

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  
CONSERVATOIRE DE MUSIQUE  
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**COMPARUTIONS :**

**POUR LA COMMISSION :**

**Me DONALD BOURGET,**

Procureur

**Me MARIE-ANDRÉE DENIS BOILEAU,**

Procureur

**POUR LES PARTIES PARTICIPANTES :**

**Me MARIE-PAULE BOUCHER** pour la  
procureure générale du Québec

**Me RAINBOW MILLER** pour les Femmes  
autochtones du Québec

**Me MAXIME LAGANIÈRE,** Directeur des  
Poursuites criminelles et pénales

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1 **OUVERTURE DE LA SÉANCE**

2 **LA GREFFIÈRE-AUDIENCIÈRE :**

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

6 **PAR L'INTERPRÈTE :**

7 Welcome to the public... the inquiry - the Public  
8 Inquiry Commission Between Indigenous Peoples and  
9 Certain Public Services in Québec.

10 **PAR L'INTERPRÈTE :**

11 Général du Québec.

12 **LE COMMISSAIRE :**

13 D'accord.

14 **Me MAXIME LAGANIÈRE :**

15 Bonjour à tous, Maxime Laganière pour le Directeur  
16 des poursuites criminelles et pénales.

17 **LE COMMISSAIRE :**

18 Welcome.

19 So, Maître Denis-Boileau, I understand you  
20 will present the next witnesses?

21 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

22 Yes. So, this morning, we will be hearing people  
23 from - justice workers and Mister Donald Nicholls,  
24 who is the Director of the Department of Justice  
25 and Correctional Services of the Cree Nation

1 Government. They will be talking about the CAVAC  
2 work that they do here in Cree Nation, but more  
3 specifically in Mistissini, and they will be  
4 talking about the work being done by community, by  
5 justice community and committee justice program  
6 here in the Cree, on the Cree territory, and more  
7 specifically in Mistissini and Whapmagoostui; as we  
8 have Miss Ruth Masty here, who is the coordinator  
9 of the justice committee of Whapmagoostui; we have  
10 Ms. Louise Coonishish, who is the coordinator of  
11 the justice community - justice committee, sorry,  
12 of Mistissini; and this is Anna Neeposh, who is a  
13 CAVAC worker here in, well, the regional CAVAC  
14 worker, and she works here for the area in  
15 Mistissini; and, as I said, Mister Donald Nicholls,  
16 the Director of the Justice and Correctional  
17 Services for the Cree Nation Government.

18 **LE COMMISSAIRE :**

19 So, welcome to you. We'll listen to you carefully.  
20 It will be interesting.

21 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

22 Uh-uh. We can asses the witnesses.

23 **LA GREFFIÈRE-AUDIENCIÈRE :**

24 Okay. So, Mister Nicholls...

25 **Miss ANNA NEEPOSH :**

1           Excuse me. You mentioned "regional", it's "in-  
2           land".

3           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

4            "In-land", sorry. Thank you...

5           **Miss ANNA NEEPOSH :**

6            You're welcome.

7           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

8            ... Mrs. Neeposh.

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1 M. Donald Nicholls  
2 Directeur de la justice et des services correctionnels,  
3 gouvernement de la Nation crie  
4 Assermenté

5 -----

6 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

7 Thank you.

8 So, from what we understand, Mister Nicholls  
9 will start with the presentation.

10 So, Mister Nicholls, I invite you to make this  
11 presentation to us.

12 **M. DONALD NICHOLLS :**

13 Thank you. Thank you very much.

14 As you mentioned, we're here today, this is  
15 our second appearance. We were here last year on  
16 September 15, well, actually in Val-d'Or, not here,  
17 but... and thank you for coming to the Cree  
18 territory. It means a lot more when you can give  
19 your testimony in your own community. So, thank  
20 you very much for that.

21 Our appearance today is because we were  
22 requested by the Commission to give more frontline  
23 experience with respect to CAVAC, to victims  
24 services that we operate, which are distinctively  
25 different from perhaps the CAVAC that you've heard

1 in the Southern parts of Québec or in other parts  
2 or other regions in Québec, and we will talk a  
3 little bit about that today in our presentation.

4 Also, we will present today on what "community  
5 justice" means and so we have two representatives:  
6 one from the furthest North community, Ruth Masty,  
7 who will discuss justice, and she has incredible  
8 programs and probably stories to share today; as  
9 well as Louise Coonishish, who represents the  
10 longest standing justice committee that we've had  
11 in the Cree Nation, which we started in the  
12 nineties (90s). So, we will do the testimonies  
13 today to add to what we had initially testified on  
14 September 15.

15 And, also with that, I realize that this week,  
16 the Commission had asked us for some statistics.  
17 We were not able to provide those, because of a  
18 confidentiality agreement that we have with the  
19 government of Québec over certain statistics that  
20 we develop or generate on honor activities.  
21 Because of the nature of our communities, the  
22 smaller communities, it's easily to identify who  
23 the victim or who the perpetrator might be, if we  
24 were to disclose detailed information, but we're  
25 happy to share general information and statistics.

1           To this end, in December, we had, after our  
2           testimony before you before, we had completed an  
3           overview of what we have accomplished in the last  
4           ten years. As you know, the Department of Justice  
5           and Correctional Services began in 2008, following  
6           an agreement with the government of Québec for the  
7           implementation of Section 18 on the administration  
8           of justice. So, we produced a document which gives  
9           an overview of the milestones that we've  
10          accomplished in the last ten years and, on the back  
11          of that, are all the statistics related to our  
12          outreach, whether they'd be the justice committees  
13          and the type of programming and the number of files  
14          that we do per year, as well as with CAVAC in  
15          general, what we've done in the last three years,  
16          and, you know, Anna will give her personal  
17          experiences, but, in the last three years, we have  
18          done 641 victims files within the Cree Nation.

19                 And when you look per capita, it's a very high  
20                 number compared to what has been accomplished in  
21                 other places, and that's due to the fact that we do  
22                 things a little differently in the North, given the  
23                 small, the communities that we serve as well as the  
24                 geographic region and the realities that we have of  
25                 having to travail throughout them and, you know,

1           because of that closeness in the community and that  
2           community feel, we provide those services at that  
3           level and without understanding.

4           So, I would submit to you, to the Commission -  
5           - and I'll provide copies that you can post this as  
6           well - but this is our milestone agreement and, on  
7           the back,, are all the statistics that you can  
8           refer to and will be of use or value to the  
9           Commission, I'm sure, with the execution of your  
10          duties, and we'll provide more copies in English  
11          and French.

12          And within this package is also a description,  
13          according to the types of services that we do, so  
14          working with offenders, working with youth, working  
15          with victims and then, of course, our community  
16          justice initiatives. So, each part or unit within  
17          the department is described in more detail and how  
18          we approach it, and how we incorporate the values  
19          of our Nation within there.

20          So, we'll submit this to you as well, and if  
21          you have any questions on the statistics, I know  
22          I've given you a copy today, please feel free to  
23          ask us on anything on this. Thank you.

24          So, to begin the presentation, ah, as -- of  
25          course. As I mentioned, September 15, we were here

1           before. Today, this presentation is merely to set  
2           out some framework, to give a little bit more in  
3           depth on the -- sorry, there's a mosquito here, I  
4           think, I don't think he was invited to the  
5           Commission, but to give a little bit more framework  
6           and, then, we'll get into the testimony of the  
7           frontline workers, which will add incredible value,  
8           I'm sure.

9           So, today, as I mentioned, we will do CAVAC  
10          and we will do the justice committees. So, as you  
11          know, in Québec -- and, of course, we're a part of  
12          the reseau or the network of CAVACS within the  
13          province of Québec -- they're non-profit  
14          organizations, they're governed by the Act  
15          Respecting the Assistance for Victims of Crime.  
16          Their mission is confidential, as we said, front  
17          line services to victims of crime, and immediate  
18          families and witnesses, and it's all free of  
19          charge. Right? It's that attitude that, 30 years  
20          ago, the Québec government the vision and the  
21          foresight to say: "Let's be more inclusive", which  
22          is in line with the way that the Cree Nation would  
23          also view justice as being inclusive and including  
24          the whole community in the process so that healing  
25          can occur.

1           CAVAC workers are often the point of contact  
2 following a crime in a small community. We're much  
3 more, I guess, expedient. We know about crimes, we  
4 refer to immediately and so we can be there on a  
5 regular basis.

6           As opposed to other CAVACs in the province,  
7 which have a static office and they accept victims  
8 as they come in, and they may have referrals, of  
9 course, they have agreements with other frontline  
10 services such as policing and such. But, for us,  
11 in the smaller communities, everyone knows when an  
12 offence has occurred, where a victim is, and we can  
13 respond very effectively or efficiently to that in  
14 a timely manner.

15           So, Cree CAVAC are operated throughout Eeyou  
16 Istchee and they primarily serve Cree individuals,  
17 but they may also serve other individuals that are  
18 located or living within the community. As you know  
19 we have large populations in the service industries  
20 such as the school board or the health board or  
21 other parts of our communities that may have  
22 integrated there. Definitely, those individuals  
23 have come for our services well.

24           The three CAVAC workers are spread throughout  
25 the territory: there's Anna, who you met this

1 morning, who is from Mistissini and she will serve  
2 Mistissini, Oujé-Bougoumou and Waswanipi, On a  
3 regular basis, she will provide services there on  
4 office hours; there's one in Eastmain, Christie  
5 Hester, who provides services in Waskaganish,  
6 Eastmain and Nemaska; and then, the third is Alvin  
7 Cash, who is located in Chisasibi, and he would  
8 service Chisasibi, Wemindji and Whapmagoostui.

9 The reason the other two CAVAC could not make  
10 it today is because we have court hearings on a  
11 regular basis, there are three circuits of the  
12 court and the other two CAVAC officers are  
13 currently engaged in providing frontline services  
14 that we're discussing today.

15 So, as I mentioned, so, even though they're  
16 located in only three of the nine communities, we  
17 have a schedule posted on our website, and they  
18 will provide 100 days of service in the other nine  
19 communities. So, when they travel throughout, they  
20 will have regular posted hours, they will advertise  
21 those, so that we can provide those victims  
22 services throughout an incredibly large geographic  
23 area in an effective manner and to make sure that  
24 it's accessible.

25 We also travel with the Itinerant Court on a

1 regular basis to ensure that we're there to provide  
2 the support that victims generally and witnesses  
3 need the most, and so the Itinerant Court travels  
4 throughout. So, being a CAVAC officer as Anna will  
5 relay, we'll be one that requires a lot of travel.

6 The CAVAC workers are all Cree and the  
7 services that we provide are adapted to the Cree  
8 culture and the realities. So they are done in a  
9 Cree language and there is an understanding of  
10 realities such as limited services -- which we'll  
11 get into -- that are located in the communities  
12 that perhaps would not be a problem in other  
13 regions in the province where there may be social  
14 workers or psychologists or other types of support  
15 that can be referred or provided, additional  
16 support for victim or witnesses, events and trauma,  
17 but we adapt those accordingly and we work from  
18 there.

19 The Cree -- go ahead.

20 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

21 And Mister... I have a question about that. So  
22 you're saying that the CAVAC workers provide a  
23 service adapted to Cree cultures and realities, so  
24 you spoke about on the culture side, about the  
25 language and the realities would be like the lack

1 of resources, but is there other ways that it's  
2 adapted?

3 **M. DONALD NICHOLLS :**

4 Yes. Well, yes, there is. There is the recognition  
5 that, since the residential schools in Québec  
6 closed in 1987, that adult population will have  
7 direct impacts and trauma related to residential  
8 school, residential schools in Québec, as well as  
9 there will be intergenerational impacts associated  
10 with that, there will be impacts related to  
11 systemic discrimination within the system,  
12 marginalization, the fact... The other  
13 consequences, which are in Canada, that are well-  
14 known: the level of services provided within the  
15 community may be less than that provided elsewhere,  
16 the fact that the population will have less  
17 economic opportunity and will be below the poverty  
18 line compared to other parts of the country. So,  
19 yes, there are realities that are based upon  
20 historical factors and impacts that must be taken  
21 into account as well.

22 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

23 Thank you.

24 **M. DONALD NICHOLLS :**

25 Okay.

1           Well, so, as I said, the CAVAC officers will  
2           coordinate community services and direct victims to  
3           complementary services which may be available with  
4           entities such as the schoolboard or the Cree Health  
5           Board, and they work closely with the EPF.

6           The provision of Cree personnel is very  
7           critical, because people, to be able to express  
8           their deep emotions, grief or trauma in your own  
9           language is very important, because that's the  
10          language that you're rooted in. The needs and  
11          circumstances of vulnerable populations require a  
12          sensitive and special approach with the realities  
13          and values of that group, and each group will be  
14          different within Québec.

15          We do a lot of information programs, so Cree  
16          CAVAC is also producing pamphlets in dialects, so  
17          we provide pamphlets that are in Cree, English and  
18          French, and with Cree, there are three dialects  
19          that are within the territory. So we try and make  
20          it accessible in the three dialects. So we have  
21          developed pamphlets on elder abuse, which is an  
22          issue of concern to us, considering that respect is  
23          one of the core values; domestic abuse, because we  
24          believe that that's best handled within the  
25          community, because the impacts are there and they

1           cause the environment or the wellness of the  
2           community, they affect that; sexual harassment,  
3           because this is an area that Québec is focusing on,  
4           as well as us, to make sure that environments are  
5           free of that; and human trafficking, because, of  
6           course, this is one of the big concerns within  
7           Canada and Québec is that Aboriginal peoples are  
8           the most vulnerable for that type of exploitation.

9           So, these are... so these services are  
10          accessible throughout the Cree population, through  
11          our local justice, facilities they can walk in, to  
12          Anna's office or any one of the three offices or in  
13          any one of the communities. When we have the  
14          offices hours and, as I said, those are posted on  
15          our website and usually displayed within our  
16          buildings as well.

17          There's also, each one of our CAVAC officers  
18          has a 1-800 number and a cellphone connected to  
19          that should someone which to connect with them  
20          directly. And part of our outreach, because not  
21          everyone reads, you know, or wants to read a lot of  
22          material, is that we have now produced a number of  
23          videos that are in the Cree language explaining our  
24          services and explaining some of the key issues such  
25          as: elder abuse and different areas that we're

1 working on that are all done in Cree and they're  
2 available on our website, and we promote those  
3 regularly.

4 So, here are the... So, okay, here are some of  
5 our statistics for 2017-2018. In general, here are  
6 the files that we've done for the community, this  
7 information, we can share. We can't go into  
8 specifics, but you can see there the amounts of  
9 activity by community and we tried to break it down  
10 for the Commission within a four-year period.

11 Indigenous people present outside the  
12 communities as well, we try and, you know, we're  
13 trying to say, I guess, within the network, that we  
14 have a population that lives, a large population  
15 that lives in Gatineau and there's a population  
16 that's in Amos, Val-d'Or and Montréal, and we're  
17 trying to... I guess, we're trying to sensitize the  
18 reseau or the network to say that, because of these  
19 populations, we're willing to help, to... When they  
20 have issues that may involve our people or the Cree  
21 Nation, that we would like to provide some support  
22 in that area as well.

23 So, we're very open to that and we presented  
24 to the reseau that we would be inclined to develop  
25 programs or even training with their staff if they

1           wish on the best way, or collaboration, for the  
2           best way to deal with Crees that may be located  
3           outside, and, of course, this would help with other  
4           First Nations as well.

5                    Is an important for us, after the Val-d'Or  
6           incidents, we impressed upon the regional, on the  
7           CAVAC network in Québec that they would be  
8           sensitize to the fact that vulnerable people, the  
9           Indigenous people in Québec have a vulnerability  
10          that has been exploited in different regions of  
11          Québec and that, as a frontline service, they need  
12          to be more sensitized to that and, perhaps, work on  
13          that. I know that the other CAVACs do incredible  
14          work and they do an incredible volume of work with  
15          their staff in large centers and we just want to  
16          ensure, if they want to complement that and  
17          increase their capacity to reach out to Indigenous  
18          peoples, which are exploited or susceptible to  
19          victimization in these urban centers that we would  
20          be inclined to help with that.

