

## **16-09-28-IPOR-Thunder-Bay**

Pamela Grant: Hello again everyone. My name is Pamela Grant and I am the facilitator and strategic advisor for the independent police oversight review. This is our first public consultation in the north and we wanted Thunder Bay especially to be our first stop. We've been here for a couple of days and we're looking forward to this evening's public consultation and what I'm going to be doing tonight is facilitating and moderating but my team just here to the left, Justice Tulloch in the lead, will speak briefly for the first 15 or so minutes.

I want to just remind you that this is an informal gathering so as you need to get more to eat, more to drink, please help yourselves, and you know that the washrooms are down the hall just before you get to the location where the meal is. I will say no more at this point and I'll introduce Justice Tulloch and he can say a few remarks followed by Danielle Dowdy who will take you through the evening's agenda.

Michael Tulloch: Thank you Pamela. Good evening and thank all of you for coming. My name is Michael Tulloch, I'm a judge on the Court of Appeal for Ontario and back in the end of April I was asked by the Ontario Government to conduct an independent review of three civilian oversight of policing bodies: The SIU, the OIPRD, and the OCPC. The SIU is the special investigative unit and that's a body that is tasked with investigating police officers when they're involved with citizens and a death and/or serious bodily injured that occurred or a sexual assault allegation arises.

The OIPRD is a body that's tasked with investigating conduct on behalf of public complainants conducts of the police that is short of criminal conduct, but conduct that can be resolved by a disciplinary proceeding usually under the Police Service Act. And the OCPC is a body that - it's both an adjudicative body and an oversight body that deals with chiefs of police and police services boards.

So those are the bodies that we're here to look at. We're looking at these bodies specifically with respect to their transparency and their accountability. We all know that unless the public has confidence in the institutions that we're all subject to, then, you know, we cannot have true order and democracy. And so the police that is a part of our community and our society that is tasked with keeping law and order in our society, they operate at the behest of the confidence that we all have in them as citizens.

And so we have these oversight bodies to ensure that all of their conducts are within the ambit of the law and within their duties. We're here to hear from each and every one of you, to hear from you with respect to your perspectives, to hear from you with

respect to what you feel, you know, are important issues that we as a review should address as it pertains to these particular bodies. Before I go any further though, I want to acknowledge that we are here on the traditional territory of Fort William First Nation and I say that, you know, because it's very important for us to acknowledge the First Nations and the indigenous peoples who were the first people of this part of the world in North America and certainly of Canada, and so we acknowledge them this evening.

It's going to be a very, as you've heard from Pamela, it's going to be - we want this to be an informal discussion, we want it to be a free-flowing discussion. We want you to feel free to voice whatever your concerns are, positive as well as negative because we want to hear from you and I can assure you that whatever is said will be considered by our team. I'm here not by myself but with a team of experts that are assisting me on this review. We have, as you've heard, Pamela who's one of our chief facilitators. She's got over 35 years in working with policy from both the government and community perspective.

We have Jamie Klukach who's a senior lawyer and Crown Council. He's got close to 30 years experience. Beside Jamie we have Danielle Robitaille who's a defence lawyer and who is very experienced in dealing with issues under the Police Services Act as well as understanding individuals' Charter Right and legal rights as it pertains to criminal law. And beside Danielle Robitaille is Danielle Dowdy who is an expert in community engagement and she's providing strategic advice also from the police perspective.

And to my left is Jodie-Lynn Waddilove and Jodie-Lynn is a senior lawyer from the policy branch of the Attorney General's Office and she has a very vast amount of experience in both policing issues as well as indigenous issues. And to her immediate right is one of our research lawyers Matthew Parker. So we have a strong team of people who are assisting us in this review and if you've read our mandate we have until March 31<sup>st</sup> of 2017 to complete our report and to report back to the government.

This is a very broad consultation. We have had a number of public meetings already in the Toronto area and we're going throughout the Province of Ontario where this is the first public meeting in the north but we will be going to Sudbury and Sioux Ste. Marie, we'll be going to Ottawa, Kingston, London, Windsor, so it's a very broad perspective. We're meeting with members of the public, members of various racialised communities as well as members of various police stakeholders.

So I'm not fixed on any particular view. I want to hear from a very broad perspective of people so that we can, you know, come up with the best possible solutions and make the best recommendations that we can. This is an opportunity for us as

Ontarians to address these issues and to be, in my view, leaders in North America. So thank you very much for coming and I look forward to hearing from all of you. [Applause]

Danielle Dowdy: Good evening everyone. My name is Danielle Dowdy and I'm just going to go over really quickly the agenda for this evening. You should all have these forms on your table. It's just a little cheat sheet. Justice Tulloch went over what the three bodies are and what they're about, so I won't do that, so if you do need more information you can just have a read there. And these three bodies are the bodies that we will be discussion in this review and the three bodies that we want your opinion on.

Just as a disclaimer our review, we will not be looking at past case or opening up and revisiting past judgements. We do want to hear your stories and they are very important to set an important context for our review, but we will not be revisiting specific or individual cases, just so that you're all aware of that.

