

IN THE FEDERAL COURT

BETWEEN:

**PICTOU LANDING BAND COUNSEL  
and  
MAURINA BEADLE**

Applicants

- and -

**ATTORNEY GENERAL OF CANADA**

Respondent

**COUNSEL:**

Solicitor for the Applicant: Mr. Paul Champ

Solicitors for the Respondent: Mr. Jonathan D.N. Tarlton  
and Ms. Melissa Chan

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This is the cross-examination held at Halifax, Halifax  
Regional Municipality, Province of Nova Scotia, on  
October 6, 2011 of **MS. MAURINA BEADLE**.

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1 October 6, 2011 - 10:05 a.m.

2

3 MAURINA BEADLE, duly called and sworn, testified as  
4 follows:

5 REPORTER: Please state your full name.

6 **A.** I am Marina Beadle.

7

8 CROSS-EXAMINATION BY MS. CHAN

9

10 MS. CHAN: Good morning, Ms. Beadle.

11 **A.** Good morning.

12 **Q.** My name is Melissa Chan and I'm a lawyer on  
13 behalf of the Attorney General of Canada and I'll be  
14 asking you a few questions here today on the affidavit  
15 that you filed in this matter. Thank you for your  
16 attendance here today and if at any time you want to take  
17 a break or help yourself to some of the coffee, tea or  
18 water, please let me know and we can just stop the  
19 proceeding.

20 Ms. Beadle, you're the Applicant in Federal Court  
21 matter T-1045-11, is that correct?

22 **A.** Yes, I am.

23 **Q.** And as part of this application you swore an  
24 affidavit on August 2, 2011, is that also correct?

25 **A.** Yes.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**    And I see you have an affidavit in front of  
2           you.  Can you confirm, is this the affidavit that you  
3           swore on August 2, 2011?

4           **A.**    Yes, it is.  This, yeah.

5           **Q.**    And you would have reviewed this affidavit  
6           before you swore it?

7           **A.**    Yes, I did.

8           **Q.**    And you've sworn to the truth of its contents?

9           **A.**    Yes, I did.

10          **Q.**    And have you reviewed it prior to attending  
11          here today to answer questions?

12          **A.**    Have I reviewed it before I came over?

13          **Q.**    Yes.

14          **A.**    No, I have not.

15          **Q.**    Okay.  So you reviewed it at the time but have  
16          you reviewed it since?

17          **A.**    Yes.

18          **Q.**    Okay.  Thank you very much.

19                Ms. Beadle, you state in your affidavit that you've  
20                lived in the Pictou Landing First Nations Reserve for  
21                most of your life?

22          **A.**    Yes.

23          **Q.**    Can you specify how long you've lived in the  
24                First Nations on the Reserve?

25          **A.**    Which ones?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**    In the Pictou Landing?

2           **A.**    Okay, because I lived in some, you know,  
3 different ... I lived in New Brunswick.

4           **Q.**    Which one did you live at in New Brunswick?

5           **A.**    Big Cove, Elsipostog.

6           **Q.**    And do you remember approximately what years  
7 you would have lived there?

8           **A.**    No, I don't.

9           **Q.**    Okay. And where did you live after that?

10          **A.**    In Pictou Landing.

11          **Q.**    In Pictou?

12          **A.**    Yes.

13          **Q.**    And so when you say most of your life, can you  
14 remember approximately what time you would ... what year  
15 you would have moved there?

16          **A.**    I moved back home in 1995, '94-'95 when Jeremy  
17 was just about nine ... eight, nine months old.

18          **Q.**    And you refer to Jeremy, you refer to your son,  
19 Jeremy, who is ... obviously who we are dealing with  
20 his... he's the one in this affidavit.

21          **A.**    Yes, he's the one with the ... he's the one  
22 that's born with hydrocephalus. Liquid in the brain.

23          **Q.**    So Jeremy has lived ... since he was about  
24 eight or nine months, he's lived on the Pictou Landing  
25 First Nations Reserve?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    Yes.

2           **Q.**    And does anyone else currently live with you  
3 and Jeremy?

4           **A.**    Yes, my oldest son Jonavon, J-O-N-A-V-O-N.

5           **Q.**    How old is he?

6           **A.**    He's 21.

7           **Q.**    And has he always lived with you and Jeremy?

8           **A.**    Yes. He's my number one man.

9           **Q.**    Does he help around the house?

10          **A.**    Oh, yes.

11          **Q.**    What type of things does he do?

12          **A.**    Well, I'll start from when Jeremy was a baby.

13          **Q.**    Certainly, please.

14          **A.**    He was always ready to jump up every time that  
15 Jeremy was sick through the night. He always had a  
16 backpack ready and he'll go okay, Mom, let's go and all  
17 ready with the backpack on his back, we all jump in the  
18 car and I ... first I put in the blankets and stuff like  
19 that so that when we're in the hospital Jonavon can  
20 sleep.

21          **Q.**    Okay.

22          **A.**    Because I know that Jeremy's being ... will be  
23 laying on a stretcher so he won't have to worry about  
24 being laying ... or laying down or anything like that.  
25 But Jonavon's the one that, you know, would bring the

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 pillows and blankets.

2 Q. Does he always ...

3 A. He always did help until he started his fishing  
4 season two years ago.

5 Q. And what ... what time of year does his fishing  
6 ... fishing season run?

7 A. It starts from May and it ends way into  
8 November. It goes into ... way into November because  
9 there's different types of fishing.

10 Q. Right. So is he ... so he's away from the  
11 house from May to November?

12 A. Yeah, a lot of the time. Like it'll be maybe  
13 from 4 until I don't know what time he gets home, from 4  
14 in the morning until the end of the day.

15 Q. That's a very long day.

16 A. Oh, it is.

17 Q. Yes.

18 A. It is.

19 Q. So when he's away and ... the first questions  
20 I'll ask you about is prior to having ... prior to the  
21 stroke that you suffered in May 2010, so prior to that  
22 when he'd be at ... in his fishing season, would you be  
23 alone in the house with Jeremy?

24 A. Yes. If I hadn't had any workers come in to  
25 help me, yes, I would have been alone.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**   And your ... your son, as well, Jonavon, what  
2           ... so you said he helps out with Jeremy. So what are  
3           the type of things he does? You described some of them,  
4           that he's always ready to go to the hospital with him.  
5           What other type of assistance does he give you when he's  
6           available?

7           **A.**   He takes Jeremy out for a cruise.

8           **Q.**   For a drive?

9           **A.**   Yeah.

10          **Q.**   Okay.

11          **A.**   Jeremy calls it a cruise.

12          **Q.**   A cruise?

13          **A.**   Yeah.

14          **Q.**   Sounds like he enjoys that.

15          **A.**   Oh, he loves it. The reason being is because  
16          we hit the powwow trails before ... ever since the boys  
17          were small we've been going to the powwow trails.

18          **Q.**   And that occurs in the summer months, does it?

19          **A.**   Yes.

20          **Q.**   So your oldest son would have missed that the  
21          last few years then where he's in his fishing season?

22          **A.**   Uh huh, yes.

23          **Q.**   Does he help out with Jeremy's ... with his ...  
24          with his medical needs such as helping feed him or dress  
25          him?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    Yeah.

2           **Q.**    Do you have any other family that lives on the  
3 Pictou Landing First Nations Reserve?

4           **A.**    I have nephews and nieces.

5           **Q.**    Can you tell me how many?

6           **A.**    Huh?

7           **Q.**    Can you tell me how many of each that you have?

8           **A.**    I've got two nephews and two nieces.

9           **Q.**    And are they ever available to help you out  
10 with ... around the house or help with Jeremy?

11          **A.**    No, because they're working themselves.

12          **Q.**    Okay.

13          **A.**    And they have families also.

14          **Q.**    Does Jeremy's father play any kind of role in  
15 his life?

16          **A.**    (Laughter) I'm sorry, I didn't mean to laugh at  
17 you.

18          **Q.**    No, no, it's quite all right.

19          **A.**    No.

20          **Q.**    No?

21          **A.**    No, but I did give him visitation rights and  
22 everything.

23          **Q.**    Okay. And has he ... he's never ...

24          **A.**    No.

25          **Q.**    ... he's never taken advantage of those?