21                   It is known in Indigenous women, like I said  
22          previously, is one of the most targeted groups for  
23          human trafficking as well as homelessness in the  
24          urban centers. I know that in 2015, they did a  
25          study in Montréal of the 3,000 that were homeless

1 in 10 percent, were Indigenous that were living on  
2 the streets, and so there is a large Indigenous  
3 population, as well, not only in the human  
4 trafficking, but in the homelessness, which you're  
5 very susceptible to victimization and that needs  
6 services.

7 So, we tabled a number of recommendations  
8 following the Val-d'Or event in 2015 to the  
9 regional CAVAC, such as additional training,  
10 sensitization, a working group, which was  
11 specifically targeted on how we can approach  
12 Indigenous clientele, and that may be, in some  
13 areas, language might be an issue, why victims are  
14 not coming forward and utilizing CAVAC services in  
15 urban centers, is that they may not have a strong  
16 grasp of French, and so we recommend that at least  
17 English would be offered as an alternative for  
18 Indigenous people that may be living in urban  
19 centers and, if possible, that Indigenous language.

20 We also recommended that, considering the  
21 incidents there, that there would be female CAVAC  
22 worker to promote a safer environment for women  
23 seeking support, specifically when it comes to  
24 sexual violence or assaults.

25 We also identified resources that they could

1 complement with in urban centers such as  
2 possibility Native Friendship Centers where this  
3 capacity could be built to provide a safe  
4 environment for Indigenous peoples that may be  
5 coming in to CAVAC offices in urban centers  
6 throughout Québec. And I think that following Val-  
7 d'Or, we recommended that a protocol, with respect  
8 to criminal complaints against police officer be  
9 established and, basically, this is to easily  
10 communicate to Indigenous peoples that may not  
11 understand how they can lodge a complaint if an  
12 event has happened against them by a frontline  
13 service such as... well, any frontline service, but  
14 in the case of Val-d'Or, is police officers: there  
15 was... when we did -- when we talked with the  
16 individuals there, we were aware that they had no  
17 knowledge of the steps that they needed to take if  
18 they wished to seek redress against any of the harm  
19 that was done against them by a frontline service.

20 Also, we recommended counseling services.  
21 There are increasing request for mental health and  
22 support and counseling. This is, as I mentioned  
23 before, because of the realities in the Cree  
24 Nation, although we do have a Cree Health Board and  
25 we may have some community services, they're often

1           overwhelmed, and Anna will get into that, but, you  
2           know, we do recommend additional counseling  
3           services be available to Indigenous or, in this  
4           case, Cree victims and witnesses. And with that,  
5           of course, there would be a need for additional  
6           financial resources to provide that type of  
7           psychologist or a counselor to complement the work  
8           that we're doing now.

9           I think that when we approach training, and we  
10          mentioned this in our last submission to you, that  
11          one of the issues that we have with our CAVAC  
12          training for our Cree CAVAC workers is that: the  
13          training that is developed and offered for CAVAC  
14          workers throughout Québec is often in French and is  
15          very limited. And, so, we're not really within  
16          that group, so we look for other trainings that  
17          will complement and will provide support to our  
18          staff, but I think that it's something that we need  
19          to work at, because there's obvious benefits for us  
20          to be closer aligned within the network and develop  
21          those relationships, because we can provide the  
22          support when it deals with Indigenous populations,  
23          but also they can provide... they have been in  
24          existence for 30 years and us 10, so they can  
25          provide some obvious experience when dealing with

1           victim support as well. But I think the language  
2           barrier there has been something that we have felt  
3           and I think that, you know, if there is some way  
4           that we can work to remove that in some way or to  
5           work in a way where there is more training, where  
6           it can bring the two groups together, I think it  
7           would be a benefit for both groups.

8           I think, technical training has been an issue  
9           as well, the IVAC system or for access for victims'  
10          funds, they have not provided this previously to  
11          us, because it's all... it's in French and that,  
12          when we've made request on the IVAC system, we were  
13          told, or when we made request regarding counseling  
14          in the past for psychologists and that, which might  
15          be accessible through IVAC, we were told that the  
16          Cree Health Board provides it, so it was  
17          ineligible. This is not the case if there is  
18          limited resources in the North and the system is  
19          overwhelmed and they cannot provide that, then we  
20          believe that, you know, we should be able to tap  
21          into funds that are specifically designed to  
22          provide that they of support.

23        **Me MARIE-ANDRÉE DENIS-BOILEAU :**

24           Yes. So, just to make sure, so you're saying that  
25           the IVAC services cannot be provided to Cree

1           people, according to the IVAC program?

2           **M. DONALD NICHOLLS :**

3           Well, we tried. We were, as you know, as I said,  
4           we are part of the réseau and, every year, we would  
5           sit there and we would see all these reports being  
6           handed out to the other CAVACs, but not to us, and  
7           we said: "Well, what is that?", and they said:  
8           "Well, that's the victims' assistance fund.

9           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

10          Uh-uh.

11          **M. DONALD NICHOLLS :**

12          And we said: "Why are we not eligible for that as  
13          well?"

14                 And so, then, in the last year or so, they  
15          started sending it to us and we've asked for our  
16          staff to be trained on it, because it's a fund that  
17          provides that type of support for other victims  
18          throughout Québec, but we have not been successful  
19          in getting that... those funds for the support  
20          that...

21          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

22          Okay.

23          **M. DONALD NICHOLLS :**

24                 ... we need within the communities for...

25          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

1           So, there is never any IVAC request from any Cree  
2           person, because it's..

3           **M. DONALD NICHOLLS :**

4           Well, all that Anna...

5           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

6           Yes.

7           **M. DONALD NICHOLLS :**

8           ... you know, will talk about maybe her experience?

9           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

10          Uh-uh.

11          **M. DONALD NICHOLLS :**

12          But, certainty, we've asked our staff if they used  
13          it and they said that they have tried or attempted  
14          to use it, and they were told that these services  
15          should be provided by...

16          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

17          Okay.

18          **M. DONALD NICHOLLS :**

19          ... the health board or other complementary  
20          services within the Cree Nation and so,...

21          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

22          So it was denied.

23          **M. DONALD NICHOLLS :**

24          Yes.

25          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

1           Okay.

2           **M. DONALD NICHOLLS :**

3           Well, they were deferred.

4           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

5           Deferred.

6           **M. DONALD NICHOLLS :**

7           But that's... like I said, it's what our staff has  
8           told us at meetings, because we have regular  
9           meetings to find out how things are going.

10          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

11          Okay, thank you.

12          **M. DONALD NICHOLLS :**

13          I think that we already touched on this, but, you  
14          know, there's -- if we did a little bit of  
15          translation services like we're doing today with  
16          some of the trainings, I think that would improve  
17          hopefully the coming together of our services with  
18          the rest, in Québec.

19                 I think, you know, when I talk about -- and I  
20          mention there and I've mentioned it a bit, but when  
21          you talk about the diversity of Indigenous people  
22          and their understandings and ways and approaches to  
23          grief and harm and healing and wellness in  
24          community, holistic or restorative justice-type  
25          solutions, there can be a benefit to the rest of

1 Québec, I know that there are some, I know, at the  
2 last CAVAC, they mentioned -- CAVAC board meeting,  
3 they mentioned that there was a project in Montréal  
4 where there were, they had read about restorative  
5 justice in Indigenous communities and they were  
6 trying circles and ways of using restorative  
7 justice to work with victims within Montréal.

8 And, you know, for myself and the other  
9 Indigenous CAVAC member that sits on the board, we  
10 said: "Well, you know, if they want to look more  
11 into this, why wouldn't they ask us, you know?  
12 Because, obviously, we use these, we use the land,  
13 we use ways of healing and thinking about on  
14 holistic approach to it.

15 But we don't understand why they wouldn't also  
16 come to us and we would be happy to share, if  
17 there's anything we can share or they can learn or  
18 benefit from there that would be -- instead of  
19 reading about it, we could, you know, share that  
20 experience from our perspective and from where we  
21 are.

22 I just want to mention that we were invited, I  
23 was invited in Montréal for the 30<sup>th</sup> anniversary of  
24 the creation of CAVAC. At the time, the Québec  
25 Minister of Justice, Stéphanie Vallée, she

1           recognized the outstanding work with the Cree CAVAC  
2           and said that they provide quality services, even  
3           though they've only -- we've only been there ten  
4           years, as opposed to the 30, but we provide quality  
5           services for a vast area of Québec.

6           And so we just wanted to, you know, obviously,  
7           thank her for that acknowledgement, because it is a  
8           lot of work to provide this type of services that  
9           have not been provided before and we think that  
10          it's a much better holistic approach to the way the  
11          justice system should work.

12          And Minister Vallée also stated that there  
13          would be... that she was providing to the other  
14          CAVACs the sexual violence liaison officer  
15          position, because of the... to specialize there, to  
16          complement the type of services. So, we're looking  
17          forward to that as well. I think that other  
18          resources, you know, that could complement the work  
19          that we do would mean that we could reach more  
20          victims, that we could help with her healing, that  
21          we could do more approaches. I think that that is  
22          something that's positive, and we, of course, we  
23          would adapt that position and use it in our way to  
24          strengthen the system in the way we deliver  
25          services.

1                   So, that's the presentation on the CAVAC  
2                   portion or the introduction.

3                   **Me MARIE-ANDRÉE DENIS-BOILEAU :**

4                   So, Miss Neeposh, we agreed that we will ask more  
5                   in-depth questions about your experience at the  
6                   end, but, on that presentation, are anything that  
7                   comes in mind, do you have anything to share?

8                   -----

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1 Mme Anne Neeposh  
2 Intervenante du CAVAC  
3 Assermentée

4 -----

5 **Mme ANNE NEEPOSH :**

6 I'm going to do my presentation in Cree. I have  
7 already notified the translator. I don't know if  
8 this is on air, we have listeners but, if we do,  
9 we'll acknowledge the Cree speaking people.

10 **LE COMMISSAIRE :**

11 I think it's not on air.

12 **Mme ANNE NEEPOSH :**

13 No? Okay.

14 **L' INTERPRÈTE :**

15 Listening to what was said today about the CAVAC,  
16 there are things that need to be improved, things  
17 that don't work with us.

18 One thing is... I think, personally, what  
19 stops us from doing what we do and what else we can  
20 do more for people. And there are people that can  
21 help us, help us to help people. The one thing  
22 that I think that really affects me is, sometimes,  
23 it's when somebody approaches me. I can't answer  
24 this person right away. I can't give her the  
25 answer right away, I can't help her right away,  
26

1           because there's nowhere that I can send her to go  
2           be safe, where she can't experience any more hurt.  
3           It is often like this and, the other thing that  
4           stops me from doing my job is because, sometimes,  
5           when an elder is abused, it's often by the family.  
6           When I go in this home, I can't send people out of  
7           that home, because there is no place that I can  
8           send. Often, it's one week that I have to keep  
9           this person until he or she gets help. But if you  
10          have money, if you have the resources, you can help  
11          people right away and efficiently.

12                 CAVAC is supposed to help victims with  
13          physical harassment -- physical abuse, I mean, or  
14          sexual abuse, and any other type of harassment. It  
15          really disturbs me that I can't help someone  
16          immediately. I think, if I could just have  
17          something on hand that I can give the -- help them  
18          immediately, then we could help a lot more people,  
19          and there would be a lot more resources to help  
20          families.

21                 I don't think that people fully understand  
22          what CAVAC does. I'm talking about a specific  
23          police officer, I think I've met with him two or  
24          three times, and I would like to recognize that  
25          this person is a new worker. It's time they bring

1 a person to get help. It really created a gap,  
2 because the lack of understand what CAVAC does.

3 Hold on.

4 Sometimes, when this person is a victim of a  
5 crime, the other person also needs help, the one  
6 who committed a crime. That's what I understand  
7 lately.

8 When people are affected with house fires, the  
9 Justice Department tried to help. We brought this  
10 family a basket of stuff, essentials, for hygiene,  
11 personal hygiene, and other stuff that they needed.  
12 We brought them this stuff and, when I look at  
13 that, they should be considered as victims. That's  
14 how we look at it -- that's how I, personally, look  
15 at it.

16 And I probably don't fully understand where I  
17 can help. With what happened recently with the  
18 house fires, I called one of the families and I  
19 asked them if they needed something. When that  
20 happens, an investigation is conducted. We don't  
21 know how the fire started and the police  
22 authorities are still working on trying to find  
23 that out. And, while that is happening, you might  
24 think, seen all the police officers trying to work  
25 and find out what happened. You tend to think or

1           you don't understand how to help, the best you can.

2                   And when you have something that could help  
3           somebody right at your hand -- I'm talking about  
4           money here -- it's easier to help somebody. This  
5           lady here, this is the lady that I sent people to,  
6           because she has things to offer to help. I've  
7           often sent people to her.

8                   Right now, we're working together to find ways  
9           to send people out, for people to get trained in  
10          helping people -- no, for people to get send out to  
11          get healing, like in a canoe excursion. Those are  
12          the kinds of things that we -- those are the kinds  
13          of ways we try to help people, but there are costs  
14          to these things.

15                   And I wanted to touch on a few things that  
16          Donny talked about. Like the trainings he talked  
17          about, to further learn about our job. Like IVAC,  
18          when you teach yourself to learn how to help  
19          further, IVAC, I known IVAC can provide what you  
20          need. But it's really hard to get something from  
21          IVAC. They always ask: "Did you go to SAAQ?", "Did  
22          you go to CSST?". They always ask if you went  
23          somewhere else first. Just like Louise had an  
24          accident, I tried to help her. I tried to get help  
25          and that's the first thing they asked me: "Did they

1 go to SAAQ?", "Did they go to CSST?".

2 I've been told that there's the Cree Health  
3 Board that could help you. Sometimes, you're  
4 referred to psychologists, but me, I prefer to  
5 speak to somebody that speaks Cree, because  
6 sometimes there are victims that look for  
7 counselling with somebody that could speak Cree or  
8 with a Cree that they have things in familiar,  
9 because they feel more comfortable, because they  
10 have a lot more in common.

11 I think IVAC could provide a lot more training  
12 in asking for funds, because they always tell us:  
13 "You have the Cree Health Board and the  
14 psychologists". But the ones we have here work a  
15 lot, they have a lot of work; the Cree Health  
16 Board, I think, too many people to deal with. Even  
17 the local band offices have the same problem, like  
18 they have too much work for there -- too much  
19 workload.

20 Sometimes, I think if CAVAC had somebody  
21 within the Cree Nation working for them, I think it  
22 would be beneficial. There are elders that could.  
23 Me, I don't think I'm that old, but I can still  
24 consider myself that can help somebody. Not only  
25 in my office, but peoples come to my home

1           sometimes. And it would be a lot easier, we could  
2           have somebody like that that you can just point to,  
3           and that's where they could get help. I think it  
4           would be really beneficial if there was somebody  
5           here in the community that could help somebody in  
6           that way.

7           Donny talked about all the ordeals people  
8           face, like in sexual abuse or... I think it would  
9           be good if we can have somebody that focuses on  
10          only one of these, each of these kinds of things.  
11          I think it's really important to have somebody  
12          there that can help any time. And when there's a  
13          court, you see these people, but you can't take  
14          these people to get help to...

15          I make referrals for people that I know need  
16          help, but the list is very long and they don't put  
17          me as priority when I refer somebody. Sometimes  
18          that's where I get help from the...

19          I think it would be very helpful if you can  
20          get somebody here in the community to help in that  
21          way, because not everybody wants to go down South  
22          for help. A lot of these people don't speak  
23          English, they don't speak French, they speak only  
24          Cree. That's why I think that I should be speaking  
25          Cree, because I work for the Cree.

1           When you want to help everybody, not depending  
2           on the race, just... I think healing in every part  
3           of you -- when sometimes happens to you, it affects  
4           you everywhere. I just...

5           Sometimes, when you try to help women,  
6           sometimes when you try to help a woman to a woman  
7           shelter, it's really hard to do that. I don't  
8           think it's supposed to be like that. I think if  
9           there were funds for this, you can just send  
10          somebody there for help. You can pay for  
11          everything, like the taxi that has taken her there.  
12          That's what I already asked: "Who pays for taxi?",  
13          "Who pays for the travel?". "Do I have to send her  
14          to the social services for her to get help for  
15          travel expenses?" "What about the kids? Are you  
16          going to take all the kids? Who is going to pay  
17          for the kids?" All of these little things that I  
18          think really preventing from helping people. I  
19          think it would be a lot easier if there were  
20          meetings like, such as this, for you to talk about.