In terms of this evening, so we just did a really brief introduction. We're going to get into a roundtable discussion. There are questions at your table and we're going to ask that you discuss amongst yourselves and work through the questions. If you are seated at this table or you're just a single person at a table we're going to ask if you can join another table so that you can have the discussion the questions. And following that we're just going to do a report back where you let us know what your answers were to the questions and also include any information that you want us to have.

If you want listen in French [unintelligible 00:11:13] translating at the back and you can help yourself with headsets at the back of the room. Thank you. And our interpreter, she's called Violaine.

We're also on social media and so if you are on Twitter or Facebook or Instagram and would like to follow us or would like to comment or share, ask questions, that's where we are. You can also go to our website and get regular updates. We will be Tweeting this evening and going forward so you're able to follow us along at #IndependentReviewON for Ontario or #BeHeardON and follow us along, join in on the conversation. Thank you so much. [Applause]

Pamela Grant: We're just going to add a little bit in looking at the last two icons. For those of you who are unable to give all the information that you feel you want to give this evening or there's some information that you feel perhaps you'd rather put into writing, the opportunity to go online and to [policeoversightreview.ca](http://policeoversightreview.ca), that's our website and on there you will be able to actually email in your comments or submit comments.

And of course you can use social media, the three social media options to comment as well. And that's an important thing because I think once you've had some time to reflect, there may be some things that you'd like to add as well and we will be accepting those comments and written submissions up until mid November. So that's an important piece for you to also tell your friends and colleagues who weren't able to be here tonight.

So I see one table with one individual at it. Are you - okay. That's fine. Has everybody got the questions? Have you identified the question sheets that should be on your table? All right. With interest in time, we really would like to stick to the agenda in terms of 45 minutes of discussion and giving ourselves a full hour for reporting back and I will be checking time with you. We also, as a staff team, will be circulating the tables and listening in and there to answer any questions that you may have in terms of the discussion, not necessarily questions to be answered about cases or that sort of thing.

So I'm just going to say if everyone's comfortable at the tables that they're at, that we're going to start our conversations at the table to answer the questions and I will be around as will Justice Tulloch.

Michael Tulloch: Our whole team will be moving around.

Pamela Grant: Yes. Are there any questions before we start? We're good? All right. Forty-five minutes starts now.

Male 1: [Unintelligible 00:14:49] to solve all these things but we're really honoured to have in this table people from different backgrounds. We have some - we have a member of council in Thunder Bay here, we have a member who's a practitioner/facilitator with respect to mediation in some of the issues that abound, we have three First Nations people here and were able to articulate their own experience and the experiences of their places.

And we have from the multicultural association and diversity, so - and then there's me. The thing I'd like to say is we covered a whole bunch of things and I'm trying to simplify it and give you the headlines of the things that we spoke about. And it's not in the order that it was presented, nor is it in the order of importance, but to try and get a logical take on the issues that we came at.

There was mention of - that legalisation in which we contemplated that a lot of the issues of these agencies which were made came about because of legislation and the question arises and something maybe we should look at is whether the legislation itself if flawed. The reason for that is that within the implementation of the bodies and the work that they do we heard an instance or a case in which you go to the police, you fill out your forms and so on, and then it goes to a mediator.

But somehow or other the police get back into the mix and when people prevail upon them to withdraw their complaint the question is what's the motivation. And more importantly, not only on this but other issues, what is the - what are the consequences of penalties for such behaviour. I'm not aware, at least we're not aware that this type of thing consequences or the result of bad behaviour is put out for penalties, is put out in the legislation.

So the question then comes up of power and immunity - impunity, I'm sorry, in which people are able to do things and yet there are no consequences from them. So as a result, there might be some thing your commission could look at and your recommendations that we seriously look at more complete legislation. The other issues with that of - and again it comes to the question of impunity in which people would die in jail under very suspicious circumstances and the matter is just swept under the rug and nobody hears anything about it, especially First Nation communities.

So somehow, and this is my opinion, we have to get a level playing field with respect to how First Nations people are treated as well as other people in the community when something as final as death and there could be no proper answer and no proper accountability on that. The question of violence - we spoke about the question of training and the services offered by the police and the training that the police get. The problem is though there should be some contemplation as to how policemen are picked or chosen because unless we have someone who has the capacity for critical thinking and for I'll say humanity, it doesn't matter what kind of training you give if there is endemic bias in that person before they come on the force.

It would be very difficult to then train that out of them. I don't know the sociological tools for that, but basically it's easier to start off well then to try and modify behaviour which is very difficult. And again the question of consequences come about: What happens when they do misbehave?

There was some - we wish that there was some clarification or at least we all expressed some knowledge of the SIU but not so much were we really aware of the OIPRD or the OCPC. We simply have to be more educated to find out what these people really do. We see the SIU because it's always in the paper, but these are the institutions that seem to act not as a repository for the complaints and the resolution of them, but often they act as a conduit to get it off to another agency which is even less transparent than they are as is pointed out.

Are there any other points that I should mention? Yeah, of course -

Pamela Grant: Did you want to take the mic?