**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    No.

2           **Q.**    And that's ... has that been the case since  
3 Jeremy was ... since he was born?

4           **A.**    Well, in ... in my ex-husband's eyes ...

5           **Q.**    Uh huh.

6           **A.**    ... he does not acknowledge Jeremy but he will  
7 acknowledge Jonavon but not Jeremy.

8           **Q.**    Okay. So he hasn't had any contact then with  
9 Jeremy since ...

10          **A.**    No.

11          **Q.**    In your house on the Pictou Landing First  
12 Nations, are there any special modifications that have  
13 been done to your house?

14          **A.**    Yes, it's a special needs home.

15          **Q.**    Okay. Can you tell me a little bit about it?

16          **A.**    All the doors are 36-inches wide and same with  
17 the hallway ...

18          **Q.**    Uh huh.

19          **A.**    ... where the wheelchair can go through and  
20 stuff like that. The bathroom is wheelchair accessible  
21 too.

22          **Q.**    Uh huh.

23          **A.**    And I have a wheelchair ramp.

24          **Q.**    Uh huh. And is it a one-storey house or a two-  
25 storey house?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    Yeah, a one-storey.

2           **Q.**    So the ramp would be outside coming into the  
3 house?

4           **A.**    Yes.

5           **Q.**    And do you have any other modifications such as  
6 locks on the doors or locks on any kind of cabinets or  
7 gates on the doorways?

8           **A.**    No, because Houdini knows how to do all that  
9 stuff.

10          **Q.**    So he can figure it all out so if you put ...

11          **A.**    Oh, yes, yeah.

12          **Q.**    ... a lock on the gate ...

13          **A.**    Yeah.

14          **Q.**    ... he can ...

15          **A.**    Yeah.

16          **Q.**    ... he figures how to get out?

17          **A.**    Yeah.

18          **Q.**    So does that mean you basically ... you have to  
19 constantly watch him then?

20          **A.**    Yes.

21          **Q.**    And I read in your affidavit that it's ... he  
22 ... he can move himself around surprisingly quick?

23          **A.**    You can't turn your back on him. I tell all my  
24 workers when they come in, don't turn your back on Jeremy  
25 because he can be right there one minute and then he's

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 going to be right there the next.

2 Q. So he moves around a lot then?

3 A. Oh, yes. That's why I call him a Houdini  
4 because he ... you can't keep him in the wheelchair, he  
5 escapes out of it.

6 Q. What happens at night when he's sleeping?

7 A. Oh, he sleeps but when I'm in bed in the same  
8 room with him and if he's still awake he won't move.

9 Q. Okay.

10 A. He'll just lay on the bed.

11 Q. Uh huh. So you sleep in the same room as him?

12 A. Yes, I do.

13 Q. Okay.

14 A. He has a hospital bed and I have a bed just ...  
15 See, his ... my bed is this way and his bed is this way,  
16 his hospital bed is this way so we're head to head.

17 Q. Okay, I understand. Thank you. Now, you  
18 started a little bit when you mentioned the conditions  
19 that Jeremy was born with. Can you tell me exactly what  
20 his medical condition is and just include any diagnosis  
21 that he's received over the years.

22 A. Hydrocephalus is liquid in the brain.

23 Q. Uh huh.

24 A. There was a shunt placed on his right-hand side  
25 of his head.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 Q. Okay.

2 A. And recently like ... well, last year in  
3 November ...

4 Q. Uh huh.

5 A. ... we were just shy of one year of having him  
6 wear that shunt for 15 years.

7 Q. Okay.

8 A. 16 years or ... yeah, 15, 16 years.

9 Q. Uh huh. And what happened?

10 A. They had to ... they had to take him for an  
11 operation and replace the ... well, what they did was  
12 when they put a ... that shunt, the old shunt that he has  
13 on here, they put a newer one just right above it.

14 Q. Okay.

15 A. So he had altogether maybe about eight or nine  
16 operations in that month. I mean, in that few days.

17 Q. And that was last year?

18 A. Yes.

19 Q. Was he born with this condition?

20 A. Pardon?

21 Q. Was he born with this condition, the hydro- ...  
22 I'm sorry, I don't ...

23 A. Hydrocephalus.

24 Q. Hydrocephalus, thank you. Was he born with  
25 that or was he ... okay.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    Yes, he was.

2           **Q.**    Okay.  What are some of the other conditions  
3   that Jeremy has?

4           **A.**    Cerebral palsy, autism.

5           **Q.**    And the cerebral palsy he was also born with?

6           **A.**    Yes.

7           **Q.**    When did ... when did you realize that he had  
8   autism?

9           **A.**    Oh, gee, that was diagnosed when he was about  
10   ... I think it was about the age of three.

11          **Q.**    Three?

12          **A.**    Two or three, something like that, because of  
13   the repetition of things that he was doing.

14          **Q.**    Right.  Okay.  And I understand it's something  
15   you don't always know immediately ...

16          **A.**    No (inaudible due to speak over each other).

17          **Q.**    I have a friend whose child has autism and you  
18   find out later on?

19          **A.**    Yes.

20          **Q.**    So I was wondering when he was diagnosed?

21          **A.**    Later in life sometimes.  Did you know that  
22   hydrocephalus can happen to anybody at any age, even at  
23   your age?

24          **Q.**    Really?  Okay, no, I wasn't aware of that.

25          **A.**    And but you can still live a normal life.  It

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 doesn't affect you so much as it would a small child born  
2 with it.

3 **Q.** Okay. So you can be born with it or develop it  
4 later in life?

5 **A.** Yes.

6 **Q.** And in Jeremy's case he was actually, as soon  
7 as he was born?

8 **A.** He was born with it, yes.

9 **Q.** Thank you. Are there any other conditions that  
10 he has? I think spinal curvature is one?

11 **A.** Yeah, spinal ... you know, his back was kind of  
12 curved like this and we were kind of hoping it would  
13 straight up and it did.

14 **Q.** Okay.

15 **A.** This year in occupational therapy.

16 **Q.** So that was over the past year that his spine  
17 straightened after having some occupational ...

18 **A.** Oh no, it's been over the years.

19 **Q.** Okay, over the years?

20 **A.** Yeah.

21 **Q.** Sorry. I understand that you have, since  
22 Jeremy's birth, you've been his caregiver and in most  
23 cases, his sole caregiver?

24 **A.** 24/7, 365 days a year.

25 **Q.** Can you describe to me the needs that Jeremy

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 has that ... that ... the care that you provide to him?

2 **A.** Do you want the details?

3 **Q.** Yes, as much as you can.

4 **A.** Okay.

5 **Q.** And even just sort of ... and again, this is  
6 before the stroke that you suffered in May 2010, so what  
7 your usual day would involve with Jeremy?

8 **A.** My usual day would be with Jeremy, if he made a  
9 mess of himself, I would have to shower him or bathe him  
10 and change all of his bedding.

11 **Q.** Uh huh.

12 **A.** And if he got into his Pamper, I'd have to  
13 basically clean up the whole bed and have Jeremy cleaned  
14 up and everything. So everything would be like if he  
15 made a mess of himself all the way from ... all the way  
16 up to his back, then you know, and sometimes I'd go,  
17 okay, and sometimes when I'd have him all cleaned up  
18 before school and he's all ready to go to school and then  
19 when I check him to see him, he'd be all messy from all  
20 the way up to his back so I'd say, Okay, let's go back in  
21 the shower.

22 **Q.** Uh huh.

23 **A.** There's no point in you going to school because  
24 by the time we get you all done and get all this and that  
25 done it's going to be kind of late because I don't like

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 to leave things just the way they are.

2 Q. Right. Certainly.

3 A. You know, and what I do is I clean everything,  
4 like his linen, his bedding, his whatever. Whatever  
5 things that he makes a mess on I'd clean it. There would  
6 be a few good days like that, I mean, a few good days and  
7 then, you know, without having to do so much with him.  
8 And then it would just kind of start up again. Like I'll  
9 just maybe have one or two really good days with him  
10 maybe ...

11 Q. Uh huh.

12 A. ... without having to do so much with him.

13 Q. Uh huh.

14 A. But then the other days I'd have to, you know,  
15 constantly do this, do that. Even the school even calls  
16 me to come in. I have to go in and pick him up from  
17 school and take him home because he had made a mess.