21          Sometimes, when there's domestic violence  
22          between two partners, the spouse usually drops the  
23          charges, because she usually says: "I'm sorry, I  
24          can't charge my husband, because he's the sole  
25          provider. There's nobody else to pay for my bills,

1           there's nobody to watch, help me raise the kids",  
2           and sometimes it's more important for the lady to  
3           drop the charges, so that she could get help from  
4           the spouse.

5           Sometimes, the lady is torn in two, because  
6           she doesn't know which way to go. Sometimes, she  
7           wants to press the charges and sometimes not. I  
8           try to tell them that I don't really know what to  
9           say to a person when the situation is like this. I  
10          want to tell them that - I can't make these  
11          decisions for people, but my job is to support  
12          their decisions, like even if I don't agree with  
13          their decisions.

14          A lot of times, these women don't come back.  
15          A lot of times, it's like this. There are a lot of  
16          times when the woman drops the charges.

17          Louise and I are both working on domestic -  
18          Louise and I are working to help people, families  
19          affected by violence involving alcohol. These are  
20          the kinds of families that we're working to help,  
21          and I think the way we can help these people is: we  
22          could integrate cultural teachings. Louise has her  
23          own budget.

24          There's a lot more that I can, that we can  
25          talk about, but these are the main things that I

1           wanted to talk about.

2                   And everybody likes to have, like, support,  
3           like CAVAC. When I was first trained -- okay, I  
4           don't mind. I don't mind. I see people at the  
5           store or... When we work together, they see, they  
6           want to come for help, they think about it. I  
7           think that's why, sometimes, you will go, "um",  
8           hesitate to come in, because there's a criminal  
9           record. There's something that you've done, I  
10          think that's what prevents other people to come in  
11          for help.

12       **Me MARIE-ANDRÉE DENIS-BOILEAU :**

13           Thank you very much. I was just waiting for the  
14           end of the translation there. Thank you. There  
15           were very interesting things that were said there.  
16           So I understand that it's hard for a CAVAC worker,  
17           because like (inaudible) people throughout the  
18           justice system (inaudible) what happened to the  
19           justice system, but after, for the victim, you feel  
20           like you're off against a wall, you cannot provide  
21           them any services as for the (inaudible) there was  
22           the (inaudible) aid or (inaudible), but you can't  
23           provide them (inaudible).

24       **L' INTERPRÈTE :**

25           Yes, that's what I think, me, personally, I think.

1           There should be somebody during court for somebody  
2           to be there that is ready to help during the court  
3           and that can help further to help, look for  
4           healing. But if this person is not there, it takes  
5           a long time to try and help the victim. Because  
6           there's a lot of people, a lot of people that are  
7           just trying to help. Sometimes I feel like it's  
8           too many people. I think, if there's somebody  
9           during the court that could talk to these people,  
10          because, at the same time, I'm working during  
11          court, sometimes people approach me and tell me,  
12          you know: "You should talk to this person" and, at  
13          the same time, I'm trying to do my job. And that's  
14          my job to go with people, to accompany people to  
15          court and, when that's done, I think -- I don't  
16          think that there's immediate help for these people.

17          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

18                 Thank you. And do I understand right that you  
19                 never had help in IVAC training?

20          **L' INTERPRÈTE :**

21                 We did go to a training. Not just IVAC. It was  
22                 everything CAVAC teaches, it was just like a  
23                 summary. I think that's what the training looks  
24                 like, like just a summary.

25                 I realize there are other programs that you

1           can tap into. I kept asking what are these other  
2           programs. That's what I've seen a lot.

3           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

4           Thank you.

5                   Mister Nicholls, I don't know if you had a  
6           comment, because you looked at me at some point,  
7           so...

8           **M. DONALD NICHOLLS :**

9           No.

10          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

11          Okay. It's just... I just want to make sure.

12          Okay.

13                   So, you said, (inaudible) your presentation,  
14          (inaudible), I don't know if it's what you said:  
15          “(Inaudible) psychologists, but I prefer to speak  
16          with someone who speaks Cree”. So is there like  
17          not a lot of psychologists who speak Cree?  
18          (inaudible) refer to that type of services?

19          **L' INTERPRÈTE :**

20          Yes, that's what I said. We have people, here,  
21          that don't speak Cree and they need somebody to  
22          speak Cree to... There is a Cree psychologist, I  
23          know that. But these people that are charged,  
24          that's the person that they use. But these people,  
25          the victims, don't have somebody that only speaks

1 Cree. I have cases files that they... that says  
2 that they want to speak to somebody that speaks  
3 Cree, preferably an elder sometimes.

4 Here, in Mistissini, if we can use people that  
5 can do this job, not for somebody to say that: "Is  
6 this person qualified?". I think that's what  
7 prevented us sometimes, when people ask if this  
8 person is qualified. But if you have experience,  
9 there's no problem in helping somebody. If you  
10 have life experience, I think one is qualified to  
11 do the job. It's easier to say it in Cree. It's  
12 not the same if you see a psychologist and if  
13 you're translating, it's not the same for the  
14 victim, and to speak to this psychologist. And  
15 then, I'm trying to break that while I'm trying to  
16 translate. It's just not the same, not helping in  
17 the same way.

18 Sometimes, when somebody is emotional,  
19 expressing their feeling and then interrupting to  
20 translate, it's not the same, they're not getting  
21 the same help that they should be getting. Because  
22 I'm like, I keep interrupting while they're trying  
23 to talk and express their feelings, and then  
24 they're, after I'm done translating, they start all  
25 over again and it's just not the same. I think

1           it's very important to have somebody that speaks  
2           Cree, even the same dialect, to have somebody from  
3           Mistissini that sounds like, that speaks the same  
4           language and same dialect. I think it's really  
5           important to get somebody from, within the  
6           community.

7           I think that really prevents from doing my job  
8           sometimes, because I can't find somebody who does  
9           this that could get paid to do this job, as a  
10          psychologist.

11          An non-Cree that comes in the community to do  
12          this job is... you spend a lot of money. But  
13          somebody from here could do the exact job, just as  
14          good.

15          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

16          Thank you. I have a question on domestic violence:  
17          I'm sorry if I make you repeat sometimes  
18          (inaudible), you talked about the fact that  
19          (inaudible) victims are (inaudible), because the  
20          person who assaulted (inaudible) house and you said  
21          that, for you, it's hard, because sometimes you  
22          cannot provide them the sufficient support  
23          (inaudible), and you told me yesterday that, as  
24          well, (inaudible) you wanted them to get help  
25          (inaudible) social services for their kids,

1 (inaudible) you're scared that they will be

2 (inaudible). (Inaudible).

3 **L' INTERPRÈTE :**

4 I think, when that happens, in the specific  
5 situation, this family, when the family goes  
6 through that, when that happens to a mother, a  
7 physical abuse happens to the mother, you hurt the  
8 mother, it affects the children also, and these  
9 children, even if we don't see it in the children's  
10 lives, we know that their little hearts have been  
11 broken. They look at their father differently and  
12 they also look at their mother differently, and I  
13 don't think that it's the children's fault, what was  
14 happening within the family.

15 Sometimes, I found a situation when somebody  
16 said that: "I don't want to get here, because this  
17 is not a youth protection issue. I don't think the  
18 social services would be involved, because the  
19 fight was between me and my husband. I don't want  
20 that record, I don't want that record to be on me.  
21 I don't want the social services to keep  
22 involved with my family, because the kids are not  
23 the problem, it was me and my husband".

24 I don't know how you can help these people  
25 still, and for the kids to get help also, but the

1           mother is trying to stop you from contacting the  
2           social services. That's what I'm wondering: how  
3           can we go around that to help everybody in the  
4           family?

5                    We have talked about this, how we can help  
6           this family, how we can help the father, how can we  
7           help the mother? And the mother doesn't want to  
8           go, doesn't want us to contact the social services.  
9           We will get this CAVAC services and we'll also  
10          provide help for the father. But these kids,  
11          they're not under -- we don't know how to, we don't  
12          know how to help the kids. I know they're affected  
13          by this, they're hurt by this. I think that's what  
14          bothers us. We know what the social services are  
15          for, they can help the kids, but the mother, you  
16          see, doesn't want this.

17                   Sometimes, I'm confused too and you don't want  
18          to tell the mother: "We can't do this". You don't  
19          want the mother to, like, go away and say: "You  
20          know what? No, I don't need help". So, right now,  
21          we're trying to find ways to help these people to  
22          go around on this specific problem.

23                   Sometimes the mother says: "It's not about my  
24          kids. I don't want to go to social services,  
25          because I don't want to have that record. It's

1           between me and my partner". And when somebody  
2           comes and says that, you don't know what to do,  
3           like, what can CAVAC do. This person doesn't want  
4           to go there and doesn't want to go there. I want  
5           to be helped here. Right now, we're trying to work  
6           together to find ways to help the kids also, and  
7           the mother and the whole family. A lot of women go  
8           through this.

9           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

10           Thank you. I have no more questions for you.  
11           We're lacking the PowerPoint. Maybe (inaudible)  
12           take a quick break? (Inaudible).

13           **LE COMMISSAIRE :**

14           (Inaudible) take a break. Okay. (Inaudible).

15           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

16           (Inaudible).

17           **LE COMMISSAIRE :**

18           (Inaudible) will take a little rest, so,  
19           (inaudible).

20           SUSPENSION

21           -----

22           REPRISE

23           **LA GREFFIÈRE-AUDIENCIÈRE :**

24           La Commission reprend ses audiences.

25           **LE COMMISSAIRE :**

1           So, welcome back. We'll continue with the  
2           PowerPoint presentation.

3           **M. DONALD NICHOLLS :**

4           Yes.

5           **LE COMMISSAIRE :**

6           We're listening to you.

7           **M. DONALD NICHOLLS :**

8           Very good

9           **M. DONALD NICHOLLS :**

10          Jimskunden, Anna, for your words and for your  
11          sharing on the experiences at CAVAC.

12                 Now, we're going to transe, we're kind of  
13          building upon that. I know that Anna had mentioned  
14          that there's many programs that are community  
15          justice initiatives do and those justice  
16          initiatives are represented, as I mentioned at the  
17          beginning by Louise, who runs the longest standing  
18          type of community justice process, is our local  
19          tribunal, as well Ruth, who is in one of our most  
20          active ones as well in our furthest most community  
21          which deals with incredible things as well as  
22          diversity, because it's a mixed community with Cree  
23          and Inuit. So, it should be very good the  
24          reflections that they add to this presentation as  
25          well and the type of programming that they do is

1           the type of programming that works to create  
2           community healing, wellness, enhanced safety to  
3           really bring in the core values of what a  
4           community means and, to us, that is a core within  
5           the Cree justice system, is to say that justice  
6           evolves from the community and really reflects the  
7           people it serves.

8           So, we're pleased to present on our community  
9           justice, with our community justice officers, as I  
10          said, and the committees and the initiatives that  
11          they represent.

12          So, our community justice officers, well, they  
13          help with the recruitment of members, but they work  
14          with local leadership and we look to have people,  
15          leaders identify people in the community that best  
16          reflect the values of that community to sit there,  
17          and it's a good cross-section. As I've given you  
18          the statistics this morning, there are 80 members  
19          of Cree justice committees throughout all nine  
20          communities. Of them, there are 27 elders and 15  
21          youth that are integrated in there to make sure  
22          that we have a full cross-section of the values and  
23          that we can ensure that all aspects of realities,  
24          whether it's a linkage to those past traditional  
25          ways that reflect our core, our underlaying

1 principles within our society or whether it's that  
2 modern, you know, the evolving, the growth of our  
3 communities or the organizations and all the  
4 implications that those may represent to youth,  
5 both in terms of opportunities, but also they could  
6 be barriers or obstacles that need to be taken into  
7 account. And, as we mentioned before, these would  
8 include, of course, the intergenerational impacts  
9 of residential schools and other traumatic policies  
10 or areas where they may have been faced  
11 marginalization within the region or elsewhere.

12 They also assist in doing cases, as we  
13 mentioned before, that they may do 230 cases per  
14 year that are given to the community to do as that  
15 is more, a more appropriate place for justice to be  
16 rendered in, you know, in certain instances. So,  
17 although the agreement that we make with the  
18 prosecutors within Québec, it categorizes Section 1  
19 and Section 2 offences as being that area, because  
20 it deals with assaults, it deals with what they  
21 call the "lesser offences".

22 We do not categorize that in that. In our  
23 perspective, it's those that are best handled by  
24 the community, those are best handled by the  
25 services that are there and by us coming together

1 in saying: "There is an aspect to the harm created  
2 that is going to impact more people in the  
3 community and that sense of community's well-being  
4 and the sense of community's safety that requires  
5 more of a community-based approach to the wrong or  
6 to an act or a mission".

7 As you heard Anna, in her testimony, one of  
8 the areas that's in Section 3 of the Criminal Code  
9 that is not included in there, but should be  
10 included in there, is domestic or conjugal  
11 violence. Now, if these were handled by local  
12 committees, it would eliminate the issue of  
13 criminal records. It would mean that more people  
14 are involved in the community to provide support,  
15 that this incident does not happen again.

16 And so, these are some of the areas I know  
17 that the Ministry of Justice has tried, I believe,  
18 with the Atikamekw justice committees to expand  
19 this type of role and we have requested it from  
20 them for a while, and I know that probably you've  
21 heard from Miss Lyne St-Louis, she had advocated  
22 that as well for the Inuit communities. We are not  
23 different, that if something that happens within  
24 the community is better served by an approach that  
25 is community-oriented and that takes into account

1 all the aspects of the harm that may have occurred,  
2 that's preferable to a solution that may isolate  
3 that and merely suspend by putting them through a  
4 process that eventually they return, and none of  
5 the healing or none of the works to repair that  
6 harm have occurred.

7 So, with that, we say that these... that the  
8 work of the justice committees and the work of our  
9 justice officers is crucial to build stronger  
10 communities, to build more appropriate approaches  
11 at times to harm that is caused that would  
12 otherwise be treated through a process that...  
13 well, that is an alternative to our own traditional  
14 way of doing things.

15 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

16 Just a question on that: you talked about conjugal  
17 violence and the fact that, well, you would like it  
18 to be diverted to a community justice. Well, since  
19 2015, it's possible, as you know, to divert these  
20 cases to justice committees, but you have -- from  
21 what I understand -- you have to have an agreement  
22 with the Directeur des poursuites criminelles et  
23 pénales. Did you have already... did you talk  
24 about it with the Directeur des poursuites  
25 criminelles et pénales to include it for the Cree

1 Nation? Where is this now?

2 **M. DONALD NICHOLLS :**

3 We have. And we're not saying that they're not  
4 open to it. We're saying that this is a more  
5 appropriate approach and this is the benefit of  
6 having a community justice-oriented system that's  
7 more in touch with the Cree communities that it  
8 serves.

9 And so, yes, the majority of our committees  
10 have agreements dating previous to 2015, there is  
11 only one that was signed recently past that date,  
12 and I'm sure they are open to it, and as I'm sure  
13 that Louise and Ruth will tell you, that the  
14 justice committees chose the ones that they will  
15 accept as well. So that's important too when it  
16 comes to issues that may be, for reasons of being a  
17 small community, that some issues that could go  
18 locally, there may be conflicts of interest, there  
19 may be relationships between -- it may be so  
20 closely connected that we have to look at other  
21 ways of dealing with it.

22 So, yes, there's... we take that into  
23 consideration that we would like or that we  
24 recommend to do more of this, but, in the end, as  
25 Anna says, we have to respect the decision of the

1 local committees if they decide that they're not  
2 prepared to do that, and, so, we're doing in that  
3 basis the same way we do with our communities when  
4 we introduce any new type of program or service, we  
5 always say to the community: "Are you ready for  
6 this? And you let us know, because we're not going  
7 to impose something and say that: 'Now, they all  
8 have to do it', but we would like, instead, to put  
9 in place something where we say: 'We respect what  
10 your decision is', you know, 'we give you the right  
11 or we give you the opportunity to do it, but we  
12 will respect, in the end, how you decide' ". Very  
13 good.