Male 2: The problem is what we discussed also that the problem is complex, that you have - we have systemic issues that need to be dealt with, right, that it's not necessarily just the police that we need to focus on, but the police happen to be visible and then we pay attention to that. That the systemic problems, whether racial or racialised or sexism or classism or embedded in the system and there is the history also coming to play.

And at the same time, you know, as reps of the system we try to - any institutions are modeled after democracy and equity and rights and justice and the rest of it, but we're impacted by the biases that exist or are embedded in the system. So that needs to be evaluated. And then what needs to be evaluated, I mean, we had discussions about this is that the - by and large the system focuses on those that are on the margin of society anyway, right? So that - and then that can be quite problematic, you know, in terms of who in the end is going to be dealt with and so on.

And of course the treatment often, it's not necessarily of our police anyway and I think a lot of the police members probably will strive towards what I was referring to in the context of democracy. But things are not that easy without addressing these issues of pertaining to biases and as well as, you know, maybe training. We're talking about training at all, the training has to be referred to with respect to critical thinking and reflection in the first place anyway not the training in terms of okay let's do a bit of training and that's it, now we're okay, now we know what we need to know and all we need to know and so on

So, I mean, it is quite complex. It's not easy, and we need to get to the root, the root cause of the particular problem obviously. And that's not that easy either. So yeah, we had that discussion [unintelligible 00:23:19].

Male 1: It would appear that that's all we have to say at this point, but I'm sure that...

Pamela Grant: Thank you Louis and thank you Kerry. If you could pass the mike over to Steve just behind you. Thank you.

Steve: First of all I should locate myself. I'm fairly new to Thunder Bay. My wife is Dr. Cynthia [unintelligible name 00:23:52] who is now the chair for Truth and Reconciliation for Lakehead and we both moved here for a specific reason, and that was to contribute something, give back something to the north. We both have extensive backgrounds and experience and a career in what Cynthia calls changing the face of aboriginal Canada.

I want to start by first of all acknowledging my partners here. This was a courageous, really respectful conversation. It wasn't easy so you have a 35-year social worker and two police officers who -

there were some difficult conversations and I think we're in a place, Thunder Bay is a place where these conversations have to happen. We know that we're, like this idea of reconciliation and the truth to go along with that aren't easy to address and how do we have these conversations and I first wanted to thank you for being open and frank and allowing me to ask some of the things I said to you. I didn't think [unintelligible 00:25:04].

I'm going to go and cover up my license plate. But I think that when you look at these questions or you look at the idea of oversight, one of the things I just explained, like I'm 61 years old and I'm a social worker. I had to go back and do a master's of social work so that I could become a registered social worker with the College of Social Workers and have liability insurance so that if I mess up as a social worker clients can sue me.

So there is a reality that there's a lot of aboriginal people having to go and get that credential, get that education, get ready for assuming those roles. In my career I've, you know, we talk about have you had experiences with, yes I do, and that's the extent of what I knew. I actually at one time tried to get on the SIU but - well, they weren't - we won't talk about cultural competence and stuff. That's another story.

But the need in Thunder Bay for space, safe space, some of my work was on cultural safety, my graduate work was on cultural safety, so how are we going to have conversations that are inevitably political? So very political conversations that are going to unfold that we just had - we're going to have the Missing and Murdered inquest coming to town. We just finished an inquest and it opens up some wounds. I think, the reason I'm here and why I want to be part of this is that it's going to take a lot of hard work by dedicated people to make things work in a way that changes, changes the outcomes and improves.

And remarkably here we have - we have a senior police officer and a young police officer and one of the things that has to be acknowledged is transition and we have a responsibility as older people to create a path for the younger workers and we can't paint everybody with the same brush and the first question I asked was, you know, that we know that not all police officers are bad but what do you do about the bad apples and about the ones? And so those are why we're all here.

Nobody wants to protect people that are doing harm and whether it be social workers, whether it be judges or lawyers, whether it be - so there - I can tell you stories too. Yeah, there's not a lot I want to say about but I think this process is important, that we do this because one of the things that I heard in one of my journeys from Mary Simon, who's a remarkable Inuit woman, and she said that we spend a lot of time developing processes. So all those things we

talk about is where the indigenous representation, and the patience it's going to take because a lot of indigenous people are just now getting the kind of education, we're just now getting safely into institutions, we're just getting them - we're just changing the way things are taught, the way things are done.

And so in this intermediate period, we're going to need these conversations and so I'm now going [unintelligible 00:29:04] thank you. [Applause] I meant to start with when we - I'm Mohawk, I'm Mohawk in Oji-Cree territory.

Pamela Grant: Steve? Would you mind passing the mic over to Bob just beside you? Thank you.

Bob: Good evening. If it's okay I'll sit down and address the panel and the group here. Completely self-appointed and welcome to Thunder Bay. It's a great city and if you get a chance to check out the north shore of Lake Superior it's one of the most beautiful places in the world and you'll really enjoy it. It's part of the traditional lands of Fort William First Nation which extend well beyond to the west and along the north shore so it's definitely worth a visit and please come back. We do appreciate when folks from Toronto think about us.