18 Q. Okay.

19 A. But, you know, a typical day would be like  
20 feeding him ... bathing him, feeding him, doing  
21 physiotherapy with him. When he was smaller, I'd correct  
22 his eyes. I used to work with him twice a day to do the  
23 patchwork so that his eyes would be exercised.

24 Q. Okay.

25 A. So to make his eyes go straight. And that



**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 would be on both sides so each side had to be done for  
2 about 20 minutes each.

3 Q. Okay.

4 A. And that would be twice a day and before he  
5 grew out of that mask, the aspiration mask, that had to  
6 be done ten ... ten minutes per day, twice a ... I mean,  
7 every day, twice a day in the morning and in the evening.

8 Q. Now you talked about one of the things that you  
9 do is feed him. So did you ... were you in charge of  
10 preparing all his food?

11 A. Yes.

12 Q. And is there special requirements that he had  
13 for his food?

14 A. Yes.

15 Q. And what were those?

16 A. Like I have to puree his meat. Now, before, I  
17 used to have to puree his potatoes.

18 Q. Uh huh.

19 A. And then when we found out that he was able to  
20 eat mashed potatoes without being pureed. When he grew  
21 out of that I was kind of happy.

22 Q. A little bit less work.

23 A. You know, 'cause sometimes they turn blue in  
24 the face if you feed them lumpy foods.

25 Q. Uh huh.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    And I'd go, Uh-oh, God, what did I do now?

2           **Q.**    Right.

3           **A.**    And I would report it to the doctor and I would  
4 say I tried lumpy food on him, it's not working.

5           **Q.**    Uh huh.

6           **A.**    Because they were asking me to do that for him  
7 from time to time.

8           **Q.**    Okay.

9           **A.**    Just to see if he'll eat the food, the lumpy  
10 food.

11          **Q.**    Uh huh.

12          **A.**    And it took a long time before ... before he  
13 could even really eat the mashed potatoes. I would say  
14 maybe about ... he was maybe about 13 ... 12 or 13 before  
15 he could start eating mashed potatoes, just the regular  
16 mashed.

17          **Q.**    Uh huh. And so ... and when you feed him, he  
18 ... you actually have to spoon feed him yourself?

19          **A.**    Yes. Yes.

20          **Q.**    And also you mentioned when you bathe him you  
21 put him in the bath or in the shower ...

22          **A.**    Uh huh.

23          **Q.**    ... and you have to assist him with that?

24          **A.**    Yes.

25          **Q.**    And you'd also mentioned that you do

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1       physiotherapy with him?

2           **A.**    Yes.

3           **Q.**    What would that ... so what types of things  
4       would that involve?

5           **A.**    Oh, pulling him up ... no, I don't pull him up,  
6       he pulls himself up.

7           **Q.**    Uh huh.

8           **A.**    And then I just, you know, just kind of go up  
9       and down with him and I'll tell you another thing.

10          **Q.**    Uh huh.

11          **A.**    I use the beach to ... as a physio ...  
12       physiotherapy part.

13          **Q.**    Okay. And how would you do that?

14          **A.**    Well, when he was first ... when he was  
15       smaller, I'd say he was about maybe one, two, we had a  
16       hard time getting him to sit up on his own.

17          **Q.**    Okay.

18          **A.**    Like every time he would sit up he would flop  
19       over, right.

20          **Q.**    Uh huh.

21          **A.**    So, you know, every time we were trying to get  
22       him to sit up on his own, he wouldn't do it so we had  
23       pillows surrounding him ...

24          **Q.**    Uh huh.

25          **A.**    ... so that he could sit up. So I said, Gee,

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1        what am I going to do? I was sitting there one day and I  
2        said, Come on, John, let's go. He goes, Where are we  
3        going? And I said, We'll go pick up your friends and,  
4        you know, pack some food and stuff like that. And he  
5        goes, Where are we going, Mom? I said, Wait, wait and  
6        see. So we went down to the beach. I plopped Jeremy  
7        right into ... right onto the beach sand and I got him to  
8        sit there and I looked at him and I said, Oh my God, he's  
9        actually sitting and he kind of looked at me and he  
10       wasn't flopping over.

11       **Q.**    Uh huh.

12       **A.**    Like he wasn't, you know, going like this or  
13       going like that, he was actually sitting and then from  
14       there on, I used ... I used the beach as a physiotherapy.

15       **Q.**    Okay.

16       **A.**    The beach and the water.

17       **Q.**    And in the water, what would you do in the  
18       water?

19       **A.**    In the swimming pool, in the ... I would get  
20       him to walk to me.

21       **Q.**    Okay.

22       **A.**    I'd stand ... I'd take him in and I would stand  
23       him, although he has a life jacket on him.

24       **Q.**    Okay.

25       **A.**    And I would stand a way over there and I would

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 go come on and he'll go, you know, he'll try to reach out  
2 for my hand, right.

3 Q. Uh huh.

4 A. And I keep moving and I keep moving back until  
5 I fall onto a step or something and I go, Oh, okay so  
6 I'll turn around and I go okay now that I fell down I  
7 have to go stand back up and go put him back there and  
8 then I'll go, Come on and then he'll come to me, right,  
9 while I'm moving back. It's whenever I fall onto the  
10 step of the pool then that's when I could ... we reached  
11 a good distance and I would do it maybe about two or  
12 three times ...

13 Q. Okay.

14 A. ... and that's when he gets tired and he wants  
15 out of the water.

16 Q. So this ... so when he's in the water like that  
17 so he's able to walk ...

18 A. Yes.

19 Q. ... on his own?

20 A. Yes.

21 Q. Can he walk on his own at all outside of the  
22 water?

23 A. I had him walking before I took the stroke.

24 Q. Okay. How much would he have been walking at  
25 that time?

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1           **A.**    Like maybe a distance from ... maybe from that  
2 wall to that right where she's sitting.

3           **Q.**    Okay. Where the court ... where the court  
4 reporter is sitting?

5           **A.**    Yeah.

6           **Q.**    Okay. So that would be ... I'm really bad at  
7 measuring distance so.

8           **A.**    Same here.

9           **Q.**    Okay. So I'd say that's about ...

10          **MR. CHAMP:** 15 feet.

11          **Q.**    15 ... ten, 15 feet?

12          **A.**    (Inaudible).

13          **MR. TARLTON:** 12 but I think we're all in the  
14 ballpark here.

15          **Q.**    Okay. I'm very bad. Sometimes I'll look at  
16 something and say, I don't know, is that three feet. I  
17 try to think of my height so I know five feet ...

18          **A.**    I know I'm five foot 11 so I'm too tall.

19          **Q.**    I'm not too much taller than you so I know that  
20 if I ... the height of me times a couple so we'll say  
21 about 12 feet or so.

22          **A.**    Okay.

23          **Q.**    So he was able to do that before ... before you  
24 had a stroke in May?

25          **A.**    Before I had a stroke, yes. Then he seemed to

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 go downhill right after I had a stroke. It stopped  
2 everything. Now I have to work on him to get him back  
3 where he was again.

4 **Q.** And you also ...

5 **A.** I mean well ...

6 **Q.** Sorry.

7 **A.** ... get my workers to help me to do it.

8 **Q.** Okay. And so you said too that you did other  
9 things like you worked with his eyes. So you worked with  
10 his eyes. You did some physiotherapy work and this is  
11 again, before your stroke. How did you know how to do  
12 this? Like, did you ever receive any kind of training?

13 **A.** I got the training ...

14 **Q.** Pardon me?

15 **A.** IWK.

16 **Q.** Okay.

17 **A.** They were ... they were my teachers.

18 **Q.** Okay. And so would this have started when  
19 Jeremy was born?

20 **A.** Yes.

21 **Q.** Okay.

22 **A.** Well, Jeremy was born in London, Ontario.

23 **Q.** Okay.

24 **A.** At the Children's ... at Victoria Sick  
25 Children's Hospital.

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1           **Q.**    Uh huh.

2           **A.**    And when he was nine months old ... or eight  
3 months old and we came down here and IWK from ... took  
4 over.

5           **Q.**    When you say they took over, you mean they took  
6 over his care, his treatment?

7           **A.**    His care and everything and he's been there  
8 since then and that's our second home.

