

**THE CORNWALL
PUBLIC INQUIRY**



**L'ENQUÊTE PUBLIQUE
SUR CORNWALL**

Public Hearing

Audience publique

Commissioner

The Honourable Justice /
L'honorable juge
G. Normand Glaude

Commissaire

VOLUME 315

Held at :

Hearings Room
709 Cotton Mill Street
Cornwall, Ontario
K6H 7K7

Monday, December 1, 2008

Tenue à:

Salle des audiences
709, rue de la Fabrique
Cornwall, Ontario
K6H 7K7

Lundi, le 1 décembre 2008

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Lori Beaudette	Registrar
Ms. Brigitte Beaulne	
Ms. Karen Jones	Commission Counsel
Ms. Suzanne Sinnamon	
Mr. Mark Crane	Cornwall Community Police Service and Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Ms. Diane Lahaie	
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Stephen Scharbach	
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Ms. Allison Thiele-Callan	Victims' Group
M ^e Gisèle Levesque	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDougald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police
Mr. Mark Wallace	Association
Mr. Frank T. Horn	Coalition for Action
Mr. Larry O'Brien	Mr. Randy Millar
C/Cst. Steve Seguin	
Mr. Pat Hall	

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1 --- Upon commencing at 10:03 a.m. /

2 L'audience débute à 10h03

3 **THE REGISTRAR:** Order; all rise. À l'ordre;
4 veuillez vous lever.

5 This hearing of the Cornwall Public Inquiry
6 is now in session. The Honourable Mr. Justice Normand
7 Glaude, Commissioner, presiding.

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good morning all.

10 Mr. Horn, how are you doing today?

11 **MR. HORN:** Good morning.

12 **THE COMMISSIONER:** Sir, you understand
13 you're still under oath?

14 **D/CST. SEGUIN:** Yes, sir.

15 **THE COMMISSIONER:** Thank you.

16 **D/CST. STEVE SEGUIN, Resumed/Sous le même serment:**

17 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**
18 **HORN:**

19 **MR. HORN:** Yes. My name is Frank Horn and I
20 am with the Coalition for Action and I'm here in regards to
21 trying to help bring light to situations that have occurred
22 over the last number of years here in Cornwall.

23 And the first area that I'm interested in is
24 one that I believe you were quite much involved in and
25 that's the matter involving Jean-Luc Leblanc.

1 D/CST. SEGUIN: Yes, sir.

2 MR. HORN: Okay. Now, what I was really
3 interested in is something that was mentioned in a
4 statement by the father of C -- I believe it's C-21 and
5 that's ---

6 THE COMMISSIONER: Do you know who -- just a
7 second. Do you know who C-21 is?

8 D/CST. SEGUIN: Yes, sir.

9 THE COMMISSIONER: Thank you.

10 MR. HORN: And it's Document Number 713482.
11 I don't know if there is an exhibit number yet but I know I
12 don't have it.

13 THE COMMISSIONER: Thank you.

14 D/CST. SEGUIN: Thank you.

15 THE COMMISSIONER: So Exhibit 2729 is an
16 interview report of C-21's father taken on the 12th of
17 February 1999. Present were Detective Constables Genier
18 and Seguin.

19 --- EXHIBIT NO./PIÈCE No. P-2729:

20 (713482) - Interview of the father of C-21
21 dated 12 Feb 99

22 MR. HORN: That's right.

23 Now, from what I understand, the father was
24 -- worked with Mr. Leblanc and Mr. Leblanc made friends
25 with his son. Is that ---

1 D/CST. SEGUIN: Yes, he was the father. He
2 worked with Jean-Luc Leblanc.

3 MR. HORN: And they worked together and Mr.
4 Leblanc made friends with the younger C-21. And one of the
5 things that was mentioned and I thought I would be -- it's
6 at page 3 or 041 -- 2041. I guess that's called Bates 041.

7 Did you go into any depth of trying to find
8 out how far this practising of hypnotism went in gaining
9 control over the victims of Mr. Leblanc? Did you go any
10 ways in trying to find out if this was a tool that he was
11 using?

12 D/CST. SEGUIN: I recall speaking to Leblanc
13 about it.

14 MR. HORN: And do you recall what he said?

15 D/CST. SEGUIN: No, I do not.

16 MR. HORN: The impression ---

17 D/CST. SEGUIN: Excuse me; if I could
18 finish. I didn't put much weight to it actually.

19 MR. HORN: You didn't?

20 D/CST. SEGUIN: No.

21 MR. HORN: So you didn't think that it's
22 possible that he was -- because he had learned something
23 like this, he was able to gain control over someone by
24 using this kind of a technique?

25 D/CST. SEGUIN: I don't know how to answer

1 that, the way you put it. Like I said, after speaking with
2 him, I didn't put much weight to it at all.

3 MR. HORN: You didn't believe that -- then
4 that this was just talk then basically?

5 D/CST. SEGUIN: That's a pretty good way of
6 putting it actually, yes.

7 MR. HORN: Yeah, and even though it was
8 mentioned in the statement that he learned some meditation
9 systems in -- with the Franciscan Brothers (sic) in
10 Montreal?

11 D/CST. SEGUIN: Yes.

12 MR. HORN: Now, it seems like somehow
13 they're related, the hypnosis and the fact that he learned
14 these techniques with the -- some techniques from the
15 Franciscan Brothers (sic) in Montreal.

16 D/CST. SEGUIN: I don't know if he learned
17 those techniques.

18 MR. HORN: You don't know but it seems like
19 he's -- when he's talking, he relates them somehow, doesn't
20 he?

21 D/CST. SEGUIN: Yeah, that's the
22 conversation between C-21's father and Leblanc.

23 MR. HORN: Now, the things that occurred
24 were pretty hair-raising things. I mean like -- what I
25 mean what happened to the two young boys where there was

1 threats that if they didn't cooperate sexually that they
2 would be thrown out of an airplane.

3 Do you remember that?

4 **D/CST. SEGUIN:** Yes.

5 **MR. HORN:** There was also talk of a knife
6 that was placed -- a butcher knife placed in the rectum of
7 one of the boys.

8 **D/CST. SEGUIN:** A knife; I don't recall it
9 being a butcher knife.

10 **MR. HORN:** Yes. And also they were tied up
11 and they were sexually abused while they were being tied
12 up.

13 **D/CST. SEGUIN:** That was another allegation.

14 **MR. HORN:** And that there was a great deal
15 of bleeding as a result of this.

16 **D/CST. SEGUIN:** That was one his comments,
17 yes, in the interview.

18 **MR. HORN:** And that there was also some talk
19 of a large black dog somehow was participating in some kind
20 of an attack on these boys, sexual attack.

21 **D/CST. SEGUIN:** Yes.

22 **MR. HORN:** Pardon?

23 **D/CST. SEGUIN:** I remember that, yes.

24 **MR. HORN:** This is pretty hair-raising
25 stuff, isn't it?

1 D/CST. SEGUIN: Yes.

2 MR. HORN: Did you feel that it would become
3 something that would really be interesting to make sure
4 that anybody that might be related -- in somehow related to
5 him and maybe some of the things he was doing, you would
6 want to find out a lot more about some of these contacts
7 and who he knew? I'm talking about some of his
8 relationships and who may have been involved in these kinds
9 of things? Because I understand even in the airplane
10 incident, there was a pilot that was also involved.

11 D/CST. SEGUIN: There -- I don't know about
12 that.

13 MR. HORN: It was mentioned ---

14 D/CST. SEGUIN: I don't recall that.

15 MR. HORN: It was mentioned that the pilot
16 also was involved in that incident in the airplane. Did
17 you ever find out who that was?

18 MR. CARROLL: Perhaps if counsel could
19 indicate where in the documents he's referring to because
20 the witness is saying he doesn't remember that part.

21 MR. HORN: Okay.

22 MR. CARROLL: It's important enough to ask
23 him.

24 THE COMMISSIONER: And there should be a
25 publication ban stamp put on the Document 2729.

1 So what -- we're looking at the statement
2 here? Is that the idea?

3 **MR. HORN:** That's right. That was the same
4 statement and it was -- it would be page 4 of 79 and it
5 would be Bates 1962.

6 **D/CST. SEGUIN:** That's the statement of C-
7 21, sir.

8 **THE COMMISSIONER:** This exhibit we just saw?

9 **D/CST. SEGUIN:** No, this is C-21's father
10 here.

11 **THE COMMISSIONER:** Yeah, okay. All right.
12 And what exhibit is it, sir; do you know?

13 **D/CST. SEGUIN:** No, I don't, sir.

14 **THE COMMISSIONER:** Do we have -- Mr. Horn,
15 what are you looking at?

16 **MR. HORN:** I'm looking for ---

17 **THE COMMISSIONER:** No, I know what you're
18 looking for. What document are you looking at?

19 **MR. HORN:** Oh, it's the same document we
20 were just looking at.

21 **THE COMMISSIONER:** The father's statement?

22 **MR. HORN:** Yes -- no, this is the son's --
23 I'm sorry; it's the son's and that would be 713480, sir.
24 I'm sorry.

25 **THE COMMISSIONER:** And is that an exhibit,

1 sir?

2 MR. HORN: I don't know if it's ever been
3 put in as an exhibit.

4 THE COMMISSIONER: Twenty-seven zero four
5 (2704), sir.

6 All right. Now, what page are you looking
7 at, sir?

8 MR. HORN: Okay. If you look at the fifth
9 page of that document ---

10 THE COMMISSIONER: It's the top paragraph,
11 sir.

12 MR. HORN: The top paragraph.

13 D/CST. SEGUIN: Okay.

14 THE COMMISSIONER: No, that's not the right
15 page, Madam Clerk. I think it's -- I'm sorry?

16 THE REGISTRAR: Do you have the Bates page?

17 THE COMMISSIONER: Yeah; 7051963.

18 MR. HORN: If you read that, it looks like
19 the pilot became involved in the sexual abuse.

20 D/CST. SEGUIN: Okay, I'll just ---

21 MR. HORN: Did you ever get the name of the
22 pilot and who it was?

23 D/CST. SEGUIN: I'll just finish reading the
24 paragraph, please.

25 (SHORT PAUSE/COURTE PAUSE)

1 D/CST. SEGUIN: Okay, I have that now.

2 Thank you.

3 MR. HORN: Okay. Did you ever investigate
4 to find out the name of the pilot and who it was that was
5 involved in this situation?

6 D/CST. SEGUIN: Yes, we did, and I don't
7 recall if it was Don Genier or Joe Dupuis. They went to
8 the airport in St-Zotique and followed up with that. I
9 don't remember the results.

10 MR. HORN: And St-Zotique is in Quebec?

11 D/CST. SEGUIN: Yes, sir.

12 MR. HORN: So if any charges would have
13 taken place, where would they have taken place? I
14 understand that the incident took place over Cornwall.

15 D/CST. SEGUIN: If it was over Cornwall then
16 it would be Ontario.

17 MR. HORN: It would've been an Ontario
18 charge?

19 D/CST. SEGUIN: Yes.

20 MR. HORN: Not Quebec. So that would have
21 been in your jurisdiction or the Cornwall Police?

22 D/CST. SEGUIN: At that point it would have
23 been our jurisdiction. We were looking at this case -- I
24 suppose it turned into one of our cases.

25 MR. HORN: Okay. And did you kind of let it

1 go once Mr. Leblanc was charged?

2 D/CST. SEGUIN: What do you mean "let it
3 go"?

4 MR. HORN: Did you just let it go, the other
5 individual?

6 D/CST. SEGUIN: No, I believe it was looked
7 into and I don't recall the results of that, but it didn't
8 go anywhere.

9 MR. HORN: It didn't go anywhere?

10 D/CST. SEGUIN: No.

11 MR. HORN: No. But you didn't do the
12 investigation yourself?

13 D/CST. SEGUIN: I didn't do that part of it.

14 MR. HORN: Okay.

15 Now, I understand also there's -- there was
16 some situation where there was a sexual molestation and
17 there were other people that were there watching, you know?

18 D/CST. SEGUIN: There was an allegation by
19 C-21 that that occurred, yes, in Quebec.

20 MR. HORN: That was in Quebec? That wasn't
21 here in ---

22 D/CST. SEGUIN: That's correct.

23 MR. HORN: Okay. So if anybody was going to
24 do anything, it would be the Quebec police?

25 D/CST. SEGUIN: Yes.

1 **MR. HORN:** Did you contact them to make sure
2 that they knew about this situation?

3 **D/CST. SEGUIN:** Yes. Don Genier met with
4 MRC des collines -- I think it's pronounced -- over this.

5 **MR. HORN:** Do you know if it ever went
6 anywhere?

7 **D/CST. SEGUIN:** No, that didn't go anywhere
8 in Quebec.

9 **MR. HORN:** Nothing? Nothing was done?

10 **D/CST. SEGUIN:** I don't know if nothing was
11 done. I know it didn't result in any charges.

12 **MR. HORN:** Now, is there some sort of a
13 relationship that existed between Mr. Leblanc and Malcolm
14 MacDonald? According to the page 54, it seems like there's
15 discussions regarding Mr. MacDonald being involved in some
16 way with this situation?

17 **D/CST. SEGUIN:** In the statement with C-21?

18 **MR. HORN:** Yes.

19 **D/CST. SEGUIN:** Yes.

20 **MR. HORN:** Pardon?

21 **D/CST. SEGUIN:** Yes. There was conversation
22 about him being involved, yes.

23 **MR. HORN:** Being involved with Mr. Leblanc?
24 Do you know the nature of the involvement?

25 **D/CST. SEGUIN:** The allegation was in

1 relation to a cottage in Quebec.

2 MR. HORN: Okay, so it wasn't in your
3 jurisdiction?

4 D/CST. SEGUIN: That's correct.

5 MR. HORN: And so anything that occurred
6 would have occurred there, and that's where the bestiality
7 took place? Was it there or in Ontario?

8 D/CST. SEGUIN: That's where the allegation
9 of bestiality took place as well.

10 MR. HORN: It took place in Quebec?

11 D/CST. SEGUIN: Yes.

12 MR. HORN: And you don't know if that was
13 ever followed up but ---

14 THE COMMISSIONER: Well, just a minute. Are
15 you asking two questions?

16 Was that ever followed up?

17 D/CST. SEGUIN: Yes. All the information in
18 relation to C-21 was turned over to the MRC.

19 MR. HORN: Okay.

20 Did you ever find out if there was any
21 interest coming from Quebec to Ontario to find out more
22 about this? Did they ever contact you or anybody with
23 Project Truth about this?

24 D/CST. SEGUIN: I was up there in Quebec
25 probably three or four times, twice at the police station,

1 and that's the contact I recall.

2 MR. HORN: And that was as far as you went
3 on this?

4 D/CST. SEGUIN: In relation to Quebec, yes.

5 MR. HORN: And did you give them any
6 information regarding Mr. Malcolm MacDonald?

7 D/CST. SEGUIN: Yes. They would have had
8 this statement as well.

9 MR. HORN: Anything else? Would you have
10 had anything else that you might have given them?

11 D/CST. SEGUIN: I'm not sure what you mean
12 by "anything else".

13 MR. HORN: Any other statements or
14 allegations that might have taken place in Ontario
15 regarding Mr. MacDonald.

16 D/CST. SEGUIN: They would have gotten
17 anything in relation to C-21's complaint about Malcolm
18 MacDonald.

19 MR. HORN: Okay.

20 I'd like to go to another area. Oh, just
21 one thing.

22 Mr. Leblanc eventually was designated as a
23 dangerous offender? Was that -- did that happen?

24 D/CST. SEGUIN: No. He was a long-term
25 offender.

1 **MR. HORN:** A long-term offender?

2 **D/CST. SEGUIN:** Yes.

3 **MR. HORN:** So there was an application for
4 dangerous offender?

5 **D/CST. SEGUIN:** I think they made an
6 application for long-term offender.

7 **MR. HORN:** Long-term offender?

8 **D/CST. SEGUIN:** Yes.

9 **MR. HORN:** Can we go to Mr. Ron Wilson's
10 statement. I don't have the exhibit number. It's 713530.
11 It's Ron Wilson's statement.

12 **THE COMMISSIONER:** Twenty-seven-twenty-seven
13 (2727).

14 **MR. HORN:** I know this was already touched
15 upon by my friend, but one of the things that was mentioned
16 ---

17 **D/CST. SEGUIN:** Mr. Horn, I don't have that
18 yet.

19 **MR. HORN:** Twenty-seven (27) okay.

20 **THE COMMISSIONER:** Madam Clerk, look in the
21 books there.

22 **(SHORT PAUSE/COURTE PAUSE)**

23 **D/CST. SEGUIN:** Okay.

24 **MR. HORN:** That wasn't done by yourself,
25 right?

1 D/CST. SEGUIN: No, sir.

2 MR. HORN: No, that was by -- okay, did you
3 go over this statement that was taken by Mr. Dupuis --
4 Constable Dupuis?

5 D/CST. SEGUIN: I believe at some point I
6 would have looked at it.

7 MR. HORN: Okay. Now, when you did look at
8 it did you see where -- at page 12 of 26 pages; that would
9 be Bates 289. It talks about parties that were taking
10 place at Ken's and Malcolm's.

11 D/CST. SEGUIN: I see that portion.

12 MR. HORN: Pardon?

13 D/CST. SEGUIN: I see that portion.

14 D/CST. SEGUIN: No, well, he said he didn't
15 participate in it. Have you ever heard of parties that
16 people were invited to?

17 THE COMMISSIONER: Where?

18 MR. HORN: Well, at Ken's and Malcolm's
19 cottages.

20 D/CST. SEGUIN: There were plenty of --
21 plenty of information about that in the Dunlop brief or the
22 Fantino brief.

23 MR. HORN: Okay. And did you hear it from
24 any other source other than Mr. Dunlop?

25 D/CST. SEGUIN: Are we talking -- which

1 place are we talking about? Because there was a lot of
2 allegations there.

3 MR. HORN: Okay, that there was allegations
4 of parties and Ron Wilson is saying he never went to those
5 parties but he heard a lot about them, and that there was a
6 lot of people that were invited to those parties and a lot
7 of things happened at those parties.

8 D/CST. SEGUIN: Well, I see where he's
9 asking him about Stanley Island.

10 MR. HORN: Yeah.

11 D/CST. SEGUIN: Now, if we're talking about
12 the parties there?

13 MR. HORN: Yes.

14 D/CST. SEGUIN: Okay.

15 MR. HORN: And have you -- did you get a lot
16 of other people corroborating that Mr. Dunlop -- about
17 that?

18 D/CST. SEGUIN: No.

19 MR. HORN: pardon?

20 D/CST. SEGUIN: No.

21 MR. HORN: None?

22 D/CST. SEGUIN: Well, not none. There were
23 a few people that said they had been over to the cottage on
24 Stanley Island, but not for the same reasons in the
25 allegations in the Dunlop binder.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. HORN: I'd like to go to the statement
3 by Mr. Jos van Diepen.

4 THE COMMISSIONER: Good. What exhibit
5 number?

6 MR. HORN: Pardon? This is a -- a number of
7 documents, there's three different ones. There's 711, 828
8 and 710198 and 707419.

9 THE COMMISSIONER: What exhibit?

10 MR. HORN: I don't know the -- I don't know
11 if there is.

12 THE COMMISSIONER: Do you ever follow
13 procedure, sir?

14 MR. HORN: Pardon?

15 THE COMMISSIONER: Procedure, like knowing
16 what the exhibits are?

17 MR. HORN: When the documents come on the --
18 saying these are the documents that are going to be used
19 usually there's an E number that's next to it. These
20 didn't have it when we ran them off so I don't ---

21 THE COMMISSIONER: It's your job to do that;
22 find out what exhibit numbers.

23 Do you have them, Madam Clerk?

24 THE REGISTRAR: I'll check.

25 THE COMMISSIONER: Okay.

1 See, because Mr. -- we're wasting time now
2 and I'd rather use the time in questioning witnesses than
3 looking over exhibits that you should have.

4 All right, so we're at 1063 which is -- and
5 1096 and there's one that's not an exhibit it seems.

6 Hold on a second. Madam Clerk, you'll have
7 to get the first two exhibits at least.

8 So we have one interview report. Is that
9 the one that's not an exhibit, Madam Clerk?

10 **THE REGISTRAR:** No, that is 1060 ---

11 **THE COMMISSIONER:** Okay, 1060 ---

12 **MR. HORN:** There was two that were done --
13 there was one done by Genier and then there was Constable
14 McConnell(sic) and then later on there was another one done
15 by yourself -- I believe it was yourself and Dupuis.

16 **THE COMMISSIONER:** And the 1096 is in a
17 different book as well. I know, fun and games, eh. They
18 shouldn't be there.

19 Okay, so let's do it this way then, what
20 exhibit do you want to talk about first?

21 **MR. HORN:** The original one that was done by
22 Genier in 1994, February 14th.

23 **THE COMMISSIONER:** Okay, well there's one
24 here, interviewed by Genier and McDonell, that's one's on
25 the screen right now.

1 **MR. HORN:** That's right. If we could go to
2 the ---

3 **THE COMMISSIONER:** Will you please just wait
4 a second Mr. ---

5 **MR. HORN:** Sorry.

6 **THE COMMISSIONER:** --- please, you're not
7 helping any here.

8 I can't give him mine; I made some notes on
9 mine.

10 **D/CST. SEGUIN:** What was the exhibit number?

11 **THE COMMISSIONER:** One-zero-six-three (1063)

12 **THE REGISTRAR:** One-zero-six-three (1063)

13 and 1096.

14 **D/CST. SEGUIN:** Okay, I'm here, Mr. Horn.

15 **MR. HORN:** Yes. Now, there was quite a bit
16 of talk by Mr. van Diepen with Genier about working with
17 Ken Seguin and Mr. Barque, but one of the things that was
18 of interest to me that there was -- I don't know what page
19 it would be -- it would be on 629, Bates 629.

20 **D/CST. SEGUIN:** Yes, sir.

21 **MR. HORN:** Okay. Now, there's talk in there
22 of Mr. Guy DiMarco, Ken Seguin and Father Charlie were
23 buddies and later on in the -- in your interview with them,
24 they also -- he also spoke about that.

25 Now did you ever follow-up on the Guy

1 DiMarco connection there?

2 D/CST. SEGUIN: Can you ---

3 THE COMMISSIONER: He's on page 629.

4 D/CST. SEGUIN: Yes, I have that.

5 THE COMMISSIONER: At the ---

6 D/CST. SEGUIN: Oh, I have it, sir.

7 THE COMMISSIONER: Guy DiMarco was the first

8 -- yeah, you got that there?

9 D/CST. SEGUIN: Thank you.

10 MR. HORN: I understand Mr. DiMarco was an
11 ex-Crown in Cornwall?

12 D/CST. SEGUIN: Okay.

13 MR. HORN: Did you ever interview him on the
14 -- I mean, you would have read this previous interview and
15 then that was given to Mr. van Diepen when -- then you went
16 to -- saw him again and you basically following up on a
17 previous interview?

18 D/CST. SEGUIN: Yes.

19 MR. HORN: He reiterated the same
20 allegations in his next statement to you; that there was --
21 there were these connections and that Mr. DiMarco was the
22 Crown Attorney?

23 D/CST. SEGUIN: Yes, I see that.

24 MR. HORN: Okay. Did you ever interview Mr.
25 DiMarco?

1 **D/CST. SEGUIN:** No, I did not.

2 **MR. HORN:** Pardon? Do you know if anybody
3 ever did?

4 **MR. CARROLL:** Just in fairness to the person
5 who's just been named DiMarco, the allegation is they were
6 buddies.

7 **THE COMMISSIONER:** Yes.

8 **MR. HORN:** Oh, I understand that. I
9 understand that they were buddies, but these were done
10 during interviews in which you were -- you were saying you
11 were investigating allegations of historical sex abuse in
12 Cornwall area involving the clergy and other public
13 officials, and this is the -- when you went to see Mr. Jos
14 van Diepen he was told that that's what -- the area you
15 were going to be covering in your interview.

16 **THE COMMISSIONER:** Is that a question.

17 **MR. HORN:** Isn't that right?

18 **D/CST. SEGUIN:** That was what we were asking
19 him about, yes.

20 **MR. HORN:** That's right. So it was in that
21 context that you were talking to him about, and he named
22 these friendships between them. Isn't that right? It was
23 in that context?

24 **THE COMMISSIONER:** Mr. Kozloff?

25 **MR. KOZLOFF:** I think Mr. Horn is confusing

1 the statement taken in 1994 with the statement taken in
2 1998.

3 The reference to Mr. DiMarco is in the 1994
4 statement.

5 **MR. HORN:** No, it was also mentioned later -
6 - in the other statement also.

7 **THE COMMISSIONER:** Well, all right, 1096,
8 eh?

9 **MR. HORN:** It was mentioned also here and
10 that was at page 442 in the van Diepen 19 ---

11 **THE COMMISSIONER:** Mr. -- mark this down,
12 that statement you're reading from there?

13 **MR. HORN:** Pardon?