I'm a lawyer and I'm going to try to answer the questions that you put, but you have to get a little bit of context and I apologise that some of it is personal. I moved up here from Toronto about 35 years ago being persuaded by my wife that it was a great place to live and she was 1,000 percent right. When I got here in practice I started - I brought with me my usual Toronto prejudices about police, that they were sort of hardnosed and hard on people and they were unfair and all those usual things that some people seem to believe about police.

I was fortunate in my early part of my practice to get, since there was only one woman lawyer in town when I got here, I somehow got hired by a number of women's advocacy organisations to become an advocate for victims of violence to act - to take civil cases to trial, to do work with agencies that advance the protections for women and children particularly, victims of violence. And I also got to start - through that connect, start to act for some indigenous organisations which were wonderful to work with and have continued doing that and I consider advocacy, even though it's more - it's not really the sexy stuff like land claims but it does tend to be the stuff that allows First Nations agencies to work.

And then out of the blue I got a call to put in my bid to do some work for the police. I thought wow, is this going to be a different change in life, and it was. The question number two is have you had any good or bad experiences with the police. Well, before I started advocating for them I actually sued them a few times and



thought they didn't do a very good job and I saw that side of perhaps not treating the public as well as they could.

But then just walking down the street in Thunder Bay I saw officers affecting an arrest of a politely but firmly trying stop some intoxicated driver from smashing his truck into the side of a building, which he had already done three times, and I was impressed by the firmness but the fairness of that officer and that made me think. Then I started doing some work with the police and I found that that really made me think and I began to regard my job as prosecuting bad police officers but defending good ones and I became convinced and satisfied that the latter is - there's a lot more good ones than the bad ones.

But the bad ones - bad apples do need to be dealt with and fairly but also firmly so that we have a police service that people can respect. Now, there's sort of a bit of a story here. Getting to the good or bad experiences with the police, I'd like to recount to you a very good experience I had just in the last couple weeks with what's been happening with our police in the public fare in the last several weeks in Thunder Bay or even the last several years.

Maybe that's an odd occurrence. I had the benefit of attending a group of 28 women and two men - I was one of them - meeting with the Minister for Women's Issues, the Honourable Patty Hajdu who is doing sort of a roundtable on violence against women initiatives. And just went around much like this process here, went around the table asking people have you had any good experiences with the police; is there anything that works? Actually just good things that work with helping victims of violence.

The first two spokespersons, one was - and I won't identify them but two very powerful women speakers, one the head of a large indigenous person's agency, the other the head of an organisation that protects women. Both said the biggest improvement that they have seen in the last five to eight - five, ten years was that domestic violence unit recently created by Thunder Bay Police Service under the leadership of Chief Levesque, they've commended the way that women's organisations could talk to these folks, the police officers were trusted, and I can assure you that was not the case when I started my practice 30 years ago.

The relationship between the women's organisations that I acted for and the police was one of significant mistrust. And here we had, meeting two very powerful statements that some things can be done and particularly they focused on the communication between the women's organisations and the police and the fact that they knew each other, they trusted each other, and once the police officers who came in in civilian clothes into the agency to offer their assistance to victims of violence, those people - the clients, not just the staff - the staff had grown to trust these people - but the clients

because the staff trusted them the clients trusted them and that was a huge step forward from something that happened about 30 years ago.

And I think it is a dream of us all that some day in Thunder Bay we'll be able to say the First Nations organisations, which have a difficult relationship often with the police, that there will be that healing and that reconciliation that can allow positive things, positive experiences, to be experienced by everybody in society, whether you're from a racialised population or whether they're from the sort of post-European colonial society, whatever people need to have the police reflect their city.

And I do take issue when some person challenges me and says why are those native people getting - why do they get to catch all the fish and we don't get to catch all the fish. I just advise people you've got to study history, you've got to understand the treaties, but you've also got to understand how those treaties were interpreted by the Supreme Court, then you will get to know why certain people have certain rights and responsibilities, not always the same, but they're lawful and it is something that warrants complete respect.

I also suggest to my First Nations colleagues that when we hear well Thunder Bay's just a racist town in the bush, I invite people and I won't give you give you my history speech here, but I invite people to study the history of this town and understand why we elect people like Patty Hajdu and not people like Donald Trump. You know, if that's the best public opinion poll that I know is who this town as a whole supports and I think there's more good people here than bad people, there's more good police officers than bad police officers, and a system that encourages transparency.

I know, Mr. Chair, Mr. Justice Tulloch, I'm not going to try to address your questions finally. Would I encourage people to report things if they've had a bad experience with police? Absolutely. There are systems in place, there are people that are good faith that want to make things work, but we do need to have some guidance for the people that are victims of violence, victims of - whatever they're victims they obviously don't have much of a trusting relationship with the police.

I think people that can help them navigate through that system would be a great help. Do I think the police oversight agencies are open enough about their investigations, and again all these opinions are completely my own. We just came here to spectate and I got instructed by a random facilitator up there that I must report from the table and my colleagues here, these friends at the table, new friends are from the SIU so they obviously can't talk, so I've been dragooned into doing this and I'm pleased to try to wrap up here.