9           **Q.**    So you'd have the people, the staff at the IWK  
10 would have shown you some of these exercises to do?

11          **A.**    Yes, and then sometimes when I do some things  
12 on my own I would tell them and they would go okay,  
13 that's good, we'll pass that along to the other parents  
14 if they have some ... if they have a lot of hard time  
15 with their children because sometimes, you know, whatever  
16 ... whatever physio I do with Jeremy and then I'd pass it  
17 on to them, they'll pass it on to other parents to help  
18 the parents too.

19          **Q.**    Now, in the time too before your stroke I know  
20 that you said you've had careworkers since your stroke?

21          **A.**    Yes.

22          **Q.**    Did you have any careworkers in the house ...

23          **A.**    In the house before that, no.

24          **Q.**    ... before your stroke?

25          **A.**    No, I was doing everything on my own.



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1           **Q.**    What about any type of physiotherapist or  
2           occupational therapist or I think ... I think you had  
3           referred earlier and it might have just been the  
4           physiotherapy that you had been doing but I thought you  
5           said something that his spinal curvature was helped with  
6           the occupational therapy. So is that somebody that would  
7           come in and help with that or is that what you did?

8           **A.**    No, no, I'd go out. I'd go out to the  
9           hospital, they show me what to do with it.

10          **Q.**    Okay. So all of the ... prior to the stroke,  
11          the treatment, so you'd go to the hospital and the  
12          workers there would show you how to do these exercises  
13          and then you'd go back and do those with Jeremy?

14          **A.**    Yeah, I did.

15          **Q.**    Now you also mentioned too about Jeremy going  
16          to school.

17          **A.**    Yes.

18          **Q.**    Can you tell me when he would have been going  
19          to school? Like from what age?

20          **A.**    We started him in daycare at the age of three.

21          **Q.**    Okay.

22          **A.**    Just to get him into the public system so that  
23          he could be social.

24          **Q.**    Certainly. See other children.

25          **A.**    Yes, to prepare him for school.

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1           **Q.**    Uh huh.

2           **A.**    So at the age of five when he went into school,  
3 the regular school ...

4           **Q.**    Uh huh.

5           **A.**    ... he went in ... where did he go? I can't  
6 remember if it was at the Frank H. MacDonald or if it was  
7 the Pictou Landing First Nations.

8           **Q.**    Now are these elementary schools?

9           **A.**    Yeah.

10          **Q.**    And how long did he keep going to school until?

11          **A.**    Oh, he went to school steady over at the Pictou  
12 Landing First Nations ...

13          **Q.**    Uh huh.

14          **A.**    ... because we had a teacher that we had ... I  
15 had trained for four years and I even took her to the IWK  
16 with me to show ... to let them show her what they could  
17 do with ... what she could do with Jeremy.

18          **Q.**    So this was his teacher so, I'm sorry, you said  
19 you trained her for four years?

20          **A.**    Yes.

21          **Q.**    So did she progress through the different ...

22          **A.**    Oh, yes.

23          **Q.**    ... grades with Jeremy?

24          **A.**    They made progress, both of them. I don't have  
25 to give her name out, eh?

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1           **Q.**    No, no, that's fine.

2           **A.**    Okay.

3           **Q.**    It's just knowing that there was someone. So  
4 what ... around what age would she have started working  
5 with Jeremy?

6           **A.**    Four, because she started going into daycare  
7 with him ...

8           **Q.**    Okay.

9           **A.**    ... so that they can kind of get to know each  
10 other.

11          **Q.**    Okay.

12          **A.**    Yeah.

13          **Q.**    And how long did she keep working with Jeremy  
14 until?

15          **A.**    Until Jeremy moved on to ... from out of Pictou  
16 Landing First Nations so that would be Grade 6.

17          **Q.**    And what was his ... how did he respond to her?

18          **A.**    Oh, very well, just like he would respond with  
19 me.

20          **Q.**    And you say they made a lot of progress during  
21 these years?

22          **A.**    Yes, and he got attached to her.

23          **Q.**    So was it hard for him then when he moved  
24 on ...

25          **A.**    I wanted her to move along ... along with him.

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1           **Q.**    Uh huh.

2           **A.**    But the ... the School Board wouldn't let it.

3           **Q.**    Okay.  And now is she also a teacher ... so was  
4 she a teacher of a whole class or was she just assigned  
5 to Jeremy?

6           **A.**    Oh, just one or one with Jeremy.

7           **Q.**    Okay.

8           **A.**    And she's the teacher that went extra ... extra  
9 few years to go for special T.A.

10          **Q.**    Okay.

11          **A.**    I mean for ... she's not a T.A., she's an  
12 actual ... a real teacher.

13          **Q.**    Uh huh.

14          **A.**    And she went to ... she went to school for two  
15 extra more years for the special needs.

16          **Q.**    So when he'd be at school, what ... what  
17 roughly ... so in this time when ... between when he was  
18 in elementary school ...

19          **A.**    They did hand over hand, you know, like one or  
20 one, hand over hand and she was teaching him how to talk  
21 and those picture ... picture things to tell him what  
22 it's time for so that after ... later that he can pick  
23 those things to say I want to do this or I want to do  
24 that or I want to, you know.

25          **Q.**    Uh huh.  And so when he'd be at school what

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1 would be sort of the hours that he'd be at school, that  
2 he'd be there?

3 **A.** Right now, since he did ... since he was in the  
4 hospital in ... oh God ... it'd have to be in May. When  
5 he banged his head and he didn't wake up for four days.

6 **Q.** That must have been very scary for you?

7 **A.** Oh, it was.

8 **Q.** I imagine.

9 **A.** It was.

10 **Q.** And that was last May?

11 **A.** Yeah, this was in May. I think it was in the  
12 second week of May.

13 **Q.** Okay.

14 **A.** I don't know what happened.

15 **Q.** Uh huh.

16 **A.** At that time.

17 **Q.** And he was at school when that happened?

18 **A.** I think he was reacting to one of the workers.

19 **Q.** Okay.

20 **A.** So he was at home, sorry?

21 **A.** Yeah.

22 **Q.** Okay. And this was the past May of 2011 or  
23 2010?

24 **A.** Just this past May.

25 **Q.** Okay. So 2011?

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1           **A.**    2001, right?  Yeah.

2           **Q.**    And just again, is Jeremy in school right now?

3           **A.**    Yes, he is.

4           **Q.**    Okay.

5           **A.**    I mean right now he's not because I'm not home.

6           **Q.**    Okay.

7           **A.**    See, when I'm not home I don't ... I don't like  
8 when ... when my workers are ... excuse me.

9           **Q.**    You can take a break, too, any time.

10          **A.**    Well anyways, when I'm not home I don't like  
11 anyone taking him out, like, you know.

12          **Q.**    So when you're not home the workers that are  
13 there now stay with him in the house?

14          **A.**    When I'm not there to supervise, yes.

15          **Q.**    Okay.  But he's enrolled in school right now?

16          **A.**    Oh yes, yeah.  He's in North Nova.  He's only  
17 got two more years to go for the ... to finish school.

18          **Q.**    Okay.  And so when he was in elementary school,  
19 right up until Grade 6, he had a special teacher that was  
20 assigned to him.

21          **A.**    Uh huh.

22          **Q.**    Does he have something like that now since he  
23 went into, I guess, junior high?

24          **A.**    No, he doesn't have any and each teacher that  
25 he gets he seems to react to them so they have to get me

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1 to stay with him.

2 Q. So what do you mean by react to them?

3 A. When he reacts to people that he doesn't really  
4 care for he'll start banging on his face and he'll mar up  
5 his face really bad and it'll ... he makes it bloody and  
6 makes a bloody mess on his face right here. And the ...  
7 and the more he ... the more like, if that person talks  
8 to him more ...

9 Q. Uh huh.

10 A. ... then it gets worse.

11 Q. Okay. So what do you ... so what do you have  
12 to do, then, when he's at school and that happens?

13 A. When they call me, they tell me that Jeremy's  
14 pulling this or that.

15 Q. Uh huh.

16 A. Then I go over there and I go talk to him.  
17 First I'll go sing to him.

18 Q. Uh huh.

19 A. I start singing from the hall so he can hear  
20 me.

21 Q. Uh huh.

22 A. So when he hears me coming down he knows that  
23 I'm coming in.

24 Q. Uh huh.

25 A. And I start singing from the hall and then I'll

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1 sing all the way into the room and then his reaction, he  
2 stops what he's doing and the teachers look at him and  
3 they'll say, Well, he was banging up his face really good  
4 and I could tell that he was because ...