14 **THE COMMISSIONER:** That statement that
15 you're reading from right now is Exhibit ---

16 **MR. HORN:** Yes, 710198 which is Exhibit
17 1096, at page 5 of 8.

18 **D/CST. SEGUIN:** I have it, sir.

19 **MR. HORN:** That's right. Again, Mr.
20 DiMarco's name was again mentioned?

21 **D/CST. SEGUIN:** Yes.

22 **MR. HORN:** Okay. So that's twice he's been
23 in the context of your -- of investigations regarding the
24 allegations of paedophilia in the area, and did you ever
25 interview Mr. DiMarco or anybody from Project Truth?

1 D/CST. SEGUIN: No, I don't believe we ever
2 did.

3 MR. HORN: Was there any reason?

4 D/CST. SEGUIN: I don't see any allegations
5 there or any way that he could have evidence that could
6 assist.

7 THE COMMISSIONER: Well, if you're looking
8 for conspiracy, sir, if you're looking for conspiracy, what
9 Mr. Horn is saying is, "Look at, Mr. DiMarco was identified
10 as one of the friends who hung around with Malcolm
11 MacDonald and Ken Seguin."

12 D/CST. SEGUIN: Yes, I agree.

13 MR. HORN: And if you see the question
14 earlier on, it says, "Can you tell us about the dinner
15 party where Silmser apparently was sodomized by Father
16 Charlie?" And right after that those names were mentioned.

17 THE COMMISSIONER: Well, let's be fair here.

18 "I wasn't at the dinner party but Ken
19 told me about dinner parties with
20 Malcolm MacDonald and Guy DiMarco and
21 Father Charlie. I don't know where the
22 sodomizing comes from; I don't know
23 where I heard that."

24 Do you have a question now, Mr. Horn?

25 MR. HORN: Yes. Did you, because of the

1 fact that those -- that was the question you asked and
2 right after that, that was the answer that was given, in
3 which three names are mentioned together; did that give you
4 some thoughts that maybe you should go and speak to Mr.
5 DiMarco to find out if he was involved in it, so at least
6 he could exonerate himself or see if there's anything that
7 he could give in information?

8 D/CST. SEGUIN: Well, I don't he was
9 implicated in anything.

10 MR. HORN: Pardon?

11 D/CST. SEGUIN: I don't think he was
12 implicated in anything, not from this.

13 MR. HORN: Not from this. But he was -- the
14 question that was asked is about that dinner party. And
15 something happened at a dinner party and his name is
16 mentioned in the answer.

17 D/CST. SEGUIN: We don't know if that's the
18 same dinner party, sir.

19 MR. HORN: You could have found out;
20 couldn't you?

21 D/CST. SEGUIN: I think the only way to find
22 out about dinner parties is if Ken Seguin was still alive.

23 MR. HORN: No, but you could have gone to
24 see Mr. DiMarco and asked him if he was at that particular
25 dinner party.

1 D/CST. SEGUIN: Yes.

2 MR. HORN: And nobody did?

3 D/CST. SEGUIN: No, sir.

4 MR. HORN: Okay. Thank you.

5 I'd like to take a look at Exhibit Number
6 585.

7 THE COMMISSIONER: So Exhibit 585 is the
8 audiotaped interview report of Keith Kenneth Ouellette.

9 MR. HORN: That's right.

10 Now, if we look at page 6 of 34.

11 THE COMMISSIONER: Are you there?

12 D/CST. SEGUIN: Yes, sir.

13 THE COMMISSIONER: Go ahead, Mr. Horn.

14 MR. HORN: Okay. It would seem that Mr. Ken
15 Seguin was the probation officer of Mr. Ouellette and that
16 there was an introduction from Ken Seguin to Mr. Hickerson
17 to look for a job because Mr. Hickerson was working at
18 Canada Manpower.

19 D/CST. SEGUIN: Okay, yes.

20 MR. HORN: Is that right?

21 D/CST. SEGUIN: I see that.

22 MR. HORN: Okay. And so the introduction
23 that took place was done by Probation sending a probationer
24 to Manpower to be introduced to a Mr. Hickerson?

25 D/CST. SEGUIN: Yes.

1 **MR. HORN:** And Mr. Hickerson also was under
2 investigation at that time?

3 **D/CST. SEGUIN:** At the time that he was
4 introduced, sorry?

5 **MR. HORN:** At that time or later or would
6 you know ---

7 **THE COMMISSIONER:** At the time, what time?

8 **MR. HORN:** At the time of the introduction.
9 Was he under investigation at the time for abusing young
10 people?

11 **THE COMMISSIONER:** "At the time of the
12 introduction," what are you talking about?

13 **MR. HORN:** It was a -- okay, Mr. Ouellette
14 was a probationer of Mr. Ken Seguin.

15 **THE COMMISSIONER:** Okay. But if you look --
16 yes -- at page 224, it says that Ouellette says:

17 "I was on probation twice. I believe
18 that the incident he's talking about
19 would have occurred on the second --
20 "I'm not sure which occasion it was but
21 the occasion I'm speaking of is when
22 Ken Seguin was my parole officer."

23 "Can you give me the approximate year;
24 do you recall?"

25 He says:

1 "I might be mistaken but I think it was
2 '73 and '75."

3 "Okay. So are you saying in '75..."

4 **MR. HORN:** He was 17 or 18 years of age at
5 the time.

6 **THE COMMISSIONER:** Right. What you were
7 asking though is was Hickerson under investigation ---

8 **MR. HORN:** Okay.

9 **THE COMMISSIONER:** --- at the time?

10 **MR. HORN:** No, he wouldn't have been.

11 **THE COMMISSIONER:** I know.

12 **MR. HORN:** It's quite a bit later.

13 **THE COMMISSIONER:** Right.

14 **MR. HORN:** All right. When he was
15 investigated, did this information help you in that
16 investigation?

17 **D/CST. SEGUIN:** This information was used,
18 yes.

19 **MR. HORN:** It was used. Okay. And when --
20 okay, now, I don't want to go into the -- but when Mr.
21 Hickerson was found at his home and had committed suicide,
22 you were aware of that, right?

23 **D/CST. SEGUIN:** I found out about it, yes.

24 **MR. HORN:** Okay. You weren't involved in
25 that investigation? I think it was the Cornwall Police

1 Service that was doing that.

2 D/CST. SEGUIN: His death, yes, it was
3 Cornwall.

4 MR. HORN: Okay. And ---

5 D/CST. SEGUIN: I believe it was.

6 MR. HORN: Now, I understand that there were
7 some pornographic tapes that were there at the apartment;
8 do you know anything about that?

9 D/CST. SEGUIN: I seem to recall pictures.
10 I don't remember much else. I wasn't involved in it.

11 MR. HORN: You weren't involved in it?

12 D/CST. SEGUIN: No, sir.

13 MR. HORN: Did you ever inquire as to
14 whether any of those pictures were ever located, found or
15 placed anywhere? Did you ---

16 THE COMMISSIONER: You're talking about
17 pictures?

18 MR. HORN: Pictures.

19 THE COMMISSIONER: Photographs.

20 MR. HORN: Photographs, videos ---

21 THE COMMISSIONER: Wait a minute. Wait a
22 minute. Let's break it down now.

23 MR. HORN: Okay.

24 THE COMMISSIONER: Talk about photographs,
25 then you can talk about videos, but don't mix them both up.

1 **MR. HORN:** Okay. Well, it does mention
2 porno material so ---

3 **THE COMMISSIONER:** Where does it say that,
4 sir?

5 **MR. HORN:** It was in the -- it's an
6 Occurrence Report that was done by Constable Carroll.

7 **THE COMMISSIONER:** Okay. Well, sir, this
8 gentleman ---

9 **MR. HORN:** Yeah.

10 **THE COMMISSIONER:** --- he didn't do any of
11 the investigation. We've had the Cornwall police ---

12 **MR. HORN:** That's right.

13 **THE COMMISSIONER:** --- testify and we went
14 around that. So now, given that this gentleman doesn't
15 know much about it ---

16 **MR. HORN:** Yeah. I can see that. Yeah. I
17 just was wondering if he -- if there was any interest in
18 finding out maybe a little bit more when -- since Project
19 Truth came into existence and find out something about
20 those tapes. They did exist.

21 **D/CST. SEGUIN:** Well, Don Genier was -- he
22 liaised with Cornwall police over this.

23 **MR. HORN:** Is it usual that tapes that are
24 illegal, you have to get somebody to Quit Claim it and say
25 that, "I release my interest"?

1 **THE COMMISSIONER:** Whoa, whoa.

2 **MR. HORN:** Is that usually done?

3 **THE COMMISSIONER:** Whoa, whoa. What are you
4 talking ---

5 **MR. HORN:** I'm talking about those -- the
6 tapes were Quit Claimed by an individual who knew Mr. ---

7 **MR. CARROLL:** I'm having difficulty
8 following ---

9 **THE COMMISSIONER:** Okay.

10 **MR. CARROLL:** --- what decade we're in and
11 what tapes we're talking about.

12 **MR. HORN:** Okay, that was when Mr.
13 Hickerson -- at this death.

14 **MR. CARROLL:** Okay.

15 **MR. HORN:** And there were some tapes that
16 were there, and a Mr. Lewis, I understand, was -- gave a
17 quit claim on those tapes.

18 I'm just wondering is he -- if that's
19 usually the situation. There's some illegal tapes ---

20 **THE COMMISSIONER:** Well, first of all, who
21 says they're illegal?

22 **MR. HORN:** Pardon?

23 **THE COMMISSIONER:** You're using the word ---

24 **MR. HORN:** If they're child pornography,
25 they would be, wouldn't they?

1 **THE COMMISSIONER:** Right, if they were child
2 pornography. Do you have any evidence that they were child
3 pornography?

4 **MR. HORN:** I don't know. I don't know if
5 there was, but, if they were, wouldn't that -- if they were
6 illegal, would there be -- I just want to know.

7 If they were illegal, would you get a quit
8 claim for illegal material?

9 **THE COMMISSIONER:** No, you'd get a charge.

10 **MR. HORN:** Okay. I just want to know.

11 **D/CST. SEGUIN:** I agree with the
12 Commissioner.

13 **MR. HORN:** Oh, you agree with the
14 Commissioner? All right.

15 **THE COMMISSIONER:** That's one.
16 Well, what you're getting at, Mr. Horn,
17 is ---

18 **MR. HORN:** What I'm -- what I'm ---

19 **THE COMMISSIONER:** Can I describe?

20 **MR. HORN:** Yes.

21 **THE COMMISSIONER:** You're saying, "Look it,
22 there's a conspiracy allegation out there" ---

23 **MR. HORN:** That's right

24 **THE COMMISSIONER:** --- and what you're
25 saying is that anybody who comes across someone who admits

1 to harming children, especially since you see in the
2 statement that Seguin drove him over, that whoever's doing
3 that conspiracy should be looking at all of these players
4 to see if there's any linkages? Is that what you're ---

5 MR. HORN: That's right.

6 THE COMMISSIONER: --- trying to do?

7 MR. HORN: That's right.

8 THE COMMISSIONER: And did you try to do
9 that with Mr. Hickerson?

10 D/CST. SEGUIN: I didn't do anything with
11 Mr. Hickerson, sir.

12 THE COMMISSIONER: There you go.

13 MR. HORN: Sir, that would probably be done
14 by your superiors then?

15 D/CST. SEGUIN: Well, I -- I can't answer
16 that. I don't know.

17 MR. HORN: Okay. Well, we'll ask your
18 superiors when they get -- when they come on the stand.

19 I'd like to go to another area. Exhibit
20 Number 1166?

21 THE COMMISSIONER: So 1166, okay. So 1166,
22 we're looking at the audiotaped interview report ---

23 MR. HORN: Of C-5.

24 THE COMMISSIONER: Very good, C-5. You have
25 that, sir, now?

1 D/CST. SEGUIN: Yes, sir, thank you.

2 THE COMMISSIONER: Thank you.

3 MR. HORN: If we could look at page 27.

4 D/CST. SEGUIN: Yes, sir?

5 MR. HORN: At the bottom?

6 D/CST. SEGUIN: Yes, sir?

7 MR. HORN: Okay. Do you remember the
8 questions regarding that he was going to introduce C-5 to
9 someone, to another fellow?

10 D/CST. SEGUIN: Yes, I'm reading that. I
11 don't recall the -- the context of this interview, other
12 than who it was about.

13 MR. HORN: You were there though? You
14 were ---

15 D/CST. SEGUIN: Yes.

16 MR. HORN: You were one ---

17 D/CST. SEGUIN: Yes, sir.

18 MR. HORN: --- of the officers doing it?
19 And it says -- C-5 is saying:

20 "Yes, he wanted to introduce me to some
21 other guy and I asked, 'Well, why?'
22 And he said, 'Oh, I was -- ah,
23 somebody in the police force', and I
24 wasn't thinking anything, and it..."

25 Later on it says:

1 "It's a big-shot in the police
2 force, someone high up."

3 Do you remember that?

4 **D/CST. SEGUIN:** Okay, I've just read it,
5 yes.

6 **MR. HORN:** So did you ever find -- try
7 to get the name, go further and find out who he was talking
8 about, someone "high up" in the police force?

9 **D/CST. SEGUIN:** Yes, I -- I remember now.

10 **MR. HORN:** Do you remember who it was? Or
11 did you have any hints as to who he was talking about,
12 "high up" in the police force?

13 **THE COMMISSIONER:** Well, he goes on to ---

14 **MR. HORN:** Cornwall Police Force.

15 **THE COMMISSIONER:** --- say it was Cornwall
16 police, yes.

17 **D/CST. SEGUIN:** Yes. He didn't know who it
18 was.

19 **MR. HORN:** Pardon?

20 **D/CST. SEGUIN:** He didn't know who it was.

21 **MR. HORN:** He didn't know who it was? But
22 did he ever give any hints as to who he suspected it might
23 be?

24 **D/CST. SEGUIN:** I'd really have to read the
25 whole statement here.

1 **THE COMMISSIONER:** Can you point him to some
2 place in the statement, sir?

3 **MR. HORN:** It's just the -- there's two
4 areas where it's mentioned. He doesn't mention any names,
5 it's just that there -- it's pointing at someone "high up"
6 in the police department, and he's basically suggesting
7 that you should look and try to find out who this fellow
8 is.

9 **THE COMMISSIONER:** You're showing me one
10 place, yes. Where's the other place?

11 **MR. HORN:** It would be pages 27 and 28.

12 **THE COMMISSIONER:** Well, okay.

13 **D/CST. SEGUIN:** Okay, I've read that.

14 **MR. HORN:** Pardon?

15 **D/CST. SEGUIN:** I've read that.

16 **MR. HORN:** You read it? You were there when
17 you were doing the interview.

18 Did you say, "Oh, now we've really got
19 something?" Did you go, try to find out who that high-
20 level police officer was in the Cornwall Police Service?

21 **D/CST. SEGUIN:** I didn't say that.

22 **MR. HORN:** Pardon?

23 **D/CST. SEGUIN:** I didn't say that we got
24 something because ---

25 **MR. HORN:** You didn't believe this guy?

1 **D/CST. SEGUIN:** No, no. No, no.
2 Not -- don't take that the wrong way. If -- I just
3 wouldn't say it that way, "Oh, now we've got something".
4 **THE COMMISSIONER:** No, no. Okay, leave that
5 aside.
6 **D/CST. SEGUIN:** Yeah.
7 **THE COMMISSIONER:** When he told you that,
8 what steps did you take, if any, you or Project Truth, to
9 fish that out and flesh it out, and get to the bottom of
10 that?
11 **D/CST. SEGUIN:** Well, I believe this was
12 early on in the investigation, September '97, and
13 this -- this is when, I guess, we were kind of at the
14 beginning of the collection part of the evidence. So all
15 of the other evidence that was collected after this, I
16 guess, would have been put together, also keeping this in
17 mind what he said.
18 **MR. HORN:** Pardon?
19 **D/CST. SEGUIN:** Everything that was
20 collected would have been kept in mind, including what this
21 person has said.
22 **THE COMMISSIONER:** Okay, so at one point,
23 where's the follow-up?
24 **D/CST. SEGUIN:** It's really hard for me to
25 say, sir, at this point, what we did in relation to this

1 guy. It was -- it was constant. I mean, we were
2 continually working on things and as new information came
3 in we would expand upon that. What specific steps I took,
4 I -- I can't answer that, sir.

5 **THE COMMISSIONER:** Okay, thank you.

6 **MR. HORN:** So, as far as you understand, it
7 really never went anywhere, that -- those suggestions or
8 those allegations?

9 **D/CST. SEGUIN:** Well, there's no allegation
10 there.

11 **THE COMMISSIONER:** Well ---

12 **MR. HORN:** There's some suggestions that he
13 was being introduced to somebody in the -- by Ken Seguin, a
14 probation officer, to somebody in the police department,
15 which is pretty serious stuff.

16 **D/CST. SEGUIN:** Yes, he's making an
17 inference, yes.

18 **MR. HORN:** Okay.

19 **THE COMMISSIONER:** He's making more than an
20 inference. I think he says -- okay, so on page 28, after
21 the first big paragraph, it says:

22 "Okay, now..."

23 So this is Seguin:

24 "Okay, now, do you know the purpose
25

1 why he wanted to introduce you to
2 this man?"

3 "Well, yeah, sure, wanted -- wanted
4 me, a young guy; you know, all these
5 perverts think alike..."

6 So I think it's ---

7 **D/CST. SEGUIN:** Yes, sir.

8 **THE COMMISSIONER:** --- pretty obvious what
9 he was saying. It's not an inference; it's that he thought
10 he was going to be introduced to someone for sexual
11 activities?

12 **D/CST. SEGUIN:** That's fair. That's fair,
13 sir.

14 **THE COMMISSIONER:** Okay.

15 **D/CST. SEGUIN:** What I mean -- meant by
16 "inference", is that this guy was a pervert as well.

17 **THE COMMISSIONER:** Okay, okay.

18 **D/CST. SEGUIN:** Sorry.

19 **THE COMMISSIONER:** Okay.

20 **MR. HORN:** Okay, there's just two other
21 areas that I'm interested in.

22 I just want to -- you were involved in the
23 prosecution of Jacques Leduc, right?

24 **D/CST. SEGUIN:** Yes.

25 **MR. HORN:** Okay. And the nondisclosure

1 issue that came up, were you involved in it -- closely on
2 that? I'm talking about the Dunlop phone call to one of
3 the -- the witness that was on the stand.

4 D/CST. SEGUIN: Which part was I involved
5 in, are you asking?

6 MR. HORN: Were you involved -- now, once
7 you -- once they knew that there was a problem because a
8 witness got on the stand and made some suggestion that
9 there was nondisclosure because there was a phone call that
10 went from Mr. Dunlop to the witness.

11 D/CST. SEGUIN: Yes.

12 MR. HORN: Okay. Did you have anything to
13 do with that at -- once that was found out?

14 D/CST. SEGUIN: I don't know what you mean
15 by "that."

16 MR. HORN: Did you ---

17 D/CST. SEGUIN: I was part of that -- that
18 whole thing.

19 MR. HORN: All right.

20 When you found out exactly the nature of the
21 nondisclosure, the nature of the fact that it was basically
22 a phone call, an innocuous phone call to the witness -- did
23 you ever find that out?

24 D/CST. SEGUIN: I found out what occurred,
25 yes.

1 **MR. HORN:** You found out in the Court of
2 Appeal. It said that it there was basically an innocuous
3 phone call to this particular individual.

4 **D/CST. SEGUIN:** I read the Court of Appeal
5 ruling but I don't recall what was said.

6 **MR. HORN:** Okay. What they're suggesting is
7 really the defence latched onto something that was really
8 not that serious, but they made a big deal of it.

9 **D/CST. SEGUIN:** The Court of Appeal in its
10 ruling suggested it was not wilful nondisclosure.

11 **MR. HORN:** Okay, and they were able to have
12 the trial stopped, stayed as a result of that, didn't they?

13 **D/CST. SEGUIN:** Defence did, yes.

14 **MR. HORN:** Okay. So -- and then there was
15 another trial and then eventually ---

16 **THE COMMISSIONER:** The Court of Appeal
17 ordered a new trial.

18 **MR. HORN:** New trial, yes, and then
19 eventually there was another stay and it never went
20 anywhere. But you were involved in that case; right?

21 **D/CST. SEGUIN:** Yes, sir.

22 **MR. HORN:** Okay. And you worked on it quite
23 hard?

24 **D/CST. SEGUIN:** Yes.

25 **MR. HORN:** And you were really -- did you

1 feel that you had a strong case and you were going to get a
2 conviction? Did you believe that when you laid those
3 charges that you and your team and the Crown were really
4 going to -- were going to get something?

5 **MS. ROBITAILLE:** Mr. Commissioner, I don't
6 know how that's relevant at all to your mandate. If my
7 friend is asking if this officer swore the Information and
8 had reasonable probable grounds, that might be a question
9 that would be appropriate. But in any event, it wasn't
10 this officer that swore the Information.

11 Perhaps he could narrow his question.

12 **THE COMMISSIONER:** M'hm.

13 Mr. Horn, how is this relevant? Show me how
14 asking him what he thought the strength of the case was is
15 relevant.

16 **MR. HORN:** Well, I'm just interested in
17 finding out if he and the team felt that they were going to
18 get a conviction, and that when the thing was stayed that
19 was a pretty shocking thing to happen when they had a very
20 strong case. I just wanted to know if that was the feeling
21 that they had.

22 **THE COMMISSIONER:** But how is that relevant?

23 **MR. HORN:** Well, it means that an innocuous
24 phone call was used in order to stay a charge; a charge in
25 which the police and the Crown had been working on it for

1 months and months, and maybe even years, and all of a
2 sudden it just evaporates like that. I just wanted to know
3 if they felt that maybe they were -- it was a pretty
4 horrible decision to have happened.

5 **THE COMMISSIONER:** Well, I don't know that I
6 want to start calling judicial decisions "horrible"
7 decisions.

8 **MR. HORN:** Well, they're not -- well, how
9 did you feel about it when the decision was made?
10 Something that you'd worked on for so long.

11 **THE COMMISSIONER:** How did you feel when the
12 stay occurred?

13 **D/CST. SEGUIN:** Very disappointed.

14 **THE COMMISSIONER:** Okay.

15 **MR. HORN:** Okay, and that would be the
16 entire Prosecution team. We're talking about you and the
17 Crown and everybody that was involved in this case.

18 **D/CST. SEGUIN:** I believe everybody was, yes
19 -- on the prosecution side, yes. That includes, in
20 particular, the victims.

21 **MR. HORN:** And did you have -- did you and
22 the team have the same feeling when the other major
23 prosecution also ended in a similar way where there was a
24 stay?

25 **THE COMMISSIONER:** Which one?

1 **MR. HORN:** We're talking about the Charlie -
2 - Father Charlie MacDonald. Were you involved in that one?

3 **D/CST. SEGUIN:** Yes, I was.

4 **MR. HORN:** Okay. When that one was stayed,
5 what was your -- what was ---

6 **MR. NEVILLE:** Excuse me, Frank.

7 Commissioner, none of this is helpful. None
8 of it is within your mandate and I invite you to stop it.

9 **THE COMMISSIONER:** Well just ---

10 **MR. NEVILLE:** It's becoming an abuse by this
11 man -- his questions.

12 **THE COMMISSIONER:** Careful now, Mr. Neville.
13 He does have -- he can ask questions and I think we steered
14 away from the part that Ms. Robitaille was concerned about.
15 I think we can find out how they felt about when the things
16 were stayed.

17 But Mr. Horn, you told me you were going to
18 be half an hour and ---

19 **MR. HORN:** This is the last question I have.

20 **THE COMMISSIONER:** All right.

21 Were you disappointed when Father Charlie's
22 trial was stayed because of an 11(b) argument?

23 **D/CST. SEGUIN:** I was disappointed but with
24 the time in that case I understood it was coming.

25 **THE COMMISSIONER:** Okay, there you go.

1 **MR. HORN:** You knew it was coming before
2 that? Is that what you're saying?

3 **D/CST. SEGUIN:** Because of the time, knowing
4 how long it was, and Askov was going to be used.

5 **MR. HORN:** Okay. So what's your feeling
6 about the fact that they -- the two prosecutions were
7 married together; they were consolidated together?

8 **THE COMMISSIONER:** Mr. -- what two
9 prosecutions?

10 **MR. HORN:** There was the new allegations
11 that came forth and they were consolidated together, and
12 I'm just wondering how you felt about the fact that by
13 marrying them together or bringing them together it made it
14 so if one fell, all of them fell, even though the others
15 were just brand-new prosecutions. They were brand-new
16 allegations and they were new charges.

17 **MR. CARROLL:** The question is inappropriate.
18 I think it should be disallowed, sir.

19 **THE COMMISSIONER:** I don't know that it was
20 inappropriate but he's answered the question, sir, and
21 really whether -- I'm sure everyone was disappointed that --
22 --

23 **MR. HORN:** Okay. That's all the questions I
24 have. Thank you.

25 **THE COMMISSIONER:** Good; thank you.