Anyway, are police oversight agencies open enough about their investigations? Well, in investigations, in my experience, can't be done under, you know, sort of with the Toronto Star and the Globe and Mail and CBC sort of watching over every step. Investigators have to have some privacy, but at some stage open this: Transparency is important. What information do you think the public should know about after an SIU investigation? Well I'll confess, I'm not quite sure on that one, but I have one sort of connected thought on this and that is I understand that the OIPRD takes the position that even if it exonerates a police officer and says there was no merit to that allegation, that Section 95 of the Police Services Act prevents anybody from talking about that.

So you can't - the police officer continues to look to the CBC website and see their service is going alleged yet again for the misfeasance, and knowing that it's been investigated and there's nothing to it, well nothing to it, nothing that warrants going hey that's not always the same task but sometimes there's nothing to it; sometimes it's unsubstantiated. Well know those are different standards.

But and if the SUI report is anything similar to the OIPRD's position on that, I think that's a problem and maybe some synopsis or some fair, modest public comment is better than just nothing at all. Should former police officers work as investigators at the SIU and OIPRD and OCPC? Again I don't bring any particular expertise to answering this question but I'm allowed to speak on behalf of my table, if not them then we wonder who. We want trained investigators, you want people that are capable and trained and competent and I don't know who you will just invite somebody who's not trained. I don't know, that wouldn't help the prosecution. It might help the defence.

In any event, I think what you're doing here Mr. Justice Tulloch, and Pamela, is important work because it clearly will lead to, we hope, more trust just as the example I gave of trust between women's organisations and trust between women's organisations and police, I think more transparency will encourage trust between the public at large, particularly in Thunder Bay the indigenous population and the police. Particularly advocates are needed to help stickhandle the way through the system for people, and often it's lawyers but sometimes people who can just demystify the situation, maybe perhaps analogous to what victims assistance people do in the criminal court.

Any event, thank you for your interest in what we have to say in our tiny town and please take a chance to enjoy your stay here. [Applause]

Male 3:

Hello. First of all thank you very much for coming to Thunder Bay and getting the opinions of Thunder Bay residents. I know it's not

in your order and council, but there's one oversight body I think that the government has forgotten about and that is the Police Services Board in all municipalities because they are supposed to actually be the civilian oversight that police service in the municipality. I think it's something that should be looked into and there's no - I don't know who has jurisdiction on the Police Services Board. I think it's the OCPS or, you know, OCPC.

I was familiar with them when they were OCOPS, eh? So I think they should be part of this discussion.

Male: [Unintelligible 00:41:30]

Male 3: Okay, because they do review police complaints, the police board is mandated to do that, I believe. So that's something I would like to see. But anyhow, yeah. Thunder Bay has no regional representation by any of these oversight bodies, I do not believe. There's no one here. I don't know if they did, if the SIU did get somebody and drive them to be representing this area. I think maybe back in 2004 they may have, but there's no regional office here.

At one point they actually shut down the Trans Canada Highway for a few hours before somebody from Toronto came up, or was it from Sudbury or Sault Ste. Marie? I can't remember at the time. I think they may have appointed someone in this area. But we do not have a regional office by any of these oversight bodies. These oversight bodies are basically unknown in Thunder Bay because the media do not make incidents high profile.

Just lately we are seeing on the CBC the old OIPRD is taking issue with a situation here for, I guess the indigenous youths that were found in the river or died, and also there's one case that's being really high profile, Mr. [Dabungy] I guess. And the sad fact is though is yeah, it's sad to actually report on this is that there was no lawyer in Thunder Bay who was willing to take his case that he contacted. Actually he went to Toronto and he got Julian Faulkner to represent him, so we thank the gentleman for coming up to Thunder Bay and setting up an office here. It's pretty pathetic to hear that in the media. It's frustrating.

Well while we recommend the public to file complaints with the oversight bodies, the OIPRD is a tiger without any teeth. You might have heard that in your first forum, because you cannot have police investigating police. When I met with Patrick Lesage back in 2004, I guess at the time police complaints were handled by the police. Mr. Harris changed the legislation. Before we used to file with the OCOPS, but then Mr. Harris said let the police take care of it.

And then Mr. Lesage was mandated, as you are today, to overview the oversight bodies to bring in a complaint system and that was the creation of the OIPRD. But unfortunately the OIPRD, I heard 80 percent of the cases gives the complaints back to the police service to investigate. How can you have police investigating police? It doesn't work. You might as well have criminals investigating criminals. Oh thank you.

Oh yeah, the SIU does list its cases on its website or it used to. I haven't been there for a while. And I think the public [unintelligible 00:44:43] at least they used to. Yeah, and the public is finally being made aware of the OIPRD but I guess we're not familiar with any of the - the majority of people in Thunder Bay, you tell them who the OIPRD they don't know. You tell them who OCOPS is or OSPS, whatever their acronym is now, no idea.

And the SIU, yeah, they did a very good job and - well they're doing a good job and should retired officers be involved with the SIU? Yes, they should be, but as I heard the mix of full time investigators is 50-50 thanks to Danielle Dowdy who informed us of that, which is good, but the part time officers there are a full complement of retired officers. So maybe they should have a little better mix there. Maybe make that 50-50 as well.