14 I think that, also, the work of Louise and  
15 Ruth, which we will get I to, deals with crime  
16 prevention initiatives. So they go around, they  
17 raise awareness, they speak at the local general  
18 assemblies, they're on the radio, they're doing a  
19 number of events locally within the community, on a  
20 regular basis, and they're keeping in contact, in  
21 touch with the services and they have an idea of  
22 what area, where there may be increased incidents,  
23 where they may have to adjust a program to a  
24 particular community.

25 So, in some communities, that could be mean

1           that, you know, vandalism in on the rise or it  
2           could be theft, it could be assaults, there could  
3           be different types of -- and even conjugal violence  
4           -- I'm sure that Ruth will talk about her  
5           relationship program and how that tries to address  
6           that by getting together people and working on that  
7           for a number of days. There are other areas that  
8           we use and ways that we use the land to effectively  
9           reach out and start the healing process with  
10          individuals that could be offenders or, in some  
11          cases, that may be victims. And sometimes they can  
12          be both. Very good.

13                 Like I said, they work in collaboration with  
14                 the police, probation officers, court personnel,  
15                 social services, health care professionals and  
16                 communities. A very busy job, definitely, and they  
17                 are definitely, since we started in 2008, there  
18                 were deficits, there were was a missing service  
19                 within the communities and these certainly have  
20                 filled that area to -- now that we have... there's  
21                 not a missing partner at the table.

22                 So, they're very actively involved locally in  
23                 the communities and they're, in fact, they are the  
24                 liaison between the local government and also  
25                 between the courts and with the justice committees.

1           So they're in-tune on whatever is happening as far  
2           as criminal activities happening within each  
3           community. Like I said, they work on restore -- I  
4           know it says up there "alternative justice  
5           solutions", but, really, it's the reverse, but  
6           they're community-based solutions and it's  
7           restorative.

8           One of the issues that arises a bit with  
9           restorative justice and, I think we touched on it  
10          last time a bit, is the whole idea of guilt, and  
11          Anna talked on it a little bit as well, the  
12          stigmatization. That's not the purpose of a  
13          community-based solution, is to stigmatize someone  
14          if they go through a healing process, because often  
15          they are residual records that remain, even if  
16          someone goes through a restorative justice process.  
17          And so we have had discussions with the Ministry of  
18          Public Security to say: "Well, is there a  
19          possibility that, if we go through a good process  
20          and with an individual, and we do it locally, that  
21          all of those could disappear and that would not  
22          inhibit their chances to engage in occupations or  
23          travel or mobility or other things?".

24          So, really, we're working towards repairing it  
25          locally, but there still seems to be a level within

1           the system that still identifies them as having  
2           committed an offence. So, we're working towards  
3           trying to resolve that as well and I think that  
4           would only add to more people using the system,  
5           instead of going through the other system -- using  
6           our traditional system.

7           One of their objectives is to maintain social  
8           peace and harmony within the community. They use  
9           culturally-adapted processes, they incorporate Cree  
10          values throughout. That's one of the benefits with  
11          our justice officers: they're all hired locally  
12          from each community, so they've already established  
13          all that networking connections and so they build  
14          upon those. And so the skills and the training  
15          that we do are all about helping them identify the  
16          needs within the community and then build upon  
17          their networks for solutions.

18          So, the justice committees that Ruth and  
19          Louise oversee, they engage in social reaction to  
20          crime and conflict. It deals a bit with  
21          accountability, but, like I said, we don't like the  
22          stigmatization problem of that, but -- and  
23          reparation and re-establishing relationships. This  
24          will mean to... this enhances community well-being,  
25          this enhances community safety, if we can rebuild

1 relationships so that people see the value in them  
2 and they're not likely to recur or to do, to engage  
3 in recidivist activities.

4 And healing is an important part of that,  
5 because each event may cause a certain amount of  
6 trauma, not only with the victim and the offender,  
7 but with families and other members within the  
8 community. So they're acutely aware that the  
9 process has to be inclusive.

10 Well, it's definitely one where we use the  
11 land-based programs, we do peacemaking, we do  
12 healing circles, we also do, where we go deep into  
13 underlying aggression and emotions, we work on  
14 addictions. We use the land a lot -- you can see a  
15 canoe brigade up in the... yes, up in the image,  
16 but while they're there on the land, they're being  
17 mentored, they're talking about the relationship,  
18 they're talking about the decisions that they make,  
19 there are counselors there. It's an opportunity  
20 for them to get away of all the distractions of a  
21 community and to be focused on some of the issues  
22 that they need to move beyond in order to make  
23 healthier or to make more positive decisions in  
24 their lives. And that mentoring will continue on  
25 within the communities as well.

1           It also allows to have this type of system a  
2           greater voice for the victims within the community.  
3           It gives us a deeper understanding of all the  
4           implications of the incidents. It's not just to  
5           appear before the judge and: "Did it happen or did  
6           it not happen?"; it's like: "Okay, so now, who did  
7           it all involve?", "What do we need to deal with?",  
8           you know, "Who needs to be in that circle?". And,  
9           of course, it reduces the over-representation of  
10          Indigenous peoples going through the court system  
11          as well as in the correction system.

12           There is a greater participation in community  
13          members. We're very honoured that the level of  
14          participation of people joining our justice  
15          committees and participating increases, and there  
16          are some turnover and we continue to do training  
17          with them and to make sure that they have the tools  
18          they need. But, definitely, that continues to  
19          increase and people are continuing to see the value  
20          of having a community justice within their own --  
21          committees within their own area.

22           Usually, it's typically five to eight members.  
23          I know that you have this information and we  
24          already talked about elders and the women and  
25          youth, and how we have to have a good

1           representative cross-section. They meet regularly,  
2           a few times a month. They attend all the cases  
3           hearings, they're there when the court is in town,  
4           they're there because the judge will refer cases to  
5           them, and same with the Crown attorney will meet as  
6           well.

7           They do mediations, they do alternative  
8           measures, they do Gladue reporting, they meet in  
9           support of conflicts. So we've also been training  
10          our justice officers on doing conflict resolution  
11          and advanced conflict resolution, so conflict  
12          coaching and other types of things to really deal  
13          and help people, as Anna said, to make their own  
14          decisions. So we're not there to impose a decision  
15          on them or to recommend a decision for them. What  
16          we're there is to bring out the possible  
17          opportunities for them to make a positive decision  
18          and step forward in their own lives.

19          So, it's, in that sense, it is taking the  
20          power away from an external person over what the  
21          next steps will be in their life and putting it  
22          back in them, to make sure that they're the ones  
23          that make those key decisions.

24          We also, as I said, we do a number of Gladue  
25          reports, we do a number of trainings, we do a

1           number of programs on the land for healing, we...  
2           We like the land because it also reminds them of  
3           what they could be doing other than the act that  
4           brought them before us. So, sometimes, people will  
5           come to us and they have very little experience,  
6           they may not have ever gotten a caribou, they may  
7           not have ever gone out on a hunt or that, and so  
8           when they come before us and we realize that that  
9           part of their cultural education has been  
10          neglected, then we plan a hunt or we plan an  
11          activity so they can engage more in something close  
12          to their identity and then they have a value so  
13          that they can go somewhere and do something more  
14          culturally appropriate than whatever they were  
15          doing that got them before us or in contact or in  
16          conflict with the legal system.

17                 There's a little thing on - this is not really  
18          with the CGOs, this is more with the reintegration  
19          officers, but we have been doing more and more of  
20          these workshops for people that come back to the  
21          community, and so we ask the justice committees to  
22          help monitor those, but really we're doing a lot of  
23          programming that's not happening currently in  
24          detention, to try and get, to increase the skills  
25          and employability of people returning to the

1 community. So that's the Cree program, the Cree  
2 Reintegration, Education and Employment Program.

3 There's a recommendation of course that's, you  
4 know, there could be more cases that community  
5 justice committees could do. They have the  
6 capacity as we're building more and more training  
7 within them, definitely, and of course the scope of  
8 what they can do. We always like to think that we  
9 can handle almost anything that the committee is  
10 prepared for and we'll provide the training  
11 necessary, we give them case management training,  
12 we give them CICR training, which looks at  
13 underlying needs, we give them conflict resolution  
14 training. So, we provide, depending on what they  
15 would like to do, we give them the underlying  
16 training they need so that they can do it more  
17 effectively. I think, most recently, we did family  
18 groups conferencing training in January, so that  
19 they could go into homes and worker with an entire  
20 family and help mediate solutions for conflicts or  
21 instance that may have happened within a family  
22 unit. Okay.

23 And that, with that, I will turn it over  
24 Louise and Ruth. Thank you.

25 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

1           So, if any of you would have comments? I know you  
2           have other things to share. Maybe I can suggest  
3           that Ruth might start, since she may have to leave  
4           earlier. So I will suggest for her to start,  
5           unless you feel more comfortable the other way.

6           **LE COMMISSAIRE :**

7           So, we are listening to you.

8           **Mme RUTH MASTY :**

9           Okay. Thank you.

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1 Mme Ruth Masty  
2 Agente de justice communautaire, Whapmagoostui  
3 Assermentée

4 -----

5 **Mme RUTH MASTY :**

6 Have any questions? I don't know where to start.

7 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

8 Well, I'll let you start, but, you know, I have a  
9 lot of notes that I have taken...

10 **Mme RUTH MASTY :**

11 Okay.

12 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

13 ... but I will let you share in the order you feel  
14 comfortable with.

15 **Mme RUTH MASTY :**

16 Okay.

17 As Donny had mentioned I come from  
18 Whapmagoostui, which is a dual community. We live  
19 side by side with the Inuit of Kuujjuarapik, which  
20 is, I find, very unique and humbling, because we  
21 get to experience a different culture. Sometimes,  
22 I'm going to speak Cree, just to let you know, but  
23 I'll try to speak English as much as I can.

24 Yes, we run programs in the community, have  
25 members of seven... seven members. I had four,

1 but, recently, one recently had to step down  
2 because he was... now, he's in the political body  
3 and the justice...on the Chief and Counsel. So,  
4 I'm down to three elders. I have two middle aged  
5 adults and one youth, one youth who went through  
6 the system himself.

7 So, I have very -- especially the Elders, very  
8 fortunate to have elders that are very  
9 compassionate and very loving to the people that we  
10 come in contact with that go through the system,  
11 the Western justice system. They're always there.  
12 They're always talking, talking to the young people  
13 that come to our buildings and willing to help  
14 them, and listening to them and trying to find ways  
15 how they can help. So, I'm very lucky to have  
16 justice... my elders in the justice committee.

17 We do have the - it's been a few years now  
18 that we had the Alternative Measures Protocol that  
19 has been signed, I think, it's been about ten, less  
20 than ten years. But there was a period that we  
21 never, we didn't receive any files from the court  
22 and when the Crown prosecutor came, I reminded  
23 them: "We have an agreement. We're ready to take  
24 on files", but it has been, just in the last few,  
25 couple of years that they started diverting files

1 to us, which is really successful in my community.  
2 I'll try -- I'll speak of two cases that really  
3 come, pop up, that are really... I would like to  
4 share.

5 One is a young man, who was charged for  
6 Section 249, "dangerous operation of a motor  
7 vehicle". So, his file was given, diverted to us,  
8 to the justice committee. The elders were... met  
9 with the gentleman, the young man and asked him,  
10 you know, how he was and if he needed counseling,  
11 what he needed. So, we had a plan for him. One  
12 must to meet with an elder of his choice, because  
13 it's always their choice. We don't impose anybody  
14 on someone they're not comfortable with. So, we  
15 always make sure that they have a choice of who  
16 they feel comfortable, whether it's an elder  
17 gentleman or an older man or a woman. And so, I  
18 set up those appointments. I don't ask questions,  
19 what's contained in those conversations with them.  
20 I just, they just give me date and time, that's it.

21 And the other thing that - So he agreed to  
22 meet with the elders twice in a month for a period  
23 of three months, I believe, and he also had to get,  
24 he also had to chop fire wood and -- no, go fetch  
25 the, go get the fire wood out on the land, dry

1 wood, go to their camp and chop it, make sure that  
2 it's ready to be used. So that was one of the  
3 things he had agreed. And the other thing was that  
4 he had to go hunting. He had to provide for two  
5 families of what he had killed, what he had.

6 One person that he had to get the wood -- the  
7 food, the traditional food, was a recent widow, a  
8 recent woman that had just lost her husband. And  
9 the other one that he had to get was another elder  
10 who had lost a son, for health problems. And it is  
11 something he had agreed, and the fact that we know  
12 our own community people, we trusted him that he'll  
13 be able to go out, because he was brought up --  
14 that's one of the privileges we have is to know  
15 what the capability of each person has. So we knew  
16 he was a hunter, we know he was taught our Cree way  
17 of life. So that's what he was, that's what he had  
18 to do and complete within a period of three months.

19 And he was - a few days later, he came to me,  
20 he said: "Hey, I already... ", like he was excited.  
21 He was so excited to be able to provide food,  
22 especially the food, that's why he was so happy  
23 then. Even his father said: "He came home, he  
24 said, this is what I agreed to do, this is what I'm  
25 going to do".

1           So that is one of my success, my stories for  
2           the Alternative Measures Program. We want to make  
3           sure that their traditional-based, where we contact  
4           with our culture, we still practice, so we always  
5           try to focus on that, and also the well-being,  
6           mental well-being of each of our community members.  
7           So this is why we have those one-on-one meetings,  
8           whether it's one-on-one or in a group. It's how  
9           they prefer.

10           The other one, I have a young woman that was  
11           charged, another diverted file, to the justice  
12           committee. She had to go... condition was that she  
13           -- we have a cultural camp in our community. She  
14           had to -- I think it's in March, in the month of  
15           March, that's when we clean the caribou heights and  
16           tandem, make sure they're ready. Also, there's  
17           some other teachings and other activities during  
18           those times. So, she was there. That was her  
19           condition, to make sure that she follow us through  
20           how to make, how to prepare a caribou and how to  
21           tan it. And also there's other stuff that she had  
22           to do, make sure there's enough fire wood inside  
23           the dwelling, so the elders won't be cold.

24           So she had completed what she had agreed and  
25           also surpassed, because she wanted to stay longer.

1 She didn't want to go home. She just continued  
2 working. This is what the - what was passed. This  
3 is what the elders from the justice committee told  
4 me. She wanted to keep going. So, it's very  
5 rewarding to see that and to give back the power  
6 and the self-esteem to our own people. So that  
7 will be for the Alternative Measures Program.

8 I have so much I want to say. The other  
9 program that we -- we have programs, aside from the  
10 Alternative Measures, the other program we have is  
11 like a crime prevention program. I have... the  
12 relationship program: it's a two-week program,  
13 intensive program, it's... it talks about -- there's  
14 a lot of sharing and different activities, and in  
15 the first few days of the program, you have,  
16 there's activities on how you -- you talk about  
17 your childhood and what you had seen and what...  
18 the traumatic experiences, and as days go on, it  
19 just goes like what your relationship with  
20 yourself, what's your relationship with your family  
21 or your spouse. So, there's different activities  
22 on how to heal yourself as an individual.

23 We've had couples in those programs, but it's  
24 not, you don't necessarily have to be a couple, you  
25 can be someone just that is just going through the

1 system and doesn't, you know, the spouses, whether  
2 they're not ready or not available to follow that  
3 program, it's not mandatory. But it's a bonus, I  
4 say. It's a bonus when you have your spouse,  
5 because you get to talk.

6 I had this one couple that came to the  
7 program. They had problems, just like any couple.  
8 Her husband was going through the system. They  
9 were kind of separated. So when we started that  
10 program, they were, in the first few days, they  
11 were not sitting together. They were sitting  
12 opposite, because we're sitting in a semi-circle,  
13 just like this. They were sitting opposite of each  
14 other, and I noticed that as the days went on, the  
15 sharing went on, the activities went on, they were  
16 starting to get closer. And the last few days,  
17 they were like sitting by side, like, and they were  
18 working together because, sometimes, in that  
19 program, you work, you break out in groups. They  
20 were in deep conversation. And I can say, sure,  
21 that they... at this time, they're still together,  
22 they have kids. I think both have two college  
23 diplomas. So that's my model couple. So, this is  
24 just one of the programs, my successful programs  
25 that we have.