1 Mr. Neville? Ms. Jones?

2 **MS. JONES:** Just a very brief introduction
3 actually. Replacing Mr. Lee is an associate of his,
4 Allison Thiele-Callan. I just wanted to introduce her to
5 the Inquiry.

6 **THE COMMISSIONER:** We're old friends.

7 **MS. JONES:** Okay.

8 **THE COMMISSIONER:** Thank you.

9 **MR. NEVILLE:** Good morning, sir.

10 **THE COMMISSIONER:** How long do you think
11 you're going to be?

12 **MR. NEVILLE:** Perhaps 20 minutes, sir.

13 **THE COMMISSIONER:** Okay. We'll do that and
14 then we'll go for a break.

15 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

16 **MR. NEVILLE:**

17 **MR. NEVILLE:** Good morning, Detective.

18 **D/CST. SEGUIN:** Good morning, Mr. Neville.

19 **MR. NEVILLE:** We know each other.

20 **D/CST. SEGUIN:** Yes, sir.

21 **MR. NEVILLE:** You know that I represent
22 Father MacDonald and I also represent the Estate of Ken
23 Seguin, his brother Doug and the family.

24 **D/CST. SEGUIN:** Yes, sir.

25 **MR. NEVILLE:** Can we just start briefly,

1 Detective, with one of the exhibits referred to by previous
2 counsel; 1096, the interview by yourself of Mr. van Diepen
3 in August of '98.

4 One zero nine six, Commissioner. Document
5 710198.

6 D/CST. SEGUIN: Yes, sir.

7 MR. NEVILLE: You have it there?

8 D/CST. SEGUIN: Yes.

9 MR. NEVILLE: If I could refer you, sir, to
10 -- I'll use the numbers of the document itself -- page 6 of
11 8.

12 D/CST. SEGUIN: Yes, sir.

13 MR. NEVILLE: I take it, Detective, when
14 you're interviewing some of these people, some of whom we
15 know have been previously interviewed in a somewhat
16 different context, but by this point you're interviewing,
17 for example, Mr. van Diepen in the context of the Fantino
18 brief and the allegations contained in it?

19 D/CST. SEGUIN: Yes, sir.

20 MR. NEVILLE: And one of those allegations
21 was gatherings, be it dinner parties or whatever, at one or
22 more people's residences, whether it be Stanley Island,
23 Summerstown or wherever?

24 D/CST. SEGUIN: Yes, sir.

25 MR. NEVILLE: Okay. So when we look at page

1 6 of 8, that's why you're asking Mr. van Diepen -- in the
2 middle of the page -- about his attendances at Ken Seguin's
3 house; right?

4 **D/CST. SEGUIN:** Yes.

5 **MR. NEVILLE:** And he describes going there
6 twice and whom he saw, and then he's asked at the next
7 question about whether he attended any parties at Malcolm's
8 cottage on Stanley Island, and he confirms -- or remembers
9 being there twice. It was a couples gathering; right?

10 **D/CST. SEGUIN:** Yes, sir.

11 **MR. NEVILLE:** Okay. If we look on the next
12 page, page 7 of 8, in the middle of the page you ask him,
13 obviously, about a series of people and whether he saw any
14 of them there at Ken Seguin's, and those names are all
15 there.

16 **D/CST. SEGUIN:** Yes, sir,

17 **MR. NEVILLE:** And all of them is a "no"
18 except he wasn't sure about Mr. Wilson.

19 **D/CST. SEGUIN:** That's correct.

20 **MR. NEVILLE:** Right?

21 And then one of the rumours floating around
22 for a while was a suggestion that Ken Seguin, as part of
23 the suicide event, had left some kind of a confession?

24 **D/CST. SEGUIN:** Yes, I recall that.

25 **MR. NEVILLE:** All right. And you addressed

1 that in this document as well. Four questions from the
2 bottom:

3 "What can you tell us about a
4 confession report of Ken Seguin?"

5 "I heard there may have been a note at
6 his house but there's never been
7 anything here."

8 Here meaning at the office, right?

9 **D/CST. SEGUIN:** Yes.

10 **MR. NEVILLE:** Sorry?

11 **D/CST. SEGUIN:** Yes.

12 **MR. NEVILLE:** Okay. And then you ask:

13 "Did you ever confirm to anyone that
14 there was a confession of Ken
15 Seguin's?"

16 "No because I have no personal
17 knowledge or was never told by anyone
18 that there was a confession."

19 Right?

20 **D/CST. SEGUIN:** Yes, sir.

21 **MR. NEVILLE:** All right.

22 Now, can we turn next to -- it's actually
23 two exhibits, Commissioner, one is 2719 and 2721. These
24 are statements, Commissioner, of C-99.

25 **THE COMMISSIONER:** Two-seven?

1 **MR. NEVILLE:** Two-seven-one-nine (2719),
2 which is Document 722117 and 2721, Document 710237.

3 **D/CST. SEGUIN:** Yes, sir.

4 **MR. NEVILLE:** You have both there,
5 Detective?

6 **D/CST. SEGUIN:** Yes, sir.

7 **MR. NEVILLE:** All right. Can I ask you
8 this. Looking at 2719, this was a statement contained in
9 the Fantino brief?

10 **D/CST. SEGUIN:** That's correct.

11 **MR. NEVILLE:** Right? And we know that it
12 bears the date and the signature of C-99 with the date of
13 December 11th, 1996.

14 Now, did you, as an investigator yourself or
15 perhaps in consultation with your colleagues, did you have
16 any concern about statements coming through or from Mr.
17 Dunlop?

18 **D/CST. SEGUIN:** Yes.

19 **MR. NEVILLE:** All right. And this young
20 woman, in fact, is interviewed -- or re-interviewed I guess
21 we could say -- by yourself and Detective Dupuis on the 7th
22 of April '98?

23 **D/CST. SEGUIN:** Yes.

24 **MR. NEVILLE:** All right. Now, if we look at
25 the version that came through Mr. Dunlop, below the list of

1 names she talks in the two last paragraphs about an episode
2 involving her children, right?

3 D/CST. SEGUIN: Yes, sir.

4 MR. NEVILLE: And whether or not there was
5 an appropriate police response and then on the next page or
6 page 2 in the full paragraph, she talks about consulting
7 Mr. MacDonald about it and also speaking to Ken Seguin
8 about it.

9 D/CST. SEGUIN: Yes.

10 MR. NEVILLE: All right. Now, let's look,
11 if we can, at 2721, your interview with her. It's fair to
12 say that the description of this event and the reactions of
13 various persons is couched in quite negative terms in the
14 Dunlop statement?

15 D/CST. SEGUIN: Yes.

16 MR. NEVILLE: All right, so if we look at
17 your interview, Exhibit 2721, I just want to take you
18 through a couple of aspects about it.

19 Let's look at page 3 of 5, using the
20 numbering of the document; it's Bates page, Commissioner,
21 8618.

22 THE COMMISSIONER: I'm sorry, 3 of 5?

23 MR. NEVILLE: I'm looking at the bottom
24 corner, sir, but from a Bates page standpoint it would be
25 8618 of the August statement, 2721.

1 Oh, I may have a different copy.

2 **THE COMMISSIONER:** Yeah. So I think you're
3 looking at -- 3 of 5 is at Bates page 5115.

4 **MR. NEVILLE:** Sorry about that. I've got a
5 different version of it. Same statement, different source.
6 Do you have it there, Detective?

7 **D/CST. SEGUIN:** Yes, sir.

8 **MR. NEVILLE:** All right.

9 And the second question from the top, you
10 ask how she knows a particular person and her answer is:

11 "My brother hung out with him..."

12 And then the next person I believe has a moniker.

13 **THE COMMISSIONER:** Yes.

14 **MR. NEVILLE:** "And Bobby Renshaw because I
15 went out with their brother Gerry.
16 Malcolm was my lawyer when my kids were
17 sexually molested. The Cornwall Police
18 investigated."

19 Appears to be a somewhat less negative
20 description of that event?

21 **D/CST. SEGUIN:** Yes.

22 **MR. NEVILLE:** Now, can we just go back a
23 little bit and see what else she's able to convey.

24 Did you become aware, Detective, that as
25 some point Gerry Renshaw made allegations of sexual

1 impropriety against Ken Seguin?

2 **D/CST. SEGUIN:** Yes, I believe so.

3 **MR. NEVILLE:** All right.

4 If we can look on page 2 of 5, middle of the
5 page.

6 “What can you tell me about Gerry and
7 his relationship to Ken Seguin?”

8 Answer:

9 “Friends. Gerry lived with Ken for
10 approximately two years or one-and-a-
11 half years at Ken’s house in
12 Summerstown.”

13 Then it goes on about their relationship.

14 The last sentence:

15 “He moved out of our house to live with
16 Ken because of financial problems.”

17 Right?

18 **D/CST. SEGUIN:** Yes.

19 **MR. NEVILLE:** And then she confirms that she
20 was frequently at Ken’s house, often, sometimes every week,
21 right?

22 **D/CST. SEGUIN:** Yes.

23 **MR. NEVILLE:** And she places various people
24 there in the next question; Mr. Leroux and C-8, right?

25 **D/CST. SEGUIN:** Yes.

1 **MR. NEVILLE:** And a bunch of other people,
2 including her brother, C-100?

3 **D/CST. SEGUIN:** Yes.

4 **MR. NEVILLE:** And another person she places
5 there, apparently in a very friendly fashion, is Robert
6 Renshaw and his girlfriend, right?

7 **D/CST. SEGUIN:** Can you point out where
8 you're saying that?

9 **MR. NEVILLE:** Yes. At the bottom of the
10 page ---

11 **D/CST. SEGUIN:** Oh, I got it now, yes.

12 **MR. NEVILLE:** --- and then -- I'm sorry, it
13 continues on at the top.

14 **D/CST. SEGUIN:** Yes, sir.

15 **MR. NEVILLE:** So it's Robert Renshaw and his
16 girlfriend, right?

17 **D/CST. SEGUIN:** Yes.

18 **MR. NEVILLE:** Now, did you become aware that
19 eventually Robert Renshaw made sexual allegations against
20 both Ken Seguin and Father MacDonald?

21 **D/CST. SEGUIN:** Yes.

22 **MR. NEVILLE:** And she describes this person
23 as being there on a regular basis, right?

24 **D/CST. SEGUIN:** Yes.

25 **MR. NEVILLE:** Now, let's look -- we look

1 back at the Dunlop version of her statement, page 2. Do
2 you have it?

3 **D/CST. SEGUIN:** Yes, sir.

4 **MR. NEVILLE:** The second-last paragraph
5 where she talks, as follows:

6 "I went to see Ken Seguin about this
7 matter. He also said it was not
8 worthwhile proceeding, it would be hard
9 to prove."

10 This is the matter involving her children.

11 "I often wonder if Ken tried anything
12 on my boys when they stay overnight at
13 Ken's house in Summerstown, as they had
14 stayed over several times."

15 So implying something quite negative, right?

16 **D/CST. SEGUIN:** Yes.

17 **MR. NEVILLE:** Let's look at your statement;
18 page 3 of 5, middle of the page.

19 "Is there anything you can think of
20 that you feel is relevant to this
21 investigation?"

22 Answer:

23 "Not long before Ken died he told me he
24 didn't want my sons to stay overnight
25 alone anymore."

1 "What did you understand that to mean?"

2 "I sort of wondered why but I didn't
3 ask him why."

4 Quite different, right?

5 **D/CST. SEGUIN:** Yes.

6 **MR. NEVILLE:** Now, let's look if we can,
7 briefly, at Exhibit 1157, the taped statement by yourself
8 and Detective Genier with Angus Malcolm MacDonald on the
9 18th of November 1998.

10 The number again, Commissioner, 1157, the
11 Document Number 112628.

12 **THE COMMISSIONER:** You should have that
13 someplace, sir. The 1157, it should be in one of the books
14 that you have there.

15 **D/CST. SEGUIN:** That's the Exhibit Number,
16 1157?

17 **THE COMMISSIONER:** Yes.

18 **D/CST. SEGUIN:** Okay. Sorry, sir, I heard
19 document number so I was waiting for the exhibit.

20 **THE COMMISSIONER:** That's fine.

21 **MR. NEVILLE:** Sorry; 1157.

22 **D/CST. SEGUIN:** Yes.

23 **MR. NEVILLE:** Do you have it there?

24 **D/CST. SEGUIN:** Yes, sir.

25 **MR. NEVILLE:** All right.

1 Again, the context of this is following up
2 on the various allegations contained in the Fantino brief,
3 one of which involved who did or didn't attend Mr.
4 MacDonald, Malcolm MacDonald's cottage on Stanley Island,
5 right?

6 **D/CST. SEGUIN:** Yes.

7 **MR. NEVILLE:** And the document is available
8 for the Commissioner in any event but I just -- so I won't
9 go through each and every detail of it but if we can just
10 look at -- I'm using the page numbers in the bottom corner,
11 Commissioner, page 6 of 61, Detective.

12 **D/CST. SEGUIN:** Yes, sir.

13 **MR. NEVILLE:** The Bates page, Commissioner,
14 would be 220.

15 **THE COMMISSIONER:** M'hm.

16 **MR. NEVILLE:** And you start here going
17 through a whole series of people and whether they had been
18 ever at his cottage, right?

19 **D/CST. SEGUIN:** Yes, sir.

20 **MR. NEVILLE:** And he confirms Charles
21 MacDonald, of course, and Ken Seguin?

22 **D/CST. SEGUIN:** Yes, sir.

23 **MR. NEVILLE:** And said that Charles was
24 there perhaps once or twice a summer with Mr. Seguin;
25 right?

1 D/CST. SEGUIN: Yes.

2 MR. NEVILLE: And then he rules out quite
3 categorically the Bishop, Bishop LaRocque?

4 D/CST. SEGUIN: Yes.

5 MR. NEVILLE: And then going on to the next
6 page he excludes Murray MacDonald, Milton MacDonald, and
7 then we continue on ---

8 D/CST. SEGUIN: Yes, sir.

9 MR. NEVILLE: --- page after page. Claude
10 Shaver, the answer was "Never".

11 Ron Leroux:

12 "Yes, came over with Ken, they were
13 next door neighbours."

14 He rules out a person named Pommier, a
15 jeweller.

16 D/CST. SEGUIN: Yes.

17 MR. NEVILLE: The next page, he confirms Mr.
18 Wilson, Ron Wilson, did go with a friend of his for many
19 years and did his legal work for him.

20 D/CST. SEGUIN: Yes, sir.

21 MR. NEVILLE: Right. He rules out Father
22 Ostler, Father Maloney, Father Rory MacDonald, Father
23 Donald McDougald, Father Bernard Cameron, the late
24 Monsignor R.J. MacDonald, et cetera, et cetera. Right?

25 D/CST. SEGUIN: Yes.

1 **MR. NEVILLE:** Page after page, he rules out
2 Stuart MacDonald, the police officer.

3 **D/CST. SEGUIN:** Just one note, Mr. Neville,
4 ---

5 **MR. NEVILLE:** Yes, I'm going a bit fast.

6 **D/CST. SEGUIN:** --- about R.J. MacDonald.

7 **MR. NEVILLE:** Yes, that's at the bottom of -
8 --

9 **D/CST. SEGUIN:** He was an old family friend.
10 He used to come up here and sit out on the lawn.

11 **MR. NEVILLE:** Yeah. He meant at his home,
12 not at the cottage; right?

13 **D/CST. SEGUIN:** Okay. It's fair.

14 **MR. NEVILLE:** Because if you look on the top
15 of the next page 225 or page 11 of 61, "not at the
16 cottage"; right?

17 **D/CST. SEGUIN:** Yes.

18 **MR. NEVILLE:** He excludes Stuart MacDonald;
19 right?

20 **D/CST. SEGUIN:** I'm just trying to see where
21 the exclusion is. Oh, yes, got it.

22 **MR. NEVILLE:** Correct?

23 **D/CST. SEGUIN:** Yes.

24 **MR. NEVILLE:** And the next page, he excludes
25 two more priests, right, Fathers McPhail and Donihee?

1 D/CST. SEGUIN: I'm just reading Donihee's
2 now.

3 MR. NEVILLE: Top of the next page you'll
4 see "never even knew I ---

5 D/CST. SEGUIN: Yes.

6 MR. NEVILLE: --- "never even knew I had a
7 cottage."

8 D/CST. SEGUIN: Yes, sir.

9 MR. NEVILLE: Then you ask him or your
10 colleague Detective Genier asks him about the former chief
11 of police.

12 D/CST. SEGUIN: Yes.

13 MR. NEVILLE: With an allegation that
14 clearly comes from the Dunlop material; right?

15 D/CST. SEGUIN: Yeah, all these names came
16 from the Dunlop material.

17 MR. NEVILLE: Sure, but the allegation is --
18 is a very specific allegation about the chief.

19 D/CST. SEGUIN: Yes, sir.

20 MR. NEVILLE: And Mr. MacDonald's reaction
21 is actually to laugh, wasn't it?

22 D/CST. SEGUIN: Yes, sir.

23 MR. NEVILLE: "...never at my cottage" and
24 then in brackets:

25 "(laugh) I mean I don't want to laugh.

1 It's almost funny but it's sad, you
2 know, that some of these things are
3 being said."

4 Right?

5 **D/CST. SEGUIN:** Yes, sir.

6 **MR. NEVILLE:** And then he's asked, going
7 over to page 16 of 61 ---

8 **THE COMMISSIONER:** Six zero (60)?

9 **MR. NEVILLE:** One six (16), sir.

10 **THE COMMISSIONER:** One six (16), okay.

11 **MR. NEVILLE:** Bates page 230.

12 **D/CST. SEGUIN:** Yes, sir.

13 **MR. NEVILLE:** He's asked in this part of the
14 interview about people he may have seen or not seen at
15 gatherings at St. Andrew's parish.

16 **D/CST. SEGUIN:** Yes.

17 **MR. NEVILLE:** Correct? And he excludes
18 there Murray MacDonald.

19 **D/CST. SEGUIN:** Yes.

20 **MR. NEVILLE:** Milton MacDonald, the former
21 chief; right?

22 **D/CST. SEGUIN:** Yes.

23 **MR. NEVILLE:** He does confirm Mr. Leroux was
24 there on one occasion.

25 **D/CST. SEGUIN:** Yes.

1 **MR. NEVILLE:** C-8 who was there with Leroux.

2 **D/CST. SEGUIN:** Okay.

3 **MR. NEVILLE:** Right?

4 **D/CST. SEGUIN:** Yes.

5 **MR. NEVILLE:** And identifies two other
6 people as having done work around the parish but not having
7 been at dinners.

8 **D/CST. SEGUIN:** Yes.

9 **MR. NEVILLE:** And then on the next page, 18
10 of 61, Bates 232, similarly to Malcolm's cottage, there's a
11 whole series of names, the same ones essentially, none of
12 whom was ever seen by him at St. Andrew's.

13 **D/CST. SEGUIN:** Yes, sir.

14 **MR. NEVILLE:** Now, in relation to Mr.
15 Leroux, can we look at Bates page 235 or page 21 of 61?

16 **D/CST. SEGUIN:** Yes, sir.

17 **MR. NEVILLE:** And you knew from the work you
18 were doing on the file that Mr. Leroux was a neighbour or
19 two doors away neighbour of Ken Seguin's?

20 **D/CST. SEGUIN:** He was close, yes.

21 **MR. NEVILLE:** Right. And portrays himself
22 or portrayed himself as a close personal friend of Seguin.

23 **D/CST. SEGUIN:** Yes, I believe so.

24 **MR. NEVILLE:** All right. Let's look at the
25 bottom of the page. Detective Genier asks whether Ken was

1 good friends with Leroux. Malcolm MacDonald's answer is:

2 "I would have to say Ken was like --
3 Ken was too good a guy. If I'd give an
4 honest opinion of he and Ron Leroux, he
5 wished he would have disappeared. That
6 is Seguin wished Leroux would have
7 disappeared. He bothered him so much.
8 I said, 'Ken, why don't you tell him to
9 go on home?' 'Well, I can't; he's
10 lonely.' And I said, 'You're just too
11 good to these people'. He'd come home.
12 He'd wander over and stay with him all
13 night. I said, 'Look, tell him you've
14 got to go out, et cetera'."

15 And the last two sentences:

16 "But Ken was just sick and tired of
17 him, bothered him, but he wouldn't do
18 anything about it."

19 Right?

20 **D/CST. SEGUIN:** Yes, sir.

21 **MR. NEVILLE:** Okay. He excludes as people
22 attending Ken's house the Bishop.

23 **D/CST. SEGUIN:** Yes.

24 **MR. NEVILLE:** And again other names that
25 we've touched on.

1 D/CST. SEGUIN: Yes, sir.

2 MR. NEVILLE: Now, a person that you also
3 interviewed was Malcolm MacDonald's former secretary?

4 D/CST. SEGUIN: Yes.

5 MR. NEVILLE: Can I have you take a quick
6 look and the Document Number, Commissioner, is 712029.

7 THE COMMISSIONER: It's a new one, sir.

8 D/CST. SEGUIN: Thank you.

9 MR. NEVILLE: It's a new one, sir.

10 THE COMMISSIONER: Thank you.

11 D/CST. SEGUIN: Thank you.

12 THE COMMISSIONER: Exhibit 2730 is a letter
13 to Ontario Provincial Police, attention Steve Seguin, from
14 Connie Bergeron-Roach dated September 22nd, 1997. That's
15 Exhibit 2730.

16 --- EXHIBIT NO./PIÈCE No. P-2730:

17 (712029) - Letter from Connie Bergeron-Roach
18 to Steve Seguin dated 22 Sep 97

19 MR. NEVILLE: You have it there, Detective?

20 D/CST. SEGUIN: Yes, sir.

21 MR. NEVILLE: And this was a letter that she
22 sent obviously to you.

23 D/CST. SEGUIN: Yes.

24 MR. NEVILLE: And I presume you received?

25 D/CST. SEGUIN: Yes, sir.

1 **MR. NEVILLE:** All right. And I'd just like
2 to refer you to the last full paragraph above the closing
3 sentence as follows:

4 "I would like to state that I started
5 working for Malcolm MacDonald in
6 November 1983 to December 1995 and I
7 could not have asked for a better
8 employer. He treated me with respect
9 and we were very loyal to each other.
10 Out of those 12 years, I never
11 encountered anything out of the
12 ordinary. If I would have suspected or
13 seen anything, I would have quit my job
14 and it would have been reported. As I
15 said, I enjoyed working for him and he
16 always praised my work. The only thing
17 that disappointed me, and to this day I
18 still don't understand it, is that I
19 was given such a short notice."

20 And she discusses that in the previous
21 second paragraph from the top.

22 Now, allegations had been made about certain
23 activity going on in Malcolm MacDonald's office; correct?

24 **D/CST. SEGUIN:** Yes.

25 **MR. NEVILLE:** And this woman was there on

1 the premises for some 12 years.

2 D/CST. SEGUIN: Yes.

3 MR. NEVILLE: All right.

4 Two last matters briefly; could I have the
5 witness, Commissioner, see Exhibit 678, please? It's an
6 interview statement of Father Kevin Maloney.

7 (SHORT PAUSE/COURTE PAUSE)

8 D/CST. SEGUIN: Yes, sir.

9 MR. NEVILLE: You have it there?

10 D/CST. SEGUIN: Yes.

11 MR. NEVILLE: And this interview is done on
12 the 17th of September 1998 and again is part of exploring
13 the Dunlop allegations including certain alleged dinner
14 party gatherings, among other places St. Andrew's and
15 elsewhere; correct?

16 D/CST. SEGUIN: Yes, sir.

17 MR. NEVILLE: So if we look at page 3 of 16
18 -- the Bates page, Commissioner, ends in 426.

19 THE COMMISSIONER: Four two seven (427)
20 actually.

21 MR. NEVILLE: Four two seven (427), sorry;
22 you're right.

23 So this page deals with the question of
24 dinner parties.

25 D/CST. SEGUIN: Yes, sir.

1 **MR. NEVILLE:** Indicating that he had been
2 there a couple of times with Father Charles.

3 **D/CST. SEGUIN:** Yes, once, maybe twice.
4 Yes.

5 **MR. NEVILLE:** All right. And the only other
6 gatherings that might have included a meal or what he
7 describes as "deanery", D-E-A-N-E-R-Y, for the reporter,
8 deanery meetings which were like business gatherings of the
9 priests in which there might be a meal served.

10 **D/CST. SEGUIN:** Yes, sir.

11 **MR. NEVILLE:** All right.

12 If you look at page -- bottom of page 4 of
13 16 through the next 3 pages to page 7 of 16, just look at
14 them to yourself, briefly.

15 **D/CST. SEGUIN:** Yes.

16 **MR. NEVILLE:** Again, essentially, he
17 excludes the same list of characters that we saw explored
18 with Malcolm MacDonald?

19 **D/CST. SEGUIN:** Yes, he mentions the Deanery
20 meetings.

21 **MR. NEVILLE:** Right.

22 **D/CST. SEGUIN:** Yes.

23 **MR. NEVILLE:** Right.

24 **D/CST. SEGUIN:** Yeah.

