

Red Pedersen
MLA Kitikmeot West
P.O. Box 1320
Yellowknife, NWT.
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February 8, 1990

Dear Mr. Pedersen;

My name is Beth Tremblay. I am the wife of Peter Tremblay, who was arrested on weapons charges relating to an incident that took place in the Gallery Pub on October 22, 1989. I am writing to you because my case was so badly handled from start to finish. I wanted you be made aware that a potential menace is back on the street, simply because it was too much trouble for the Crown to do a decent job. I'm asking you to please look into this for me because everyone else just wants me to keep quiet and let it be swept under the rug and forgotten about.

Since this case began I have been shuffled from lawyer to lawyer, none of whom seemed to understand what kind of person they were dealing with, or how serious Peter was regarding his threat on my life.

The first lawyer was Sandy Aiken, she seemed to be very concerned about what was happening, and what Peter did. Unfortunately she was only there on a part time basis and the case was turned over to Alan Ferguson.

Mr. Ferguson was totally incompetent as far as I'm concerned. He may have spent a total of ten minutes talking to me while he was on my case. He went ahead with the defence attorney, Mr. Malakoe, and made several changes to the evidence for the "sake of expediency" as he put it, and to get a guilty plea. There was never any need to plea bargain away this case because even the general council, Mr. Avison said I would have been an extremely credible witness, and so would have the other five of my friends. They were all absolutely sure of what they saw and heard that night. Everyone except Mr. Ferguson knew that Peter and his lawyer were going to plead "guilty, but were disputing the facts" as Mr. Malakoe put it. Even when a plea bargain is necessary for a guilty plea, the crown doesn't change every piece of evidence and statement made, to the point where the crown doesn't have a case to present!

First Mr. Ferguson allowed the threat made by Peter to be changed from "I'm going to blow your f-n brains out" to "Someday I'm going to blow your brains out". Because the lawyers changed and trivialized the statement they entered as evidence, the judge couldn't have known the real nature of the threat, and obviously didn't realize there was a direct threat against my life.

Mr. Ferguson also allowed the weapon used to be changed from the 9mm semi automatic pistol that I described in my statement to a "handgun", and then somehow it came out as an unloaded .22 calibre semi automatic pistol.

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I know the 9 mm was loaded because Cpl. Murray told me that after he arrested Peter. I never stated at any time that it was a .22 pistol. After Peter was arrested, Cpl. Murray of the R.C.M.P. showed me that the 9mm pistol I described in my statement had a live chambered round in it. It was absolutely NOT the .22 that they said in court, and I have been saying that all along. I am familiar with the three weapons which were in our house so I know what I'm talking about. My witnesses were also sure about which gun it was. They may not have known what it was called, but they knew what the gun looked like, and could tell the difference between the two weapons. When Judge Bruiser sentenced Peter, he said that if the weapon been loaded and the threat a direct one, his judgement would have been much more severe.

The next thing Mr. Ferguson did was allow all the witnesses, including myself, to be dismissed before we had the chance to testify. This was before he knew if he would need us or not to make a case. Of course it turned out that he needed us to testify as to what kind of weapon was used, and the nature of the threat. But by then, Mr. Ferguson had already given away the entire case. I questioned him about this, and he told me that we couldn't be called back, even if the information that was given was wrong. He mentioned something about "rules of evidence!?", what ever that was supposed to mean.

The Crown barely touched on the fact that Peter had broke the conditions of bail, and came after me at my friend's home. No questions were asked when Peter said that he was there to find a car that didn't even belong to him. The fact that he roared up and down the driveway repeatedly was explained away when he said that the transmission in the truck got stuck. Anybody can tell you if the transmission was stuck in place as Peter claimed, he wouldn't be going anywhere. (Maybe the transmission got stuck 8 or 10 times? Peter drove in and out of the drive four or five times!) When Peter went careening off down the street and hit another truck, that was explained away by Peter saying he was trying to get away because he didn't want to scare me. (he had already stuck a gun in my face, how odd that suddenly he was showing concern for my welfare) I had also had witnesses at the house that were willing to testify that what Peter's version was not accurate, but they were not asked to testify either. The only version that was heard was Peter's.

When Mr. Malakoe went put Peter on the stand, Mr. Ferguson was totally unprepared for it! I doubt that he even asked him a single question. I was so stunned that a crown attorney would let this happen, all I could do was sit there with the other witnesses, all of our mouths hanging open in shock. This was the guy that was supposed to looking after my interests?!? I still wonder which side he was on! When I tried to take him aside to talk to him about it, all he said was he would get back to me.... of course he never did.