1           Another program that I'd like to share is that  
2           Star Blanket Project. I met -- a couple of years  
3           ago, I was studying in Edmonton and I met a  
4           wonderful lady, she works in the women's prison.  
5           She teaches how to make purse -- I have my purse  
6           that she made for me -- and also star blankets.

7           So, I had a project brought up in -- I brought  
8           in my community. I had about 15 participants. A  
9           star blanket is a very -- I took that program, I  
10          was a coordinator and also took that program, but  
11          it's a very healing program, putting the stars  
12          together. One of the elders had said at the end of  
13          that program, she said: "You know what? This  
14          program did for everybody and did for me".

15          We start in the middle, with a star. That is  
16          the most, most difficult, for any individual, all  
17          of us, to go inside ourselves and to heal. This is  
18          - this star blanket represents the human, because  
19          it's the most difficult and it's hard to see, and  
20          it's hard to work with. We can heal. Like, if I  
21          have a scratch, I can easily put a Band-Aid.

22          So, with the star blanket, as it expands, it  
23          gets easier, when you make a blanket. It gets  
24          easier, just sow at the corners. So I know a lot  
25          of the... It was only... it was a lady, a woman

1           that participated in the program, but I know a lot  
2           of them, it really helped them with themselves,  
3           just their self-esteem, and I plan to bring that,  
4           keep bringing programs like that in my own  
5           community.

6                     I forgot to mention that, with the  
7           Relationship Program, one of the gentlemen, one of  
8           the guys that participated, he was going through  
9           the justice system and with that certificate of  
10          completion of the Relationship Program, he was able  
11          to submit that to the Crown prosecutor and his  
12          defence lawyer, and say: "I completed this program,  
13          I'm on my way to college. I have a good  
14          relationship now with my wife", and with all the  
15          stuff he had to -- his case was withdrawn. He  
16          didn't...

17                    And also he said, he told me after: "I'd like  
18          to come back to our community and speak to our  
19          youth, go to the school. I want to go to the  
20          school and teach them what I had to experience,  
21          because it's a long process". We all know it's a  
22          long process when a file goes to court. It could  
23          be up to three years sometimes. But I know he,  
24          with that hanging over his head and trying to go to  
25          school, so I was really proud of him.

1           Yes, with the justice committee, we'll work  
2           with the schools also, specially the school,  
3           because they're calling us, what's available. So,  
4           we have a close working relationship, we try to  
5           bring programs in there. Eventually, we're going  
6           to try to have the elders, the justice committee  
7           members visit the school too. But I know there's  
8           another program where they bring in the other local  
9           elders.

10           Does anybody have questions?

11           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

12           Yes, I can help you a bit. So you were telling me  
13           about how your relation with the justice system was  
14           at the beginning of the relation that you started  
15           to have with them and how it evoluated (sic) now:  
16           can you tell me how it was at the beginning and  
17           throughout the years until now?

18           **Mme RUTH MASTY :**

19           A couple of years back, I find that I felt that  
20           there was a bit of resistance, that -- I find  
21           "resistance" is strong word, but I felt they were  
22           not sure that if we should be, they should let us  
23           be involved in the cases. Especially my first one  
24           was the young man that was involved in an impaired  
25           driving. That was not an Alternative Measures

1           Program. We didn't - at the time, I believe we had  
2           not signed a protocol at the time. But we had  
3           identified a young man, when I saw his name on the  
4           court docket -- well, actually, I was aware of it  
5           already that he was coming to court. And this  
6           young man is a very, very introvert. Very shy. A  
7           young man that's brought up out on the land, have  
8           limited education, probably grade 2, grade 3-  
9           education, doesn't go out much. And one night, he  
10          went out, got drunk, just like any regular  
11          teenager. You know, he's 18 at the time. He drove  
12          a ski-doo and he had a friend of him at the back.  
13          This was about before midnight, this incident. He  
14          hit a person walking on the road, which happened to  
15          be his uncle. So he hit this person and his friend  
16          at the back, from what I was told, how it went, was  
17          this young friend told him: "Keep going! Keep  
18          going!", like let's go. So he drove, drove off.  
19          So he had a few charges.

20                 The person was set out to the hospital had  
21                 surgeries, multiple surgeries, couldn't work for  
22                 probably over a year. And we decided to have a  
23                 circle with them, with this. We decided to be  
24                 involved in this case, because of: we knew he was  
25                 facing, from what I was told in the beginning, he

1           was facing -- the Crown was offering three years  
2           detention, and we knew that he would not last three  
3           years. He wouldn't last, because of his  
4           personality, because of his upbringing, because of  
5           his way of life, we knew he wouldn't last three  
6           years in detention. Because he -- that was his  
7           first offence.

8           So, we got involved in the file. We told the  
9           Crown -- we told the defence lawyer that: "I want  
10          to be involved. We're going to get involved in  
11          this file". But I knew, I felt that he wasn't  
12          sure, which I understand, it was something new to  
13          them, to the court as well. We got involved in the  
14          file. We had set up a circle, which had two  
15          components: one was to restore the relationship of  
16          those two individuals, the young man and his uncle,  
17          because it was awkward. The uncle said: "If I'm in  
18          a store, he'll go out right away". Whereas before,  
19          they used to go hunting together. The young man's  
20          father and the uncle, they were cousins, so they  
21          would go out hunting, but no longer happened, it  
22          didn't happen.

23          So, the first part was to restore the  
24          relationship. The second part was to come up with  
25          solutions, with recommendations, stuff we could

1           recommend to the court.

2           So we had that circle. My first experience.  
3           My first experience to have a circle. So I  
4           explained what's going to happen, what his  
5           expectation from each individual, whether they want  
6           to talk or not. It's going to up to them.

7           So we had an opening prayer by the elder of  
8           the justice committee. So everybody said what they  
9           wanted to say. The uncle, who was injured: "I have  
10          no hard feelings towards him. As a matter of fact,  
11          I don't want him to go to jail. I don't want him  
12          to be sitting in that jail cell. I know his way of  
13          life, I know how he was brought up. He needs to be  
14          out on the land, continue being out on the land".  
15          So, after that, what he had shared, that's when it  
16          became easier: talk.

17          The young man's turn, says: "I apologize for  
18          my wrongdoing. I didn't mean to hurt anybody, and  
19          I... ", he had shown lots of remorse. And the  
20          family members spoke, said... shared how it  
21          affected the situation.

22          And then, the second part, we came up with --  
23          we could recommend to the court. One was that he  
24          provide... because of his upbringing, is to provide  
25          traditional food in a big gathering. Lots of

1 feast, community feast on Christmas day. So, that  
2 was what he had agreed to: go out on the land and  
3 bring food, that he can share. It's giving back to  
4 your own community. Because when you hurt an  
5 individual in a community, you not only hurt that  
6 person, you're not only hurting the family, you're  
7 hurting the community. So this is one of the... on  
8 thing he had agreed: bring the food. And he did.  
9 He did bring the food, and the elders were happy.

10 And the other thing he had to do was be part  
11 of any traditional activities that were happening  
12 in the community, make sure there's going to be  
13 enough wood, if it's a winter actually, make sure  
14 there's clean water, spring water, well make sure  
15 everything is... And other stuff that I can't...  
16 But those are two important things that we made  
17 sure he follows through. And he did.

18 So anyway, back to that circle, when we had  
19 that list, when we ended our session -- I'm going  
20 to call it "session", but out circle, when  
21 everybody got up to shake hands, the uncle went to  
22 the youth man and hugged, gave him a hug. We're  
23 not very - Cree people, Cree men don't really hug  
24 much. But just so... And I could hear, I could  
25 feel the young man's breathing and shoulders of

1 relief, because I was close enough to them, with  
2 that hug. I get emotional talking about this,  
3 that... Yes. That was very powerful. Yes. It's  
4 my story. Sorry.

5 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

6 No worries. You're saying... And I understand you  
7 do a lot of culture, well, culturally -- cultural  
8 programs, and I understand some are open to all of  
9 the community and...

10 **Mme RUTH MASTY :**

11 Uh-uh.

12 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

13 ... for some, it's only for some specific people  
14 that you will chose. Can you just explain the  
15 connection between justice and making traditional  
16 activities?

17 **Mme RUTH MASTY :**

18 With some of our programs, it's open, it's open  
19 to... Like the star blanket making, it's anybody  
20 that needs to, wants to follow it. But for the  
21 specific programs such as the Relationship Program,  
22 I always approach people that I know are going  
23 through the system or, in the past, have come to  
24 court for conjugal violence. So I always... I  
25 identify and ask them if they want to be part of

1 the program, because it's open. We don't force  
2 anybody, we don't impose anything on anybody.

3 So, I personally identify, and even our  
4 elders, actually, justice comity members, will  
5 approach certain individuals in the community who  
6 they feel would benefit from such program. So...  
7 And then, if there's space, there's space, because  
8 the Relationship Program, just like any therapy  
9 program, it's preferably to have a maximum of 12.  
10 So if there's room available for anybody in the  
11 community that wants to follow, it's open.

12 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

13 Thank you. And early on, when you were speaking,  
14 you were explaining me the connection between doing  
15 traditional activities and justice, because you  
16 were explaining me how these traditional activities  
17 are helping people that are going through the  
18 justice system.

19 **Mme RUTH MASTY :**

20 Because we're Cree, because we live -- our grand-  
21 fathers, our ancestors came from the land, and many  
22 of our... many of us have jobs, nine to five jobs,  
23 we have a school, during the day, everybody is  
24 busy, and I find that some individuals haven't  
25 experienced, had not experienced to be out on the

1 land as some do. And so there's a missing link.

2 There's a... It's a part of them that's missing.

3 So this is why it's important that we offer

4 programs, especially the land-based programs, I

5 would really, it's really important to be

6 connected, connected back to our land and back to

7 our culture. So any file or any person, we always

8 try to make sure that they have a connection with

9 the land or with an individual that speaks Cree,

10 because some might not be very fluent in Cree.

11 They might have loss of our language. So, this is

12 why it's important, because it's part of who we are

13 and some of us have lost our ways.

14 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

15 Thanks. And through the what they call the

16 "Alternative Measures Program", but, as Mister

17 Nicholls says, he considers that the other justice

18 system is the Alternative Measures Program, but

19 through the agreement you have with the justice

20 system, there is only some cases that can be -- and

21 as Mister Nicholls explained as well, only some

22 cases can be diverted, what we call more "summary

23 convictions", some types of offence cannot be

24 diverted to the justice committee, do you think

25 that you could take on other cases than these ones?

1 **Mme RUTH MASTY :**

2 I believe that we're open, we're... I believe the  
3 justice committees could be involved, should be  
4 involved, actually, in any case. But not just...  
5 not necessarily like the technical part, but the  
6 human aspect of it, of all cases. Meaning the  
7 dialog to healing circles of any situation. I  
8 think those are important to have in our  
9 communities. Let's say it's a manslaughter file.  
10 We still need to discuss that and to heal from  
11 that, and we still need to share our feelings with  
12 each other.

13 So I think, I think all cases, I think justice  
14 committees, justice community members should be  
15 involved in any case.

16 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

17 And how does it work with the Crown attorney who  
18 diverts cases to you? Do you communicate? How is  
19 the relation right now?

20 **Mme RUTH MASTY :**

21 The Crown prosecutor will call me or e-mail, or if  
22 they're in my community, they'll come to my office,  
23 and I have a very good relationship, working  
24 relationship with the Crown prosecutor. So we're  
25 always talking, sharing information, and they'll

1           ask if we could, we want to take this on and, of  
2           course, there's no way we're going to say we can't  
3           take a case, because that's what we're here for.  
4           We're here for people, we're here for community  
5           members.

6           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

7           And you were telling me as well that you would find  
8           it interesting to have the same type of agreement,  
9           but with police officers as well. Can you explain  
10          it?

11          **Mme RUTH MASTY :**

12          I haven't really talked to anybody, like locally,  
13          with the diversion from the police, but I think  
14          it's something eventually that we should look at:  
15          have the police send the files to the justice  
16          committee, instead of sending them to the Crown  
17          prosecutor, the Crown prosecutor's office. I think  
18          that should be done, practised.

19          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

20          Thank you. And you're telling me as well, because  
21          of the particularity of the fact that you're in  
22          Whapmagoostui, where there is, as well, the  
23          Kuujjuarapik, the Inuit people that are there, that  
24          you noticed some things happening to the Inuit  
25          people there, at the courthouse. What I

1           understand, you told me that, on the docket over  
2           there, it's about 80 percent of the cases that are  
3           Inuit and 20 percent that are Cree.

4           **Mme RUTH MASTY :**

5           Yes.

6           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

7           So you have less cases on Inuit side. Can you  
8           explain what are these things you noticed about  
9           Inuit people?

10          **Mme RUTH MASTY :**

11          First of all, with our programs, I always opened  
12          programs to our neighbours. They're welcome to  
13          take our programs and I have had a few, a couple  
14          of, you know, that partake in our programs.

15                 It is true that there are more Inuit people,  
16          because our court is Monday to Friday, it's one  
17          full week. There are more Inuit people on the  
18          court docket than there are Cree. I don't know the  
19          reason for it, but... Because I used to be a court  
20          interpreter before I worked for the Cree Nation  
21          government under Justice and Corrections, I had a  
22          one-year contract. In those times, and even as a  
23          community justice officer, I noticed that, for the  
24          Inuit, their regional police force, KARP... KAPF,  
25          Kuujjuarapik Aboriginal Regional Police Force, when

1 an Inuit was sentenced to a provincial of a  
2 federal, I noticed the officers that were present,  
3 that were inside the courtroom, when that person  
4 was sentenced, they would give a thumbs up to each  
5 other or smirking. "Good job." And I asked one of  
6 the interpreters if they noticed that or if it was  
7 just me, and they said they know.

8 But I never really asked if it was talked  
9 about, but I haven't seen it in the recent months,  
10 I guess, so I don't know if that was fixed. But  
11 that's one thing that really bothered me, that, for  
12 the Cree, EEPF, I didn't see it, because our  
13 officers are Cree. They work for the Cree, and  
14 they don't want our people to be sitting in jails.  
15 Not that I know of. So this is where I... it  
16 bothered me. I mean, these are human beings.  
17 These are men probably being abused when they were  
18 children. They're being sent away. Why are you so  
19 proud of yourselves? Why the thumbs up?

20 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

21 Thank you. I have no more question for you, unless  
22 you have something to add, and Miss Coonishish  
23 could go on after.

24 **Mme RUTH MASTY :**

25 That's it for now. I know the Commission is coming

1           to Whapmagoostui, be able to answer more questions,  
2           I'll probably add more stuff. Thank you.

3       **Me MARIE-ANDRÉE DENIS-BOILEAU :**

4           Thank you very much.

5       **LE COMMISSAIRE :**

6           It will always be a pleasure to meet you.

7       **Mme RUTH MASTY :**

8           Um, me too.

9       **LE COMMISSAIRE :**

10          Thank you very much.

11       **Me MARIE-ANDRÉE DENIS-BOILEAU :**

12          Your turn, Miss Coonishish.

13       **Mme LOUISE COONISHISH :**

14          Bon. It's on?

15       -----

16

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1 Mme Louise Coonishish  
2 Agente de justice communautaire  
3 Assermentée

4 -----

5 **Mme LOUISE COONISHISH :**

6 Ah, it's almost 12:30, so I just have two minutes.

7 Ha, ha. It's almost 12:30, so I just have short  
8 time for me to...

9 **LE COMMISSAIRE :**

10 We have the time to listen to you.

11 **Mme LOUISE COONISHISH :**

12 I have lots...

13 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

14 We're not...

15 **LE COMMISSAIRE :**

16 Don't worry about that.

17 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

18 We're not in a rush to...

19 **LE COMMISSAIRE :**

20 We are here to listen to you and...

21 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

22 Yes.

23 **LE COMMISSAIRE :**

24 ... as long as you'll have something to say, I'll  
25 be sitting here.

1 **Mme LOUISE COONISHISH :**

2 All right.

3 Well, first, like Donny said, the longest that  
4 I have been sitting in the committee. I started  
5 working in 2005 with Cree Nation in Mistissini,  
6 under Alternative Measures Program. That's when I  
7 started, but there was... they had that before,  
8 there was another employee before me. So I'm just  
9 counting where I started.