5 Q. Right.

6 A. ... his face was just ... just full of blood on  
7 each side of his face, eh. I'll say, okay, and the  
8 teachers say, I didn't know what to do with him. I  
9 didn't want to restrain him to stop him.

10 Q. Uh huh.

11 A. I said that's good, you know.

12 Q. Uh huh.

13 A. And I would just go, Hey, what's the matter?  
14 He'd look at me and he'd go, Ah, just like if don't  
15 start, you know, don't start giving me a lecture.

16 Q. Kids of all ages do that I think.

17 A. Yes, and he knows in the sound of my voice that  
18 I'm going to say something.

19 Q. Uh huh.

20 A. And he'll go, Ah. Then ... so I kind of try to  
21 change my voice and I'd start singing to him and  
22 sometimes if I have my drum with me, I'll drum for him.

23 Q. And so ...

24 A. That calms him down.

25 Q. So once he's calmed down, would you then be



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1 able to leave or would you stay with him through the day?

2 **A.** Oh, yeah, yeah. Sometimes, if it gets too  
3 severe, I'd take him out but if he calms down and he's  
4 okay, then I stay with him for the rest of the ...

5 **Q.** So you'd stay at the school with him?

6 **A.** Yes, I do.

7 **Q.** And so you said, though, he didn't have this  
8 problem when he had somebody assigned to him basically  
9 one on one when he was in elementary school?

10 **A.** Uh huh.

11 **Q.** So this wouldn't have happened?

12 **A.** No. If he had his T.A. to follow ... follow  
13 him all the way through the school, I don't think she ...  
14 he would have had any problems in school at all.

15 **Q.** How often now, in school, would you have to go  
16 down to the school because they've phoned you to come  
17 down?

18 **A.** Three days a week.

19 **Q.** Three days a week?

20 **A.** Yeah, it's Monday, Wednesday and Friday.

21 **Q.** How does he get to school and get home from  
22 school?

23 **A.** Well, I don't drive him to school but somebody  
24 else drives me and we take him into school.

25 **Q.** Who ... who would be the person that would

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 drive you in?

2 **A.** Before? Before I had the stroke?

3 **Q.** Yes.

4 **A.** I would.

5 **Q.** Okay. So you'd drive him to school?

6 **A.** Yeah.

7 **Q.** And pick him up?

8 **A.** Yeah.

9 **Q.** And now is it one of the careworkers who would  
10 do that?

11 **A.** No.

12 **Q.** So who would drive him to school?

13 **A.** No, before I had the stroke I did ... I did all  
14 the driving and I did all ... everything.

15 **Q.** Okay. And since ...

16 **A.** I transported him to school and back.

17 **Q.** Okay.

18 **A.** Now that I had a stroke, I don't do that. I  
19 have somebody driving him ... driving us.

20 **Q.** Who do you have that does that?

21 **A.** Yes, it would either be my son, Jonavon.

22 **Q.** Okay.

23 **A.** Or somebody like, you know, somebody that ...  
24 my sister-in-law, just about anybody that I can find that  
25 will drive.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.** Do your careworkers do that at all, the  
2 careworkers that (inaudible due to speaking over each  
3 other)?

4           **A.** They're not allowed to.

5           **Q.** Okay. Can Jeremy speak at all?

6           **A.** Oh, yes.

7           **Q.** But how much ... how much is he able to speak?

8           **A.** Well, he's saying a lot more than he did  
9 before.

10          **Q.** Okay.

11          **A.** Since he had that shunt ...

12          **Q.** Right.

13          **A.** ... had his shunt changed ...

14          **Q.** Uh huh.

15          **A.** ... he's been speaking ... he's been more  
16 verbal now.

17          **Q.** Okay.

18          **A.** And he'll ... he was just saying to my worker  
19 last night, O.T., he was just telling me ... and it was  
20 so interesting. Oh, can you say ... can you say Donna?  
21 That's what he's telling my worker. Can you say Donna?

22          **Q.** Uh huh.

23          **A.** Because my worker was telling him, Can you say  
24 Johno?

25          **Q.** Okay. And so he ...

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1           **A.**    He didn't reply so he goes, Can you say George?

2           **Q.**    Uh huh.

3           **A.**    He didn't reply. And then he looks at the  
4 worker and he goes, Can you say Donna, and my worker  
5 burst out laughing and that worker that he says, Can you  
6 say Donna is ... he got attached to her.

7           **Q.**    Uh huh. So when you say that he gets attached?

8           **A.**    Yeah.

9           **Q.**    He's attached to this worker and he's attached  
10 to the teacher that followed him throughout school, what  
11 usually ... how does that usually happen? Is it just  
12 that he ...?

13          **A.**    How does he react?

14          **Q.**    (Inaudible due to speaking over each other).

15          **A.**    He reacts very ... how would I say that?  
16 Deliberately hit himself, bang himself.

17          **Q.**    So that's when he doesn't react well?

18          **A.**    Yeah.

19          **Q.**    Okay. When he does react well with somebody,  
20 when he becomes attached to them as you're saying he does  
21 with this worker, how is that different? How does he ...  
22 how does he react to them?

23          **A.**    To?

24          **Q.**    To someone that he is attached to that he  
25 likes?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    That's what he would do if they leave.

2           **Q.**    Okay. So he gets upset when they leave?

3           **A.**    Oh no, not, leave, like leave for the night or  
4 something. No, like if they had left like permanently.

5           **Q.**    Right, okay.

6           **A.**    That's how he would react but he ... if he  
7 knows that that person is coming back, he won't react to  
8 anything.

9           **Q.**    Okay.

10          **A.**    And he'll go ... sometimes when his ... when my  
11 worker comes in Friday, that's when she comes in for the  
12 weekend, he'll go to the other worker, he'll go, Bye-bye,  
13 see you later.

14          **Q.**    Uh huh.

15          **A.**    Donna. And the worker will go, Yes, Donna's  
16 coming, and you're already throwing me out. Jeremy goes,  
17 Bye-bye, see you later.

18          **Q.**    So there's some of the workers he likes better  
19 than others?

20          **A.**    Oh, no, no, he's just telling the worker that  
21 oh, it's time for you to leave and Donna's coming in.

22          **Q.**    Reminding them of their shift changes?

23          **A.**    Yeah, yeah.

24          **Q.**    Keeping track of whose coming into the house?

25          **A.**    Yes, yeah.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**    Okay.  And so when he speaks ... and so you  
2 obviously can communicate with him?

3           **A.**    He's ... I figured that out by singing to him  
4 when he was a little babe.  I said, Here I am, I talk all  
5 day, talk, I just gab, gab, gab, gab.

6           **Q.**    Uh huh.

7           **A.**    You know, and I would get no reaction from him,  
8 right.

9           **Q.**    Uh huh.

10          **A.**    Then one day I put on the radio ... not the  
11 radio but the television and then there was a song on and  
12 I started singing it, right, and he kind of talked to  
13 himself, like, you know, okay, you know and I said all  
14 right, do you like that music (inaudible).  I mean, do  
15 you like it when I sing and so from there on I started  
16 singing to him and that's how I communicated with him,  
17 that's how we got started.

18          **Q.**    And from there he was able to develop speaking?

19          **A.**    Yes, yes.

20          **Q.**    And so when you have a ... when you have the  
21 careworkers in the house, how is ... is he able to  
22 communicate with them?

23          **A.**    The same way he does with me.

24          **Q.**    Okay.  So he can speak to them and they ...

25          **A.**    Yes.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 Q. Okay.

2 A. Yeah. But there's only certain ones that he'll  
3 speak with, not to all of them. Like, he'll speak with  
4 George and he'll speak with Donna.