Later I spoke to my own lawyer, Elaine Bengts. I told her what happened, and she got a hold of Mr. Ferguson and told him I was really upset, and that he better contact me. Finally Mr. Ferguson called me back, and when I started to question him about what he was doing or if he even knew what he was doing to begin with, the only excuse he could give was that he had "only been here for eight months and it wasn't his fault he was inexperienced". Then he told me that he would see about fixing up the mess, and "maybe I could write a Victim Impact Report". He told me that "maybe that might help, as long as I didn't allude to any of the facts", whether they were correct or not.



Mr. Ferguson told me he would get back to me about that... of course.... HE DIDN'T! I am furious that the Dept. of Justice would allow him to "practice" on a case this serious without any kind of supervision. This man shouldn't be allowed to get his experience at my expense.

By Thursday, January 25th, the weekend before court, which was the 29th, I was frantic and still in the dark about what was going on, so I took the Impact statement over to the Dept. of Justice personally. My friend works there, and she suggested that I speak to a Mr. Avison about Mr. Ferguson. I told him everything I have written you about, and put it down as a formal complaint. Mr. Avison told me would take the case for me, and I am really grateful for that. Mr. Avison did his best, but that didn't change the damage already done by Mr. Ferguson. I was finally given an opportunity to testify, but the wrong facts were still being used, and I wasn't allowed to correct them. All I was allowed to do was give testimony on Peter's personality and how unbalanced he really is. Of course since all the evidence given was incorrect, and the facts of the case totally inaccurate, the judge must have thought it was just sour grapes. He couldn't have known how dangerous Peter was or how scared of him I am.

I would also like to know how come Dr. Clemmey is able to testify as an expert witness after seeing Peter a half dozen times in jail and only hearing Peter's version of our life together. Dr. Clemmey never spoke to my children or I at all. How could he have an accurate picture of what was going on? Even after he was told about Peter abusing the children as well as myself, he stated that it didn't matter and didn't change his opinion one bit. He still insisted that I was a danger to Peter, even though my children and I were the ones being abused! Lord knows I'm still trying to figure that one out! Besides Dr. Clemmey lost his right to practice in the hospital and is under investigation himself, for messing around with patients. HOW CREDIBLE DOES THAT MAKE HIM ANYWAY?

Since court I spoke to Leslie Pritchard of the CBC and she did some work on the case because she believed it had merit, and Mr. Avison also agreed that I had reason for concern. This case has gone so far that it was suggested to me by Judge Davis at the first hearing that if I was really so frightened, why didn't the kids and I just get on a bus and leave town. Of course he didn't have any suggestions about how we would survive without a job, a place to live, or any money coming in. My children and I were also asked to leave the Macateer Shelter by a social worker after being told by social services to come there in the first place. They told me that we could stay until I could get on my feet and find a place to live. We had only been there one night when Eileen Gruber (social services) told me the kids and I had to get out that day. Apparently my husband got an apartment four floors down through his employer, and the social worker told me that we were endangering everyone in the shelter by being there. We were kicked out on the street without anywhere to go. My kids are only eight and twelve years old, have you any idea how frightened they were. Social Services put me in such a bad position that I was forced to impose on a friend of a co-worker for a place to stay. It was that or the street!

Please don't let this be swept under the rug. The Crown already gave away the store, and Peter managed to get off with a fine and some weekends in jail. (That's like the groundings I give my eleven year old). I've lost my home, my security, most of my friends, and most importantly my self respect.

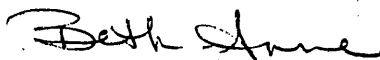
Peter came off looking like the poor misunderstood guy, while I got the shaft. Although I've read about similar incidents on many occasions, I didn't really believe it could happen.

Now Peter is already up to his old tricks again - he's hanging around my house and my work place, and the law says I can't do anything about it till he does something to me again! I can see this whole mess starting over, maybe with me coming out of it dead this time. You can't help me at this point, but maybe I can keep this kind of thing from happening again - to some other woman. This justice system isn't working! It didn't work for me and it hasn't worked for a lot of people just like me.

Please, please, do something! These lawyers could care less what happens after they go home at night, and I and other victims of violence and abuse are the ones left to cope with the mess they create in the name of "expediency".

The subject of sexual abuse of women and children has come up several times during the legislative assembly by several MLA's, but there are other kinds of abuse which are equally horrendous that must be addressed. I'm asking you and every other MLA to find a way to stop these men from getting off with what amounts to usually little more than a slap on the wrists. There is continual misuse of both the justice system and social services in the NWT that need to be investigated. If women like myself are ever feel safe, they must at least have hope that they will receive just treatment through the courts and social services. This violence deserves much more than just lip service! It's time to do something about it!

Yours Truly,



*Beth-Anne Tremblay
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