10 So, from 2005 to 2009, that's when we moved to  
11 the new Justice, Corrections department. So,  
12 during my time with the Cree Nation, we signed the  
13 protocol, there were a lot of cases that were given  
14 to us for... to help with the people that were  
15 asked to do community hours. And we also did the  
16 programs, crime prevention, we went to parole  
17 hearings in down south, in detentions, and we  
18 integrated our programs to the community when they  
19 have events happening. We got involved a lot,  
20 especially with the people that have community  
21 hours, I got them involved to participate, because  
22 of their hours given.

23 And I had a lot of files, people that came  
24 from incarceration that didn't... weren't able to  
25 get a job, and thanks to the traditional,

1 traditional fishing, "Tudumantewan" they call it,  
2 they have it in the summer time and also in the  
3 winter time. That's where we used to place the  
4 young men, women that were not able to find jobs.  
5 So they took our clients, offered them, teaching  
6 them the traditional and fishing teachings.

7 And when we moved to the new department, as  
8 the... with the CNG, a lot of my work was given to  
9 other people like the CRO, work with the people  
10 that were incarcerated, you know, that are coming  
11 home, and CAP victims, because before we work with  
12 offender and victim, before they came in. We tried  
13 to be neutral to everybody.

14 And they took a big load off my job when we  
15 moved with the CNG, and we continued to do programs  
16 with our community, events, mecca, the traditional  
17 gathering. We participated there with the youth  
18 that we have, that have community hours. And I  
19 have started implementing more projects to our  
20 program. We get from the court.

21 We get more Gladue reports to be done. Since  
22 most of the previous writers have other jobs, they  
23 don't have time to do the Gladue report. We got  
24 new members to or committee took many members to  
25 take a training on the Gladue report writing,

1           because of the -- okay, we receive more files on  
2           that Gladue requests. And we get, we work with the  
3           integration officer, gives me a file sometimes when  
4           I have a program, when I run a program, like a bush  
5           program. It's the Moose Project, Moose Hunting  
6           Project. We get the young man from his the bayou  
7           client's to participate to our projects or people  
8           that have like 200 hours community work to do.  
9           Those are the people we work to go hunting with the  
10          people we hire in the traditional hunting grounds.

11                   And, what else do we do? We did the canoe  
12          brigade four years ago. We got ten young men that  
13          were incarcerated to do a one-month project, a  
14          canoe brigade, you know? We made them clean the  
15          whole route of our ancestors that used to use that  
16          road coming to Mistissini. We got them to fix the  
17          (in Cree).

18          **UNE VOIX FÉMININE INCONNUE :**

19                   (Inaudible).

20          **Mme LOUISE COONISHISH :**

21           The portage, to clean the portages and it was a  
22           big, big canoe brigade for us. And we wanted to  
23           continue using that road, because our grand-  
24           fathers, our grand-mothers used that road a long  
25           time ago.

1           And because I could not work for two years, I  
2           was in a car accident, so we didn't continue the  
3           canoe brigade. But I know the Cree Nation, the  
4           youth, the Cree Nation, the Youth Counsel use that  
5           road that we fixed. And I was happy that somebody  
6           was using it. But we want to continue another time  
7           with that, with that canoe brigade, the long canoe  
8           brigade. It will be good for couples, you know,  
9           getting the relationships, helping them with their  
10          relationships. I would be a nice project for the  
11          future and (in Cree).

12          We got a lot of... we take youth in the bush  
13          for ten days, like just to be in the land, to learn  
14          how to pitch tent or get (inaudible) or which wood  
15          to use to make a fire. Because if you can't, if  
16          you don't know which tree to cut, you won't be  
17          able to make a fire. So that's a big teaching,  
18          just there, you know? And we take, like, ten, five  
19          males, five females, in the bush just to, for them  
20          to see that there is another, another way you can,  
21          another way you can do, instead of just hanging  
22          around in the community, like by going in the bush  
23          learning your tradition.

24          Today, we see a lot of people just -- even  
25          families, just using their Facebook, you know,

1           texting. No more communication. But if we take  
2           them to the land, they don't use their gadgets to  
3           text, because they don't have signal or we put  
4           them... And, yes, they communicate, the  
5           communication is there. The bonding, the learning.  
6           They learn their language, because we see a lot of  
7           our children, they hardly speak Cree. They're  
8           losing their language. With these projects, it's  
9           also to teach them their language.

10                 Because I have eight members in my committee,  
11           and I have three elders, and middle aged, and youth  
12           that are sitting there, and they're working, most  
13           of them are full-time workers in our community.  
14           Sometimes, that's where I'm lacking support from  
15           them to do projects like constantly do, you know?

16                 It would be more if we had a permanent person  
17           to work on just the projects, you know? To run  
18           them more, more like not just four times of the  
19           year, to be ongoing events happening with the  
20           youth. And we prioritize our youth -- when I say  
21           "youth", it's youth and adults that we work with --  
22           and we prioritize our programs with the people that  
23           are in the system, the court system. And after, if  
24           -- we still have openings, like we announce it for  
25           the public to come and join us for our projects.

1           And that's about it. That's all I can remember  
2           now.

3           **LE COMMISSAIRE :**

4           Will you have questions?

5           **Mme LOUISE COONISHISH :**

6           Any questions?

7           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

8           Yes, always. So, on your side, I understand, in  
9           Mistissini, there's more population than in some  
10          other communities, and how I understand is that:  
11          you are the only full-time staff for the justice  
12          committee, right?

13          **Mme LOUISE COONISHISH :**

14          Uh-uh.

15          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

16          And you were saying -- this is something we talked,  
17          as well, before, as the Gladue reports, sometimes,  
18          it is hard maybe, because people who are writing  
19          them have other jobs and stuff like that, and you  
20          were thinking that this is something that could be  
21          helpful as well to have some dedicated only for  
22          that, that's what you were telling me before.

23          **Mme LOUISE COONISHISH :**

24          Yes. It is also... it gives them more longer time  
25          for them to write the report when they have

1 permanent jobs, like we only work with them, like,  
2 I don't know, in the evenings, and sometimes you're  
3 tired working all day or you don't want to do  
4 anything in the everything. So, even if I push  
5 some workers, you know, tell them: "We have a  
6 deadline", sometimes, I have to tell the Crown, the  
7 judge that: "It's not ready", and I don't feel good  
8 when I have to do that.

9 And we're starting to receive more and more  
10 Gladue report requests, and it would be a good...  
11 like I said, somebody just to look after those  
12 reports, a permanent maybe? Because I have four  
13 writers and I would prefer maybe somebody to have  
14 that job, just to write, just to write reports, you  
15 know? Instead of asking the members to write the  
16 reports, because we're delaying. It's delayed, but  
17 we're still delaying it ourselves and, honestly, I  
18 don't feel good when I have to be the one to tell  
19 the judge that it's not ready.

20 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

21 I understand. And from what I understand, as well,  
22 as you said, it's the same type of situation. You  
23 were talking about projects and, for these  
24 projects, you rely on people who are volunteering,  
25 like the members are volunteering, and you're

1           saying that it would be beneficial for you to have  
2           someone, that you could have a full time person  
3           just taking care of these projects, so you don't  
4           have to rely on volunteering people who could have  
5           sometimes reasons or they have a job or something  
6           else happens and they don't show up to be do the  
7           project.

8           **Mme LOUISE COONISHISH :**

9           It's the... the thing that I wanted was the  
10          projects to be ongoing, you know? Since I have,  
11          like, so many things, like we don't have time  
12          sometimes or they don't have time to help with the  
13          project, and sometimes I have to go out in the  
14          community to look for teachers who can participate  
15          for a ten-day project. And it would be nice if we  
16          had somebody like permanently sitting there, doing  
17          those projects ongoing, like all year around.

18          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

19          So, I understand that you're saying that you have  
20          more and more demands maybe for the courts and you  
21          have a lot of things to do, and you feel like  
22          you're only one person?

23          **Mme LOUISE COONISHISH :**

24          We want to do, yes.

25          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

1 Yes.

2 **Mme LOUISE COONISHISH :**

3 We want to do everything and I feel like we're  
4 slacking, if the members are too busy with other  
5 things, like the report or counseling or they'll  
6 say: "I won't be able to come", you know? And I  
7 have to go find somebody out to do the projects for  
8 me. Yes.

9 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

10 Thank you, I have no more question.

11 **LE COMMISSAIRE :**

12 Would you like to add something else, before I  
13 thank you? If you... Okay, it's okay.

14 **M. DONALD NICHOLLS :**

15 Very good.

16 **M. DONALD NICHOLLS :**

17 Yes. I think that, you know, that, obviously, they  
18 touched on it a bit, but, for us, the -- and, of  
19 course, Louise is, like she said, she was out for a  
20 couple of years and just coming back and, now,  
21 getting back into the swing of things, right? And  
22 so it's not easy to transition back into work after  
23 you've had that time. And then, while you're gone,  
24 things pile up a bit, right?

25 **Mme LOUISE COONISHISH :**

1           Yes.

2           **M. DONALD NICHOLLS :**

3           You know, it's... And they don't go ahead as  
4           always.

5           I think that, for us, there's always that  
6           commitment to do, as Ruth and Louise said, that  
7           land-based programming or the type of community  
8           programming that we believe is necessary to  
9           complement any justice system. It's of great value  
10          to the community, it repairs relationships, it  
11          deals with obligations, it deals with the harm  
12          done, because, you know, as a community, we're  
13          interconnected and we -- when something happens, it  
14          breaks more than just the connections a court may  
15          see or the system they see; it interferes with so  
16          many other ones that need to be repaired an  
17          addressed. And so, we see the great value in doing  
18          these.

19          For sure, you know, doing more of this  
20          programming and concentrating on that, and that's  
21          why we're committed within our budget, every year,  
22          we set aside a good budget for programming at every  
23          community, right? So each community has access to  
24          funds to develop a number of programs that are  
25          either community or land-based, each year. And so

1           we continue to, and we say to the communities: "As  
2           you develop more, you let us know, and if there's  
3           more to do and you need more resources, then we  
4           will work on that, as well".

5           So, that's something, I think, that has been a  
6           strength for many years, is that ability to build  
7           and to realize that, as a community, the impacts of  
8           events that occur, harmful events, is much more  
9           widespread than the system can or has dealt with in  
10          the past.

11          When it comes to Gladue reporting, we saw it  
12          as very positive thing and certainly some of the  
13          Gladue reports you'll find in Whapmagoostui have  
14          been cited in other court decisions and that. When  
15          you prepare a very good Gladue report, it really  
16          tells the story of the individual and it tells the  
17          story of the community and how that harm can be  
18          addressed, and we just did another Gladue writers'  
19          training with 30 participants in March and in July,  
20          we're having another 30-some that are being trained  
21          so that -- and it's... and not only our staff and  
22          not only the justice committee members, but also  
23          some with social services or youth protection and  
24          other partners as well to increase the numbers of  
25          Gladue report writers within the Cree Nation.

1           Because it really is a collaborative effort.  
2           It can take, you know, it's maybe 40 hours to do a  
3           good Gladue report and, definitely, those are, you  
4           know, meeting with people and gathering the  
5           information and putting in together the picture for  
6           the system, whether it would in the court and just,  
7           recently, with Québec in May, the Parole Board of  
8           Québec indicated that they would like to have  
9           Gladue reports too when they review client files.  
10          They see the benefit of that.

11           So there may be increased demand there and we  
12          will increase our efforts 100 percent to make sure  
13          that there's enough writers or there's enough  
14          support in the system. Currently, the system has  
15          it so that a Gladue report is triggered by the  
16          judge requesting it. It's not like that in all  
17          jurisdictions, right? Certainly, in B.-C., where  
18          they produce exponentially the number of Gladue  
19          reports that Québec would produce is not triggered  
20          that way, and so their system has evolved more,  
21          there are more Gladue report writers that are in  
22          other jurisdictions in the country like Alberta and  
23          B.-C., because it's not triggered by that, it's  
24          triggered by the Aboriginal offender or the person  
25          that needs that type of report; not by a formal

1 request. And so, maybe we'll see -- and not that  
2 they ever deny it, but it does require that extra  
3 step. We will see if that increases.

4 And Gladue report writers earn money every  
5 time a Gladue report is written, if they're in  
6 Québec or in other jurisdictions for those  
7 jurisdictions for those 40 hours, they'll earn a  
8 payment. We haven't seen the emergence of a lot of  
9 that, of a lot of independent writers. So, that's  
10 why, in the communities, there are a few that  
11 probably could do it, but that's why, in the  
12 communities, we have concentrated on our staff  
13 learning how to do it, on other partners within the  
14 health board and other agencies, also learning how  
15 to do it, and our justice committee members  
16 learning how to do it. The justice committee  
17 members would be compensated, but we do not  
18 compensate our own staff. We just count it as  
19 their time that they put into, that they would  
20 normally owe to us, would end up there.

21 Recently, we started an internship program  
22 with McGill from Montréal, because we were  
23 approached that there was a lack of Gladue writers,  
24 even in Montréal, they felt, and so we said: "Okay,  
25 we would be open to that, to training, you know,

1           McGill law students or others", in the city to  
2           provide extra support in that area, should there be  
3           more of that needed, in urban areas as well, for  
4           the Aboriginal population that, obviously, is in  
5           Montréal and other places. So, we said that we're  
6           -- this year will be the first year that we do  
7           that, but, definitely, I think that's an area that  
8           adds a contribution to the overall system, as Ruth  
9           said, diverts people away from that idea that you  
10          have to go through this other system and that maybe  
11          is better placed to -- especially if you know that  
12          someone cannot survive that other system or will  
13          not do well in that other system, that we want to  
14          create those plans and say: "Yes, we have an idea".

15                 You know, I know you did -- Ruth didn't  
16          mention it, but, previous to be an interpreter, she  
17          was also a police officer in Whapmagoostui and did  
18          a lot of the frontline service there as well. So  
19          she is very familiar with the clientele and the way  
20          it is, and we have that benefit there of that  
21          knowledge and that linking that work there so.

22                 But, yes, no, I just wanted to make those  
23          comments to add on to what Louise and Ruth and Anna  
24          had shared with us today.

25          **LE COMMISSAIRE :**

1           Uh-uh. Maybe Maître Boucher, Maître Laganière will  
2           have questions?

3           **Me MARIE-PAULE BOUCHER :**

4           I won't have any question, thank you.

5           **Me MAXIME LAGANIÈRE :**

6           I got some questions, please.

7           **LE COMMISSAIRE :**

8           Yes.

9           **M. DONALD NICHOLLS :**

10          Okay.

11          **LE COMMISSAIRE :**

12          Okay, if you want to come forward?

13          **Me MAXIME LAGANIÈRE :**

14          Hi, I'm Maxime Laganière, I'm a Crown attorney. I  
15          just have some questions about your relation with  
16          the Crown attorney. But, as you probably noticed,  
17          my English is not as good as yours, so, if you  
18          don't mind, I'll ask my question in French?

19          **M. DONALD NICHOLLS :**

20          Okay, we need a translation.

21          **LE COMMISSAIRE :**

22          But...

23          **Me MAXIME LAGANIÈRE :**

24          If you get a translator.

25          **M. DONALD NICHOLLS :**

1           Have you done your...

2           **LE COMMISSAIRE :**

3           Maybe we will need devices?

4           **Me MAXIME LAGANIÈRE :**

5           Yes, I can give you mine. I mean, I can  
6           understand, but I don't speak that much, yes. Oh.  
7           Okay.

8           **Mme RUTH MASTY :**

9           I understand French.

10          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

11          Well, I will leave it here anyways. But I...

12          **Me MAXIME LAGANIÈRE :**

13          And the channel must be...

14          **UNE VOIX MASCULINE INCONNUE :**

15          Channel 2 for English.

16          **Me MAXIME LAGANIÈRE :**

17          Channel 2 for English?

18          Alors, mes question s'adressent à tout le monde,  
19          alors hésitez pas si vous voulez y répondre.

20                 J'aimerais savoir, la relation -- oups, sorry.

21          **M. DONALD NICHOLLS :**

22          Channel 1 is English?

23          **Me MARIE-ANDRÉE DENIS-BOILEAU :**

24          1 is English, 3 is Cree.

25          **Mme RUTH MATSY :**

1           Okay.

2           **UNE VOIX FÉMININE INCONNUE :**

3           1 is English?

