

2 **M. DANIEL DUFRESNE :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 Who was it addressed to?

6 **M. DANIEL DUFRESNE :**

7 The police officers.

8 **Me PAUL CRÉPEAU :**

9 The police officers. I mean, were you asking
10 something for the police or... do you know what the
11 Commissaire à la déontologie is?

12 **M. DANIEL DUFRESNE :**

13 No.

14 **Me PAUL CRÉPEAU :**

15 Commissaire à la déontologie policière?

16 **M. DANIEL DUFRESNE :**

17 No.

18 **Me PAUL CRÉPEAU :**

19 No, okay.

20 **M. DANIEL DUFRESNE :**

21 I didn't know nothing back then, I was young.

22 **Me PAUL CRÉPEAU :**

23 Bien. So your father recommended to you to...
24 what, to press... was it to press charge? To
25 complain?

1 **M. DANIEL DUFRESNE :**

2 I think it was just a complain. I didn't remember
3 saying "press charge" or trying to claim something,
4 but, complaint. "Complaint sheet."

5 **Me PAUL CRÉPEAU :**

6 Okay.

7 **M. DANIEL DUFRESNE :**

8 "Complaint form. "

9 **Me PAUL CRÉPEAU :**

10 And you didn't do it?

11 **M. DANIEL DUFRESNE :**

12 I didn't.

13 **Me PAUL CRÉPEAU :**

14 Explain to us why. Why didn't you do it?

15 **M. DANIEL DUFRESNE :**

16 To be honest, I don't remember why I didn't do it.

17 **Me PAUL CRÉPEAU :**

18 The... It was... Which arm was... the elbow, it
19 was on the left side?

20 **M. DANIEL DUFRESNE :**

21 Yes.

22 **Me PAUL CRÉPEAU :**

23 You said that you were a mechanic?

24 **M. DANIEL DUFRESNE :**

25 Yes.

1 **Me PAUL CRÉPEAU :**

2 Right handed or left handed?

3 **M. DANIEL DUFRESNE :**

4 Left handed.

5 **Me PAUL CRÉPEAU :**

6 So it was your good arm that was hurt?

7 **M. DANIEL DUFRESNE :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 Were you able to work?

11 **M. DANIEL DUFRESNE :**

12 No.

13 **Me PAUL CRÉPEAU :**

14 Okay. That cast, you kept it for how long?

15 **M. DANIEL DUFRESNE :**

16 I don't remember how long it was. Few months.

17 **Me PAUL CRÉPEAU :**

18 Okay. The... So, you... did you lose your job at
19 that time?

20 **M. DANIEL DUFRESNE :**

21 At that time, I think I was still in school, in the
22 mechanic school.

23 **Me PAUL CRÉPEAU :**

24 Okay. So it was not a job, it was school that you
25 were missing at that time?

1 **M. DANIEL DUFRESNE :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 I'm sorry if I'm going back to it, but, how come
5 your right... you were hurt, by someone you know,
6 you were able to identify the people, the person
7 who did that to you, and you don't seem to be...
8 You didn't want to complain? Is there a more
9 profound reason why you didn't do it?

10 **M. DANIEL DUFRESNE :**

11 I've tried thinking of it, but I don't remember.

12 **Me PAUL CRÉPEAU :**

13 Okay. You knew that guy, that policeman...

14 **M. DANIEL DUFRESNE :**

15 Yes.

16 **Me PAUL CRÉPEAU :**

17 ... that you had identified as Mike?

18 **M. DANIEL DUFRESNE :**

19 Yes.

20 **Me PAUL CRÉPEAU :**

21 Had you ever discussed with him before that? Did
22 you ever talk with him? Did you have any kind of
23 relation with that person, before this event?

24 **M. DANIEL DUFRESNE :**

25 Yes. I think he was the police officer who

1 arrested me previously, before the incident.