Yeah, overall yes. I'm not done. There's one more thing though. The OIPRD. Actually I do have a complaint with against the Thunder Bay Police Service presently. I filed it with the OIPRD back in May, the police investigated it, so now I'm asking for a review. Well, the review is being handled by our Police Services Board, but there's nothing in the legislation that states when they have to respond to me. They may never have to respond to me because it's not in the legislation. So we need some change in that. That's why it's important for the, I guess the Police Services Boards to be investigated. Take a look at them, eh.

Yeah, and that's basically, I don't know, unless my colleagues here have something to add. I'm not going to have no preamble or anything else, but I tried to get to the nitty-gritty.

Female 1: Ever since I heard Mary [Veltry] speak on restorative justice, I can think of nothing else. You should too.

Male 4: I only heard about this inquiry today on the radio. I wished I would have heard about it earlier. I guess - is this working? I guess my first experience with abuse by the police was in grade school. I was falsely accused and punished. My parents were never notified. I did a five-day sentence in the school. Anyway, in recent years starting in 2010 I wrote the Attorney General informing him about perjury and fraud on sworn court documents by employees of Legal Aid Ontario.

They wrote back and said he had no authority over Legal Aid. Well if the top cop of the province has no authority over Legal Aid, a taxpayer funded organisation, we're in a sad ethical state, moral decay, okay? This has gone on. I do a motion on mens rea intentional perjury and I am punished by the judge, I am never allowed to bring forth my affidavit evidence, I'm not allowed. And then we go to a cost hearing and I'm punished \$3,800 for daring to bring a motion against the lawyer that committed perjury.

This all started in 2010. The first three lawyers were paid for by the taxpayers of Ontario. The third lawyer did a motion of contempt against me without serving me papers. My girlfriend had a gut feeling that we had better go to the courthouse here on Thursday, which is family court day, and here she was. Boy, you want to see a [lockler] running around with her head cut off when I walked into the courthouse. Okay.

Likely they would have had me arrested for contempt. Contempt of what? Oh refusing to pay \$3800 of court costs, okay? And this saga has gone on and on at a full-blown family court trial last year. Two judges had me in motions court every Thursday for seven weeks before the trial. Here I am trying to self-represent because I've wasted \$25,000 on two lawyers already. How could I prepare? I got my trial record five days before the trial.

The rules of family law say you're supposed to have it 30 days before. I asked the judge to adjourn, he refused. In fact, I even asked to be accommodated because I have a toxic fume injury, and the new courthouse is a sick building. That's what a lot of the motions were from week to week. Oh that doctor's note is not good enough. You better go get another one, on and on, you know, and looking for a hall that would be healthy. But this here, it's not affecting - well I don't know it's not affecting me, but if they had washed the carpet five days ago with some perfumed detergent I'd be in trouble.

Anyway, the abuse in the family court system is endless and who do we turn to? I sent all documents of perjury to the local crown attorney and he refuses to deal with it, okay? And so we're being abused by the system. Who do we go to for resource? I phone the OPP fraud unit of Orillia about the fraud and perjury with the legal aid lawyers and they said oh there's not enough fraud. Well it's a funny thing. The Toronto Star did an article on two faces of justice about all the lawyers in Ontario that - and they did an audit because they're not going to slander anyone, but they tallied up 61 million that was fraudulently taken from clients through wills, estates, real estate retainers or real estate deposits, and I think retainers for fees.

Of all those lawyers, the Law Society who does their own discipline, and I call it fox theatre because I file complaints against two lawyers with the law society and that's all it is. It's foxes

guarding the henhouse. They're above the rule of law, okay? Of all those lawyers that amassed the total of 61 million, maybe a dozen were punished and some were just on house arrest. And did any of them ever pay back any of the millions of dollars stolen?

Michael Tulloch: Sir, thanks so much for your comments.

Male 4: Oh that's right. Cut me off. It's a little hard, eh? It's hitting a little hard, right?

Michael Tulloch: My jurisdiction is very limited with respect to this review. What I'm tasked with is dealing with police oversight bodies: The OIPRD, the SIU and the OCPC. That's what I'm limited to discuss tonight.

Male 4: Okay, I didn't realise it was you, Justice Tulloch. And I was happy to hear that you've from the court of appeals. But you see what's happened. When a person had no recourse, no resource. He's not getting served by the police that are supposed to be protect us. I had death threats to be beaten and murdered three or four times. The police never investigated, okay? Too much gender bias.

Pamela Grant: Did you have a chance to answer the questions at the table? Did your group? I think there was another gentleman that was sitting with you? Perhaps we could focus on those?

Male 4: Actually the three of us were telling the attorney and the other girl our stories, so it took up the full time period, but I made some notes. People trained in forensics would make good inspectors maybe for the SIU. You know, that's one avenue they could look at. If they could balance the investigative team with people that have, you know, some years of experience in the forensics it would really help. It would help alleviate the suspicion that possibly the investigators might be biased toward their brotherhood, former police officers.