25 **MR. NEVILLE:** And then if we look at page 8

1 of 16, you then turn your enquiries to the Stanley Island
2 allegation; correct?

3 D/CST. SEGUIN: Yes, sir.

4 MR. NEVILLE: And he confirms at the bottom
5 he'd never been there, right?

6 D/CST. SEGUIN: Yes, sir.

7 MR. NEVILLE: And on the next page, he
8 describes how he knows Malcolm MacDonald all -- virtually
9 all his life; correct?

10 D/CST. SEGUIN: That's correct.

11 MR. NEVILLE: As a member of -- a friend of
12 the family and an important member of St. Columban's
13 Parish?

14 D/CST. SEGUIN: Yes, sir.

15 MR. NEVILLE: And in the middle of the page
16 indicates he's never socialized with him in any fashion?

17 D/CST. SEGUIN: Yes, sir.

18 MR. NEVILLE: He's then asked -- if you look
19 at page 13 of 16 in the middle of the page, and this is
20 lifted directly from the Dunlop/Leroux allegations, he's
21 asked about the alleged clan?

22 D/CST. SEGUIN: Yes, sir.

23 MR. NEVILLE: And he's asked what his
24 opinion is and starts off in his first answer that it
25 doesn't or didn't exist, right?

1 D/CST. SEGUIN: Yes, sir.

2 MR. NEVILLE: And he's aware of it because
3 of the civil material, right?

4 D/CST. SEGUIN: Yes, sir.

5 MR. NEVILLE: And he confirms in that answer
6 that indeed he and other members of the clergy disclosed
7 these allegations themselves to Children's Aid?

8 D/CST. SEGUIN: Yes, sir.

9 MR. NEVILLE: All right.
10 And then if we look over at page 14, his
11 answer at the bottom:

12 "As I mentioned to you in the fall, the
13 thing that bothers me is that the
14 rumour mill in this town has been
15 really active since the summer. There
16 seems to be no let-up. It seems to die
17 down for a while and all of a sudden it
18 comes up. Names have been..."

19 I presume that should be "bandied around":

20 "...through different sources. I've
21 heard that my name has been, you know,
22 linked with it, which says to me that
23 that particular document you're talking
24 about, someone has access to it."

25 Right?

1 D/CST. SEGUIN: Yes, sir.

2 MR. NEVILLE: And this is the document, the
3 Leroux allegations, the Dunlop material, that's getting out
4 there into the community?

5 D/CST. SEGUIN: Yes, sir.

6 MR. NEVILLE: All right. And one final
7 matter, Commissioner.

8 It's Exhibit 2722, Detective Seguin's
9 interview notes for C -- I believe it's 100 but I may have
10 lost track. It is 100?

11 THE REGISTRAR: C-100.

12 MR. NEVILLE: C-100.

13 THE COMMISSIONER: Two-seven-two-two (2722)?

14 MR. NEVILLE: Yes, sir.

15 D/CST. SEGUIN: Yes, sir.

16 MR. NEVILLE: And you have it there,
17 Detective?

18 THE COMMISSIONER: We're saying it's C-100
19 now.

20 D/CST. SEGUIN: Thank you.

21 THE COMMISSIONER: Right.

22 MR. NEVILLE: Now, just so it's quite clear
23 because I don't believe it was elicited fully in-chief,
24 this gentleman received a card with an apology in it from
25 Father MacDonald?

1 D/CST. SEGUIN: Yes, sir.

2 MR. NEVILLE: Right? And you know from your
3 investigation that C-4, I believe it is, also received an
4 apology letter?

5 D/CST. SEGUIN: Yes, sir.

6 MR. NEVILLE: Now, this gentleman, what he
7 says that you've recorded as something happening to him
8 with Father MacDonald was a dream, right?

9 D/CST. SEGUIN: What happened to him other
10 than -- yes.

11 MR. NEVILLE: So what he claims to have a
12 memory of he described as being a dream?

13 D/CST. SEGUIN: Yes, sir.

14 MR. NEVILLE: Those are my questions,
15 Commissioner. Thank you.

16 THE COMMISSIONER: Thank you.

17 Let's take the break.

18 THE REGISTRAR: Order; all rise. À l'ordre;
19 veuillez vous lever.

20 This hearing will resume at 11:45 a.m.

21 --- Upon recessing at 11:27 a.m./

22 L'audience est suspendue à 11h27

23 --- Upon resuming at 11:52 a.m./

24 L'audience est reprise à 11h52

25 THE REGISTRAR: Order; all rise. À l'ordre;

1 veuillez vous lever.

2 This hearing is now resumed. Please be
3 seated. Veuillez vous asseoir.

4 **THE COMMISSIONER:** Good morning, Mr.
5 Chisholm.

6 **MR. CHISHOLM:** Good morning, sir. I expect
7 I'll be 10 minutes or less.

8 **THE COMMISSIONER:** M'hm.

9 **D/CST. STEVE SEGUIN, Resumed/Sous le même serment:**

10 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

11 **MR. CHISHOLM:**

12 **MR. CHISHOLM:** Constable Seguin, we know
13 each other.

14 **D/CST. SEGUIN:** Yes, sir.

15 **MR. CHISHOLM:** I act for the CAS; just a few
16 questions. The only area that I'll touch upon is the Jean-
17 Luc Leblanc investigation.

18 **D/CST. SEGUIN:** Yes, sir.

19 **MR. CHISHOLM:** You recall on your first day
20 of your evidence Ms. Jones took you to the Jean-Luc Leblanc
21 evidence ---

22 **D/CST. SEGUIN:** Yes, sir.

23 **MR. CHISHOLM:** --- or investigation?

24 And do you recall Ms. Jones taking you to
25 Constable Joe Dupuis' evidence that touched upon the Jean-

1 Luc Leblanc investigation?

2 D/CST. SEGUIN: Yes, sir.

3 MR. CHISHOLM: In the context of asking
4 about contact with the CAS, you were taken to page 114 of
5 Volume 308, which was the portion of Constable Dupuis'
6 notes of his visit to the CAS on October 25, 2001, so not
7 at the time of Jean-Luc Leblanc's arrest but some two years
8 and nine months after. Do you recall being taken to ---

9 D/CST. SEGUIN: I don't recall the date,
10 sir, but yes.

11 MR. CHISHOLM: Do you recall being taken to
12 Constable Dupuis' evidence?

13 D/CST. SEGUIN: Yes.

14 MR. CHISHOLM: Okay. The portion that was
15 read out to you touched upon Mr. Dupuis' visit to the CAS.

16 Did you understand at the time that the
17 portion that was being put to you was from Mr. -- Constable
18 Dupuis' visit of October 25, 2001 and not from January of
19 1999?

20 D/CST. SEGUIN: I thought we were talking
21 about January, sir.

22 MR. CHISHOLM: Okay.

23 And you understand Mr. Jean-Luc Leblanc was
24 arrested on January the 5th, 1999?

25 D/CST. SEGUIN: That's correct.

1 **MR. CHISHOLM:** During your evidence, you
2 indicated that you had contact with Brian MacIntosh of the
3 CAS. Is that right?

4 **D/CST. SEGUIN:** Yes, sir.

5 **MR. CHISHOLM:** Did you have any concerns
6 with respect to your dealings with Mr. MacIntosh?

7 **D/CST. SEGUIN:** I advised him of our two
8 witnesses -- our two victims at that point -- concerns.

9 **THE COMMISSIONER:** Did you have any concerns
10 in the way he conducted himself as a CAS worker?

11 **D/CST. SEGUIN:** I think I would have had
12 just a -- I did have a concern over what was said there,
13 sir.

14 **MR. CHISHOLM:** And what did he say?

15 **D/CST. SEGUIN:** About previous contact with
16 Mr. Leblanc.

17 **MR. CHISHOLM:** Yes.

18 **D/CST. SEGUIN:** That summer.

19 **MR. CHISHOLM:** Yes. Contact that
20 Mr. MacIntosh had had?

21 **D/CST. SEGUIN:** Yes.

22 **MR. CHISHOLM:** And what was your concern?

23 **D/CST. SEGUIN:** That he was there that
24 summer ---

25 **MR. CHISHOLM:** Yes.

1 D/CST. SEGUIN: --- in Jean-Luc Leblanc's
2 house.

3 MR. CHISHOLM: Yes.

4 D/CST. SEGUIN: And there was a kid present
5 at that time.

6 MR. CHISHOLM: Yes.

7 And was it -- you were concerned, I take it,
8 over discovering that information. Is that right?

9 D/CST. SEGUIN: Yes.

10 MR. CHISHOLM: Not the way in which
11 Mr. MacIntosh presented it to you?

12 D/CST. SEGUIN: No, not at all.

13 MR. CHISHOLM: Not in his demeanour?

14 D/CST. SEGUIN: No, sir.

15 MR. CHISHOLM: You were concerned because it
16 came as a surprise to you that he had been there?

17 D/CST. SEGUIN: Yes, sir.

18 MR. CHISHOLM: Were you aware that -- going
19 back to January of 1999 -- were you aware that in addition
20 to Constable Dupuis going to the CAS in October of 2001
21 that Constable Dupuis also had contact with the CAS in
22 January of 1999?

23 D/CST. SEGUIN: Yes, I believe there was a
24 contact there.

25 MR. CHISHOLM: There was telephone contact

1 between Constable Dupuis and CAS ---

2 D/CST. SEGUIN: I don't recall the contact
3 but I believe he was in touch with them as well.

4 MR. CHISHOLM: And do you know -- when you
5 say "in touch with them" that -- are you speaking about an
6 actual visit that Constable Dupuis would have made to the
7 CAS on January the 19th, '99?

8 D/CST. SEGUIN: I don't recall but ---

9 MR. CHISHOLM: You don't recall the date?
10 Are you aware that Constable Dupuis actually attended the
11 CAS in order to obtain information with respect to Jean-Luc
12 Leblanc, in January of 1999?

13 D/CST. SEGUIN: If I could be referred to
14 that, sir, that would help.

15 MR. CHISHOLM: I haven't given notice and if
16 you're not aware of -- I'll tell you, it's Exhibit 2611,
17 for the record, but I'm not -- I don't know that we need to
18 go there now, but it's page 7131377.

19 You weren't aware of that from your
20 recollection, Constable Seguin?

21 D/CST. SEGUIN: No, my recollection at this
22 point, no, sir.

23 MR. CHISHOLM: Okay. You wouldn't disagree
24 if you saw it in Constable Dupuis' notes or ---

25 D/CST. SEGUIN: No. No, I think there was

1 some pretty consistent contact with the CAS.

2 MR. CHISHOLM: You had contact at one point
3 with Bill Carriere of the CAS?

4 D/CST. SEGUIN: Yes, several times.

5 MR. CHISHOLM: And how would you describe
6 your dealings with Mr. Carriere?

7 D/CST. SEGUIN: He was very helpful.

8 MR. CHISHOLM: Was there any cause for
9 concern with respect to his dealings with you?

10 D/CST. SEGUIN: No, none whatsoever.

11 MR. CHISHOLM: Do you have any concerns with
12 respect to any of your dealings that you had with the CAS,
13 and apart from what you've told us about
14 Mr. MacIntosh's ---

15 D/CST. SEGUIN: Yes, in relation to Project
16 Truth, that would be the only concern.

17 MR. CHISHOLM: Thank you, Constable, those
18 are my questions.

19 D/CST. SEGUIN: Thank you.

20 THE COMMISSIONER: Thank you.

21 Mr. Scharbach?

22 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

23 SCHARBACH:

24 MR. SCHARBACH: Good morning, Mr. Seguin.

25 My name is Stephen Scharbach and I'm a lawyer with the

1 Ministry of the Attorney General.

2 D/CST. SEGUIN: Yes, sir.

3 MR. SCHARBACH: I have a few questions for
4 you this morning and they mainly revolve around your
5 involvement with Shelley Hallett in the Leduc case.

6 Now, the York Regional Police, I understand,
7 asked you to set out your concerns when they did an
8 investigation into Ms. Hallett after the finding of wilful
9 non-disclosure; correct?

10 D/CST. SEGUIN: Yes. They -- they asked me
11 for specific things, and that's what I answered.

12 MR. SCHARBACH: Right.

13 And we looked at your statement last week
14 and we can pull it up if you need to refresh your memory or
15 anything, but I remember last Friday when you were talking
16 to Mr. Wardle about it, you said that contrary to what may
17 be implied by the content of the statement, you actually
18 had a lot of respect for Ms. Hallett. Is that correct?

19 D/CST. SEGUIN: Yes, sir.

20 MR. SCHARBACH: You knew her from your
21 dealings with her as a prosecutor who was experienced?

22 D/CST. SEGUIN: Yes, very much so.

23 MR. SCHARBACH: She was dedicated?

24 D/CST. SEGUIN: Yes, sir.

25 MR. SCHARBACH: She was -- she took the

1 Leduc case seriously? She didn't treat it as a nine-to-
2 five job?

3 D/CST. SEGUIN: That's correct.

4 MR. SCHARBACH: Okay. And you also
5 mentioned last week that at the beginning of the
6 organization of Project Truth, Inspector Smith talked to
7 the Project Truth officers and gave you an idea of what it
8 was that he expected from the officers.

9 I remember you mentioning that he made it
10 clear that what he expected from the officers with respect
11 to the victims was a sense of compassion. Do you
12 remember ---

13 D/CST. SEGUIN: Yes, sir.

14 MR. SCHARBACH: --- saying that?

15 D/CST. SEGUIN: Yes.

16 MR. SCHARBACH: And would you agree with me
17 that Ms. Hallett gave you the impression that she was
18 someone who shared that view concerning compassion?

19 D/CST. SEGUIN: Yes.

20 MR. SCHARBACH: She, from your observations
21 and your -- from your observations of her interactions with
22 victims, she treated them with compassion?

23 D/CST. SEGUIN: Yes.

24 MR. SCHARBACH: With dignity?

25 D/CST. SEGUIN: Yes.

1 **MR. SCHARBACH:** Sensitivity?

2 **D/CST. SEGUIN:** Yes, and I want to
3 be -- yes, in her interactions with them, yes.

4 **MR. SCHARBACH:** Okay.

5 But you did have a number of concerns that
6 you set out to the York Regional Police, and I want to
7 touch on those.

8 The first one -- I've called it "Attending
9 court late", but just to make it absolutely clear, I take
10 it the concern here wasn't that Ms. Hallett attended court
11 late, it was that she didn't attend early enough to give
12 you a chance to have communications and interactions with
13 her before court opened. Is that right?

14 **D/CST. SEGUIN:** Yes, I think that
15 was -- every day there were new issues that came up during
16 that trial, and a lot of work had to be done at the end of
17 the day ---

18 **MR. SCHARBACH:** Right.

19 **D/CST. SEGUIN:** --- or at the end of the
20 court day, and the opportunity to speak and discuss those
21 issues would have -- is what I was talking about there,
22 sir.

23 **MR. SCHARBACH:** All right.

24 Now, there were two officers on that case,
25 there was you and Joe Dupuis. Is that correct?

1 D/CST. SEGUIN: Yes.

2 MR. SCHARBACH: And Joe Dupuis was the more
3 senior officer; you were the more junior ---

4 D/CST. SEGUIN: Yes, sir.

5 MR. SCHARBACH: --- officer?

6 D/CST. SEGUIN: Yes, sir.

7 MR. SCHARBACH: And Ms. Hallett was the more
8 senior prosecutor and she had a junior lawyer working with
9 her, Christine Tier. Is that right?

10 D/CST. SEGUIN: Yes, sir.

11 MR. SCHARBACH: Was Christine Tier more
12 accessible to you than Ms. Hallett was?

13 D/CST. SEGUIN: Yes.

14 MR. SCHARBACH: So it was possible to bring
15 some of those concerns to the attention of Ms. Tier?

16 D/CST. SEGUIN: Yes, and I did that.

17 MR. SCHARBACH: Okay. And is it possible
18 that Shelley, being the senior prosecutor, had more
19 communications with Joe Dupuis, being the more senior
20 officer on the case?

21 D/CST. SEGUIN: No, I wouldn't say that.
22 There was a lot of communication amongst everybody involved
23 here.

24 MR. SCHARBACH: Okay. I understand that Ms.
25 Hallett had lunch with Joe Dupuis almost everyday during

1 the trial. Is that your understanding?

2 D/CST. SEGUIN: I don't recall.

3 MR. SCHARBACH: Okay. Was Ms. Hallett
4 available to you after court ended?

5 D/CST. SEGUIN: Yes, she would have been
6 staying here locally, yes.

7 MR. SCHARBACH: So you could have brought
8 concerns to her at the end of the day rather than the
9 beginning of the day?

10 D/CST. SEGUIN: Well, no, at the end of the
11 day, it was -- it was usually the issues that had to be
12 dealt with, and sometimes into late in the evening before
13 all that work was complete, and then -- then it would be
14 brought up the next morning.

15 MR. SCHARBACH: Okay. Because she was
16 staying and working at a hotel here in Cornwall; correct?

17 D/CST. SEGUIN: That's correct.

18 MR. SCHARBACH: Now, you knew where she was
19 staying, I take it?

20 D/CST. SEGUIN: Yes, sir.

21 MR. SCHARBACH: And you had her hotel
22 number?

23 D/CST. SEGUIN: I -- I knew where she was,
24 different rooms, different times.

25 MR. SCHARBACH: If you needed to find her,

1 I'm sure you could find her?

2 D/CST. SEGUIN: Yes, sir.

3 MR. SCHARBACH: You talked to her on her
4 cell phone or hotel phone?

5 D/CST. SEGUIN: Yes, I don't -- I don't know
6 about cell phone, whether I had a cell phone number, but
7 I ---

8 MR. SCHARBACH: Okay.

9 D/CST. SEGUIN: --- I could speak to her if
10 I wanted to find her.

11 MR. SCHARBACH: Okay.

12 A second concern that you raised was
13 interviewing witnesses excessively.

14 I'm wondering if we can turn up Exhibit
15 2717, please?

16 D/CST. SEGUIN: Yes, sir.

17 THE COMMISSIONER: Go ahead.

18 MR. SCHARBACH: Now, this is a note that you
19 prepared at the request of the York Regional Police;
20 correct?

21 D/CST. SEGUIN: Yes, sir.

22 MR. SCHARBACH: And this was done in
23 connection with your concern about interviewing witnesses
24 excessively. Is that correct?

25 D/CST. SEGUIN: That was the -- the reason

1 behind this letter, yes ---

2 MR. SCHARBACH: Okay.

3 D/CST. SEGUIN: --- of the request.

4 MR. SCHARBACH: Okay.

5 And there's a list of names, and there are
6 four names under the heading "Victims" and then there are
7 13 names under the heading "Witnesses". Do you see that?

8 D/CST. SEGUIN: Yes, sir.

9 MR. SCHARBACH: And just looking at the list
10 of the 13 witnesses, it appears that 2 of them were
11 interviewed more than once. The others appear to have been
12 interviewed once, except ---

13 D/CST. SEGUIN: Yes, and actually ---

14 MR. SCHARBACH: Sorry -- I was going to say
15 except for C-16's -- I take it, C-16's mother and father,
16 the first two names on the list?

17 D/CST. SEGUIN: Yes.

18 MR. SCHARBACH: They were interviewed once
19 together and then they were each interviewed separately, it
20 looks like?

21 D/CST. SEGUIN: Yes.

22 MR. SCHARBACH: But of the other witnesses,
23 the other 11 or so witnesses, only 2 were interviewed more
24 than once according to your note?

25 D/CST. SEGUIN: Yes.

1 **MR. SCHARBACH:** Okay.

2 **D/CST. SEGUIN:** Yes. This is my contact in
3 interviews. Joe Dupuis had a similar ---

4 **MR. SCHARBACH:** Okay.

5 **D/CST. SEGUIN:** --- sheet as well, sir.

6 **MR. SCHARBACH:** Okay.

7 Now, it is a part of the prosecutor's
8 responsibility to ensure that witnesses are properly
9 prepared to testify?

10 **D/CST. SEGUIN:** Yes, sir.

11 **MR. SCHARBACH:** And many witnesses find the
12 prospect of testifying anxiety producing; correct?

13 **D/CST. SEGUIN:** Very much so.

14 **MR. SCHARBACH:** And they often need things
15 explained to them, sometimes simple things like, "Where do
16 I sit? What do I -- what do I wear?" to more difficult
17 questions like, "How do I answer the questions? What
18 questions are going to be asked of me?"

19 **D/CST. SEGUIN:** Yes.

20 **MR. SCHARBACH:** And it may take -- some
21 witnesses may take more time to be prepared than others
22 depending on their level of maturity, their emotional
23 fragility, their experience in a court room setting, and so
24 on. Is that correct?

25 **D/CST. SEGUIN:** Yes.

1 **MR. SCHARBACH:** And this is especially true
2 for sexual assault victims, I take it?

3 **D/CST. SEGUIN:** Yes, the sexual assault
4 victim is -- is a very touchy issue, I guess, in
5 preparation or in -- in all dealings actually.

6 **MR. SCHARBACH:** I guess they're in a
7 category by themselves?

8 **D/CST. SEGUIN:** Yes, sir.

9 **MR. SCHARBACH:** Because they're being asked,
10 in many cases, to relate things that are extremely painful,
11 extremely personal, in a courtroom setting ---

12 **D/CST. SEGUIN:** Yes, sir.

13 **MR. SCHARBACH:** --- and they may take more
14 preparation; is that correct?

15 **D/CST. SEGUIN:** They may, yes.

16 **MR. SCHARBACH:** So in order to prepare
17 victims, it often takes -- is it correct to say that it
18 takes time, it takes -- a level of trust has to be built up
19 between the prosecutor and the victim?

20 **D/CST. SEGUIN:** Yes.

21 **MR. SCHARBACH:** And that takes time?

22 **D/CST. SEGUIN:** In some cases, yes.

23 **MR. SCHARBACH:** And that takes, in some
24 cases, that takes more than one meeting; is that right?

25 **D/CST. SEGUIN:** Yes, I agree.

1 **MR. SCHARBACH:** Now, if we go back to your
2 exhibit, Exhibit 2717, under the list of victims ---

3 **D/CST. SEGUIN:** Yes, sir.

4 **MR. SCHARBACH:** --- it appears that all of
5 the victims were interviewed -- I understand that this is
6 your notes and not Joe Dupuis' but according to your notes,
7 the only victim who was interviewed more than once was C-
8 16.

9 **D/CST. SEGUIN:** That's correct.

10 **MR. SCHARBACH:** Okay. And do you recall
11 those interviews in any detail? I'm wondering if we can
12 take a look at a couple of them ---

13 **D/CST. SEGUIN:** Sure, I recall some
14 portions.

15 **MR. SCHARBACH:** --- in your notes.

16 **D/CST. SEGUIN:** Yes.

17 **MR. SCHARBACH:** If we could, with respect to
18 the November 24th interview, if we can pull up, please,
19 Exhibit 2706 at Bates page 8622?

20 **THE COMMISSIONER:** It's a new book, I mean,
21 it's a different -- you should have it there; 2706.

22 **MR. SCHARBACH:** And if we could focus on the
23 entry at 1505.

24 **THE COMMISSIONER:** What Bates page?

25 **MR. SCHARBACH:** Bates page 8622.

1 **THE COMMISSIONER:** Eight six two two (8622);
2 all right.

3 **D/CST. SEGUIN:** Okay, I have it sir.

4 **MR. SCHARBACH:** Okay. Now Mr. Seguin if you
5 look, please, at the entry at 1505, I think that contains
6 the note of your meeting that day with Ms. Hallett and C-
7 16; is that correct?

8 **D/CST. SEGUIN:** Yes, sir.

9 **MR. SCHARBACH:** Okay. And you don't need to
10 read it out loud but I'd appreciate it if you'd just read
11 quickly to refresh your memory as to what was dealt with in
12 that interview.

13 **(SHORT PAUSE/COURTE PAUSE)**

14 **D/CST. SEGUIN:** Yes.

15 **MR. SCHARBACH:** Okay. This meeting took
16 place before the preliminary, I think. Is that correct?

17 **D/CST. SEGUIN:** I don't recall the date of
18 the preliminary but I assume that's what it is because
19 we're talking about that now that I read it again, yes.

20 **MR. SCHARBACH:** Well, the preliminary, in my
21 notes at least, was scheduled for April the 8th, 1999.

22 **D/CST. SEGUIN:** Yes, and when you look at
23 his first note, we speak about date for prelim, so yes.

24 **MR. SCHARBACH:** Right. So C-16 was informed
25 of the preliminary date?

1 D/CST. SEGUIN: Yes.

2 MR. SCHARBACH: And this was his first
3 meeting with Ms. Hallett?

4 D/CST. SEGUIN: First meeting that I was
5 part of, yes. I'm not sure about Officer Dupuis, sir.

6 MR. SCHARBACH: All right. And the meeting
7 took 49 minutes ---

8 D/CST. SEGUIN: Yes, sir.

9 MR. SCHARBACH: --- according to your notes?
10 And would you say that this was an
11 excessively long meeting or was that a normal meeting?