2 **Me PAUL CRÉPEAU :**

3 So you had relation with him before that?

4 **M. DANIEL DUFRESNE :**

5 Yes. It wasn't the first time going... getting in
6 trouble with the police.

7 **Me PAUL CRÉPEAU :**

8 Did you have any kind... Did you have any kind of
9 deal with him?

10 **M. DANIEL DUFRESNE :**

11 No.

12 **Me PAUL CRÉPEAU :**

13 No? Or discussion? Did he ever discuss with you
14 how to react to the police, with the police?

15 **M. DANIEL DUFRESNE :**

16 No, he never discussed the incident with me, he
17 never said "sorry", he never said anything.

18 **Me PAUL CRÉPEAU :**

19 Okay. You said that you had previous problems with
20 the police, you went through the judicial system,
21 the legal system before, at that time, or since
22 that time? You have been through the legal system?

23 **M. DANIEL DUFRESNE :**

24 One time before...

25 **Me PAUL CRÉPEAU :**

1 At the court house?

2 **M. DANIEL DUFRESNE :**

3 ... as a juvenile. Yes.

4 **Me PAUL CRÉPEAU :**

5 Okay. I'd like to hear what you have to say
6 regarding the judicial system, okay? You went
7 through it, do you have anything that you'd like to
8 tell us regarding the services that you had, up
9 North, when the Court comes?

10 Let's speak, first of all, about maybe the
11 language. You speak English very well?

12 **M. DANIEL DUFRESNE :**

13 Yes.

14 **Me PAUL CRÉPEAU :**

15 Is this the... does everybody, all Inuit people, in
16 Kuujjuaq and other villages, they all speak English
17 very well?

18 **M. DANIEL DUFRESNE :**

19 No.

20 **Me PAUL CRÉPEAU :**

21 Okay. So the mother tongue is...?

22 **M. DANIEL DUFRESNE :**

23 Inuktitut.

24 **Me PAUL CRÉPEAU :**

25 Inuktitut? And how do you get services,

1 translation services up North, when the Court
2 comes?

3 **M. DANIEL DUFRESNE :**

4 I'm not sure how it works, but I have never seen
5 that people getting translation.

6 **Me PAUL CRÉPEAU :**

7 Yes. Can you... can you say... tell us a little
8 bit about it? I mean, when you go to court, there
9 are translators in Court.

10 **M. DANIEL DUFRESNE :**

11 Yes, in the court room, correct. But not when the
12 lawyers come and meet you.

13 **Me PAUL CRÉPEAU :**

14 Meet their client.

15 **M. DANIEL DUFRESNE :**

16 Yes. When they come and meet their client, they
17 don't have a translator.

18 **Me PAUL CRÉPEAU :**

19 Okay.

20 **M. DANIEL DUFRESNE :**

21 And...

22 **Me PAUL CRÉPEAU :**

23 And, do you personally feel that the Inuit people
24 get a fair... good treatment or have a good
25 relation with their defence counsel, if they don't

1 have a translator working for them at the time that
2 they meet?

3 **M. DANIEL DUFRESNE :**

4 I'm sure there's supposed to be a translator at
5 first point they meet, instead of trying to explain
6 it in English.

7 **Me PAUL CRÉPEAU :**

8 Okay. Regarding the way the legal system works,
9 what's expected of someone who's accused, when the
10 court sentences somebody... you have received
11 sentence from the judge up North, in the court?

12 **M. DANIEL DUFRESNE :**

13 Yes.

14 **Me PAUL CRÉPEAU :**

15 Were they well explained to you?

16 **M. DANIEL DUFRESNE :**

17 Excuse me?

18 **Me PAUL CRÉPEAU :**

19 Were they well explained to you, the sentences?
20 What they meant, what you had... what were your
21 obligation, what you had to do, what you couldn't
22 do?

23 **M. DANIEL DUFRESNE :**

24 Yes.

25 **Me PAUL CRÉPEAU :**

1 It was well explained?

2 **M. DANIEL DUFRESNE :**

3 It was well explained, yes.

4 **Me PAUL CRÉPEAU :**

5 Okay.

6 **M. DANIEL DUFRESNE :**

7 But at some point, when I was asking for the
8 report, Gladue Report a few times, they suggested
9 me other options, to avoid using that, I think.