This has nothing to do with them, but through my experiences, some of the things I've shared, judges should go to judge school, okay? It should be separate from law school because judges that were lawyers in their former life and then become judges, they could be carrying lots of baggage and bias. I know that's off the topic of the SIU, but I'll end it there. We actually did not have a chance to discuss the questions and answers, or what our answers should be.

Pamela Grant: Thank you very much. It's Dan, right? Is that your name, Dan?

Male 4: Jerry.

Pamela Grant: Sorry about that.

Michael Tulloch: Thank you, sir.

Pamela Grant: Are there any other comments from the room before I call on Justice Tulloch to wrap up? Louis? Wally?

Male 5: I mean, regarding the collection of data and taking into consideration what I was saying earlier about the systemic nature of the problem, and it's not about necessarily bad apples because we're all impacted by it because of its nature, I think if - so taking that into consideration and then we collect data about race and gender and age and mental health and so on and referring to, you know, the problems that we have, it might reproduce it in this case. It might reproduce it, I'm saying, you know, reproduce the systemic nature because then we zero in on specific people.

Michael Tulloch: So it all depends on the usage of it?

Male 5: The usage of it, so I mean, so without the awareness and education and so on, we might reproduce the very problem that we wanted to, you know, do something about in the first place anyway. So that's a subject to be taken into consideration. And of course we also discussed, you know, within our table, between the members of our table, the issue of power too, you know, who has more power than whom and how does this work, the element of power in the end, right?

So that needs to be addressed as well. We did - I should say, I mean, we at diverse Thunder Bay work with the Thunder Bay police for four years on institutional change and we had good experience on the whole, so I mean, we reviewed the policy, we looked at the employment systems review, we - and as a result of what we've done, a training component emerged as well. And I think this is why I was saying earlier the problem is quite complex, you know.

There's the good and the bad and in between and of course there are variations between how we respond, right? I mean, what do we do with the biases that are embedded in the system and as well as how do we, you know, that we strive also towards doing a good job within democracy and so on, the elements and ideas of democracy.

Pamela Grant: Thank you, Walid.

Female 2: So twice we've heard let's have a level playing field and I want to know how you have power for some and no power for others and call it a level playing field. It's like a little bit of insanity.

Male 6: Ladies first. I'm next. I forgot to mention though it would be nice and you could always put it on your website and that is there any way of consolidating these oversight bodies under one director so that the public doesn't have to try to figure out which one they have to contact. You have one director, one website, and have an intake officer and they can direct the complaints. That's it.



Pamela Grant: Darius?

Darius: Thank you. My name is Darius Harris [unintelligible 00:58:47] First Nation. I'm band council member for my community and also president for the [unintelligible 00:58:58] tribal board here in Thunder Bay. I come from nine First Nations that are under [Metawa] Tribal Council. First of all, since yesterday, I've learned a great deal the people that shared about the concerns they have about First Nations in the city of Thunder Bay and different towns such as where I come from, a town called Hurst, Ontario and places like Timmins, Ontario and Sudbury.

It's the same common issues and concerns that people are facing here in Thunder Bay. But not as huge as Thunder Bay here. October 18 next month I'm putting together a rally. We went to the city hall go get some papers to get a permit to have our rally in October 18 and it has nothing to do with to create animosity or hate or bitterness against each other, but it's to have an awareness to the people of the city of Thunder Bay that not all First Nations are bad.

Like I said before, I think the First Nations residing here in Thunder Bay almost 100 percent of them are good people, just the very small percentage of those people, you know, are gang related and other stuff, but they're not perfect as well. They need help like anybody else. And also that this is to bring people together, you know, and what can we do to improve the city of Thunder Bay as a First Nations people.

I've been here long enough to - I don't live here but I've come to the city many years for about 30 years now and it's always been the same issue and when is it going to stop? I mean, I've been here for 30 years and I've heard the same thing over and over again and it seems like it's getting worse. Thunder Bay's a good city as someone mentioned earlier. If I had to choose to move somewhere, I'd choose Thunder Bay. It's a nice place.

But you know, it's not the First Nations that are making your city look bad, as they say. The police that arrest our people. They tell them go back to their community, you're making our city look bad. No it's not. It's not the First Nations that make your city look bad. It's vice versa. It's the other way around. It's those that are in leadership, policing, security guards, that make your city look bad. And sad to say that that's the truth.

I see a lot of this happening and also there was this website on Facebook, this Facebook page called - I think it's called Thunder Bay dirty or something like that. I mean, who's this individual that's making your city look bad? Certainly not First Nations. This person taking pictures of First Nations on the streets holding a bottle of whatever and this individual is making Thunder Bay look bad. Not

us. We bring millions and millions of dollars into your city and yet this is how we're treated.

A rough number the top of my head I think like over 50 million of revenue comes into this city from First Nations. That's a lot of money. It went up now, 400 million. That's a lot of money. It seems like the city's only after our money or change. A billion by 2030. We're making guys rich while we suffer. First Nations people come from isolated communities. They love their First Nation community, the hunting, the trapping, the fishing, and all these activities that they do.