5 Q. Uh huh.

6 A. And he'll speak with Kara.

7 Q. Uh huh.

8 A. And Melanie.

9 Q. Uh huh.

10 A. But there's only one worker that he won't speak  
11 to.

12 Q. Oh really?

13 A. Yeah.

14 Q. Just doesn't have a connection with that worker  
15 perhaps?

16 A. They don't seem to connect, that's the reason  
17 why.

18 Q. Have the other ones been with Jeremy longer?

19 A. Linda, no, she hasn't been there too long.

20 Q. And Linda's the one he doesn't connect with  
21 very well?

22 A. Doesn't connect very well.

23 Q. But George and Donna and Kara and Melanie would  
24 have been with him longer than Linda has?

25 A. Yes.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 Q. So it is fair ... so he's gotten used to them?

2 A. Yes.

3 Q. Okay. And as he gets used to them ...

4 A. Because Kara drives and so when Kara comes in  
5 or when George comes in, he'll take his shoes and say,  
6 Socks and shoes on, time for a cruise.

7 Q. Time for a drive?

8 A. Yeah.

9 Q. So the longer really they're around him, the  
10 more comfortable he becomes with them?

11 A. Yes.

12 Q. Now we've talked a bit about that you suffered  
13 a stroke in May 2010 and I understand that you were in  
14 the hospital for about a month after that?

15 A. Yes.

16 Q. Okay. Who took care of Jeremy while you were  
17 in the hospital?

18 A. My sister, my niece, I think my sister-in-law.  
19 Gee, I can't remember really.

20 Q. So it was ... but it was your family?

21 A. Yes.

22 Q. That were taking care of him?

23 A. Yeah.

24 Q. And you've said that when you came back from  
25 the hospital ...



**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    I wanted to walk right back out the door  
2 because I didn't feel like it was my home anymore.

3           **Q.**    Having someone else come in and kind of ...

4           **A.**    You know, everything was just kind of ...  
5 everything got moved, everything got changed on me and I  
6 said, I guess my sister said it, too, she goes, I bet you  
7 you felt like walking out that door and I said, Darn  
8 right I felt like walking right back out that door  
9 because it didn't feel like it was my place anymore.

10          **Q.**    So it's hard, someone else comes into your  
11 space and moves things around?

12          **A.**    Yeah, like everything got changed and I'm  
13 going, Oh gosh and then when I turned around looking for  
14 something, you know, where I'm so used to putting things.

15          **Q.**    Yes.

16          **A.**    I'm going ... looking around for stuff and I'd  
17 go ... I'd go, okay guys, where's everything. And then  
18 they'll go, It's over here, it's over there, it's over  
19 there and I'd go okay, I'd start looking, okay, that's in  
20 the wrong place, put that back way over there. Go to the  
21 other cupboard, oh, that's in the wrong place, put that  
22 right back over there.

23          **Q.**    I'm the same way. I hate it when people move  
24 things on me so.

25          **A.**    And my drawer where I keep my tools and stuff

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1       like that, I'll go, huh, so what'd you guys do here?  
2       They said, Oh, we changed it and I say, Uh-uh, okay, take  
3       these out, put those over there, take these out, put  
4       those over there.

5               **Q.**    So you had it back to the way that you wanted  
6       it?

7               **A.**    Yes, and my table too so ... the way it ... the  
8       way it used to be.

9               **Q.**    And I think you had said too when you came back  
10      that you noticed a difference in Jeremy from the time  
11      that you'd been gone?

12              **A.**    Yes.

13              **Q.**    While you were gone, your sister or your niece  
14      or your sister-in-law, would they have been doing the  
15      same type of work with Jeremy that you had done? You  
16      know, singing to him ...

17              **A.**    They had told me that it was overwhelming.  
18      They didn't ... they couldn't understand how I did it  
19      over the years all by myself and the three of them were  
20      working with him.

21              **Q.**    Uh huh.

22              **A.**    They were exhausted.

23              **Q.**    Uh huh. Just doing everything that you did  
24      yourself?

25              **A.**    Yeah. Like they said, from watching you ...

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 Q. Uh huh.

2 A. ... you made everything look so easy.

3 Q. Uh huh.

4 A. And I said, Well, it's easy for me because I've  
5 been working with it for so many years.

6 Q. Right.

7 A. And by myself I can do it and it took ... takes  
8 three of you before you can do something with Jeremy?

9 Q. So three people to fill your job?

10 A. Yeah. Yeah.

11 Q. And so after you returned, when you came back  
12 from the hospital, I understand that you ... that you had  
13 health care needs of your own?

14 A. Yeah.

15 Q. You were in a wheelchair, I believe, for some  
16 time? Not now obviously but you were in a wheelchair I  
17 think when you ...

18 A. When I first went into the rehab I looked at  
19 the wheelchair and I said, I'm not staying in this  
20 wheelchair and the doctors when they asked me like ... I  
21 think it was the first day that I was there, So what are  
22 your goals? I said, I'm getting off of this wheelchair  
23 and I'm walking out of here.

24 Q. Uh huh.

25 A. They said oh? And I said, Another thing is I

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 want my handwriting back.

2 Q. Uh huh.

3 A. Because you know how I can ... when a child  
4 goes to kindergarten, you know how they print, right?

5 Q. Yes.

6 A. You know, that's the way my printing was like.

7 Q. Uh huh.

8 A. I couldn't even write my name and they said,  
9 Well, that can be worked on. You'll have to ... you're  
10 going to have to work real hard and I said, Okay, and I  
11 said, I don't mind working hard and I don't mind it if I  
12 ... I'm not going to be sitting on this wheelchair  
13 anymore.

14 Q. And obviously you're not in a wheelchair now.

15 A. No.

16 Q. How long ... how long did it take you before  
17 you were able to get out?

18 A. Two weeks.

19 Q. Two weeks?

20 A. Yeah.

21 Q. That's amazing, that's amazing. And how about  
22 your handwriting? Have you been able to recover that?

23 A. I recovered my handwriting, yes.

24 Q. How long approximately would that have taken?

25 A. Same.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**    About two weeks?

2           **A.**    Yeah.

3           **Q.**    So about two weeks it was you're done with the  
4 wheelchair and you're sort of getting back into your  
5 usual routine?

6           **A.**    Uh huh.

7           **Q.**    Okay. And do you ... did you have healthcare  
8 workers to assist you doing household tasks?

9           **A.**    After I got home, yes.

10          **Q.**    Okay.

11          **A.**    Yes.

12          **Q.**    And how long would they have been with you?

13          **A.**    Oh gee, I can't remember that.

14          **Q.**    Do you remember an approximate? About six  
15 months, two months?

16          **A.**    Gee, I know it was a little while anyways. I'd  
17 say almost close to a year.

18          **Q.**    Okay.

19          **A.**    Maybe eight, nine months.

20          **Q.**    And what type of ... what type of things would  
21 they do for you?

22          **A.**    At first they would help me get in the shower.

23          **Q.**    Uh huh.

24          **A.**    Because I wasn't able to do that on my own.

25          **Q.**    Uh huh.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    And then after that I got ... I would ... I  
2           have to start doing this on my own. I said, Well you  
3           guys can just stand at the door, okay? And they said,  
4           Okay.

5           **Q.**    A little bit at a time?

6           **A.**    Yeah, a little bit at a time, yeah. But then  
7           when I'd do ... when I did get tired I would say, Okay,  
8           come on it, I'm getting tired.

9           **Q.**    Uh huh.

10          **A.**    'Cause I would ... I could only do so much and  
11          then I would get exhausted.

12          **Q.**    Exactly.

13          **A.**    I didn't ... I'll say, okay, you guys can come  
14          back in now, I need your help.

15          **Q.**    Uh huh.

16          **A.**    'Cause I didn't ... I didn't like ... what was  
17          the point in saying, Oh, I'm fine I can do it on my own  
18          when I knew I couldn't do it anyways.

19          **Q.**    Uh huh. So if they were with you for about,  
20          you said, about eight or nine months, what ... what were  
21          the hours that they would have been there with you?

22          **A.**    24.

23          **Q.**    24 hours?

24          **A.**    Yeah.

25          **Q.**    And do you remember how many? Like would it

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 have been ... obviously they traded shifts?

2 **A.** Oh gosh, it was quite a bit. I mean, because  
3 there was one for Jeremy and one for me.

4 **Q.** And that's the 24 hours?

5 **A.** Yeah.

6 **Q.** Okay.