10 **Me PAUL CRÉPEAU :**

11 Okay. Now, I want to hear you about the Gladue
12 Report: do you know what the Gladue Report is?

13 **M. DANIEL DUFRESNE :**

14 Yes, the Gladue...

15 **Me PAUL CRÉPEAU :**

16 Okay. Just tell us, in your own words, what the
17 Gladue Report represents for you.

18 **M. DANIEL DUFRESNE :**

19 From what I read and from what I heard, the Gladue
20 Report is supposed to be used for Indigenous people
21 who are in jail and looking for help, looking for
22 treatment. But, these days, with the court system,
23 what I see with other people, they are using as
24 advantage to decrease their sentences or trying to
25 get release, other than trying to getting help.

1 **Me PAUL CRÉPEAU :**

2 Okay. In your own case, did you ask for a Gladue
3 Report? Did you want to have a Gladue Report, when
4 it was (time) to sentence you?

5 **M. DANIEL DUFRESNE :**

6 My last sentence, I asked for it, but one of the
7 lawyers said something complicated and I didn't
8 understand, he said he [wasn't] available. So once
9 I went into the court system, the judge informed me
10 I have the right to use it. That's when I choked
11 and I couldn't say anything.

12 **Me PAUL CRÉPEAU :**

13 So you didn't get a Gladue Report.

14 **M. DANIEL DUFRESNE :**

15 No, I never had it, yes.

16 **Me PAUL CRÉPEAU :**

17 Okay. And, if you would have a Gladue Report in
18 your own case, you wanted it for what reason? What
19 was the profound reason why you wanted a Gladue
20 Report?

21 **M. DANIEL DUFRESNE :**

22 To get help with my problem.

23 **Me PAUL CRÉPEAU :**

24 Okay.

25 **M. DANIEL DUFRESNE :**

1 With the system, the alcohol problem and get
2 treatment or therapy.

3 **Me PAUL CRÉPEAU :**

4 Okay. And this would appear, and it would be shown
5 in a Gladue Report.

6 **M. DANIEL DUFRESNE :**

7 Correct.

8 **Me PAUL CRÉPEAU :**

9 Okay. But I just want you to explain what you
10 said, that you say it's not used well in court
11 right now, from what you saw, how do people use the
12 Gladue Report in the court, court system up North
13 now? How do they use it? To get treatment?

14 **M. DANIEL DUFRESNE :**

15 No. To lower their sentences or to... just to get
16 out.

17 **Me PAUL CRÉPEAU :**

18 Okay. To reduce...

19 **M. DANIEL DUFRESNE :**

20 Reduce.

21 **Me PAUL CRÉPEAU :**

22 ... the length of the sentence.

23 **M. DANIEL DUFRESNE :**

24 Reduce, yes.

25 **Me PAUL CRÉPEAU :**

1 Not necessarily to get treatment. Okay.

2 **M. DANIEL DUFRESNE :**

3 Correct.

4 **Me PAUL CRÉPEAU :**

5 So, it's not used for the right reason, this is
6 what you're saying?

7 **M. DANIEL DUFRESNE :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 Okay.

11 **M. DANIEL DUFRESNE :**

12 I don't think the lawyers and the people up North
13 are explaining it well. That's it.

14 **Me PAUL CRÉPEAU :**

15 Okay. And the only one who can explain it to you
16 is your own lawyer. There's no officer from the
17 court to explain the way things are and what
18 services you can get from the court. Yeah.

19 **M. DANIEL DUFRESNE :**

20 Correct.

21 **Me PAUL CRÉPEAU :**

22 I'd like to go back a little bit to the translation
23 problem. You said that many people, well, they are
24 not served because there are not enough
25 translation. Do you feel or do you think or have

1 you ever been told that, people are not served well
2 in court, because they don't understand what's
3 going on?

4 **M. DANIEL DUFRESNE :**

5 Yes. Because I've seen people who don't really
6 understand what's going on and the lawyers just go
7 ahead with it. So, having them being translated
8 would be better, so a case to... would be informed
9 of everything what's going on.

10 **Me PAUL CRÉPEAU :**

11 When the court is... I'll use the expression "when
12 the court is in town", the court comes for a week
13 or so in Kuujjuaq, things like that, when you see
14 the court going on, the judge, Crown counsel,
15 defence counsel, you see them altogether, did you
16 have any kind of remarks or things that you'd like
17 to tell the Commission here, as to your own
18 feeling? What do you see when they come
19 altogether, eat together, go to the same hotel, go
20 to the same bar at night?