12 D/CST. SEGUIN: No, I think that one covered
13 a lot of questions that needed to be answered.

14 MR. SCHARBACH: Okay. And would you be able
15 to say from your observations at the meeting that any
16 progress was made in establishing a sort of a trusting
17 relationship between Ms. Hallett and C-16 at that point?

18 D/CST. SEGUIN: I'm not sure if this is her
19 first contact, so as far as rapport building, I'm not sure
20 if that's -- was part of it but it was ---

21 MR. SCHARBACH: Okay.

22 D/CST. SEGUIN: --- it was pretty, I guess,
23 normal or standard prep meeting.

24 MR. SCHARBACH: Okay. If we can go to the
25 second meeting -- and we'll look at Exhibit 2707, again at

1 Bates page 8804. And there should be an entry that starts
2 at 1400 hours.

3 Then again, Mr. Seguin, you don't need to
4 read it out loud but I'd appreciate if you could read it
5 just to refresh your memory as to what happened at that
6 meeting.

7 **D/CST. SEGUIN:** Sure. I recall this one
8 actually better.

9 **MR. SCHARBACH:** Now, am I correct in saying
10 that this was a meeting -- oh sorry, are you still reading?

11 **D/CST. SEGUIN:** Yeah, there's quite a bit
12 actually. There is three and a half pages.

13 **(SHORT PAUSE/COURTE PAUSE)**

14 **D/CST. SEGUIN:** Okay. I'm getting the gist
15 of the meeting.

16 **MR. SCHARBACH:** All right. Am I right in
17 assuming that this was a meeting that took place a couple
18 of weeks before the preliminary?

19 **D/CST. SEGUIN:** I'll agree about the date,
20 yes.

21 **MR. SCHARBACH:** And one of the reasons for
22 this meeting, I suppose, was to prepare C-16 for the
23 preliminary, answer any questions he had regarding that and
24 so on?

25 **D/CST. SEGUIN:** He would -- yeah, it was a

1 further meeting that she had requested.

2 MR. SCHARBACH: Okay. And can you, without
3 going into too much detail, can you give us an idea of the
4 sorts of things that were discussed at that meeting?

5 D/CST. SEGUIN: Again, giving evidence,
6 types of questions, that sort of stuff. What you'd, I
7 guess, call standard prep. And what sticks out for me in
8 this meeting is that C-16 was late showing up and that was
9 the first real time that I started to believe that he was
10 tired doing this.

11 MR. SCHARBACH: Okay. He had a number of
12 questions concerning how the preliminary was going to go,
13 the procedures, the questions and so on, order of
14 witnesses?

15 D/CST. SEGUIN: Well, actually, no. I --
16 this fellow, C-16, he was -- it was like pulling teeth to
17 get him to talk at the best of times.

18 MR. SCHARBACH: M'hm.

19 D/CST. SEGUIN: So he wouldn't be talking
20 very much.

21 MR. SCHARBACH: Is that common for male
22 sexual assault victims?

23 D/CST. SEGUIN: This fellow was a lot more
24 fragile than most.

25 MR. SCHARBACH: Okay. All right. And this

1 meeting took an hour and 15 minutes according to your
2 notes?

3 D/CST. SEGUIN: Yes, sir.

4 MR. SCHARBACH: Okay. Let's finally just
5 look at the last meeting very quickly; if we can go to
6 Exhibit 2710, please, at Bates page 9410?

7 D/CST. SEGUIN: Yes, sir.

8 MR. SCHARBACH: And there is an entry that
9 begins at 16:56.

10 D/CST. SEGUIN: Yes, sir.

11 MR. SCHARBACH: And again if you'd just
12 quickly skim that just to refresh your memory?

13 (SHORT PAUSE/COURTE PAUSE)

14 D/CST. SEGUIN: Yes.

15 MR. SCHARBACH: Now, I understand C-16
16 testified on January the 30th that he was being interviewed
17 the day before that. Am I right in that?

18 D/CST. SEGUIN: I'm not sure of the date,
19 sir. Hang on -- yes, testifies the next day.

20 MR. SCHARBACH: He testified the next day?

21 D/CST. SEGUIN: Yes.

22 MR. SCHARBACH: So he was being interviewed
23 just before his testimony?

24 D/CST. SEGUIN: Yes, sir.

25 MR. SCHARBACH: And I realize Joe Dupuis'

1 notes may have additional information, but according to the
2 information we have from you the last time you and
3 Ms. Hallett had met with C-16 would be back in March of
4 1999; the meeting before that?

5 D/CST. SEGUIN: Okay, yes.

6 MR. SCHARBACH: Okay. And is that standard
7 procedure to meet with the victim closely before he's about
8 to give testimony at trial?

9 D/CST. SEGUIN: Standard? I think depending
10 on this witness. This fellow didn't want to be involved
11 any more though. He didn't even want to meet with her.

12 MR. SCHARBACH: M'hm. He was reluctant to
13 testify?

14 D/CST. SEGUIN: Well, he was tired of
15 dealing with Ms. Hallett.

16 MR. SCHARBACH: You're sure he was tired of
17 dealing with Ms. Hallett or was he afraid of providing his
18 testimony in open court concerning what had occurred to
19 him?

20 D/CST. SEGUIN: I can tell you his words.
21 They were, "Why can't she leave me alone?"

22 MR. SCHARBACH: Okay. All right.

23 Now, of the other -- we could go through the
24 same thing with the other victims, but I see with the other
25 victims each of them had one meeting, according to your

1 notes?

2 D/CST. SEGUIN: Yes, sir.

3 MR. SCHARBACH: Okay. All right.

4 I'd like to take you now to your involvement
5 with the Leduc trial and the stay -- and the stay
6 application, and Mr. Wardle went through this with you, I
7 thought, in a very clear way last week. So I won't be
8 going through it but -- in as much detail -- but there's a
9 couple of specific areas I wanted to talk to you about.

10 But just to set up the context, C-16's
11 mother testified about her contact with Dunlop on February
12 the 7th. Is that correct?

13 D/CST. SEGUIN: Yes, sir.

14 MR. SCHARBACH: And the defence didn't know
15 about that contact and the meeting was held after court
16 with the defence lawyers, the prosecution, you and Joe
17 Dupuis, right?

18 D/CST. SEGUIN: I can answer the second part
19 about the meeting. I don't -- I can't answer the first
20 part of whether they knew about it beforehand.

21 MR. SCHARBACH: Okay, all right. Fair
22 enough. But a meeting took place ---

23 D/CST. SEGUIN: Yes, sir.

24 MR. SCHARBACH: --- after court that day on
25 February the 7th.

1 And I understand that Inspector Hall was
2 asked to come to the court with the Dunlop Will Say and
3 notes and bring them to the meeting. Is that correct?

4 **D/CST. SEGUIN:** I'm sorry, I'm not sure what
5 he was asked.

6 **MR. SCHARBACH:** Okay.

7 **D/CST. SEGUIN:** I don't recall that.

8 **MR. SCHARBACH:** But do you recall Mr. Hall
9 attending at the meeting with the Dunlop ---

10 **D/CST. SEGUIN:** Yes.

11 **MR. SCHARBACH:** --- Will Say and the notes?

12 **D/CST. SEGUIN:** Yes, sir.

13 **MR. SCHARBACH:** And photocopies of the
14 excerpts from the Will Say and the notes that dealt with
15 the contact?

16 **D/CST. SEGUIN:** I don't know if I have in my
17 notes what was disclosed.

18 **MR. SCHARBACH:** Okay.

19 **D/CST. SEGUIN:** Sorry.

20 **MR. SCHARBACH:** Okay, but you recall Hall
21 attending at the meeting with the Dunlop materials?

22 **D/CST. SEGUIN:** Yes, sir.

23 **MR. SCHARBACH:** And the Dunlop materials
24 were given to the defence counsel so they could look
25 through them. They skimmed through them quickly?

1 D/CST. SEGUIN: Yes, sir.

2 MR. SCHARBACH: Correct?

3 D/CST. SEGUIN: Yes, sir.

4 MR. SCHARBACH: And I think you said that
5 they -- defence counsel Skurka criticized the officers,
6 especially Officer Hall, for not having disclosed this
7 earlier?

8 D/CST. SEGUIN: Hall and Dupuis, yes.

9 MR. SCHARBACH: Right.

10 And you mentioned that Ms. Hallett said
11 something to the effect -- it's in your notes, but
12 something to the effect of she didn't know anything about
13 this?

14 D/CST. SEGUIN: "Until now", yes.

15 MR. SCHARBACH: Correct. And you
16 interpreted that to mean that she didn't know anything
17 about the Dunlop materials?

18 D/CST. SEGUIN: Yes.

19 MR. SCHARBACH: Okay.

20 Now, Hallett later made submissions in court
21 on February the 14th -- I'm not sure that you were there or
22 not -- in which she explained her version of what she knew
23 and what she didn't know, and I'm not -- I'm wondering
24 whether you recall that?

25 D/CST. SEGUIN: I believe I was there that

1 day.

2 MR. SCHARBACH: Okay. And do you recall
3 Ms. Hallett saying that she reviewed the Dunlop materials
4 but she reviewed them in the context of the MacDonald
5 prosecution?

6 D/CST. SEGUIN: Yes, I remember that.

7 MR. SCHARBACH: And she didn't see the link
8 between those references to the contacts between Dunlop and
9 the Leduc victims -- she didn't see the link to the Leduc
10 case?

11 D/CST. SEGUIN: I don't remember the whole
12 thing, but I do remember her saying that she reviewed them
13 in relation to Father Charles MacDonald.

14 MR. SCHARBACH: Okay. So when you said --
15 so when you interpreted her remarks to mean that she didn't
16 know anything about the Dunlop material, that's actually a
17 little bit in conflict with what she said on February the
18 14th, to the effect that she did see the Dunlop material but
19 she didn't recognize the significance for the Leduc
20 prosecution?

21 D/CST. SEGUIN: Yeah, they're different.

22 MR. SCHARBACH: Okay.

23 D/CST. SEGUIN: Both those comments are
24 different, yes.

25 MR. SCHARBACH: Right.

1 Now, immediately after the meeting with
2 defence counsel, I understand that you, Officer Dupuis,
3 Officer Hall and Hallett and Christine Tier met together?

4 **D/CST. SEGUIN:** I'm just trying to remember
5 if Joe Dupuis was there.

6 **MR. SCHARBACH:** Well, you met in the absence
7 of defence counsel I guess is the ---

8 **D/CST. SEGUIN:** Yes, absolutely, yes.

9 **MR. SCHARBACH:** And Hall reminded
10 Ms. Hallett that she had reviewed the Dunlop material. Is
11 that correct?

12 **D/CST. SEGUIN:** That she had that material,
13 yes.

14 **MR. SCHARBACH:** Right. And she didn't deny
15 it at that point? In fact ---

16 **D/CST. SEGUIN:** No.

17 **MR. SCHARBACH:** --- she said -- at that
18 point she acknowledged that she had seen the Dunlop
19 material by saying something along the lines of, "I know, I
20 know". Is that correct?

21 **D/CST. SEGUIN:** Yes.

22 **MR. SCHARBACH:** So she acknowledged right
23 away after that meeting that she had seen the Dunlop
24 material?

25 **D/CST. SEGUIN:** Yes.

1 **MR. SCHARBACH:** And did she go on and say
2 that she had seen the Dunlop materials but she didn't
3 recognize the significance for the Leduc case at that
4 point?

5 **D/CST. SEGUIN:** I don't know when that came
6 out but, yes, I do remember that.

7 **MR. SCHARBACH:** Okay. All right.

8 The last thing I want to explore with you
9 are the comments that Ms. Jones took to you(sic) in your
10 Will Say -- or the statement that you prepared for York
11 Regional Police that Ms. Hallett apparently made on
12 February the 26th.

13 **D/CST. SEGUIN:** All right. Could I have
14 that document, please?

15 **MR. SCHARBACH:** Yeah. That would be Exhibit
16 2718 and at Bates page 5729.

17 **D/CST. SEGUIN:** Yes, sir.

18 **MR. SCHARBACH:** And I think my friend
19 referred you to the second paragraph from the bottom?

20 **D/CST. SEGUIN:** Yes, sir.

21 **MR. SCHARBACH:** It starts out:

22 "To say that Crown Hallett was being
23 unprofessional is an understatement."

24 And so on?

25 **D/CST. SEGUIN:** Yes, sir.

1 **MR. SCHARBACH:** Okay.

2 I just want to establish, if I can, a little
3 context for Ms. Hallett's remarks that day.

4 February 26th was the day that the stay
5 application had been argued; correct?

6 **D/CST. SEGUIN:** I believe so, yes.

7 **MR. SCHARBACH:** And the defence forcefully
8 argued during that stay application in open court that
9 Ms. Hallett had wilfully withheld disclosure from the
10 defence?

11 **D/CST. SEGUIN:** Yes.

12 **MR. SCHARBACH:** Correct? And which arguably
13 is criminal conduct.

14 **D/CST. SEGUIN:** Yes.

15 **MR. SCHARBACH:** It's obstructing justice.

16 **D/CST. SEGUIN:** Yes, sir.

17 **MR. SCHARBACH:** And, in fact -- well, as you
18 know, York Regional Police conducted an investigation to
19 determine whether she had wilfully withheld disclosure and
20 thereby committed the crime of obstructing justice;
21 correct?

22 **D/CST. SEGUIN:** Yes, sir.

23 **MR. SCHARBACH:** Okay. So Hallett, a Crown
24 of some years' experience, had just been accused in open
25 court of conduct which was improper and which arguably was

1 criminal?

2 D/CST. SEGUIN: Yes, sir.

3 MR. SCHARBACH: And to be accused of that,
4 for anyone is a serious thing but for a practising lawyer
5 it's especially serious, I'd suggest.

6 D/CST. SEGUIN: I think anybody in our -- in
7 the justice industry.

8 MR. SCHARBACH: Agreed.

9 Ultimately no charges were laid as a result
10 of the York Regional Police investigation but that was in
11 the future?

12 D/CST. SEGUIN: Yes, sir.

13 MR. SCHARBACH: And did you know that the
14 Law Society also inquired into this matter?

15 D/CST. SEGUIN: I don't believe I ever knew
16 that.

17 MR. SCHARBACH: Okay. All right.

18 But setting aside the professional
19 repercussions and implications from Ms. Hallett, you, Joe
20 Dupuis and Ms. Hallett had put an enormous amount of work
21 into this case I take it, up to that point?

22 D/CST. SEGUIN: Yes, sir.

23 MR. SCHARBACH: And you had worked hard, Ms.
24 Hallett had worked hard to get the trust and the
25 cooperation of the victims and the witnesses; correct?

1 D/CST. SEGUIN: I think, just to bring the
2 case in front of the court, yes.

3 MR. SCHARBACH: Right. To give the victims
4 the chance to ---

5 D/CST. SEGUIN: Yes.

6 MR. SCHARBACH: --- tell their story in a
7 fair way?

8 D/CST. SEGUIN: Yes.

9 MR. SCHARBACH: And to have it ended like
10 this, I mean end without a decision being made on the
11 merits was, I think you said, "disappointing"?

12 D/CST. SEGUIN: Yes, very much so.

13 MR. SCHARBACH: It was frustrating, it was
14 disappointing; correct?

15 D/CST. SEGUIN: Yes, for everybody.

16 MR. SCHARBACH: And rightly or wrongly, Ms.
17 Hallett felt, at that moment, that Hall had provided that
18 letter that you talked about with Mr. Wardle which was used
19 in a damaging way, damaging to her, way, by the defence;
20 correct?

21 D/CST. SEGUIN: Yes.

22 MR. SCHARBACH: And she felt, rightly or
23 wrongly at that moment, that she had been deceived by
24 Inspector Hall?

25 D/CST. SEGUIN: I would agree, yes.

1 **MR. SCHARBACH:** And that was the context --
2 that's the context in which those comments were made. Is
3 that correct?

4 **D/CST. SEGUIN:** Yes, I believe so. Yes.

5 **MR. SCHARBACH:** Thank you. Those are all my
6 questions.

7 **THE COMMISSIONER:** Thank you.

8 Can we just canvass how much time we have
9 left before we can start the other witness?

10 Ms. Robitaille, how long?

11 **MS. ROBITAILLE:** Fifteen (15) or 20 minutes.

12 **THE COMMISSIONER:** I'm sorry?

13 **MS. ROBITAILLE:** Fifteen (15) or 20 minutes.

14 **THE COMMISSIONER:** All right.

15 Ms. Levesque?

16 **MS. LEVESQUE:** Fifteen (15) or 20 minutes.

17 **THE COMMISSIONER:** Mr. Crane?

18 **MR. CRANE:** Perhaps 15 minutes, sir.

19 **THE COMMISSIONER:** Ms. Lahaie?

20 Mr. Kozloff?

21 **MR. KOZLOFF:** Three minutes.

22 **THE COMMISSIONER:** Three minutes.

23 Mr. Carroll?

24 **MR. CARROLL:** Fifteen (15) minutes.

25 **THE COMMISSIONER:** All right, thank you.

1 Let's take the lunch break.

2 **THE REGISTRAR:** Order. All rise. À
3 l'ordre. Veuillez vous lever.

4 This hearing will resume at 2:00 p.m.

5 --- Upon recessing at 12:29 p.m./

6 L'audience est suspendue à 12h29

7 --- Upon resuming at 2:04 p.m./

8 L'audience est reprise à 14h04

9 **THE REGISTRAR:** Order. All rise. À
10 l'ordre. Veuillez vous lever.

11 This hearing is now resumed; please be
12 seated. Veuillez vous asseoir.

13 **THE COMMISSIONER:** Thank you.

14 Ms. Robitaille?

15 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

16 **ROBITAILLE:**

17 **MS. ROBITAILLE:** Good afternoon, Mr.
18 Commissioner.

19 **THE COMMISSIONER:** Good afternoon.

20 **MS. ROBITAILLE:** Good afternoon, Detective
21 Seguin. My name is Danielle Robitaille and I'm counsel for
22 Jacques Leduc here at the Inquiry.

23 **D/CST. SEGUIN:** Hello, ma'am.

24 **MS. ROBITAILLE:** I just have a couple
25 questions for you. I actually would like to talk to you

1 about the Leduc prosecution but post- the 2001 stay of
2 proceedings.

3 **D/CST. SEGUIN:** Yes.

4 **MS. ROBITAILLE:** If we could just go to
5 Document -- this is a new document -- it's Document Number
6 105551; it should be in my cross documents.

7 **THE COMMISSIONER:** Thank you.

8 Exhibit 2731 is a memorandum to John
9 Pearson, Paul Lindsay and Ken Campbell from Lidia Narozniak
10 and Christine Tier and the date is the 10th of the 8th of
11 2008.

12 **--- EXHIBIT NO./PIÉCE No. P-2731:**

13 (105551) - Memorandum from Lidia Narozniak and
14 Christine Tier to John Pearson, Paul Lindsay, Ken
15 Campbell

16 **MS. ROBITAILLE:** Detective Seguin, have you
17 ever seen this memo?

18 **D/CST. SEGUIN:** No, ma'am, I've not.

19 **MS. ROBITAILLE:** I notice that you were not
20 cc'd on it, but your evidence is that you didn't see it at
21 the time?

22 **D/CST. SEGUIN:** I've never seen this.

23 **MS. ROBITAILLE:** Okay. I'll just give you a
24 moment to review it quickly.

25 **(SHORT PAUSE/COURTE PAUSE)**

1 D/CST. SEGUIN: Okay.

2 MS. ROBITAILLE: Thank you.

3 Mr. Commissioner, I ask that this document
4 be marked as a publication ban?

5 THE COMMISSIONER: Oh yes, of course. So
6 Exhibit 2731 will have a publication stamp.

7 MS. ROBITAILLE: Detective Seguin, this is a
8 memo from Lidia Narozniak and Christine Tier to their
9 superiors at the Attorney's General's Office; correct?

10 D/CST. SEGUIN: Yes.

11 MS. ROBITAILLE: And just if I can summarize
12 for the purposes of the record, in this memo Crown
13 Narozniak and Tier are essentially summarizing their
14 position with respect to the 11b Application?

15 D/CST. SEGUIN: Yes.

16 MS. ROBITAILLE: And there are some other
17 comments in this memo that I'd like to talk to you about,
18 but I want to situate the memo in kind of a broader
19 context. And to do that, I'd like to go to Exhibit 781,
20 please.

21 THE COMMISSIONER: Seven-eighty-one (781)?

22 MS. ROBITAILLE: That's right.

23 D/CST. SEGUIN: Yes.

24 MS. ROBITAILLE: You have the reasons for
25 judgment of Justice Platana there in front of you?

1 D/CST. SEGUIN: Yes, I do.

2 MS. ROBITAILLE: For you reference, Mr.

3 Commissioner, there's a convenient procedural history on
4 page 2 that sets out certain relevant dates. This wasn't
5 canvassed in-chief but the dates are there for you.

6 But just generally, Detective Seguin, you
7 understood that after the 2001 stay, the Crown appealed to
8 the Court of Appeal?

9 D/CST. SEGUIN: Yes.

10 MS. ROBITAILLE: And during the appellate
11 process, the nine Dunlop boxes were disclosed to the appeal
12 -- Leduc's appeal lawyers. Do you recall that?

13 D/CST. SEGUIN: I don't recall that.

14 MS. ROBITAILLE: Do you recall that Justice
15 Chadwick's decision was overturned at the Court of Appeal?

16 D/CST. SEGUIN: That's correct.

17 MS. ROBITAILLE: And that the defence
18 applied for leave to the Supreme Court of Canada?

19 D/CST. SEGUIN: That's correct.

20 MS. ROBITAILLE: Leave was denied and it was
21 sent back to trial?

22 D/CST. SEGUIN: That's true.

23 MS. ROBITAILLE: Lidia Narozniak was
24 appointed to be the new prosecutor?

25 D/CST. SEGUIN: That's correct.

1 **MS. ROBITAILLE:** And you assisted her in
2 preparing for trial?

3 **D/CST. SEGUIN:** Yes.

4 **MS. ROBITAILLE:** Part of that preparation
5 would have included meeting the Crown witnesses and
6 interviewing them again?

7 **D/CST. SEGUIN:** Yes.

8 **MS. ROBITAILLE:** And you were present for
9 the pre-trial motions in August and September of 2004 in
10 court?

11 **D/CST. SEGUIN:** Yes.

12 **MS. ROBITAILLE:** And do you recall that
13 there was a defence motion for disclosure? Specifically,
14 the defence was seeking production of all relevant notes
15 and materials from Mr. Perry Dunlop and Mr. Carson
16 Chisholm.

17 **D/CST. SEGUIN:** Yes, and there was a
18 subsequent order from the Justice, yes.

19 **MS. ROBITAILLE:** And, in fact, you and I
20 believe Detective Genier travelled to British Columbia to
21 execute the Production Order?

22 **D/CST. SEGUIN:** Yes.

23 **MS. ROBITAILLE:** Now, I can see from your
24 notes, Detective, that you were present in court when Mr.
25 Dunlop testified for approximately three-and-a-half to four

1 days. Do you recall that?

2 D/CST. SEGUIN: Yes.

3 MS. ROBITAILLE: And that Mr. Chisholm's
4 testimony lasted approximately one day?

5 D/CST. SEGUIN: Yeah, I don't recall the
6 length of his but, yes.

7 MS. ROBITAILLE: You took lengthy notes of
8 the proceedings, very detailed notes. Do you recall that?

9 D/CST. SEGUIN: Yes.

10 MS. ROBITAILLE: And rather than going to
11 those notes, what I propose to do is just go to a paragraph
12 -- a couple of paragraphs of Justice Platana's decision
13 that summarizes the basic gist of both Mr. Dunlop and Mr.
14 Chisholm's testimony, and it's at paragraphs 88 and 89.

15 D/CST. SEGUIN: Yes.

16 MS. ROBITAILLE: I'm just going to read out
17 a few lines and let me know if it comports with your memory
18 of the testimony, and I'm starting in the middle of the
19 paragraph at "In particular".

20 "In particular, the evidence now
21 discloses that notebooks which are
22 particularly relevant to the
23 proceedings against Mr. Leduc have, in
24 some cases, never been produced in
25 their original form. The evidence

1 before me indicates that some of the
2 material appears to be missing. Some
3 of it, on the basis of the evidence
4 which I heard, appears to be out of
5 order. What the evidence does clearly
6 establish is that Mr. Dunlop's contact
7 with the complainants, while originally
8 thought of in the incomplete material
9 before the Court of Appeal as being
10 innocuous, is far from benign and far
11 from innocuous. In addition, the
12 information before me as a result of
13 the defence application for production
14 establishes a far more extensive
15 relationship between Dunlop, Chisholm,
16 the complainants in Mr. Leduc's case
17 that had previously been disclosed.
18 The evidence of Mr. Chisholm, in
19 particular, discloses for the first
20 time repeated contacts with C-16's
21 mother, the fact that he attended her
22 home, and indeed he had contact with C-
23 17's mother on more than one occasion.
24 The evidence before me now satisfies me
25 that Mr. Chisholm has acted in close

1 concert with, and under the direction
2 of, Mr. Dunlop. The entire course of
3 conduct of Dunlop and Chisholm was, in
4 fact, in my view, properly and
5 appropriately the subject matter of
6 disclosure which should have been made.
7 It is clear that if the evidentiary
8 record that was before me had been
9 available to defence at trial or,
10 indeed, the Court of Appeal, that that
11 would have been a significant aspect in
12 the terms of the evidence before those
13 courts on any stay of proceedings."