7 **A.** But I'm not quite sure if it was eight or nine  
8 months but I still have workers to this day.

9 **Q.** Uh huh. And are the workers for you or for  
10 Jeremy?

11 **A.** For both of us.

12 **Q.** For both of you? So you had ... so when you  
13 came back from the hospital you had two workers in 24  
14 hours a day?

15 **A.** Yeah.

16 **Q.** One taking care of Jeremy and one taking care  
17 of you?

18 **A.** Yeah.

19 **Q.** Is that still the same today that you have two  
20 basically there 24 hours?

21 **A.** No.

22 **Q.** Okay. So what would the schedule of the  
23 healthcare workers be right now that you have in the  
24 house?

25 **A.** The schedule?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 Q. Or how often are they there?

2 A. On weekends for 24 hours on weekends.

3 Q. And is that one or two people?

4 A. Just two.

5 Q. Okay. And during the weekdays?

6 A. I have three workers ... I mean two workers on  
7 the weekdays.

8 Q. And how many hours are they there?

9 A. The morning shift would be from 8:30 to 4.

10 Q. Uh huh.

11 A. And then from 4 to 11:30.

12 Q. 4 to 11:30. Why would you have somebody ...  
13 why is there somebody there for 24 hours on the weekends  
14 but not during the weekdays?

15 A. I have no idea.

16 Q. So is that ... that's just all that is  
17 available for you to have?

18 A. That's all that's ... like the ... I totally  
19 exhausted the funds.

20 Q. Okay. If you could ...

21 A. If I could I probably would have 24 ... I mean  
22 another worker work all night.

23 Q. During the week?

24 A. Just to supervise Jeremy while I'm trying to  
25 sleep at night.



**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**    Uh huh.  Does he get up a lot during the night  
2 or does he wake up in the night?

3           **A.**    Oh, yeah, yeah.  He gets up.  He's still the  
4 same Jeremy.  He's never going to change.

5           **Q.**    He's never going to just be still in one place?

6           **A.**    No, no.

7           **Q.**    He's always moving?

8           **A.**    But ... but when ... when he's awake though  
9 now, he'll just stay in bed and he'll just kind of, you  
10 know, as long as he has his little toy with him to play  
11 with, he's fine.

12          **Q.**    Uh huh.

13          **A.**    But if he doesn't have anything then he'll come  
14 up to my face and go, Ah.

15          **Q.**    Uh huh.

16          **A.**    And then he'll wake me up like, you know, he'll  
17 go ah but he doesn't, you know, pound on me or anything  
18 like that, he'll just go ah and right up to my face,  
19 he'll go ah.

20          **Q.**    Just enough to let ...

21          **A.**    Yeah.

22          **Q.**    So he's telling you I'm here and I want your  
23 attention?

24          **A.**    I want ... yeah, then you get up or do  
25 something, you know, and sometimes he needs that Pamper

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 changed like during the night.

2 Q. Uh uh.

3 A. And that's the reason why sometimes he wakes  
4 up.

5 Q. Uh huh.

6 A. So I'll just go, okay, you gotta help me, Mom  
7 can't do this on her own so I just take off his pants and  
8 then he kind of wiggles out of his pants and he'll take  
9 his legs out, you know, help me take his ... I mean, I'll  
10 help him pull it down and then he'll kind of kick his  
11 legs off ... out of the ... his pants and then his  
12 Pampers, I have to change his Pamper and he helps me with  
13 that too.

14 Q. And if that happened during the weekend, when  
15 you have somebody there 24 hours, would they do that for  
16 you?

17 A. Yeah, they do that for me, yeah. Which is a  
18 lot of help because, you know, sometimes my arm don't  
19 want to work for me.

20 Q. Right. And as he's gotten older and he's  
21 gotten bigger and he's gotten stronger ...

22 A. Well, he's the same size as I am but he's a  
23 little tinier.

24 Q. Uh huh. So is it getting harder, some of these  
25 things that you have to do for him?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    Yeah, but he's more muscular, like his body's  
2 got more muscles.

3           **Q.**    Uh huh. So he's able to help out more too?

4           **A.**    Yeah.

5           **Q.**    So when you have the careworkers in, so as I  
6 understand it, there's always two careworkers in your  
7 house, not as long during the week but on the weekends,  
8 24 hours a day. So what are the things that the  
9 careworkers do for you around the house and with Jeremy?

10          **A.**    Oh, they clean ... they clean up the house and  
11 they look after Jeremy for me and then I get told to go  
12 to bed, to go rest, so I just go rest.

13          **Q.**    And you say they look after Jeremy.

14          **A.**    Yes, they do.

15          **Q.**    So do they do things ...

16          **A.**    Yeah.

17          **Q.**    What things?

18          **A.**    They'll give him a shower, they'll change his  
19 clothes and they'll feed him and everything like that.  
20 And if his food needs to be done, they'll do it for me.

21          **Q.**    So I know ... and obviously you aren't able to  
22 do as much since your stroke, so what are you able to do  
23 with Jeremy's care right now?

24          **A.**    Just love him up. That's all I can basically  
25 do right now.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 Q. The important thing?

2 A. Yes. The first and the most.

3 Q. Uh huh. And do you ... do you foresee or can  
4 you ... do you think that you're going to get to a point  
5 where you don't need careworkers in the house?

6 A. I'm hoping ...

7 Q. Uh huh.

8 A. ... sometime down in the future, down the road,  
9 yes I'm hoping but I'm not going to take a big chance, a  
10 big leap and a jump and say, Oh geez, I can do it now.

11 Q. Yeah.

12 A. But I can ... even the doctors even told me,  
13 you can take another stroke at any time, at any given  
14 time.

15 Q. Now are you seeing the doctor fairly frequently  
16 after your stroke?

17 A. Oh, I see them, yeah.

18 Q. How often do you have to see the doctor?

19 A. As less as I can.

20 Q. I can completely understand that.

21 A. I have to ... 'cause it does get tiresome  
22 after, you know, going to the doctor and sitting there  
23 and plus I already go see the doctors with Jeremy and  
24 then, you know.

25 Q. How often does Jeremy have to see the doctor?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    Oh, maybe about every six months. Three to six  
2 months sometimes. It depends on how they feel, if they  
3 want to see him and see what ... how his progress is and  
4 if his progress is good then they'll go, okay, we don't  
5 need to see him for another six months but then when  
6 something happens, then they want to see him every three  
7 months.

8           **Q.**    Every three months?

9           **A.**    Yes.

10          **Q.**    And is that at the IWK in Halifax.

11          **A.**    Yeah, yeah.

12          **Q.**    And are there any doctors that he sees nearby  
13 in ... nearby to the Pictou Landing First Nations  
14 Reserve?

15          **A.**    Dr. Peter Lee, the family doctor.

16          **Q.**    Okay. Has he been Jeremy's family doctor for a  
17 long time?

18          **A.**    Yes, since we arrived down here.

19          **Q.**    Okay.

20          **A.**    All of us, like me, Jonavon and Jeremy.

21          **Q.**    How does Jeremy react to him?

22          **A.**    Good. Excellent.

23          **Q.**    So after you had had ... after you had had a  
24 stroke, I understand that you were in contact with  
25 Philippa Pictou about having the care needs met for you

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 and Jeremy?

2 **A.** Uh huh.

3 **Q.** As a result of this there were some case  
4 conferences with the different departments of government.  
5 Did you attend some of those case conferences?

6 **A.** Yes, I attended most ... all but maybe one  
7 because I had ... Jeremy had a doctor's appointment.

8 **Q.** Okay. Do you remember which ones, the dates on  
9 the ones that you had attended?

10 **A.** I can't remember the dates because usually I  
11 mark down the dates that I go to something or do  
12 something.

13 **Q.** Uh huh.

14 **A.** No, I can't remember the dates.

15 **Q.** Do you recall if at one of these case  
16 conferences they talked about the possibility of putting  
17 Jeremy ... admitting him into an institution?

18 **A.** Yes, I remember talking with Barbara Robinson.

19 **Q.** Okay. And I think you've been pretty clear on  
20 your views that you don't want Jeremy to go into an  
21 institution.

22 **A.** It's going to be over my dead body and that's  
23 what I told them.