21 **M. DANIEL DUFRESNE :**

22 I think the defence lawyer and the Crown prosecutor
23 should be separate, not making deals or anything.
24 But what we see up North, they come together and
25 they sleep in the same hotel together, maybe they

1 eat together or drink together at the bar, and
2 they... maybe they discuss these cases they're
3 supposed to handle in court.

4 But I think they... I've heard they're talking
5 about it in the lounge or in the bar. So, I don't
6 know what's going on.

7 **Me PAUL CRÉPEAU :**

8 They are too close together?

9 **M. DANIEL DUFRESNE :**

10 Too close together, yes. They're just agreeing on
11 any proposes for the offenders, and just... I
12 don't know how to say it. Excuse me.

13 **Me PAUL CRÉPEAU :**

14 For you, is it just an appearance problem or it's
15 more profound than just appearance?

16 **M. DANIEL DUFRESNE :**

17 I'm not sure.

18 **Me PAUL CRÉPEAU :**

19 Okay. A lot of people... and I think you'll agree
20 with that, a lot of people up North do have
21 problems with alcohol and drugs.

22 **M. DANIEL DUFRESNE :**

23 Correct.

24 **Me PAUL CRÉPEAU :**

25 Okay. You personally had problem with that?

1 **M. DANIEL DUFRESNE :**

2 Yes.

3 **Me PAUL CRÉPEAU :**

4 Okay. Did you ever get help for your problem?

5 **M. DANIEL DUFRESNE :**

6 No.

7 **Me PAUL CRÉPEAU :**

8 Did you ask for it?

9 **M. DANIEL DUFRESNE :**

10 I've tried asking my lawyer for it, but he said,
11 "just... we will win the case and get released".
12 When I asked for the Gladue Report and go to a
13 therapy, he... he thought we can win the case and
14 get acquitted. So I just followed with him, which
15 ended to being getting a sentence.

16 **Me PAUL CRÉPEAU :**

17 Okay. But you never went through any kind of
18 therapy or treatment...

19 **M. DANIEL DUFRESNE :**

20 No.

21 **Me PAUL CRÉPEAU :**

22 ... in a centre up North?

23 **M. DANIEL DUFRESNE :**

24 Only on halfway house.

25 **Me PAUL CRÉPEAU :**

1 Halfway house? Where? What town?

2 **M. DANIEL DUFRESNE :**

3 In Kangirsuk, Payne Bay.

4 **Me PAUL CRÉPEAU :**

5 Okay. You were there for how long?

6 **M. DANIEL DUFRESNE :**

7 Six (6) to seven (7) months.

8 **Me PAUL CRÉPEAU :**

9 Okay. What did you do while you were there? What
10 was your daytime occupation?

11 **M. DANIEL DUFRESNE :**

12 Being in the garage and doing stuff, fixing stuff.

13 **Me PAUL CRÉPEAU :**

14 That was mostly work?

15 **M. DANIEL DUFRESNE :**

16 Yes.

17 **Me PAUL CRÉPEAU :**

18 Okay. But was there any kind of therapy in that or
19 treatment or it was...

20 **M. DANIEL DUFRESNE :**

21 Each day, we would have a program, a meeting, for
22 the clients, (it) would be parenting scales, most
23 of the time, for...

24 **Me PAUL CRÉPEAU :**

25 "Parenting scales"? Okay.

1 **M. DANIEL DUFRESNE :**

2 One hour...

3 **Me PAUL CRÉPEAU :**

4 Okay.

5 **M. DANIEL DUFRESNE :**

6 ... each day.

7 **Me PAUL CRÉPEAU :**

8 Oh. Was it enough for you?

9 **M. DANIEL DUFRESNE :**

10 I'm not sure. I think it would be better if they
11 do programs for addiction problem. More on that.

12 **Me PAUL CRÉPEAU :**

13 Apart from this halfway house that you went to, are
14 there any kind of treatment or treatment centre in
15 Kuujjuaq or up North?

16 **M. DANIEL DUFRESNE :**

17 In Kuujjuaq, there's a treatment centre, which is
18 (a) six (6) week program, it's called Isuarsivik.
19 I think it's a detox centre.