14 Do you recall that that was the import of
15 their testimony on those days?

16 **D/CST. SEGUIN:** Yes, there was a -- there's
17 a bit of an error there in C-17's mother.

18 **MS. ROBITAILLE:** Yes.

19 **D/CST. SEGUIN:** Because she was interviewed
20 by myself afterward and the contact wasn't what was brought
21 up by Mr. Chisholm.

22 **MS. ROBITAILLE:** Your evidence is Mr.
23 Chisholm recalled a different ---

24 **D/CST. SEGUIN:** Yes.

25 **MS. ROBITAILLE:** --- contact that C-17's

1 mother was not able to recall?

2 D/CST. SEGUIN: Yeah, it was a different
3 person.

4 MS. ROBITAILLE: Now, if we could just go
5 back to the memo, Exhibit 2731, for a moment.

6 You're aware, Detective Seguin, that Crown
7 counsel has a continuing duty to assess the reasonable
8 prospect of conviction as the prosecution moves forward?

9 D/CST. SEGUIN: That's my understanding,
10 yes.

11 MS. ROBITAILLE: With that in mind, if we
12 could just turn to page 3, please? It's the third
13 paragraph that begins "In the context". I'm just going to
14 read it out and ask you a question.

15 D/CST. SEGUIN: Yes.

16 THE COMMISSIONER: You're referring to
17 Exhibit 2731 now?

18 MS. ROBITAILLE: That's right.

19 THE COMMISSIONER: Okay.

20 MS. ROBITAILLE: On page 3 and the paragraph
21 that begins "In the context".

22 "In the context of what is known to the
23 Crown regarding Dunlop's tainting of
24 witnesses (counts were withdrawn by the
25 Crown in Father Charles MacDonald's

1 case for this reason), the defence is
2 now able to legitimately advance
3 collusion of and possible tainting of
4 the Leduc witnesses. In fact, this
5 information has troubled us to the
6 credibility of our own witnesses."

7 And my question is: did Crown Narozniak or
8 Crown Tier discuss with you their concerns about the
9 credibility of the Leduc complainants?

10 **D/CST. SEGUIN:** Not about the complainants,
11 no.

12 **MS. ROBITAILLE:** Next page, under the
13 heading "Merits of the Case", I'm just going to read to you
14 this little paragraph and ask you a question.

15 "We now have the benefit of preliminary
16 and trial transcripts and have met with
17 all the complainants. After a careful
18 review of same, we have concluded that
19 their evidence causes us significant
20 concerns about their reliability,
21 specifically with respect to one of the
22 complainants, C-16, the one to which
23 Dunlop has the closest and most
24 problematic connection. The evidence
25 is so weak, we are of the view that it

1 cannot sustain conviction regardless of
2 the 11(b) ruling."

3 Did Crown Narozniak or Crown Tier discuss
4 with you the possibility of withdrawing any counts against
5 Mr. Leduc?

6 **D/CST. SEGUIN:** I don't recall that
7 conversation, no.

8 **MS. ROBITAILLE:** Thank you.

9 **THE COMMISSIONER:** All right.

10 Madame Levesque?

11 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**
12 **LEVESQUE:**

13 **MS. LEVESQUE:** Good afternoon, Officer
14 Seguin. My name is Gisèle Levesque. I represent the
15 Diocese of Alexandria-Cornwall.

16 **D/CST. SEGUIN:** Good afternoon, ma'am.

17 **MS. LEVESQUE:** Okay. Mr. Commissioner, I'm
18 going to be asking the witness a number of questions
19 concerning an individual who has been assigned a moniker at
20 these proceedings. There will be a motion on
21 confidentiality measures at a convenient time.

22 Mr. Sherriff-Scott has had communications
23 with Pierre Dumais in that regard. We will be making
24 submissions.

25 **THE COMMISSIONER:** So you're looking for an

1 interim moniker?

2 **MS. LEVESQUE:** No, no, no. I just want to
3 state that we dispute the propriety of the moniker and that
4 I will be using the moniker today but I do so without
5 prejudice to our position. The moniker is C-15.

6 **THE COMMISSIONER:** Well, he already has a
7 moniker.

8 **MS. LEVESQUE:** That's right. Now, I just
9 wanted to indicate that there will be a motion regarding
10 confidentiality measures at a later date.

11 **THE COMMISSIONER:** To remove it from this
12 person? Okay.

13 **MS. LEVESQUE:** Submissions will be made.

14 **THE COMMISSIONER:** Okay.

15 **MS. LEVESQUE:** And we dispute the propriety
16 of the moniker ---

17 **THE COMMISSIONER:** February 1st.

18 **MS. LEVESQUE:** February 1st?

19 **THE COMMISSIONER:** Yeah.

20 **D/CST. SEGUIN:** Yes, ma'am.

21 **MS. LEVESQUE:** Okay. So you've been
22 provided with the moniker?

23 **D/CST. SEGUIN:** Yes.

24 **MS. LEVESQUE:** So we'll use the C-15
25 whenever we refer to this individual.

1 D/CST. SEGUIN: Yes, ma'am.

2 MS. LEVESQUE: You were tasked to -- as a
3 result of the allegations that were raised in the Dunlop
4 brief, which has also been referred to in this Inquiry as
5 the Fantino brief, to investigate allegations made against
6 Kevin Maloney by C-15?

7 D/CST. SEGUIN: That's correct.

8 MS. LEVESQUE: In addition to -- there were
9 a second allegation in those briefs made by Ron Leroux?

10 D/CST. SEGUIN: Yes.

11 MS. LEVESQUE: Okay. I just want to look
12 firstly at your investigation of the allegations made by C-
13 15.

14 D/CST. SEGUIN: Yes.

15 MS. LEVESQUE: Okay.

16 Firstly, you knew that the clergy or the
17 Diocese -- the allegations were made as a result of events
18 which occurred at the Alfred Training School?

19 D/CST. SEGUIN: Yes.

20 MS. LEVESQUE: You recall that?

21 You knew that the Diocese looked after --
22 the Alfred Training School was from out of town. Is that
23 correct?

24 D/CST. SEGUIN: The assigned people looking
25 after ---

1 **MS. LEVESQUE:** Yes, were not in Alfred.

2 **D/CST. SEGUIN:** It was a religious order of
3 brothers that looked after the Alfred Training School.

4 **MS. LEVESQUE:** Correct. And you were in
5 contact with them, and eventually you found out that the
6 Diocese who assigned the priests to the Alfred School was
7 the Archdiocese of Ottawa.

8 **D/CST. SEGUIN:** That's correct.

9 **MS. LEVESQUE:** Is that correct?

10 **D/CST. SEGUIN:** Yes.

11 **MS. LEVESQUE:** Okay. And you were put in
12 contact with Monsignor Powers; Pat Powers?

13 **D/CST. SEGUIN:** Yes, I believe he's one of
14 the persons I spoke to.

15 **MS. LEVESQUE:** In Ottawa. And you spoke
16 with him and he advised you that he would have Monsignor
17 Morin get in touch with you to provide you with the
18 information you were looking for at the time; correct?

19 **D/CST. SEGUIN:** I believe that's the
20 fellow's name, yes.

21 **MS. LEVESQUE:** You wanted to know who were
22 the priests assigned at the Alfred School for the period of
23 time that the allegations were made by C-15. Is that
24 correct?

25 **D/CST. SEGUIN:** That's correct.

1 **MS. LEVESQUE:** And Monsignor Morin at that
2 time advised you that it was the Diocese of Ottawa who
3 assigned the priests to the Alfred Training School?

4 **D/CST. SEGUIN:** That's correct.

5 **MS. LEVESQUE:** And he also arranged for you
6 a meeting with Father Gilles Tanguay who was at the St.
7 Victor Parish in Alfred?

8 **D/CST. SEGUIN:** That's correct.

9 **MS. LEVESQUE:** Correct. And you met with
10 him on two occasions?

11 **D/CST. SEGUIN:** Yes, I believe so.

12 **MS. LEVESQUE:** To review records and
13 whatnot?

14 **D/CST. SEGUIN:** Yes.

15 **MS. LEVESQUE:** On the first occasion you
16 were on your own, and on the second occasion you were
17 accompanied by Officer Genier?

18 **D/CST. SEGUIN:** That's correct.

19 **MS. LEVESQUE:** Okay.

20 And as a result of those two meetings with
21 Father Tanguay you reviewed a number of records. You
22 reviewed cheque stubs ---

23 **D/CST. SEGUIN:** Yes.

24 **MS. LEVESQUE:** --- or pay stubs. You
25 reviewed bills?

1 D/CST. SEGUIN: Yes.

2 MS. LEVESQUE: You reviewed phone bills?

3 D/CST. SEGUIN: Yes.

4 MS. LEVESQUE: And you reviewed the
5 registers which recorded the ceremonies, the baptismal and
6 marriage?

7 D/CST. SEGUIN: Yes.

8 MS. LEVESQUE: Okay. And as a result of
9 that -- reviewing those records, you found no cheques made
10 payable to Kevin Maloney ---

11 D/CST. SEGUIN: That's correct.

12 MS. LEVESQUE: --- as salary?

13 D/CST. SEGUIN: Yes.

14 MS. LEVESQUE: You found no mention anywhere
15 in the bills to Kevin Maloney?

16 D/CST. SEGUIN: That's correct.

17 MS. LEVESQUE: And you found no telephone
18 calls made to Kevin Maloney's parish ---

19 D/CST. SEGUIN: That's correct.

20 MS. LEVESQUE: --- in the Diocese of
21 Alexandria?

22 D/CST. SEGUIN: Yes.

23 MS. LEVESQUE: Nor to the Diocese of
24 Alexandria itself, so the Diocesan Centre?

25 D/CST. SEGUIN: That's correct.

1 **MS. LEVESQUE:** And you interviewed
2 individuals as well ---

3 **D/CST. SEGUIN:** Yes.

4 **MS. LEVESQUE:** --- who were at the Alfred
5 Training School during the time period that you were
6 investigating?

7 **D/CST. SEGUIN:** Yes.

8 **MS. LEVESQUE:** And neither identified Kevin
9 Maloney as having been at the Alfred School?

10 **D/CST. SEGUIN:** No one had ever placed him
11 there.

12 **MS. LEVESQUE:** Okay. Neither did either of
13 them knew them -- knew Kevin Maloney ---

14 **D/CST. SEGUIN:** That's correct.

15 **MS. LEVESQUE:** --- the witnesses you
16 interviewed. Okay.

17 So if I can just move now to -- C-15 put in
18 an application before the Criminal Injuries Compensation
19 Board.

20 **D/CST. SEGUIN:** Yes.

21 **MS. LEVESQUE:** And as part of that process,
22 officers are required to file out a police questionnaire?

23 **D/CST. SEGUIN:** Yes.

24 **MS. LEVESQUE:** Okay. I'd like you to just
25 review briefly your -- the police questionnaire you

1 completed. It's Exhibit 1873.

2 D/CST. SEGUIN: Thank you.

3 MS. LEVESQUE: And it would be the second
4 page, which is Bates page 2391. I'm looking specifically
5 at the paragraph marked C.

6 D/CST. SEGUIN: Yes.

7 MS. LEVESQUE: It said, "...requires brief
8 details and any relevant circumstances relating to the
9 incident."

10 D/CST. SEGUIN: Yes.

11 MS. LEVESQUE: And you -- that is your
12 police questionnaire? It's dated November 10th at the
13 bottom, 1999.

14 D/CST. SEGUIN: Yes, this is part of it.
15 There would have been statements attached as well.

16 MS. LEVESQUE: Okay. And that's your
17 signature there?

18 D/CST. SEGUIN: Yes.

19 MS. LEVESQUE: Okay. And you filled out
20 part C? That's your handwriting?

21 D/CST. SEGUIN: Yes, I filled the entire
22 thing out. Yes.

23 MS. LEVESQUE: Okay. So if we look at part
24 C, you say:

25 "Complainant was interviewed in 1993 by

1 the OPP and stated that no one other
2 than Brother Clancy ever sexually
3 assaulted him at Alfred."

4 **D/CST. SEGUIN:** Yes.

5 **MS. LEVESQUE:** So you had reviewed all of
6 the materials you had, and had determined that in 1993
7 C-15's allegations arising out of his stay at the Alfred
8 Training School were related only or solely to Brother
9 Clancy. Is that correct?

10 **D/CST. SEGUIN:** Yes, in relation to sexual
11 assault. That's the -- he said that was the only person
12 that ever sexually assaulted him.

13 **MS. LEVESQUE:** Okay.

14 And then you go on to state, "The
15 complainant against" -- excuse me.

16 **THE COMMISSIONER:** "The complaint."

17 **MS. LEVESQUE:** "The complaint," rather.

18 "The complaint against Brother Clancy
19 was investigated and no charges were
20 laid."

21 Correct?

22 **D/CST. SEGUIN:** Yes.

23 **MS. LEVESQUE:** Okay. And you satisfied
24 yourself that no charges had been laid at that time?

25 **D/CST. SEGUIN:** Yes.

1 MS. LEVESQUE: And then you finish off:

2 "The complaint against Kevin Maloney
3 has been forwarded to the Crown
4 attorney for review."

5 D/CST. SEGUIN: Yes.

6 MS. LEVESQUE: Okay. So your investigation
7 at that time was ---

8 D/CST. SEGUIN: It was complete.

9 MS. LEVESQUE: --- complete.

10 The next document I'd like to look at very
11 quickly is Document Number 700921.

12 THE COMMISSIONER: That's a new document,
13 sir.

14 D/CST. SEGUIN: Thank you.

15 MS. LEVESQUE: It's a new document.

16 (SHORT PAUSE/COURTE PAUSE)

17 THE COMMISSIONER: Thank you.

18 D/CST. SEGUIN: Thank you.

19 THE COMMISSIONER: Exhibit 2732 is a letter
20 dated the 10th of November 1999 from Steve Seguin to the
21 Criminal Injuries Compensation Board, and there will be a
22 publication stamp on the letter.

23 --- EXHIBIT NO./PIÈCE NO. P-2732:

24 (700921) - Letter from Steve Seguin to
25 Criminal Injuries Compensation Board dated

1 10 Nov 99

2 MS. LEVESQUE: So that's your letter,
3 Officer Seguin?

4 D/CST. SEGUIN: Yes.

5 MS. LEVESQUE: You recognize it? That's
6 your signature at the bottom?

7 D/CST. SEGUIN: Yes.

8 MS. LEVESQUE: It's dated the 10th of
9 November and it's addressed to the Criminal Injuries
10 Compensation Board?

11 D/CST. SEGUIN: Yes. This would have went
12 along with the Criminal Injuries Compensation Board form
13 and the statements, et cetera.

14 MS. LEVESQUE: The police questionnaire and
15 ---

16 D/CST. SEGUIN: Yes.

17 MS. LEVESQUE: Okay. So you're forwarding
18 your police questionnaire, you're advising them -- if you
19 look at the first paragraph, you're advising them that the
20 complaint against Father Kevin Maloney has been
21 investigated.

22 D/CST. SEGUIN: Yes.

23 MS. LEVESQUE: That the file is being
24 reviewed by the Crown attorney?

25 D/CST. SEGUIN: Yes.

1 **MS. LEVESQUE:** And that you'll forward the
2 results of their review once you receive them?

3 **D/CST. SEGUIN:** Yes.

4 **MS. LEVESQUE:** Okay. Their recommendation
5 as to whether or not a charge should be laid?

6 **D/CST. SEGUIN:** Yes.

7 **MS. LEVESQUE:** And then in the next
8 paragraph you also, again, advise them that the complaint
9 against Brother Clancy was taken by Detective Constable Ron
10 Wilson ---

11 **D/CST. SEGUIN:** Yes.

12 **MS. LEVESQUE:** --- at the Long Sault
13 detachment; is that correct?

14 **D/CST. SEGUIN:** Yes.

15 **MS. LEVESQUE:** And that it resulted in no
16 charges being laid after the Crown attorney had reviewed
17 the matter?

18 **D/CST. SEGUIN:** Yes.

19 **MS. LEVESQUE:** Okay. The next matter I'd
20 like to move to are the allegations made against Kevin
21 Maloney by Ron Leroux.

22 **D/CST. SEGUIN:** Yes.

23 **MS. LEVESQUE:** On August 19th of '97, you
24 attended at the CAS and met with Bill Carriere. Do you
25 recall that?

1 D/CST. SEGUIN: Not off the top of my head.

2 MS. LEVESQUE: The date is -- can we look
3 very quickly at just your Will-Say?

4 D/CST. SEGUIN: Sure.

5 MS. LEVESQUE: It's Document Number 116179.

6 THE COMMISSIONER: And this is just to
7 establish the date?

8 MS. LEVESQUE: And it's Bates page 9944.

9 THE COMMISSIONER: Thank you. Exhibit 2733
10 is ---

11 D/CST. SEGUIN: Thank you.

12 THE COMMISSIONER: --- is a Will-Say of
13 Detective Constable Seguin, re: Father Maloney, taken
14 on -- I don't know.

15 ---EXHIBIT NO./PIÈCE NO P-2733:

16 (116179 -1079944-65) - Will-Say of Steve
17 Seguin re: Kevin Maloney dated 28 Sep 00

18 THE COMMISSIONER: Okay, go ahead.

19 MS. LEVESQUE: That's your Will-Say ---

20 D/CST. SEGUIN: Yes.

21 MS. LEVESQUE: --- for the Kevin Maloney
22 investigation?

23 D/CST. SEGUIN: That's correct.

24 MS. LEVESQUE: If you look at the first
25 page, the entry for August 19 ---

1 D/CST. SEGUIN: Yes.

2 MS. LEVESQUE: --- '97?

3 D/CST. SEGUIN: Yes, "Met with Bill
4 Carriere."

5 MS. LEVESQUE: Okay. It shows that you
6 attended at CAS and met with Bill Carriere?

7 D/CST. SEGUIN: Yes.

8 MS. LEVESQUE: And he provided you with a
9 copy of a letter from his lawyer, Tom Swabey, at that time
10 ---

11 D/CST. SEGUIN: Yes.

12 MS. LEVESQUE: --- with regards to Kevin
13 Maloney's response to the allegations made against him by
14 Ron Leroux?

15 D/CST. SEGUIN: Yes.

16 MS. LEVESQUE: You recall that?

17 D/CST. SEGUIN: Yes.

18 MS. LEVESQUE: Okay. The allegations -- you
19 indicate that the allegations surfaced in the Perry Dunlop
20 civil proceeding.

21 D/CST. SEGUIN: Yes.

22 MS. LEVESQUE: Okay. If I can look now at
23 Exhibit 1865?

24 THE COMMISSIONER: You should have that in
25 your book, sir.

1 D/CST. SEGUIN: Thank you. Yes?

2 MS. LEVESQUE: Do you have that now?

3 D/CST. SEGUIN: Yes.

4 MS. LEVESQUE: Okay. So is this the
5 document that was provided to you by Bill Carriere at that
6 time?

7 D/CST. SEGUIN: Yes, it is.

8 MS. LEVESQUE: It's a -- it's a three-page
9 response. It's headed, "The CAS Report of Kevin Maloney"?

10 D/CST. SEGUIN: Yes.

11 MS. LEVESQUE: And the first sentence says:

12 "With regards to the allegations
13 contained in the Response to Demand
14 for Particulars you should be advised
15 as follows:..."

16 D/CST. SEGUIN: Yes.

17 MS. LEVESQUE: And it sets out his response?
18 There's actually the OPP stamp at the bottom, "August 29,
19 '97?"

20 D/CST. SEGUIN: Yes.

21 MS. LEVESQUE: And you've marked -- it's
22 marked "Received from Bill Carriere," and then it has the
23 initials "S.S."

24 D/CST. SEGUIN: Yes.

25 MS. LEVESQUE: And those would be your

1 initials?

2 D/CST. SEGUIN: Yes.

3 MS. LEVESQUE: And you've placed your
4 initials on all three pages?

5 D/CST. SEGUIN: Yes.

6 MS. LEVESQUE: Okay. The next documents I'd
7 like you to look at are other documents that were provided
8 to you on that day by Bill Carriere, and I've given late
9 notices of those, but I have the copies here for Madam
10 Clerk. There are four documents.

11 (SHORT PAUSE/COURTE PAUSE)

12 THE COMMISSIONER: Thank you.

13 D/CST. SEGUIN: Thank you.

14 THE COMMISSIONER: Exhibit 2734 is a letter
15 to the Children's Aid Society from Thomas Swabey, dated
16 June 27th, 1997.

17 ---EXHIBIT NO./PIÈCE NO P-2734:

18 (703529) - Letter from Thomas Swabey to
19 Richard Abell dated 27 Jun 97

20 THE COMMISSIONER: Exhibit 2735 is re:
21 Monsignor Donald McDougald, allegations of wrongdoing
22 contained in Response to Demand for Particulars in action
23 commenced by Perry Dunlop.

24 ---EXHIBIT NO./PIÈCE NO P-2735:

25 (703530) - Typed Notes re: Donald

1 McDougald re: Allegations of wrongdoing
2 contained in Response to Demand for
3 Particulars in action commenced by
4 Perry Dunlop

5 **THE COMMISSIONER:** Exhibit 2736 is a letter
6 dated June 25th, 1997 addressed to Mr. Patrick Rudden from
7 Thomas Swabey.

8 **---EXHIBIT NO./PIÈCE NO P-2736:**

9 (703531) - Letter from Thomas Swabey to
10 Patrick Rudden dated 25 Jun 97

11 **THE COMMISSIONER:** And the last letter is a
12 letter dated July 28th, addressed to Mr. Abell from
13 Mr. Rudden.

14 **---EXHIBIT NO./PIÈCE NO P-2737:**

15 (703532) - Letter from Patrick Rudden to
16 Richard Abell dated 28 Jul 97

17 **MS. LEVESQUE:** If I can just look at the
18 first document, it's a letter from Thomas Swabey to Richard
19 Abell, dated June 27, 1997?

20 **D/CST. SEGUIN:** Yes.

21 **MS. LEVESQUE:** And at the bottom, again, we
22 see the OPP stamp, "August 19, 1997?"

23 **D/CST. SEGUIN:** Yes.

24 **MS. LEVESQUE:** And, again, it's marked,
25 "Received from Bill Carriere," with the initials "S.S."?

1 D/CST. SEGUIN: Yes.

2 MS. LEVESQUE: And those would be your
3 initials?

4 D/CST. SEGUIN: Yes, they are.

5 MS. LEVESQUE: This is the document that
6 Bill Carriere would have provided to you on August 19th ---

7 D/CST. SEGUIN: Yes.

8 MS. LEVESQUE: --- '97?

9 If you look at the first paragraph, it's
10 enclosing documents.

11 Number one says:

12 "Father McDougald's Response to
13 Demand for Particulars."

14 Do you see that?

15 D/CST. SEGUIN: Yes.

16 MS. LEVESQUE: And then, number three, it
17 says:

18 "Copy of letter dated June 25, 1997,
19 addressed to Mr. Patrick Rudden."

20 Do you see that as well?

21 D/CST. SEGUIN: Yes, I do.

22 MS. LEVESQUE: Okay. The next document,
23 which has just been marked Exhibit 2735, that is a three-
24 page document?

25 THE COMMISSIONER: No. Twenty-seven,

1 thirty-five (2735)?

2 MS. LEVESQUE: Yes.

3 THE COMMISSIONER: A four-page document?

4 MS. LEVESQUE: Pardon me? It's ---

5 THE COMMISSIONER: One, two, three, four.

6 Oh, no -- yes, 2735.

7 MS. LEVESQUE: Is the ---

8 THE COMMISSIONER: Mostly on Donald

9 McDougald.

10 D/CST. SEGUIN: I may have incorrectly

11 marked -- noted the exhibit number as headed, "Re.

12 Monsignor Donald McDougald"?

13 THE COMMISSIONER: Yes, 2735.

14 MS. LEVESQUE: Yes, that's ---

15 THE COMMISSIONER: Four pages.

16 MS. LEVESQUE: --- 2735.

17 D/CST. SEGUIN: Yes.

18 THE COMMISSIONER: Four pages.

19 MS. LEVESQUE: Oh, my apologies, four pages

20 -- a four-page typewritten document?

21 D/CST. SEGUIN: Yes.

22 MS. LEVESQUE: It's headed, "Re. Monsignor

23 Donald McDougald," correct?

24 D/CST. SEGUIN: Yes.

25 MS. LEVESQUE: And then it says:

1 "Re. allegations of wrongdoing
2 contained in Response to Demand for
3 Particulars in action commenced by
4 Perry Dunlop?"