4           **Me MARIE-ANDRÉE DENIS-BOILEAU :**

5           Yes.

6           **LE COMMISSAIRE :**

7           1 is English...

8           **M. DONALD NICHOLLS :**

9           3 is Cree.

10          **Me MAXIME LAGANIÈRE :**

11           J'aimerais vous entendre sur la relation que vous  
12           avez avec les procureurs de la Couronne lorsque  
13           vous travaillez avec eux. Est-ce que vous diriez  
14           que la collaboration, elle est bonne?

15          **Mme RUTH MASTY :**

16           Yes.

17          **Me MAXIME LAGANIÈRE :**

18           Yes, it is?

19          **Mme LOUISE COONISHISH :**

20           How is your relationship with the Crown...

21          **Me MAXIME LAGANIÈRE :**

22           With the Crown attorney, what's your relationship  
23           with them?

24          **Mme RUTH MATSY :**

25           I'll respond in French. Just kidding. I had an

1 incident a couple of years back with the Crown  
2 attorney. I think, that was her first or second  
3 trip up North in Kuujjuarapik, Whapmagoostui. We  
4 wanted to be involved in a sentencing of an  
5 individual, of a Cree individual, and we produced  
6 our recommendation to the court. And then, after,  
7 after that, the defence lawyer had closing remarks  
8 and same for the Crown prosecutor. She/he had  
9 closing remarks as well.

10 And one thing that she had said was, during  
11 her closing remarks: "The justice committee has no  
12 say in files". And I was shocked, I was shocked to  
13 hear that, and I looked up my colleague, I said:  
14 "Did she really just say that?". We didn't say  
15 anything, we just sat there. And, so, the  
16 sentencing went on and the case was closed.

17 So we discussed what we were going to... what  
18 we were going to do. What we did was submit, write  
19 a letter to her superior, which is the Deputy  
20 Crown. We sent a letter and explained, informed her  
21 what we had heard. And, we got a response  
22 immediately, we didn't wait long, and she explained  
23 that we were - we knew that she knew, the Crown  
24 prosecutor was new in the North and it was not  
25 something that they were used to. Because the

1 justice committees being involved in the system was  
2 new. It was something new to her. So, they didn't  
3 really... But she said that they -- it's going to  
4 be okay now. She understands, she spoke to the  
5 Crown and she's okay, she will no longer make  
6 comments like that.

7 So that was my incident, my incident with a  
8 Crown prosecutor and it was fixed right away.

9 **Me MAXIME LAGANIÈRE :**

10 Yes? Okay.

11 **Mme RUTH MATSY :**

12 And, after that, we had a really...

13 **Me MAXIME LAGANIÈRE :**

14 That was my question.

15 **Mme RUTH MATSY :**

16 We had a really working relationship at the end.

17 **Me MAXIME LAGANIÈRE :**

18 okay.

19 **Mme RUTH MATSY :**

20 Really strong, we were always communicating about  
21 files and calling each other. So, it was...

22 **Me MAXIME LAGANIÈRE :**

23 Since then, things went well?

24 **Mme RUTH MATSY :**

25 Very well.

1 **Me MAXIME LAGANIÈRE :**

2 Okay, so...

3 **Mme RUTH MATSY :**

4 I have a strong, good relationship with the Crown.

5 **Me MAXIME LAGANIÈRE :**

6 Are they open minded to give you files, to give you  
7 access to files?

8 **Mme RUTH MATSY :**

9 Yes, very...

10 **Me MAXIME LAGANIÈRE :**

11 Exchange with them? Very well?

12 **Mme RUTH MATSY :**

13 Very... very open. Yes.

14 **Me MAXIME LAGANIÈRE :**

15 And, I guess, sometimes, like that incident you  
16 said but, sometimes, I guess, after that, Crown  
17 prosecutor may be not always agree with your  
18 recommendation? Does it happen sometimes?

19 **Mme RUTH MATSY :**

20 Honestly, I can't think of.

21 **Me MAXIME LAGANIÈRE :**

22 No?

23 **Mme RUTH MATSY :**

24 No.

25 **Me MAXIME LAGANIÈRE :**

1           Okay.

2       **Mme RUTH MATSY :**

3           I can't think of anything...

4       **Me MAXIME LAGANIÈRE :**

5           Yes.

6       **Mme RUTH MATSY :**

7           ... that they have not agreed.

8       **Me MAXIME LAGANIÈRE :**

9           Okay. Good.

10       **Mme RUTH MATSY :**

11          Well, I don't know. Not speaking... I'm only

12          speaking for...

13       **Me MAXIME LAGANIÈRE :**

14          Okay.

15       **Mme RUTH MATSY :**

16          ...my self. I don't known about Louise.

17       **Me MAXIME LAGANIÈRE :**

18          She has something else?

19       **Mme LOUISE COONISHISH :**

20          We have a good relationship. They did notify us if

21          the recommendations we make are not enough, and

22          they'll notify us, you know?

23       **Me MAXIME LAGANIÈRE :**

24          Okay.

25       **Mme LOUISE COONISHISH :**

1           So we correct things with them...

2       **Me MAXIME LAGANIÈRE :**

3           Okay. So...

4       **Mme LOUISE COONISHISH :**

5           ... so if they think the recommendation that's on  
6           the Gladue report is not enough, they'll let us  
7           known.

8       **Me MAXIME LAGANIÈRE :**

9           Okay, "they let us known", they let you know?

10      **Mme RUTH MATSY :**

11           Yes.

12      **Mme LOUISE COONISHISH :**

13           Yes.

14      **Me MAXIME LAGANIÈRE :**

15           They give them their opinion? Sometimes, they  
16           have, like I said, they have to put emphasis on  
17           something else, then you have to?

18      **M. DONALD NICHOLLS :**

19           Yes.

20      **Me MAXIME LAGANIÈRE :**

21           So, sometimes, opinion can be different? But do I  
22           understand that it doesn't mean they doesn't know  
23           their case, they doesn't known the law? It's just  
24           they sometimes have a different opinion, that's it?  
25           Do you feel they know well the case they have in

1 front of them?

2 **Mme LOUISE COONISHISH :**

3 We just tell them that this is what we recommend,

4 because this is...

5 **Me MAXIME LAGANIÈRE :**

6 Okay.

7 **Mme LOUISE COONISHISH :**

8 This is how we want it.

9 **Me MAXIME LAGANIÈRE :**

10 Okay.

11 **Mme LOUISE COONISHISH :**

12 So, he'll...

13 **Me MAXIME LAGANIÈRE :**

14 Okay.

15 **Mme LOUISE COONISHISH :**

16 ... he'll agree...

17 **Me MAXIME LAGANIÈRE :**

18 So you can...

19 **Mme LOUISE COONISHISH :**

20 ... eventually.

21 **Me MAXIME LAGANIÈRE :**

22 Oups, sorry. You can exchange with them. They are

23 not closed with your recommendation.

24 **Mme LOUISE COONISHISH :**

25 No.

1 **Me MAXIME LAGANIÈRE :**

2 Am I right to say that?

3 **Mme LOUISE COONISHISH :**

4 Uh-uh.

5 **Me MAXIME LAGANIÈRE :**

6 Okay.

7 **Mme LOUISE COONISHISH :**

8 No, they're not. They're open, like I had one,  
9 they were two siblings and two different writers.

10 **Me MAXIME LAGANIÈRE :**

11 Okay.

12 **Mme LOUISE COONISHISH :**

13 They just mentioned the reports were not the same.  
14 But what happened was that one of the brothers  
15 asked that - he didn't want his family to be  
16 interviewed. So that's why the reports were  
17 different.

18 **Me MAXIME LAGANIÈRE :**

19 Okay.

20 **Mme LOUISE COONISHISH :**

21 So that's... they agreed that...

22 **Me MAXIME LAGANIÈRE :**

23 Thanks. Thank you very much. I really appreciate  
24 your presentation of you all. Thanks.

25 **M. DONALD NICHOLLS :**

1 I think a good example comes from Ruth's community:  
2 they had a particularly troubling homicide case  
3 involving a family, and the Crown sent a senior  
4 prosecutor to meet with the parents of the  
5 victims...

6 **Me MAXIME LAGANIÈRE :**

7 Okay.

8 **M. DONALD NICHOLLS :**

9 ... before, and he sat with him the night before  
10 the trial and said: "No matter what happens  
11 tomorrow, it won't be enough", whether we give him  
12 this much or that much, it won't replace the loss  
13 that you have of your child or your grand-children  
14 or anyone else. And they said that they incredibly  
15 appreciated that, eh?

16 **Me MAXIME LAGANIÈRE :**

17 Oui.

18 **M. DONALD NICHOLLS :**

19 The very frankness and taking the time to come  
20 there before a serious matter and really just meet  
21 with the families and say: "You know, this is what  
22 is going to happen tomorrow", and he went through  
23 it. I think that was very... we were very  
24 impressed, and very appreciative of that extra  
25 effort.

1 **Me MAXIME LAGANIÈRE :**

2 Thanks. Thanks, I appreciate.

3 **LE COMMISSAIRE :**

4 So? It will be time now for me to thank you very  
5 much for having accepted our invitation to present.

6 You see, during the last year, I heard many  
7 stories. Many are sad. And today, this morning,  
8 I'm listening something interesting: I see some  
9 light at the end of the tunnel. I see that you're  
10 building something, you're... Something that may  
11 improve the system of justice. Putting aside the  
12 system and going with something else, with the  
13 capacity to get back our money in the community,  
14 when something wrong was done. You're building on  
15 that. And I have the feeling it's more in the  
16 tradition of Cree First Nation to try to get  
17 harmony back when something is wrong, to try to get  
18 people all together. And I see that it works for a  
19 certain time and even if it needs to get some, I  
20 will say some resources to keep on, like I would  
21 like to have something able to permanent to write  
22 Gladue reports, this is one part.

23 But there's another part: the diversion of  
24 cases to the Cree community justice committees is  
25 one thing. I understand that you would like that

1           this may happen more often. And to try to avoid  
2           stigmatization of people committing offences -- I  
3           won't say "crime", I will say "offences". They do  
4           something wrong, you would like to get things all  
5           together between the people, and if cases are  
6           diverted to the Cree community justice more often,  
7           these communities will have the capacity to handle  
8           more cases, if I understand. This is what I'm told  
9           today.

10       **M. DONALD NICHOLLS :**

11           Yes.

12       **LE COMMISSAIRE :**

13           And you would like to get more cases. And we heard  
14           very interesting stories from Ruth. What happened  
15           in many cases. She was proud and even emotional,  
16           in some cases. So, for the community, it's  
17           important. It's much easier, even for the victim  
18           and the perpetrator.

19           So, as this is interesting, I understand that  
20           you would like to have more resources. I may  
21           expect, one day, to receive a mémoire, a brief,  
22           maybe letting us know what kind of call to action  
23           you would like to have to improve the development  
24           of the system, of those justice committees in the  
25           communities.

1                   And I understand that it may not work the same  
2                   way everywhere, some are building a little faster.  
3                   But with some help, it may end -- if we can get  
4                   some many cases out of the system, the official  
5                   system, first, it will go faster, it will be better  
6                   for our money in communities, easier, and I have  
7                   the feeling, as I was told many times, it will be  
8                   much more appropriate...

9                   **M. DONALD NICHOLLS :**

10                   Yes.

11                   **LE COMMISSAIRE :**

12                   ... to the way Cree people are thinking.

13                   So, I wish you the best. Thank you again for  
14                   coming, and I will wait for the call to action.

15                   **M. DONALD NICHOLLS :**

16                   Very good.

17                   **LE COMMISSAIRE :**

18                   Developing what you need to keep building, keep  
19                   improving what you already done -- and I will take  
20                   a look carefully to what you guve us. So thank you  
21                   very much.

22                   Now, you... Oh, you have files. You have  
23                   documents to file? Okay.

24                   **Me MARIE-ANDRÉE DENIS-BOILEAU :**

25                   Yes. Are just going to file two documents into

1 evidence.

2 So, the PowerPoint, just the presentation we  
3 just had, under P-636.

4 - PIÈCE COTÉE P-636 -

5 And this brochure that...

6 **M. DONALD NICHOLLS :**

7 That's the complete the brochure.

8 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

9 Oh, this one? Okay.

10 **M. DONALD NICHOLLS :**

11 All together.

12 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

13 Ah, okay. So, and this is inside it?

14 **M. DONALD NICHOLLS :**

15 Yes.

16 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

17 Okay.

18 **M. DONALD NICHOLLS :**

19 The package.

20 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

21 So, a package of brochures from the Department of  
22 Justice and Correctional Services. As well, that,  
23 I understand, would be sent to us in...

24 **M. DONALD NICHOLLS :**

25 Yes, of course.

1 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

2 ... PDF as well? Okay. Under P-637.

3 - PIÈCE COTÉE P-637 -

4 **LE COMMISSAIRE :**

5 Okay. So, do you want to file the?

6 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

7 Yes, I just did it.

8 **LE COMMISSAIRE :**

9 Oh, you did it? Okay.

10 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

11 En liasse.

12 **LE COMMISSAIRE :**

13 Sorry.

14 **Me MARIE-ANDRÉE DENIS-BOILEAU :**

15 Toutes les brochures sont à l'intérieur.

16 **LE COMMISSAIRE :**

17 So, we will suspend until, I will say 1:45? Will  
18 it be enough to have lunch and get ready for the  
19 next witnesses? Okay.

20 So, thank you again.

21 **M. DONALD NICHOLLS :**

22 Merci. Thank you.

23 **LE COMMISSAIRE :**

24 We will suspend until 1:45.

25

1 SUSPENSION

2 -----

3 REPRISE

4 **LE COMMISSAIRE :**

5 So, welcome back, bienvenue.

6 Maître Bourget, je comprends que vous prenez  
7 la suite?

8 **Me DONALD BOURGET :**

9 Oui, bon après-midi, Monsieur le Commissaire. Je  
10 vais prendre la suite de ma collègue...

11 **LE COMMISSAIRE :**

12 Et Maître Laganière est toujours avec nous. Bon.  
13 Alors bienvenue à vous deux. Et vous allez nous  
14 présenter votre prochain témoin?

15 **Me DONALD BOURGET :**

16 Oui, effectivement.

17 **LE COMMISSAIRE :**

18 Je comprends que son témoignage sera en français?

19 **Me DONALD BOURGET :**

20 Le témoignage est en français, madame étant  
21 Attikamek d'origine d'Obedjiwan, mais qui demeure à  
22 Oujé-Bougoumou, d'où sa présence ici aujourd'hui,  
23 et elle nous parlera de son expérience au Centre  
24 hospitalier de Sainte-Justine, commentaires  
25 désobligeants d'un médecin et de ce qui l'a amenée

1           à porter plainte. Elle pourra en parler après  
2           avoir été assermentée sur la bible.

3           **LE COMMISSAIRE :**

4           Je comprends que madame est accompagnée.

5           **Me DONALD BOURGET :**

6           De son conjoint.

7           **LE COMMISSAIRE :**

8           Son conjoint, qui ne témoignera pas, si j'ai bien  
9           compris.

10          **Me DONALD BOURGET :**

11          Non, il s'agit de son récit.

12          **LE COMMISSAIRE :**

13          C'est ça. Alors, je vais demander à madame la  
14          greffière d'assermenter le témoin, ensuite nous  
15          pourrons aller.

16          -----

17

18

19

20

21

22

23

24

25

1 Mme Kelly Weizineau  
2 Témoin civile  
3 Assermentée

4 -----

5 **LE COMMISSAIRE :**

6 Madame, bienvenue.

7 **Mme KELLY WEIZINEAU :**

8 Merci.

9 **LE COMMISSAIRE :**

10 Ça fait plaisir de vous accueillir, nous allons  
11 vous écouter attentivement.

12 **Me DONALD BOURGET :**

13 Alors, j'ai effectivement présenté votre récit,  
14 d'abord au Centre hospitalier de Sainte-Justine, je  
15 pense que les faits remontent à 2015 alors que vous  
16 étiez allée pour une opération pour votre fils  
17 alors âgé d'environ deux ans. Est-ce que... exact?