20 **Me PAUL CRÉPEAU :**

21 Okay. Did you ever try to go through that program?

22 **M. DANIEL DUFRESNE :**

23 No, I never tried. I'm actually trying to go in
24 April.

25 **Me PAUL CRÉPEAU :**

1 In April.

2 **M. DANIEL DUFRESNE :**

3 Yes.

4 **Me PAUL CRÉPEAU :**

5 Okay. Of this year. Okay. From what I
6 understand, you want to take care of this problem,
7 you want to get rid of this problem. You have the
8 will to do it now.

9 **M. DANIEL DUFRESNE :**

10 Yes.

11 **Me PAUL CRÉPEAU :**

12 Okay. Did you have it a few years ago? The will
13 to do... to take care of yourself, to change
14 things?

15 **M. DANIEL DUFRESNE :**

16 I don't think so.

17 **Me PAUL CRÉPEAU :**

18 Okay. So... so you said that, in April, you intend
19 to go through this program. And after that, what
20 do you intend to do, regarding your problem with
21 alcohol? Is it just alcohol or alcohol and drugs?

22 **M. DANIEL DUFRESNE :**

23 Alcohol only.

24 **Me PAUL CRÉPEAU :**

25 Only. Okay.

1 **M. DANIEL DUFRESNE :**

2 I intend to quit alcohol and then fix up a normal
3 life, and live a better life, maybe start a family
4 and get my own house.

5 **Me PAUL CRÉPEAU :**

6 Okay. Time go grow up, do some...

7 **M. DANIEL DUFRESNE :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 ... do something else, no more problem with the
11 police.

12 **M. DANIEL DUFRESNE :**

13 Yes.

14 **Me PAUL CRÉPEAU :**

15 Okay. Do you have any father figure, in the
16 community, for you, that will help you?

17 **M. DANIEL DUFRESNE :**

18 Right now, no.

19 **Me PAUL CRÉPEAU :**

20 No.

21 **M. DANIEL DUFRESNE :**

22 I have a friend's grandfather who talks to me, who
23 raised me before two (2), who thought me the
24 survival skills, and still willing to help me with
25 my problem.

1 **Me PAUL CRÉPEAU :**

2 Okay. And this person is still alive?

3 **M. DANIEL DUFRESNE :**

4 Yes.

5 **Me PAUL CRÉPEAU :**

6 And ready to help you.

7 **M. DANIEL DUFRESNE :**

8 Yes.

9 **Me PAUL CRÉPEAU :**

10 Okay. So, if I ask you, regarding the legal system
11 and what it implies for the people up North, do you
12 feel that you are being well served? You went
13 through it, okay, the legal system, a few times.
14 Do you feel that you are well served by the legal
15 system as it is right now, or if you had all the
16 money in the world, what would you change? What
17 would be the best thing to do with the legal system
18 up North, for the Inuit people?

19 **M. DANIEL DUFRESNE :**

20 For the repeat offenders, keep coming back to court
21 instead of giving them sentences. I would transfer
22 them to a treatment or a therapy instead. And
23 maybe I put workshops in each community, which
24 would have programs for everybody: adults, children
25 and elders. Some programs such as prevention

1 programs, wellness programs, stuff like that.

2 **Me PAUL CRÉPEAU :**

3 Okay. Do you have anything else that you would
4 like to add regarding this, the legal system in
5 which you went through, that you would like to tell
6 to the Commissioner, Mr. Viens? How it could be,
7 things could go better?

8 **M. DANIEL DUFRESNE :**

9 I think that's all.

10 **Me PAUL CRÉPEAU :**

11 That's all? Okay. Alors, s'il y a des questions
12 pour monsieur Dufresne?

13 **LE COMMISSAIRE :**

14 Alors, I'll ask counsels if they have questions?

15 **Me JEAN-NICOLAS LOISELLE :**

16 I will just have one question. I will have just
17 one question.

18 **Me PAUL CRÉPEAU :**

19 On the other side, please.

20 **Me JEAN-NICOLAS LOISELLE :**

21 On the other side?

22 **LE COMMISSAIRE :**

23 Yes.

24 **Me PAUL CRÉPEAU :**

25 Yes, oui.

1 **Me JEAN-NICOLAS LOISELLE :**

2 O.K. Hi Mr. Dufresne.

3 **M. DANIEL DUFRESNE :**

4 Hello.

5 **Me JEAN-NICOLAS LOISELLE :**

6 Oui. My name is Jean-Nicolas Loisel, I'm the
7 lawyer for the Service de police of the City of
8 Montréal. I will just have one question of
9 precision for you.