5 Do you see that ---

6 **D/CST. SEGUIN:** Yes.

7 **MS. LEVESQUE:** --- at the top? Now, this
8 document does not bear the OPP stamp with the date, nor
9 your initials?

10 **D/CST. SEGUIN:** That's correct.

11 **MS. LEVESQUE:** And I think that's probably a
12 scanning -- not error, but a scanning issue. It must have
13 been stapled to the letter we just looked at?

14 **D/CST. SEGUIN:** I can't answer that.

15 **MS. LEVESQUE:** You can't answer that?

16 **D/CST. SEGUIN:** No.

17 **MS. LEVESQUE:** Because, if you look at the
18 letter, the previous exhibit, it says, "Father McDougald's
19 Response to Demand for Particulars."

20 I assume when they were disclosed to the
21 Commission, this letter ---

22 **THE COMMISSIONER:** Okay.

23 **MS. LEVESQUE:** --- and this statement ---

24 **THE COMMISSIONER:** Okay.

25 **MS. LEVESQUE:** --- were stapled.

1 **THE COMMISSIONER:** Just a second, just a
2 second -- does anything at all turn on this?

3 **MS. LEVESQUE:** It's part of our response.

4 **THE COMMISSIONER:** It's part of your
5 institutional response.

6 Mr. Carroll, is there any disagreement that
7 2735 was included in 2734??

8 **MR. CARROLL:** No.

9 **THE COMMISSIONER:** Okay. So can we get on?
10 Like ---

11 **MS. LEVESQUE:** Yes. The next exhibit,
12 Officer Seguin, is exhibit 2736.

13 **D/CST. SEGUIN:** Yes.

14 **MS. LEVESQUE:** It's another letter from
15 Thomas Swabey. It's addressed to ---

16 **THE COMMISSIONER:** We've gone through all of
17 that.

18 **MS. LEVESQUE:** --- Patrick Rudden?

19 **THE COMMISSIONER:** What's the point?

20 **MS. LEVESQUE:** I just want him to
21 acknowledge receipt. At the bottom, again, we have the
22 OPP ---

23 **THE COMMISSIONER:** The OPP; do you contest
24 any of this?

25 **MR. CARROLL:** As one of the parties to the

1 proceedings, no, I'm not, sir.

2 **THE COMMISSIONER:** Well, neither am I. Does
3 anybody object to making that finding, that these documents
4 were given to this man at some point? No. Okay, done.

5 **MS. LEVESQUE:** So you acknowledge receiving
6 that, and you acknowledge receiving the other exhibit as
7 well, 2737?

8 **D/CST. SEGUIN:** Yes.

9 **MS. LEVESQUE:** It has your signature at the
10 -- both bear your signature at the bottom?

11 **D/CST. SEGUIN:** Yes.

12 **MS. LEVESQUE:** Thank you.

13 And you interviewed Kevin Maloney and he
14 denied the allegations; correct?

15 **D/CST. SEGUIN:** That's correct.

16 **MS. LEVESQUE:** Okay. So you had no
17 objective corroborating evidence to substantiate laying a
18 charge against Kevin Maloney with regards to your
19 investigation; correct?

20 **D/CST. SEGUIN:** The only evidence I had was
21 the words of C-15. I had no corroborating evidence
22 whatsoever.

23 **MS. LEVESQUE:** No, because after your
24 investigation, you determined that Kevin Maloney was never
25 at the Alfred's Training School; correct?

1 **D/CST. SEGUIN:** Well, I can't say that he
2 was never at the training school. I mean, I never found
3 any evidence that he was at the training school.

4 **MS. LEVESQUE:** Correct. There were no pay
5 stubs; there were no bills; there were no phone records?

6 **D/CST. SEGUIN:** That's correct.

7 **THE COMMISSIONER:** Point taken, point taken

8 ---

9 **MS. LEVESQUE:** And the witnesses you
10 interviewed ---

11 **THE COMMISSIONER:** --- move on, move on.

12 **MS. LEVESQUE:** And neither did you have a
13 subjective belief as to the credibility of the allegations
14 of C-15 or Ron -- and Ron Leroux?

15 **D/CST. SEGUIN:** I couldn't substantiate
16 anything that they had said.

17 **MS. LEVESQUE:** Okay. Thank you. And you
18 were not able, based on this, to recommend laying of a
19 charge against Kevin Maloney; correct?

20 **D/CST. SEGUIN:** No, I did not form
21 reasonable grounds.

22 **MS. LEVESQUE:** Okay. And you were satisfied
23 that you had conducted a full and complete investigation of
24 the allegations made against ---

25 **D/CST. SEGUIN:** Yes.

1 **MS. LEVESQUE:** --- Kevin Maloney? And the
2 Crown concurred with you not to lay charges; correct?

3 **D/CST. SEGUIN:** That's correct.

4 **MS. LEVESQUE:** And in fact, the Crown said
5 that all of the allegations of the complainants Leroux and
6 C-15 had been carefully studied; correct? Do you recall
7 that?

8 **D/CST. SEGUIN:** I believe so, yes.

9 **MS. LEVESQUE:** If I can now just move on to
10 another matter; you also interviewed Gary Ostler?

11 **D/CST. SEGUIN:** Yes.

12 **MS. LEVESQUE:** And if I could see Document
13 713094?

14 **THE COMMISSIONER:** Thank you. Exhibit 2738
15 is an interview report of Gary Ostler taken on the 12th day
16 of August 1998, present were Detective Constable Genier and
17 Seguin.

18 **---EXHIBIT NO./PIÈCE NO P-2738:**

19 (713094) - Interview Report of Gary Ostler
20 dated 12 Aug 98

21 **MS. LEVESQUE:** So your name is shown there
22 as being present for the interview?

23 **D/CST. SEGUIN:** Yes, and it was conducted by
24 Don Genier.

25 **MS. LEVESQUE:** Correct. And I'd like you to

1 look at the first page, or maybe just scan it quickly but
2 really principally the first page, his answer -- his first
3 answer to the first question. Gary Ostler says:

4 "No, like I've answered on the
5 statement I've prepared for Mr. Rudden
6 on the 14th of July 1997."

7 **D/CST. SEGUIN:** Yes.

8 **MS. LEVESQUE:** Do you see that?

9 **D/CST. SEGUIN:** Yes.

10 **MS. LEVESQUE:** And he says it again on the
11 second page, second answer.

12 So I'd just like to show you another
13 document, it's 708974.

14 **THE COMMISSIONER:** Thank you. Exhibit 2739
15 is a letter dated July 14th, 1997 addressed to Mr. Patrick
16 V. Rudden, Q.C. from Gary Ostler.

17 **---EXHIBIT NO./PIÈCE NO P-2739:**

18 (708974) Letter from Gary Ostler to Patrick
19 Rudden dated 14 Jul 97

20 **MS. LEVESQUE:** So you see it's dated July
21 14th, 1997, as we've just reviewed?

22 **D/CST. SEGUIN:** Yes, ma'am.

23 **MS. LEVESQUE:** He's -- the first paragraphs
24 says:

25 "I'm happy to comply with the request

1 for information regarding allegations
2 made against me by Mr. Ron Leroux [et
3 cetera]."

4 Do you see that?

5 **D/CST. SEGUIN:** Yes.

6 **MS. LEVESQUE:** This statement -- this doc --

7 -

8 **THE COMMISSIONER:** How is this relevant as
9 part of an institutional response? May as well go there.

10 **MS. LEVESQUE:** Well, it's providing
11 information to the OPP regarding allegations made against
12 this particular individual.

13 **THE COMMISSIONER:** It's ---

14 **MS. LEVESQUE:** It's cooperating with the OPP
15 and providing information. This document was prepared on
16 July 14th, '97 and Gary Ostler was interviewed by Officer
17 Seguin on August 12th, 1998, it's just providing full
18 disclosure.

19 **THE COMMISSIONER:** Do you recall seeing this
20 letter?

21 **D/CST. SEGUIN:** Yes, and it was put in the
22 brief for Mr. Ostler.

23 **MS. LEVESQUE:** And this is the document that
24 Gary Ostler provided to you?

25 **D/CST. SEGUIN:** Yes.

1 **MS. LEVESQUE:** Thank you.

2 The next document I'd like to look at with
3 you is Exhibit 1157. That's actually the last document I
4 have to review with you.

5 **D/CST. SEGUIN:** Yes, I'm there.

6 **MS. LEVESQUE:** This is the statement -- the
7 interview report that you took of Angus Malcolm MacDonald
8 ---

9 **D/CST. SEGUIN:** Yes.

10 **MS. LEVESQUE:** --- do you see that, on
11 November 18th, 1998?

12 **D/CST. SEGUIN:** Yes.

13 **MS. LEVESQUE:** Your name is shown as being
14 present. I'd like you to go to page 6 of that interview
15 report and for Madam Clerk, that's Bates page 4220.

16 **D/CST. SEGUIN:** Yes.

17 **MS. LEVESQUE:** And about midway through the
18 page, you see that Officer Genier asks Mr. MacDonald:

19 "Which clergy members would have
20 attended your cottage on Stanley Island
21 again?"

22 **D/CST. SEGUIN:** Yes.

23 **MS. LEVESQUE:** And Mr. MacDonald responds:

24 "The only one was Father Charlie
25 MacDonald."

1 Is that correct?

2 D/CST. SEGUIN: Yes.

3 MS. LEVESQUE: And that's what he told you
4 on that day?

5 D/CST. SEGUIN: Yes.

6 MS. LEVESQUE: And then Mr. Genier says:

7 "Any other?"

8 And Mr. MacDonald answers:

9 "No, no other clergy members, no."

10 D/CST. SEGUIN: Yes.

11 MS. LEVESQUE: And that's what Mr. MacDonald
12 would have told you on that day?

13 D/CST. SEGUIN: Yes.

14 MS. LEVESQUE: And then if we look at the
15 next question from Officer Genier, he says:

16 "Did Bishop LaRocque ever attend your
17 cottage?"

18 Do you see that?

19 D/CST. SEGUIN: Yes.

20 MS. LEVESQUE: And then Mr. MacDonald
21 answers:

22 "No, never."

23 Do you see that?

24 D/CST. SEGUIN: Yes.

25 MS. LEVESQUE: And Malcolm MacDonald would

1 have told you that on that day when you interviewed him?

2 D/CST. SEGUIN: Yes.

3 MS. LEVESQUE: Thank you, Officer Seguin.

4 Those are my questions.

5 D/CST. SEGUIN:

6 THE COMMISSIONER: Thank you.

7 Mr. Kozloff? Oh, I'm sorry, Mr. Crane, Mr.

8 Crane?

9 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

10 CRANE:

11 MR. CRANE: Good afternoon, Mr.

12 Commissioner.

13 THE COMMISSIONER: Good afternoon, sir.

14 MR. CRANE: Constable Seguin, my name is
15 Mark Crane. I'm counsel to the Cornwall Community Police
16 Service.

17 D/CST. SEGUIN: Good afternoon, sir.

18 MR. CRANE: Before we begin, I have two
19 documents that I intend to refer to. I'm just going to
20 pass them up to Madam Clerk.

21 Constable Seguin, I don't intend to be very
22 long, but I have a few areas to canvass with you.

23 And to begin with, a few general questions
24 relating to Mr. Dunlop; all right?

25 D/CST. SEGUIN: Yes, sir.

1 **MR. CRANE:** One of the themes that arose
2 throughout the criminal proceedings of Father MacDonald and
3 Jacques Leduc were disclosure issues relating to Mr.
4 Dunlop; correct?

5 **D/CST. SEGUIN:** Yes.

6 **MR. CRANE:** A second theme were concerns of
7 Mr. Dunlop having potentially tampered with witnesses;
8 correct?

9 **D/CST. SEGUIN:** Yes.

10 **MR. CRANE:** And as such, documents
11 disclosing Mr. Dunlop's interactions with witnesses became
12 relevant; correct?

13 **D/CST. SEGUIN:** Yes.

14 **MR. CRANE:** And for example, the entire
15 Fantino brief -- and you reviewed the Fantino brief;
16 correct?

17 **D/CST. SEGUIN:** Yes.

18 **MR. CRANE:** Was ultimately disclosed to
19 counsel for Father MacDonald on the defence side?

20 **D/CST. SEGUIN:** Yes, it was.

21 **MR. CRANE:** And ultimately, the Dunlop boxes
22 in their entirety were disclosed to defence counsel down
23 the road?

24 **D/CST. SEGUIN:** Yes.

25 **MR. CRANE:** And when Project Truth was

1 seeking disclosure from Mr. Dunlop, you would have had
2 expected to receive from his all the relevant documentation
3 that he either had or had access to; correct?

4 **D/CST. SEGUIN:** Yes, as a police officer.

5 **MR. CRANE:** Particularly as a police
6 officer?

7 **D/CST. SEGUIN:** Yes, absolutely.

8 **MR. CRANE:** And if Mr. Dunlop knew of
9 relevant documents, you would have expected him to advise
10 you of such?

11 **D/CST. SEGUIN:** Yes.

12 **MR. CRANE:** And we touched on him being a
13 police officer, and I take it you would have expected him,
14 as a police officer, to have known if he wasn't making a
15 fulsome disclosure he would have known the consequences?

16 **D/CST. SEGUIN:** Yes.

17 **MR. CRANE:** Is that fair?

18 And against that backdrop, Madam Clerk, can
19 we pull up Document Number 705828?

20 **THE COMMISSIONER:** Thank you.

21 **D/CST. SEGUIN:** Thank you.

22 **MR. CRANE:** Mr. Commissioner, before I go
23 on, this document is almost identical to what we know as
24 Exhibit 712, with the exception of the notations in the
25 bottom right-hand corner of both page 1 and 2.

1 **THE COMMISSIONER:** M'hm.

2 **MR. CRANE:** And the timing of the disclosure
3 of this document is, in our view, important and I would ask
4 that this too be made an exhibit. I'm in your hands as to
5 whether you would wish to identify it as 712(A) or the
6 following exhibit in the normal course?

7 **THE COMMISSIONER:** No, I think we'll put it
8 at 2740, and this is notes of a conversation with Charles
9 Bourgeois with Mrs. Helen Dunlop, right? Yeah.

10 --- **EXHIBIT NO./PIÈCE NO. P-2740:**

11 (705828) - Notes of Helen Dunlop

12 **MR. CRANE:** And for your information,
13 Constable Seguin, this document was -- or a document that
14 was identical to this without the notations on the bottom
15 right-hand corner of page 1 and 2 was entered during the
16 evidence of Carson Chisholm, and he identified for the
17 Commissioner that the handwriting resembled that of Helen
18 Dunlop and it bore her initials at the top of the page --
19 of each page -- and that he had a copy of this document
20 that he produced to the Commission shortly before he
21 testified. All right?

22 **D/CST. SEGUIN:** Okay.

23 **MR. CRANE:** And in looking at the first
24 paragraph, it states:

25 "Conversation with Charles Bourgeois

1 from Ramada Inn in Auburn, Maine, Room
2 265 on Oct 30th, 1996 at 17:15. Charlie
3 called and told me to write this down,
4 make copies and put in a safe place."

5 And we know Charles Bourgeois to have been
6 Mr. Dunlop's lawyer; correct?

7 **D/CST. SEGUIN:** Yes.

8 **MR. CRANE:** And with regards to the
9 notations on the bottom of the page, these appear to have
10 been made by Detective Constable Genier?

11 **D/CST. SEGUIN:** Yes.

12 **MR. CRANE:** Correct?

13 And what I'm going to do now, sir, is review
14 with you what was occurring on September 13th, 2004 as
15 between yourself, Detective Constable Genier and
16 Mr. Chisholm. All right?

17 **D/CST. SEGUIN:** Okay.

18 **MR. CRANE:** With that in mind, can we take a
19 look at Exhibit 2713, which is your notes, sir, and in
20 particular I'm looking at Bates page 139, which is also 139
21 of your notebook.

22 **THE COMMISSIONER:** Twenty ---

23 **MR. CRANE:** Twenty-seven-thirteen (2713),
24 which is Document Number 733267.

25 **D/CST. SEGUIN:** Yes, sir.

1 **MR. CRANE:** Do you have that, sir?

2 **D/CST. SEGUIN:** Yes, sir.

3 **MR. CRANE:** Do you have that,
4 Mr. Commissioner?

5 **THE COMMISSIONER:** Yeah.

6 **MR. CRANE:** Yes.

7 You can see on the middle of the page, sir,
8 these -- your notes begin on September 13th of 2004?

9 **D/CST. SEGUIN:** Yes. That part, yeah.

10 **MR. CRANE:** And as you read down, it appears
11 that you were attending in court and it appears to relate
12 to the Leduc matter, and Carson Chisholm is being cross-
13 examined?

14 **D/CST. SEGUIN:** Yes.

15 **MR. CRANE:** I summarized that fairly?

16 **D/CST. SEGUIN:** Yes.

17 **MR. CRANE:** And for the following 10 pages
18 in your notes, sir, having reviewed them, it appeared to me
19 that you were taking notations of what you were overhearing
20 in the courtroom?

21 **D/CST. SEGUIN:** That's correct.

22 **MR. CRANE:** If you want to canvass through
23 that and just confirm that for me?

24 **D/CST. SEGUIN:** Yes. That's correct.

25 **MR. CRANE:** And, ultimately, there appears

1 to have been an issue about a Production Order relating to
2 Mr. Chisholm and Mr. Dunlop?

3 D/CST. SEGUIN: Yes.

4 MR. CRANE: You recall that?

5 D/CST. SEGUIN: Yeah.

6 MR. CRANE: And if we turn to Bates page 151
7 of your notes, I'm going to read in for the record the best
8 I can and then ask you to confirm same, but beginning on
9 the sixth line of Bates page 151, you appear to have
10 written:

11 "Don't have. May have original notes.
12 What else? Nothing I can think of.
13 Police available to escort Chisholm to
14 residence to pick up those documents.
15 Call to Detective Constable Genier
16 with..."

17 I can't make out that last word,

18 "Constable..."

19 D/CST. SEGUIN: Attorneys?

20 MR. CRANE: "I explain that he is to
21 escort Mr. Chisholm to his res..."

22 -- being "residence":

23 "...and to obtain the documentation..."

24 And I've taken it:

25 "...even remotely resembled to this

1 case or any other case".

2 D/CST. SEGUIN: "Even remotely associated
3 to this or any other case."

4 Yes.

5 MR. CRANE: Thank you.

6 "Even if he believes it has
7 nothing to do with this case, we will
8 need it. Detective Constable Genier
9 and Mr. Chisholm leave."

10 D/CST. SEGUIN: Yes.

11 MR. CRANE: That's what your notes say, sir?

12 D/CST. SEGUIN: Yes, sir.

13 MR. CRANE: And if we turn now to the notes
14 of Officer Genier -- and this is the second document, Madam
15 Clerk, 727740.

16 THE COMMISSIONER: Thank you.

17 Exhibit 2741 is Detective Constable Genier's
18 notebook number 16.

19 --- EXHIBIT NO./PIÈCE NO. P-2741:

20 (727740) - Notes of Don Genier, Notebook #16

21 MR. CRANE: And if you turn to Bates page
22 204, sir, you'll be able to confirm for yourself that these
23 notes start on the 13th of September of 2004 ---

24 D/CST. SEGUIN: Yes.

25 MR. CRANE: --- in the middle of the page?

1 And if you turn over to Bates page 205,
2 Detective Constable Genier has received your telephone
3 call. He's written down, "Production Order sought by
4 Court", and as you read on, Detective Constable Genier
5 appears to have attended Mr. Chisholm's residence and
6 obtained a number of documents; correct?

7 **D/CST. SEGUIN:** Yes.

8 **MR. CRANE:** And he's obtained eight
9 documents, according to his notes; correct?

10 **D/CST. SEGUIN:** That's correct.

11 **MR. CRANE:** And the first document has been
12 identified as a letter written by Helen Dunlop, and it has
13 been identified as "1" ---

14 **D/CST. SEGUIN:** Okay.

15 **MR. CRANE:** --- on Bates page 205 at the
16 bottom of the page, the first document?

17 **D/CST. SEGUIN:** Yes.

18 **MR. CRANE:** See that? And what we have
19 identified now is Exhibit 2740 also bears the number 1,
20 correct, in the bottom right-hand corner of Detective
21 Constable Genier's notations?

22 **D/CST. SEGUIN:** Yes.

23 **MR. CRANE:** And the document, being now
24 Exhibit 2740, the handwritten notes of what we believe to
25 be Helen Dunlop's, the document outlines allegations

1 relating to a Roman Catholic cult ---

2 D/CST. SEGUIN: Yes.

3 MR. CRANE: --- operating in Cornwall
4 whereby, amongst other things, cult members would sexually
5 abuse children during their cult seminars.

6 And if you want to take a moment to review
7 the document, sir, please do. And let me know when you've
8 done so.

9 (SHORT PAUSE/COURTE PAUSE)

10 D/CST. SEGUIN: Yes, I've read it.

11 MR. CRANE: Okay. Having reviewed the
12 document, I take it you'd agree with me that the document
13 would be relevant to the Father MacDonald proceedings that
14 concluded in 2002, given that Father MacDonald is alleged
15 to be a cult member in the document?

16 D/CST. SEGUIN: Yes.

17 MR. CRANE: And I take you'd agree with me
18 that the document would also be relevant to Project Truth,
19 given the nature of the allegations?

20 D/CST. SEGUIN: Yes.

21 MR. CRANE: And particularly given that this
22 is a precursor to an affidavit sworn by Mr. Leroux that
23 occurred on October 31st, 1996 and was contained in the
24 Fantino brief?

25 D/CST. SEGUIN: October 30, '96, yes. It

1 would be a precursor, yes.

2 MR. CRANE: So this document purports to
3 have been prepared based on a conversation that occurred
4 one day prior to his affidavit sworn the following day;
5 correct?

6 D/CST. SEGUIN: I'll agree with you on the
7 date, yes.

8 MR. CRANE: And it would also be relevant,
9 Constable Seguin, I suggest, in order to determine -- for
10 officers to determine whether there are any material
11 differences as between what Exhibit 2740 purports to say
12 and what a sworn affidavit purports to say the following
13 day, based on the evidence of Mr. Leroux.

14 D/CST. SEGUIN: What's your question about
15 that?

16 MR. CRANE: Well, I'm suggesting it would
17 also be relevant for you for an investigator to know -- to
18 have this document in order to determine whether there are
19 any material differences between what one document says and
20 what another documents says that was crafted the following
21 day.

22 D/CST. SEGUIN: Yes, I agree.

23 MR. CRANE: And as far as you're aware, sir,
24 was September of 2004 the first time that the OPP received
25 disclosure of this document?

1 D/CST. SEGUIN: Yes.

2 MR. CRANE: And this would be two years
3 after the completion of the Father MacDonald criminal
4 proceedings?

5 D/CST. SEGUIN: Yes.

6 MR. CRANE: And approximately eight years
7 after it's been purported to have been prepared; correct?

8 D/CST. SEGUIN: That it was reported --
9 sorry?

10 MR. CRANE: Eight years after the document
11 appears to have been prepared.

12 D/CST. SEGUIN: Yes.

13 MR. CRANE: Thank you, sir.

14 THE COMMISSIONER: Let's take the afternoon
15 break.

16 THE REGISTRAR: Order; all rise. À l'ordre;
17 veuillez vous lever.

18 This hearing will resume at 3:15 p.m.

19 --- Upon recessing at 3:02 p.m. /

20 L'audience est suspendue à 15h02

21 --- Upon resuming at 3:17 p.m. /

22 L'audience est reprise à 15h17

23 THE REGISTRAR: Order; all rise. À l'ordre;
24 veuillez vous lever.

25 This hearing is now resumed. Please be

1 seated. Veuillez vous asseoir.

2 **THE COMMISSIONER:** Monsieur Kozloff?

3 Good afternoon, sir.

4 **MR. KOZLOFF:** Good afternoon, sir.

5 Mr. Commissioner, I did say I'd be three
6 minutes but your comment earlier has me distressed and
7 somewhat agitated. Are we sitting on Sunday, the 1st of
8 February?

9 (LAUGHTER/RIRES)

10 **THE COMMISSIONER:** You may be but I am not.

11 (LAUGHTER/RIRES)

12 **MR. KOZLOFF:** Thank you for that.

13 **D/CST. STEVE SEGUIN, Resumed/Sous le même serment:**

14 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

15 **KOZLOFF:**

16 **MR. KOZLOFF:** Detective Constable Seguin, we
17 know each other?

18 **D/CST. SEGUIN:** Yes, Mr. Kozloff.

19 **MR. KOZLOFF:** I just want to clear something
20 up that I promised I would clear up when Mr. van Diepen was
21 testifying and that's with regard to document -- Exhibit
22 1096 which is the statement -- the interview report of Jos
23 van Diepen of the 4th of August 1998, and Exhibit 1063 which
24 is the interview report of Jos van Diepen of the 14th of
25 February 1994.