18 **Mme KELLY WEIZINEAU :**

19 Oui.

20 **Me DONALD BOURGET :**

21 Alors, effectivement, vous avez vécu des problèmes,  
22 pouvez-vous expliquer ce qui s'est passé?

23 **Mme KELLY WEIZINEAU :**

24 Hum, hum. Bien, dans la première soirée -- bien,  
25 c'était au mois de juin en 2015 à peu près, on

26

1 m'avait dit, bien, le docteur, il nous avait dit  
2 que, qu'il nous avait appelé la veille avant qu'on  
3 aille l'opération de mon fils, puis moi j'ai jamais  
4 eu le message comme de quoi qu'il nous avait  
5 avertis pour aller voir mon fils à jeun, à jeun  
6 jusqu'à son opération. Puis là moi j'ai fait boire  
7 mon bébé durant la nuit, parce que c'est pas le fun  
8 de voir un bébé faim, puis j'ai été à l'hôpital à 7  
9 h le matin, puis l'infirmière m'avait demandé si  
10 j'avais fait manger mon fils. Je voulais lui dire  
11 non, puis je lui ai dit finalement comme de quoi je  
12 l'avais fait boire.

13 Après ça, il nous a dit : « Attends, attends-  
14 moi dans la salle d'attente pour que je puisse  
15 aller voir le docteur, pour lui demander s'ils vont  
16 remettre un autre rendez-vous ». On a attendu. On  
17 a attendu quand même un bon deux heures dans la  
18 salle d'attente avant que le docteur vienne nous  
19 voir.

20 Après ça, le docteur est arrivé lui-même --  
21 bien elle-même pour me dire qu'il avait pas  
22 question qu'ils me renvoient dans notre communauté  
23 puis reprendre un autre rendez-vous, tandis que ça  
24 l'a coûté cher, notre voyage, que ça coûtait cher  
25 le motel. Puis là, moi je savais pas de quoi qu'il

1            parlait, je savais pas. Lui il m'avait dit que  
2            j'attende encore un autre dix heures pour que mon  
3            fils redevient à jeu, puis j'ai retourné au manoir,  
4            où est-ce qu'on dormait, pas -- en arrière de  
5            l'Hôpital Sainte-Justine. J'ai ramené mon fils,  
6            j'ai fait mon possible pour pas qu'il pense qu'il a  
7            faim. J'ai été le faire dormir, j'ai passé mon  
8            temps à le faire dormir, puis je lui donnais juste  
9            de l'eau.

10            Puis, après ça, on a retourné à l'hôpital à  
11            1 h 30 de l'après-midi, puis j'ai été voir  
12            l'infirmière pour lui dire qu'on était là, puis ils  
13            nous ont fait attendre encore pendant deux heures  
14            et demie de temps. Il nous a vu juste à 3 h 30,  
15            mais c'est là qu'ils sont venus chercher mon bébé à  
16            3 h 30 pour enfin se faire opérer des oreilles.

17            Après ça, ils ont fini pour... Bien, ils ont  
18            descendu mon bébé vers 4 h 30 à peu près dans la  
19            salle de réveil puis, après ça, aux alentours de 5  
20            h, la docteure Plante est venue me voir pour me  
21            dire, il fallait que je lui suive en haut, à son  
22            bureau, pour aller chercher les papiers de  
23            prescription de mon bébé.

24            Après ça, j'ai monté en haut, j'ai su que les  
25            bureaux étaient tous fermés, on était tous seuls

1 sur l'étage, moi et mon mari, puis mon bébé, puis  
2 la docteure. Je l'ai suivi au bureau. Puis, après  
3 ça, bien, quand qu'on est rendus dans son bureau,  
4 il me demande, il dit : « Pourquoi vous avez pas  
5 respecté qu'est-ce qu'on vous a dit, de mettre à  
6 jeun votre bébé? », tout ça. Après ça, il me dit :  
7 « C'est qui qui paye vos voyages quand vous venez  
8 icitte? ». J'essayais de l'expliquer, mais elle  
9 était toute là à vouloir dire que c'était tout elle  
10 qui payait nous affaires, les impôts, ça leur  
11 coûtait cher les impôts, puis que ça allait  
12 toujours augmenter, les impôts, juste pour nous  
13 faire vivre. C'est ça qu'il disait, le docteur.  
14 Puis là, de la façon qu'il me disait, je lui  
15 disais : « Je sais c'est pas c'est quoi qu'elle a,  
16 elle? Pourquoi qu'elle est en colère après moi? »,  
17 j'ai dit, je me demandais.

18 Un moment donné, je suis devenue... je suis  
19 frustrée, je suis sortie de la chambre -- bien, du  
20 bureau, j'ai dit bien, le docteur était là à me  
21 retenir, tenait mon bras. Il disait : « Attends,  
22 j'ai pas fini de vous parler, j'ai pas fini de  
23 préparer les prescriptions », tout ça. Puis là mon  
24 mari s'en venait, il se demandait qu'est-ce qui se  
25 passait, il me disait : « Qu'est-ce qui se

1           passe? ». Puis là j'ai juste pris mon bébé dans la  
2           poussette puis j'ai dit : « Arrange-toi avec elle  
3           avant que quelque chose de grave se passe ».

4           Puis là, moi, j'ai continué. Puis là, lui, il  
5           voulait me suivre, il voulait me suivre... bien, il  
6           se demandait qu'est-ce qu'il se passait. Après ça,  
7           le docteur l'a retenu. Il voulait tellement nous  
8           donner la prescription. Puis là je sais pas ce que  
9           le docteur a dit, il m'a rien dit après que le  
10          docteur, il parlait avec mon mari.

11          Puis là on a retourné au motel. Je pense qu'on  
12          a fini de mangé, que je l'ai rencontré -- que je  
13          l'ai raconté c'est quoi qui s'est vraiment passé à  
14          l'hôpital, parce qu'il se demandait c'est quoi qui  
15          s'est passé, pourquoi que j'étais en colère de  
16          même, puis là je l'ai expliqué c'est quoi qu'il  
17          disait, puis lui aussi ça lui a frustré. Il était  
18          fâché, la façon qu'ils m'ont --comment que je peux  
19          dire ça -- qu'ils m'ont... qu'ils ont agi envers  
20          moi.

21          Après ça, j'ai dit : « Je vais retourner à  
22          l'hôpital, je vais aller chercher un pamphlet pour  
23          faire ma plainte ». J'ai rempli la plainte, j'ai  
24          été la mettre où est-ce que c'était indiqué, aller  
25          le mettre, la plainte. Puis, après ça, le

1           lendemain, je l'ai mis dans réseaux sociaux, sur  
2           Facebook, je l'ai marqué, là, qu'est-ce qui s'est  
3           passé. Puis il y a beaucoup de monde qui ont  
4           rentré en contact avec moi, des journalistes, la  
5           radio CBC, puis il y a beaucoup de monde, des gens  
6           de Manawan, des autres gens attikameks qui ont  
7           parlé avec moi, qui m'ont dit de continuer de faire  
8           ma plainte, d'aller jusqu'au bout. Puis il y a eu  
9           du monde qui ont eu des mêmes maltraitances que  
10          moi.

11                 Il y a une d'un couple qui a eu la même  
12          affaire avec le même docteur, que c'était la même  
13          affaire qu'ils ont vécu ce que j'ai vécu. Puis,  
14          après ça, il y a eu d'autres personnes qui  
15          commentaient, qui me disaient qu'ils avaient des  
16          problème avec des dentistes, des gynécologues,  
17          qu'ils avaient eu beaucoup de problèmes de racisme  
18          dans... ou quand qu'ils allaient à leur rendez-vous  
19          médical.

20                 Puis là, c'est ça, moi, j'ai fait ma plainte.  
21          Après ça, quelques mois, peut-être un mois après,  
22          je le sais pas. Bien, je sais pas exactement  
23          combien de temps ça a pris pour qu'ils puissent  
24          m'écrire une lettre pour me dire comme de quoi  
25          qu'ils avaient bien reçu ma plainte, puis qu'ils

1           allaient le traiter, qu'ils allaient - bien, ah  
2           c'est ça, qu'ils allaient traiter ma plainte puis  
3           qu'ils allaient de redonner des nouvelles que  
4           c'était quoi la décision qu'ils allaient prendre  
5           pour la docteure.

6           Puis, peut-être quatre mois, à peu près, j'ai  
7           reçu un courriel comme de quoi me disant :  
8           « Suspendre ou congédie », quelque chose de même.  
9           Je m'en rappelle pas exactement comment est-ce  
10          qu'ils m'avaient dit là. Mais moi je pense que  
11          c'était vraiment marqué « congédie » ou qu'ils  
12          allaient prendre la mesure de faire de quoi avec la  
13          docteure.

14          Après ça, je sais pas c'est quoi qu'ils m'ont  
15          pris en 2017, pourquoi que j'ai été là-bas.  
16          J'étais en formation, j'étais en stage à Montréal,  
17          puis je sais pas pourquoi je me suis... j'ai dit,  
18          je me suis dit d'aller à l'Hôpital Sainte-Justine  
19          pour aller voir si elle était vraiment encore là.  
20          Puis là j'y ai été, au ORL. J'ai vraiment vu qu'il  
21          était encore là, puis je me suis sentie comme ci  
22          ils avaient rien fait de ma plainte. Je sais pas  
23          comment est-ce que je pourrais considérer ça là.  
24          Je sais pas s'ils ont vraiment fait ce qu'ils m'ont  
25          dit. Je sais pas s'ils l'ont suspendue, je sais

1 pas. J'ai pas voulu oser demander plus. C'est  
2 tout ce que je peux... C'est ça, mon histoire.

3 **Me DONALD BOURGET :**

4 Est-ce que vous vous souvenez des termes qu'elle a  
5 utilisés et que le médecin a utilisés lorsque elle  
6 a fait le lien entre ce que ça coûtait pour vous  
7 faire venir -- j'imagine, on réfère aux frais de  
8 transport, aux frais d'hébergement?

9 **Mme KELLY WEIZINEAU :**

10 Hum, hum. Bien, c'est ça. Il parlait tout le  
11 temps. Même qu'il ma sacré devant moi, en me  
12 disant : « Ça vous coûte... », « Ça doit être pour  
13 ça qu'on paye les ostie d'impôts, pour vous faire  
14 vivre. Ça nous coûte plus cher les impôts puis les  
15 taxes. On paye les taxes pour vous faire vivre ».  
16 C'est tout le temps le même terme qu'il a utilisé,  
17 en me parlant. C'est comme si c'était vraiment les  
18 impôts qui nous faisaient vivre.

19 **Me DONALD BOURGET :**

20 Vous avez mentionné que, effectivement, vous étiez  
21 retournée en 2017, donc deux ans plus tard.

22 **Mme KELLY WEIZINEAU :**

23 Hum, hum.

24 **Me DONALD BOURGET :**

25 Est-ce que vous seriez retournée à l'Hôpital

1            Sainte-Justine pour d'autres soins?

2            **Mme KELLY WEIZINEAU :**

3            Non. J'ai jamais retourné pour d'autres soins à  
4            l'Hôpital Sainte-Justine, puis même mon bébé, il  
5            était supposé d'avoir des suivis, mais il y a  
6            jamais eu de suivi puis la dernière fois que, c'est  
7            au mois de mai, il a eu des problèmes dans son  
8            oreille il avait son oreille qui coule,  
9            l'infirmière de \*1134 au J m'avait dit : « Son  
10           tube, il a bougé », puis, moi, il m'a recommandé de  
11           l'amener, c'est-tu au ORL. Puis là j'ai dit : « Ça  
12           me dérange pas, mais en autant que je vais pas à  
13           l'Hôpital Sainte-Justine. Puis c'est ça, eux  
14           autres, ils m'ont recommandé d'aller à Val-d'Or.  
15           Mais j'ai pas encore le rendez-vous pour ça, pour  
16           son tube, parce qu'il a des problèmes avec son  
17           oreille en ce moment.

18           **Me DONALD BOURGET :**

19           Merci. J'ai pas d'autre question, Monsieur le  
20           Commissaire.

21           **LE COMMISSAIRE :**

22           Maître Laganière, avez-vous des questions?

23           **Me MAXIME LAGANIÈRE :**

24           Je n'aurai aucune question, je vous remercie  
25           beaucoup.

1 **LE COMMISSAIRE :**

2 Pas de question? Ah bon.

3 Alors, ça fait le tour? Est-ce que il y a  
4 autre chose à ajouter?

5 **Mme KELLY WEIZINEAU :**

6 Non.

7 **LE COMMISSAIRE :**

8 Non?

9 **Mme KELLY WEIZINEAU :**

10 Non.

11 **LE COMMISSAIRE :**

12 Alors, je vous remercie beaucoup d'avoir accepté de  
13 partager avec nous un événement qui vous a blessé,  
14 hein?

15 **Mme KELLY WEIZINEAU :**

16 Ah oui.

17 **LE COMMISSAIRE :**

18 J'ai compris que vous avez été blessée d'entendre  
19 des propos -- et là j'ai pas entendu le mot  
20 « racisme », là, mais ça avait une connotation,  
21 hein, ce que je...

22 **Mme KELLY WEIZINEAU :**

23 Hum, hum.

24 **LE COMMISSAIRE :**

25 Je vais quand même appliquer le mot qui convient à

1 la situation.

2 **Mme KELLY WEIZINEAU :**

3 Hum, hum.

4 **LE COMMISSAIRE :**

5 Alors j'espère que ça ne se reproduira plus, que  
6 vous vivrez pas des choses comme ça...

7 **Mme KELLY WEIZINEAU :**

8 Hum, hum.

9 **LE COMMISSAIRE :**

10 ... et que je souhaiterais que personne vive des  
11 choses comme ça. Ça devrait pas exister. Hein?  
12 Les gens ont tous le droit d'être respectés dans  
13 les services publics au Québec...

14 **Mme KELLY WEIZINEAU :**

15 Hum, hum.

16 **LE COMMISSAIRE :**

17 ... qu'ils soient allochtones ou autochtones,  
18 quelque soit leur communauté, tout le monde a le  
19 droit d'être respecté, d'être traité correctement.  
20 Alors, merci d'avoir partagé avec nous. Je vous  
21 souhaite beaucoup de bonheur avec vous et votre  
22 fils, je vous souhaite d'avoir votre rendez-vous le  
23 plus vite possible à Val-d'Or.

24 **Mme KELLY WEIZINEAU :**

25 Hum, hum. Oui.

1 **LE COMMISSAIRE :**

2 Pour corriger la situation. S'il y a des gens de  
3 Val-d'Or qui nous entendent, pensez à elle.

4 **Mme KELLY WEIZINEAU :**

5 Ah, oui, oui.

6 **LE COMMISSAIRE :**

7 Alors, je vous souhaite le meilleur. Hein?

8 **Mme KELLY WEIZINEAU :**

9 O.K.

10 **LE COMMISSAIRE :**

11 Merci beaucoup.

12 **Mme KELLY WEIZINEAU :**

13 Merci.

14 **LE COMMISSAIRE :**

15 Alors on va ajourner à lundi matin? Je comprends  
16 que vous amenez pas d'autre témoin aujourd'hui,  
17 Maître Bourget?

18 **Me DONALD BOURGET :**

19 Pas d'autre témoin, Monsieur le Commissaire, effet.  
20 Et lundi matin, là, Marie-Andrée, ma collègue,  
21 prendra la relève.

22 **LE COMMISSAIRE :**

23 Oui. Oui. Je comprends que vous aviez un autre  
24 témoin, mais qui a été retenu dans sa communauté, a  
25 des activités.

1 **Me DONALD BOURGET :**

2 A pas pu se rendre aujourd'hui, mais qui sera peut-  
3 être entendu à une autre date.

4 **LE COMMISSAIRE :**

5 C'est ça, à un autre moment.

6 Alors, lundi matin, 9 h 30? Alors bonne fin  
7 de semaine à tous, et on se revoit lundi.

8 FIN DE L'AUDIENCE

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10

11 Nous, soussignées, **Karine Laperriere et Karine**  
12 **Bédard**, sténographes officielles, certifions que  
13 les pages qui précèdent sont et contiennent la  
14 transcription exacte et fidèle des notes  
15 recueillies au moyen de l'enregistrement mécanique,  
16 le tout hors de notre contrôle et au meilleur de la  
17 qualité dudit enregistrement, le tout conformément  
18 à la loi;

19

20 Et nous avons signé :

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Karine Laperrière, s.o.b. 2890844

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Karine Bédard, s.o.