10 All the interaction that you have, you have a
11 testimony with interaction with police officer
12 today, okay, all that'll interaction with police
13 officer was for... with the Kativik Regional Police
14 Force?

15 **M. DANIEL DUFRESNE :**

16 Correct.

17 **Me JEAN-NICOLAS LOISELLE :**

18 Okay. Thank you. It's the only question that I
19 had for you. Thank you very much.

20 **LE COMMISSAIRE :**

21 Me Laganière?

22 **Me MAXIME LAGANIÈRE :**

23 Je vous remercie, je n'aurai aucune question.

24 **LE COMMISSAIRE :**

25 Me Boucher, Me Robillard?

1 **VOIX FÉMININE NON IDENTIFIÉE :**

2 Non, j'aurai pas de questions.

3 **Me DAVID CODERRE :**

4 Pas de questions pour moi non plus, merci.

5 **LE COMMISSAIRE :**

6 Non. Anything else?

7 **Me PAUL CRÉPEAU :**

8 No, it's all for Mr. Dufresne. We had to...

9 C'est, on a raccourci un petit peu les témoignages.

10 **LE COMMISSAIRE :**

11 O.K. So, Mr. Dufresne, I will thank you for having
12 accepted to testify before the Commission. You
13 understand that we are trying to understand what's
14 going on in the North and everywhere with
15 Indigenous people,...

16 **M. DANIEL DUFRESNE :**

17 Yes.

18 **LE COMMISSAIRE :**

19 ... concerning justice, police, correctional
20 services, youth services, health, social services,
21 and if there's something going wrong, trying to
22 find ways to improve. I understand that, according
23 to you, something is happening that is not
24 appropriate. I thank you very much...

25 **M. DANIEL DUFRESNE :**

1 You're welcome.

2 **LE COMMISSAIRE :**

3 ... for your testimony. I wish you the best. I
4 hope you can get a possibility to get treatment and
5 to help you...

6 **M. DANIEL DUFRESNE :**

7 Yes.

8 **LE COMMISSAIRE :**

9 ... one day to go back to the community and be
10 somebody helpful.

11 **M. DANIEL DUFRESNE :**

12 Okay. Thank you.

13 **LE COMMISSAIRE :**

14 Good luck. So, Me Crépeau, do we have other
15 witnesses for this afternoon?

16 **Me PAUL CRÉPEAU :**

17 There's not...

18 **LE COMMISSAIRE :**

19 I understand that one witness couldn't be here?

20 **Me PAUL CRÉPEAU :**

21 Couldn't be here this morning, and there are a few
22 things that we had to shorten up a little bit. So
23 this is what we have for today,....

24 **LE COMMISSAIRE :**

25 Okay.

1 **Me PAUL CRÉPEAU :**

2 ... Mr. Commissioner.

3 **LE COMMISSAIRE :**

4 So, I understand that we'll have to suspend until
5 tomorrow morning, nine thirty (9:30)?

6 **Me PAUL CRÉPEAU :**

7 Um-hum.

8 **LE COMMISSAIRE :**

9 Okay. So that's what we'll do.

10 **LA GREFFIÈRE-AUDIENCIÈRE :**

11 La Commission reprendra ses audiences demain le
12 treize (13) février à neuf heures trente (9 h 30).

13 **LE COMMISSAIRE :**

14 Alors bon après-midi tout le monde.

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1 Je soussignée, **Ann Montpetit**, sténographe officielle
2 bilingue, certifie que les pages qui précèdent sont et
3 contiennent la transcription exacte et fidèle des notes
4 recueillies au moyen de l'enregistrement mécanique, le
5 tout hors de notre contrôle et au meilleur de la qualité
6 dudit enregistrement, le tout conformément à la loi;

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Et j'ai signé :



Ann Montpetit, O.C.R.