And when we come to a city like this, especially with our kids that want to come and fulfill their education, but instead they're being bullied. People throw things out of the car, teasing them with racial comments and throwing knives at them and forks is what we've heard. Objects. And you have all kinds of diversity of different culture and backgrounds, all walks of life here in the city of Thunder Bay. You have the Chinese, the black people, the majority is white people.

There's a lot of people here with different walks of life and it seems like it's only the First Nations that are being picked on. I could be wrong, but as far as I see things and hear things, it's First Nations and I think this has to stop. You're making your city look bad. I know there's people that go out there drinking and do drugs, committing crimes. And just because you see an innocent native walking around or in a mall or doing his or her thing, enjoying life, doesn't mean that you have to pick on every one of them.

Every race does that. People go out drinking, First Nations are considered the drunks of this nation. No. You go to a bar, there's the majority of people there that are drinking are white people. You go to a liquor store, the majority of people that go buy liquor is a different race besides First Nations. So if you take a hard look at this, you can't point fingers. You can't judge other people's walk of life or personal lives or things like that, of that nature because it's common sense. It's common sense and I'm not sure about that person that created this website on Facebook has been stopped. I don't know. The last time I checked it was still on Facebook. Nobody's stood up and said enough is enough, you're making our city look bad.

I come from a First Nation community as a councillor where my job along with my fellow councillors and my chief is to improve the quality of life in our community, not to point fingers and put people down. We're here to make our community the best as possible. This summer alone we have graded our roads into - we got rid of the potholes, we pretty much - it's not pavement. It's like this - yeah, that exactly. And chief and council accomplished that for our people.

We want what's best for them. And if you want to see our city, the city improve it's going to take the top people, the political leaders, everybody at that level to step up and make a difference. Simple as that. All the churches that we have here, they're supposed to - what's that city, live what the preach, you know. And I think we need more involvement from that area as well. A lot of different nations and different beliefs of all sorts, even traditional people and First Nations people. And that's going to make things - I'm sure improve the city. It might not resolve all the issues, but we can improve a lot of things.

So with that I just want to share that and just let you know that October 18 we're going to have that rally, that walk. We're hoping that everybody will come together, not just First Nations, but everybody, all the walks of life, white people, everybody, to say we can get along together fine. It's just these things that we've got to get rid of and stop, this police brutality. And like the lawyer said not all cops are bad. I believe that. I got some cops that are good friends of mine. They have good concerns and good ideas how to better improve people and I think that's the way it should be.

As the portfolio holder of policing in my community, my job is to improve relations between the people and the police and vice versa. So with that I just want to thank you and I have - my cousin and I have six hours of driving to go. We're going to go home tonight, but don't forget October 18 we'll have it for sure and I'm hoping that different chiefs and councils will get involved and participate in it. It's not to create anger, for people to drive by and throw things at us and slur racial remarks. It's not that.

We just want to show the people that there are some good people out there, First Nations people and hopefully with these meetings, you know, with all the investigations that's going on and the media, I just hope that things will improve and change for the better and the future of this city and that the city here will be the perfect example of other cities that are going through this similar situations. That's pretty much it.

Pamela Grant: Thank you very much Darius. I appreciate that. [Applause] Well I'd just like to thank each and every one of you for the time and effort. I know it was a trek out here and we appreciate you being here. But most importantly we appreciate your candour and your openness to sharing your deepest thoughts and pains, in many cases. And Justice Tulloch will wrap up and give you his reflections. And thank you again. There's lots of food down the hall just in case, to take with you on your long drive home Darius.

Michael Tulloch: So I want to thank each and every one of you again for coming out. I echo what Pamela has said. It's a big sacrifice each of you have made. I've heard you very - I've heard you very loudly and clearly. Darius, thank you for driving six and a half hours to come and to

meet with us. You know, not to single you out because I think each and every one of you that are in this room, just being here is an effort and a sacrifice, and we certainly appreciate your presence.

Each of us is an integral part of our community and our society and I believe that each and every one of us have the potential and the ability to make a difference. I've heard all of your recommendations, I've heard, you know, your views and what I've heard is that they're diverse perspectives. Some people have experience and very, very hurtful situations, others have not. But you know, each of your particular experiences are legitimate and I can assure you that we will consider them, we will reflect on them, and each of your advice and recommendations will be reflected in the report at the end.

And I am very hopeful that the end result will lead to a much better system. I'm hopeful that this will lead to some legislative changes that will make these institutions more reflective of the society in which we live, more transparent, and more accountable, and that it will engender confidence in not only the police but our society and our democracy as a whole. I don't believe that, you know, being an idealist I absolutely believe that we as a society are capable of making the place that we live and the institutions and the people, our community, you know, better places.

Just you being here is evidence, each of your willingness and your concern for your community. So again I thank you for coming and we'll be, you know, going over to - we'll be going to other parts of the north and other parts, like I said, of Ontario, to hear other views of ordinary citizens like yourselves who will, in my view, shape the report that we will be presenting to the government in March. So again thanks so much.

[End of recorded material 01:14:40]