24 **Q.** So you told ... on these case conferences, you  
25 were very clear that that's not what I want for my son?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    No.  Yes, I made it clear.

2           **Q.**    Thank you.  Jeremy has had these needs that  
3           require this care since he's been ... since birth and  
4           you've always been, until the stroke, his sole caregiver,  
5           is that ...

6           **A.**    Yes.

7           **Q.**    Did you ever look ahead and plan what would  
8           happen if there was a time when you couldn't care for  
9           him?

10          **A.**    Oh yes, I thought of that many times.

11          **Q.**    What ... what was always your plan?  What was  
12          always your intention?

13          **A.**    I never make plans because when you make plans,  
14          they never work.

15          **Q.**    So you just ... you knew that there might  
16          be ...

17          **A.**    (Something?).

18          **Q.**    ... come a time that you couldn't care for  
19          Jeremy?

20          **A.**    No, I didn't think that I would ever reach a  
21          point in my life that I was going to have something  
22          happen to me.  Like, I mean, you know, I've always been  
23          the strong person in the whole family.

24          **Q.**    Right, right.

25          **A.**    It doesn't matter like, even with Jeremy, it

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1 was with the whole family that I was the ... more like a  
2 pillar.

3 **Q.** So you never really thought ahead to thinking,  
4 What am I going to do if I can't care for Jeremy? It was  
5 never sort of ... as you said, there was no plans kind of  
6 made?

7 **A.** No, no plans and then quite often I spoke with  
8 my son though. I said, If anything every happens to me  
9 will you look after Jeremy? And my son would go, Yeah, I  
10 wouldn't let him go into an institution. He feels the  
11 same way as I do.

12 **MS. CHAN:** If we could just take a quick break just  
13 so I can have a conversation with my co-counsel and my  
14 client. Thank you, Ms. Beadle, I will just be a few  
15 minutes. You can take a break and move around if you  
16 want.

17 **OFF RECORD (11:03 a.m.)**

18 **ON RECORD (11:22 a.m.)**

19 **MS. CHAN:** Thank you, Ms. Beadle. I just have a  
20 couple of ... couple of remaining questions and then  
21 we'll be done for the day. You had mentioned earlier  
22 that Jeremy had to have a shunt ...

23 **A.** Replaced.

24 **Q.** ... replaced.

25 **A.** Yes.



**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**    What type of care is associated with the shunt?  
2           Is it something that's just put in and it's left by  
3           itself? Does it have to be drained? Are there any  
4           special requirements for it?

5           **A.**    Okay, that's a good question. And I don't mind  
6           explaining it either. When he ... when they first  
7           implemented the shunt when he was a baby, two days old,  
8           they put a tube down his neck right here and it goes down  
9           to his abdomen and that's how it drains.

10          **Q.**    Okay.

11          **A.**    So when they put the shunt on his left-hand  
12          side now, it's on the left-hand side now, they put the  
13          tubing down but it's over like this and it drains down to  
14          his abdomen and that's how the fluid drains out.

15          **Q.**    Is there anybody that has to come in and check  
16          on it?

17          **A.**    No, the doctor ... the doctor will check it  
18          every time Jeremy goes in and what they ... how they  
19          check it is by pressing the bubble, that's what they call  
20          it, the bubble.

21          **Q.**    Okay.

22          **A.**    They press on it and when it pops out in less  
23          than ten seconds then that's the ... the shunt is working  
24          good. If it doesn't pop out in less than ten seconds,  
25          there's something ... there's something wrong.

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **Q.**   And the doctor's the only one that checks that?

2           **A.**   Yeah.

3           **Q.**   Okay.

4           **A.**   I can check it but I won't do it.

5           **Q.**   Okay.

6           **A.**   They showed me when I ... they showed me how to  
7 do it but I wouldn't do it because I prefer the doctor  
8 would do it himself.

9           **Q.**   Okay. So do the careworkers ever do that?

10          **A.**   No.

11          **Q.**   Okay.

12          **A.**   I wouldn't show the careworkers how to do that.

13          **Q.**   We also talked a little bit about the care  
14 workers that you currently have in the house.

15          **A.**   Yes.

16          **Q.**   And that there's two that are in there during  
17 the week and during the weekends they're there for 24  
18 hours.

19          **A.**   Yes.

20          **Q.**   If your care ... if the careworkers are reduced  
21 either by hours or by the number of careworkers, for  
22 instance if you only had one careworker in, how would you  
23 manage?

24          **A.**   Terribly.

25          **Q.**   Can you explain that?

**MAURINA BEADLE, Cross-Examination by Ms. Chan**

1           **A.**    I'd have a hard time, yes.

2           **Q.**    And why would you have a hard time? Can you  
3 explain a little bit for me?

4           **A.**    First up, I know I'd get tired easily.

5           **Q.**    Uh huh.

6           **A.**    And ... and working with Jeremy is time  
7 consuming.

8           **Q.**    Uh huh.

9           **A.**    So it does help to have ...to have careworkers  
10 come in.

11          **Q.**    How about managing for just caring for Jeremy?  
12 Are there things that you just wouldn't be able to do if  
13 you didn't have the careworkers?

14          **A.**    There's some things that I wouldn't be able to  
15 do. I would have to get help.

16          **Q.**    Okay. Would you be able to rely on your nieces  
17 or your nephews or sister-in-law for that?

18          **A.**    If I needed to go that far I would have to  
19 probably, yes.

20          **MS. CHAN:** Those are all my questions, Ms. Beadle.  
21 Thank you very much for being here today and for your  
22 patience in answering and telling us your story so  
23 candidly. Thank you.

24          **A.**    Okay.

25

**MAURINA BEADLE, Re-Direct Examination by Mr. Champ****RE-DIRECT EXAMINATION BY MR. CHAMP**

1

2

3

**MR. CHAMP:** Maurina, there's a couple questions I'd like to ask. I just want to clarify a couple of things to make sure it's accurate. In terms of Jeremy's school, does he go everyday from Monday to Friday?

4

5

6

7

**A.** No, he doesn't. It depends on like if he's up all night, he won't be able to get up in the morning to go to school.

8

9

10

**Q.** But the normal schedule for him is Monday to Friday?

11

12

**A.** Yes, it is.

13

**Q.** Okay. And then you were talking to us about incidents where he would engage in self-injurious behaviour?

14

15

16

**A.** Yes.

17

**Q.** And you'd go down to see him to calm him down?

18

**A.** Yes.

19

**Q.** How many times per week do you think? Is it every week that you have to go down for that?

20

21

**A.** Well, right now, he's not doing anything. He's being calm, cool and collected right now so I don't know, whenever he starts up I probably have to spend more time with him but they do want me to spend time with him there while he's going into school so that he wouldn't react to

22

23

24

25

**MAURINA BEADLE, Re-Direct Examination by Mr. Champ**

1 the teachers the way ... the way that has happened in the  
2 past.

3 Q. Okay. Before Ms. Chan had asked you how many  
4 times per week you have to go in to see him and you said  
5 Monday, Wednesday, Friday.

6 A. Yes.

7 Q. And I wasn't sure if that's how often he's in  
8 school or if that's how often you have to go down to see  
9 him for incidents?

10 A. It depends on when Jeremy's in school, I go  
11 down and I stay with him.

12 Q. Okay. And then just on another issue  
13 completely. On weekends, how many workers are with you?  
14 Ms. Chan had asked you how many workers are with you for  
15 24 hours a day and you said I think two workers but is  
16 that two workers at the same time or ...

17 A. No, no, no. Two ... one worker for a 12-hour  
18 shift and then another worker for another 12-hour shift.

19 **MR. CHAMP**: Okay. Thank you. Those are all the  
20 questions I have.

21 A. Okay. Thank you.

22

23

**WITNESS WITHDREW**

**(11:27 HRS)**

24

**CERTIFICATE OF COURT TRANSCRIBER**

I, Sandra Towers, Court Transcriber, hereby certify that I have transcribed the foregoing and that it is a true and accurate transcript of the proceedings in this matter of the **Pictou Landing Band Council and Maurina Beadle and Attorney General of Canada** taken by way of electronic recording.

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Sandra Towers  
Court Transcriber  
Certification # 2006-236

**DARTMOUTH, NOVA SCOTIA**  
November 4, 2011