1 So if he could be given those, please?

2 (SHORT PAUSE/COURTE PAUSE)

3 D/CST. SEGUIN: Yes, sir.

4 MR. KOZLOFF: If you could look first of all
5 at Exhibit 1096, your interview of Mr. van Diepen with
6 Detective Constable Dupuis. The first question reads:

7 "We are investigating allegations of
8 historic sexual abuse in the Cornwall
9 area involving the clergy and other
10 public officials. During our
11 investigation, your name has come to
12 our attention as someone who may be
13 able to assist us. We have provided
14 you a copy of a previous interview of
15 yourself conducted by members of the
16 OPP on the 14th of April [sorry] 14th of
17 February 1994. Do you adopt the
18 statement as your own?"

19 Correct?

20 D/CST. SEGUIN: Yes.

21 MR. KOZLOFF: And when you refer to the
22 previous interview, is that Exhibit 1063?

23 D/CST. SEGUIN: Yes, sir, it is.

24 MR. KOZLOFF: And at the second page, Bates
25 page 8439 of the statement, the third question down, it

1 says:

2 "You've made some changes to a copy of
3 your statement. Can you tell us about
4 these?"

5 Correct?

6 **D/CST. SEGUIN:** Yes.

7 **MR. KOZLOFF:** And if you look at Exhibit
8 1063, there are a number of handwritten entries on the
9 statement.

10 **D/CST. SEGUIN:** Yes.

11 **MR. KOZLOFF:** Whose writing is that?

12 **D/CST. SEGUIN:** Mr. van Diepen's.

13 **MR. KOZLOFF:** And I see at the bottom of the
14 first page of Exhibit 1063 the writing at the very bottom
15 left-hand corner, "Original changes made by van Diepen."

16 **D/CST. SEGUIN:** Yes.

17 **MR. KOZLOFF:** Whose writing is that?

18 **D/CST. SEGUIN:** That's mine.

19 **MR. KOZLOFF:** When were those changes made,
20 sir?

21 **D/CST. SEGUIN:** They were made on the 4th of
22 August of '98.

23 **MR. KOZLOFF:** Thank you. And at the very
24 end of Exhibit 1063, at Bates page 4630, appear initials
25 and a date. Whose initials are those?

1 D/CST. SEGUIN: Those are mine.

2 MR. KOZLOFF: And the date is the 4th of
3 August 1998?

4 D/CST. SEGUIN: Yes.

5 MR. KOZLOFF: And can I take it that you
6 placed your initials and the date there to signify that
7 that was the day on which the changes were made?

8 D/CST. SEGUIN: That's correct.

9 MR. KOZLOFF: Thank you.

10 The other issue that I wanted to address was
11 with respect to the Jean-Luc Leblanc investigation, and the
12 contact with the CAS.

13 If I could ask you to look at Exhibit 2706,
14 your notes, beginning the 30th of October 1998, specifically
15 Bates pages 8682?

16 D/CST. SEGUIN: Yes, sir?

17 MR. KOZLOFF: Your notes for the 7th of
18 January, 1999, I take it that that was the day after the
19 day after the arrest of Mr. Leblanc?

20 D/CST. SEGUIN: Yes.

21 MR. KOZLOFF: He was arrested on the 5th?

22 D/CST. SEGUIN: That's correct.

23 MR. KOZLOFF: And am I correct that there
24 was fairly extensive news coverage in the Standard
25 Freeholder on the 6th, regarding that arrest?

1 D/CST. SEGUIN: I don't recall.

2 MR. KOZLOFF: All right. There was a phone
3 message that you received at 9:15?

4 D/CST. SEGUIN: Yes.

5 MR. KOZLOFF: Could you read that for us,
6 please?

7 D/CST. SEGUIN: "Given message from front
8 desk that Brian McIntosh [that Brian
9 MacIntosh] from the CAS..."

10 The phone number is there:

11 "...called re: Jean-Luc Leblanc of
12 Newington and requested a call."

13 MR. KOZLOFF: All right. And then at 9:25
14 what did you do?

15 D/CST. SEGUIN: "Called same and spoke to
16 him."

17 MR. KOZLOFF: All right. And can you read
18 what you've written, please?

19 D/CST. SEGUIN: I'm going to need a moniker
20 for this fellow.

21 MR. KOZLOFF: All right. I believe the
22 moniker is C-81.

23 D/CST. SEGUIN: Thank you:

24 "Called same and spoke to him. He
25 advised me that he was at Leblanc's

1 residence this summer and C-81 was
2 there and living for a couple of weeks.
3 He didn't have any report of abuse. He
4 said he was the only one at CAS with
5 any activity in the file. I provided
6 him with names and date of births and
7 addresses of the two victims that we
8 had."

9 **MR. KOZLOFF:** All right. At that point in
10 time, sir, you had C-82 as one of the victims?

11 **D/CST. SEGUIN:** Yes.

12 **MR. KOZLOFF:** All right. To your knowledge,
13 sir, is that the initial contact between the Ontario
14 Provincial Police and the CAS regarding Jean-Luc Leblanc?

15 **D/CST. SEGUIN:** Yes.

16 **MR. KOZLOFF:** And during the course of your
17 investigation did you subsequently come into possession of
18 information regarding both C-81 and C-82 being referring to
19 in the files of the CAS, in relation to Mr. Leblanc?

20 **D/CST. SEGUIN:** I don't recall that. I
21 don't remember, sir.

22 **MR. KOZLOFF:** Thank you, sir.

23 I would have been longer, but Mr. Carroll
24 made it very clear to me that I wasn't to be more than
25 three minutes, Commissioner.

1 **THE COMMISSIONER:** It's okay, because
2 Mr. Carroll's got five.

3 **MR. CARROLL:** Good afternoon, sir.

4 **THE COMMISSIONER:** Good afternoon.

5 **---CROSS EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

6 **MR. CARROLL:**

7 **MR. CARROLL:** Good afternoon, sir.

8 **D/CST. SEGUIN:** Hello, sir.

9 **MR. CARROLL:** I have a couple of discrete
10 issues to ask you about, but, firstly, sir, I'd like to
11 take you through, in highlight form, the time you spent on
12 this project, because that really hasn't been done in any
13 coordinated way, as far as I could tell.

14 Your personal history with the OPP has been
15 filed as an exhibit and, specifically, your time with
16 Project Truth indicating that you were there from May 14th,
17 '97, to January 9th, 2000.

18 That was exclusively on the project,
19 correct?

20 **D/CST. SEGUIN:** That's correct.

21 **MR. CARROLL:** That's a little over two and a
22 half years, and then during the period of time from 2000
23 January to December of '03, you were back on your original
24 job, but coming back to Project Truth on numerous occasions
25 to complete this work.

1 **CST. SEGUIN:** Yes, quite regularly.

2 **MR. CARROLL:** Yes. All right. And we've
3 heard this phrase about, "breaking down the Fantino brief."
4 You've used that expression a couple of times. When did
5 you start working on that, sir?

6 **D/CST. SEGUIN:** Shortly after the 14th of May
7 of 97.

8 **MR. CARROLL:** All right. And can you just
9 tell us what that phrase means, "breaking down the brief?"
10 What did you actually do, and who tasked you to do that?

11 **D/CST. SEGUIN:** I don't know if it would
12 have been Tim Smith or Pat Hall, but, in essence, it was
13 taking every piece of information in there and try to make
14 some sense out of it, and set up charts -- or, not so much
15 charts, but clipboards ---

16 **MR. CARROLL:** Yes, you talked about ---

17 **D/CST. SEGUIN:** --- with various
18 information.

19 **MR. CARROLL:** --- clipboards. What use did
20 you make of that?

21 **D/CST. SEGUIN:** If an allegation was made in
22 the Fantino brief about a certain suspect, his name was
23 placed there, and a list of those who name him as well.

24 **MR. CARROLL:** All right. Are you able to
25 give us an idea of how long that aspect of your work would

1 have taken, to "break down the brief," as you describe it?

2 D/CST. SEGUIN: When Claude Marleau came in
3 on the 31st of July of '97, it wasn't complete.

4 MR. CARROLL: All right.

5 D/CST. SEGUIN: We were still working on it.

6 MR. CARROLL: So it went beyond that date?

7 D/CST. SEGUIN: Yes.

8 MR. CARROLL: Are you able to tell us
9 approximately how much longer it did?

10 D/CST. SEGUIN: No, I couldn't.

11 MR. CARROLL: All right. But it was a
12 matter of weeks or months?

13 D/CST. SEGUIN: Oh, it was continuous ---

14 MR. CARROLL: Okay.

15 D/CST. SEGUIN: --- and continually
16 referring back to it.

17 MR. CARROLL: Very good. And you talked
18 about assignments being developed, and that, I take it, was
19 from Smith or Hall?

20 D/CST. SEGUIN: Yes, an assignment register
21 was created, yes.

22 MR. CARROLL: All right. And how were the
23 investigations divided up?

24 D/CST. SEGUIN: It's hard to explain. In a
25 lot of cases, it's who was dealing with the case first.

1 MR. CARROLL: All right.

2 D/CST. SEGUIN: In many cases.

3 MR. CARROLL: All right. And when Genier
4 came on board, he was assigned to do the Francophone
5 interviews?

6 D/CST. SEGUIN: Yes.

7 MR. CARROLL: All right.

8 D/CST. SEGUIN: He was the only fully
9 bilingual officer.

10 MR. CARROLL: All right. You had not
11 had -- although you had had experience as a sexual assault
12 investigator, you had not done historical sexual assaults
13 to any degree prior to this project, correct?

14 D/CST. SEGUIN: I had done a couple, but I
15 had not done any male ---

16 MR. CARROLL: Right.

17 D/CST. SEGUIN: --- historical ---

18 MR. CARROLL: All right.

19 D/CST. SEGUIN: --- sexual assaults.

20 MR. CARROLL: And the way the project was
21 set up, were Hall and Smith essentially resource people for
22 you and Dupuis and Genier, as well as other duties that
23 they performed?

24 D/CST. SEGUIN: Yes.

25 MR. CARROLL: All right. And once you

1 developed your brief, you had witnesses and victims to
2 interview?

3 D/CST. SEGUIN: Yes.

4 MR. CARROLL: And I take it, sir, that in
5 the course of those interviews they would perhaps provide
6 additional names of persons that you had to go and
7 interview as well?

8 D/CST. SEGUIN: Yes.

9 MR. CARROLL: All right. And all of these
10 people that you had to interview, there were a number that
11 were no longer local residents, correct?

12 D/CST. SEGUIN: Yes.

13 MR. CARROLL: So that you had to do a number
14 of road trips in order to conduct in-person interviews with
15 people?

16 D/CST. SEGUIN: Yes.

17 MR. CARROLL: And, in addition to people
18 interviews, sir, just tell the Commissioner a little bit
19 about the efforts that you made with respect to
20 corroborating evidence. And, by that, I mean school
21 records, hospital records, and so on.

22 D/CST. SEGUIN: That was pretty continuous
23 as well; school records, hospital records, driver's licence
24 histories, being associated with different clubs. I mean,
25 it was continuous.

1 **MR. CARROLL:** All right. And I think you
2 may have alluded to this earlier, but, although you were
3 assigned specific files to follow up on and be the lead on,
4 the process was such that each officer was also expected to
5 know a great deal about the other files as well, is that
6 right?

7 **D/CST. SEGUIN:** Yes.

8 **MR. CARROLL:** We heard some talk about
9 linkages, and there was a one point a request for a crime
10 analyst, which didn't come through, but there were regular
11 debriefings of the team, was there not?

12 **D/CST. SEGUIN:** Yes.

13 **MR. CARROLL:** And effectively in the
14 debriefs, amongst other topics, this concept of linking
15 suspects with alleged victims or victims was discussed,
16 right?

17 **D/CST. SEGUIN:** Yes. We spoke daily about
18 what each other was doing and the different connections
19 between the different players.

20 **MR. CARROLL:** All right. And you spoke of
21 458 documented contacts with victims.

22 **D/CST. SEGUIN:** Yes, sir.

23 **MR. CARROLL:** Are you able to tell us -- and
24 I think you said 74 victims you were dealing with?

25 **D/CST. SEGUIN:** Yes.

1 **MR. CARROLL:** Are you able to tell us with
2 any certainty about how many interviews you conducted or
3 assisted on?

4 **D/CST. SEGUIN:** In this case? Two-hundred-
5 and ninety-five (295).

6 **MR. CARROLL:** Once the brief was put
7 together -- in other words, all of the information that you
8 thought was available and applicable to a given file -- it
9 would be forwarded on to the Crown?

10 **D/CST. SEGUIN:** Yes.

11 **MR. CARROLL:** In the normal course of
12 policing that was not -- that's not the case, is it?

13 **D/CST. SEGUIN:** No.

14 **MR. CARROLL:** And it was because this was a
15 special project, as it was explained to you, it was thought
16 that it would involve a Crown in the decision-making
17 process about charges?

18 **D/CST. SEGUIN:** Yes, and that's what Tim
19 Smith had done in his previous historical cases involving
20 the schools.

21 **MR. CARROLL:** All right. And we're going to
22 deal with this when Detective Inspector Hall, retired now,
23 testifies. But I understand that from -- there were
24 considerable periods of time went by, waiting for Crown
25 opinions on certain briefs?

1 D/CST. SEGUIN: Yes.

2 MR. CARROLL: And that of course would
3 contribute to the delay that Commission counsel was talking
4 about with you last week?

5 D/CST. SEGUIN: A contributing factor, yes.

6 MR. CARROLL: Once the decisions were made
7 and the charges were a go, the person was processed?

8 D/CST. SEGUIN: Yes.

9 MR. CARROLL: They were asked to come in and
10 they were given a promise to appear in most instances;
11 correct?

12 D/CST. SEGUIN: Yes, and their recognisance
13 for ---

14 MR. CARROLL: That's what I wanted you to
15 explain so that the public understand this. It wasn't
16 just, "Here's a piece of paper, see you in court". There
17 were conditions of release for these people, were there
18 not?

19 D/CST. SEGUIN: Yes.

20 MR. CARROLL: And the conditions, though
21 they may have varied a little bit, primarily focused on not
22 being allowed to be in the company of young persons?

23 D/CST. SEGUIN: That's correct.

24 MR. CARROLL: Once the arrests are made and
25 the court process is starting with the first court

1 appearances, then that's when the disclosure obligations to
2 the defence kick in; correct?

3 D/CST. SEGUIN: Yes.

4 MR. CARROLL: What role did you play in the
5 disclosure process?

6 D/CST. SEGUIN: Well, if a disclosure
7 request came in, for instance -- I have to refer to the
8 Jacques Leduc case and Michael Edelson was -- his materials
9 -- when his request for materials came in, they were quite
10 lengthy.

11 MR. CARROLL: M'hm.

12 D/CST. SEGUIN: And those disclosure
13 obligations had to be met and that information had to be --
14 well, there was myself going out and doing the research or
15 the other members -- expeditiously for that matter, and
16 that material put together into a brief form again or
17 another volume and forwarded to the Crown, who would then
18 forward it on to the defence.

19 MR. CARROLL: And, essentially, all
20 documentation that the police had in their possession in
21 relation to the investigation was put into a brief,
22 forwarded to the Crown -- forwarded to them to vet and then
23 turn over?

24 D/CST. SEGUIN: Yes.

25 MR. CARROLL: All right.

1 D/CST. SEGUIN: On occasion, we provided
2 disclosure direct to defence at the recommendation of the
3 Crown.

4 MR. CARROLL: That would be Mr. Godin?

5 D/CST. SEGUIN: Mr. Godin, yes.

6 MR. CARROLL: For the most part?

7 D/CST. SEGUIN: Yes, because he was up in
8 Fort Frances.

9 MR. CARROLL: Right. And, sir, while this
10 disclosure process -- and this is quite a voluminous amount
11 of work, isn't it? There's a lot of paper involved here.

12 D/CST. SEGUIN: Yes, very much so.

13 MR. CARROLL: While this is going on,
14 there's still investigations that are being conducted in
15 truth, aren't there?

16 D/CST. SEGUIN: Yes.

17 MR. CARROLL: And once the remand process is
18 finished and pre-trials and so on, a preliminary hearing
19 date was fixed in most of these cases?

20 D/CST. SEGUIN: Yes.

21 MR. CARROLL: And, sir, what would you do to
22 assist the Crown in preparation for the preliminary
23 hearing? What were your roles?

24 D/CST. SEGUIN: Witness prep.

25 MR. CARROLL: And what does -- okay, witness

1 prep. Now, what does that mean?

2 D/CST. SEGUIN: Establishing contact with
3 the witnesses or victims; maybe showing them the courtroom,
4 depending on the person, if they'd been there an
5 experienced that in the past; covering what's expected of
6 them as far as answering of questions or how to answer
7 questions in a courtroom.

8 MR. CARROLL: Was there a -- with the Crown,
9 was there a review of the -- for example, the statements
10 that you took from various witnesses that are going to be
11 called?

12 D/CST. SEGUIN: Yes, that was another thing.
13 We had to provide previous statements or transcripts if
14 there was -- well, not in preparation of the prelim but
15 previous statements had to be provided to them and
16 reviewed.

17 MR. CARROLL: All right.

18 And then at the preliminary hearing, one or
19 both of the detectives are actually in court assisting the
20 prosecuting counsel?

21 D/CST. SEGUIN: Yes.

22 MR. CARROLL: And did -- at least in part,
23 your duties while assisting Crown counsel in court was to
24 attend to the needs of the witnesses and the victims, in
25 particular, throughout the day?

1 D/CST. SEGUIN: That was one of the biggest
2 things, yes.

3 MR. CARROLL: And that would include things
4 from as basic as transportation, getting to court, to
5 arranging for meals and so on during the day?

6 D/CST. SEGUIN: Yes.

7 MR. CARROLL: While on the subject, sir, of
8 the victims, I understand that you participated in the
9 preparation of applications for Criminal Injuries
10 Compensation Board with a number of victims in this
11 project?

12 D/CST. SEGUIN: Yes.

13 MR. CARROLL: And to your knowledge your
14 brother officer, Dupuis, did as well?

15 D/CST. SEGUIN: And as did Genier.

16 MR. CARROLL: And Genier. And I think Hall
17 actually participated in a few as well.

18 D/CST. SEGUIN: Yes.

19 MR. CARROLL: All right.

20 And in addition to the Criminal Injuries
21 Compensation Board issues, there was an organization,
22 primarily based out of Ottawa, called The Men's Project.
23 You're familiar with that project?

24 D/CST. SEGUIN: Yes.

25 MR. CARROLL: In fact Mr. Bennett, who's

1 been here from time-to-time, was counsel for the project.

2 Tell the Commissioner what role they played
3 and how you were instrumental in distributing literature
4 and getting the word out to these fellows.

5 **D/CST. SEGUIN:** Initially, we didn't have
6 any victim assistance, Mr. Commissioner. I believe Tim
7 Smith got us onto the path of Cosette Chafe -- I'm not sure
8 I'm pronouncing her name right.

9 **MR. CARROLL:** It is pronounced "chafe".

10 **D/CST. SEGUIN:** Chafe. And that's when the
11 ball got rolling in relation to victims and getting them
12 some assistance, and the Men's Project got set up. We were
13 provided with an abundant amount of fliers or handouts,
14 sir, and every victim that we spoke with was provided this
15 along with any other information that we had. I mean,
16 business cards of ourselves, phone numbers, pager numbers.

17 They were also asked if they needed any
18 assistance setting up counselling. Again, that was
19 number one priority for them, and I think in many cases The
20 Men's Project did speak with a number of our witnesses or
21 victims.

22 **MR. CARROLL:** And I think you've already
23 testified that one of the problems facing at least some of
24 these victims was an issue of costs and the expenses
25 associated with availing themselves of the services that

1 you made them aware of?

2 **D/CST. SEGUIN:** Yes, and The Men's Project
3 was based out of Ottawa.

4 **MR. CARROLL:** Was there some talk about
5 trying to set up a satellite office here?

6 **D/CST. SEGUIN:** Yes, there was at one time.
7 I know they started to come down and do group sessions.
8 I'm not sure to what extent individual sessions were set
9 up, but I know of some of the victims who did meet with
10 them individually.

11 **MR. CARROLL:** All right.

12 And just moving beyond the preliminary
13 hearing stage, months and sometimes much longer would go by
14 between the preliminary and the actual start of the trial;
15 correct?

16 **D/CST. SEGUIN:** Yes.

17 **MR. CARROLL:** And during that period of
18 time, you were involved in ongoing investigations in
19 relation to Project Truth?

20 **D/CST. SEGUIN:** Yes.

21 **MR. CARROLL:** And so the public is aware,
22 there's additional preparation to be done between the
23 preliminary hearing and the trial by the officers involved;
24 correct?

25 **D/CST. SEGUIN:** Yes.

1 **MR. CARROLL:** And what does that involve?

2 **D/CST. SEGUIN:** Again, witness prep and
3 victim prep is a big part of that. Now we have a
4 transcript from a preliminary hearing that they ---

5 **MR. CARROLL:** Did you assist in distributing
6 transcripts of -- to the various witnesses; their portion
7 of the transcripts in order to be prepared for trial?

8 **D/CST. SEGUIN:** Yes.

9 **MR. CARROLL:** Right. And in some instances,
10 sir, there were either visual or literacy issues and you
11 actually read some of the material to some of the
12 witnesses; correct?

13 **D/CST. SEGUIN:** Yes, I did.

14 **MR. CARROLL:** Now, moving to the trial, who
15 was responsible for getting the subpoenas out?

16 **D/CST. SEGUIN:** We were.

17 **MR. CARROLL:** So that involved, in some
18 cases, travel to places beyond this locale in order to
19 ensure that the victims and witnesses were personally
20 served?

21 **D/CST. SEGUIN:** Yes, and, you know, I really
22 think it was a good thing that we did it personally too.
23 There's always that ---

24 **MR. CARROLL:** Explain that.

25 **D/CST. SEGUIN:** Well, it's always nice to

1 have a personal contact with these guys. I mean if an
2 officer shows up in uniform knocking on the door, people in
3 general don't like that. It's a -- there's a fear factor
4 right away.

5 **MR. CARROLL:** Okay.

6 **D/CST. SEGUIN:** And I think continued
7 contact with them is important, and to explain what's going
8 to be expected of them.

9 **MR. CARROLL:** And did you take the
10 opportunity when you were serving these documents to
11 actually have a conversation if the person was available to
12 do so, sir?

13 **D/CST. SEGUIN:** Yes, I did that quite
14 regularly and not just in serving subpoenas; in many
15 opportunities.

16 **MR. CARROLL:** No, that's the 458 documented
17 contacts but did you document all your contacts?

18 **D/CST. SEGUIN:** No, sir, not even remotely
19 close. As a -- I'll just briefly mention; they had -- the
20 victims had our business cards with cell phone numbers and
21 pager numbers and it certainly wasn't uncommon to get calls
22 at night, on weekends or away at hockey tournaments and
23 getting phone calls from these guys asking for advice or
24 what have you.

25 **MR. CARROLL:** And was there an effort made,

1 sir, to keep the victims updated not necessarily on the
2 progress of the investigation but on the -- once it got to
3 court on the stages of where the case was at?

4 D/CST. SEGUIN: Yes.

5 MR. CARROLL: And specifically if a case was
6 scheduled to proceed and they'd been told it was going to
7 proceed, were they contacted if it didn't?

8 D/CST. SEGUIN: Yes.

9 MR. CARROLL: And again, would that be the
10 responsibility of the officer who was nominally the
11 investigating officer?

12 D/CST. SEGUIN: Yes.

13 MR. CARROLL: Okay. At trial, sir, what are
14 the responsibilities that you carried out to assist the
15 Crowns?

16 D/CST. SEGUIN: Assisting them in any needs
17 they may have as far as evidence presentation.

18 MR. CARROLL: Were you in the courtroom?

19 D/CST. SEGUIN: Yes, I was.

20 MR. CARROLL: All right. And did that
21 involve a regular court day and the court is over at 4:35,
22 somewhere in that range; was that it for the day or did you
23 have further duties into the evening?

24 D/CST. SEGUIN: It wasn't too often I was
25 done at 4:30, sir.

1 **MR. CARROLL:** We want to hear about that so
2 tell us; what would be done in the evening, on a typical
3 evening when the trial is proceeding?

4 **D/CST. SEGUIN:** Oh, any -- anything that
5 came up during trial that required further clarification or
6 further evidence gathering that had to be done.

7 **MR. CARROLL:** Were a -- sorry, go ahead.

8 **D/CST. SEGUIN:** That would have to be done.

9 **MR. CARROLL:** All right. Were there a
10 number of witnesses that were not living in the towns where
11 the trials were held?

12 **D/CST. SEGUIN:** Yes.

13 **MR. CARROLL:** And would you see to their
14 needs, sir, in the evening and specifically as it related
15 to dinner and so on?

16 **D/CST. SEGUIN:** In some cases; some cases
17 they were on their own.

18 **MR. CARROLL:** All right. And then, sir, as
19 the two main cases that we've been talking about here the
20 last few days being MacDonald and Leduc, there were
21 appeals. Did you assist in those appeals?

22 **D/CST. SEGUIN:** Yes, I did.

23 **MR. CARROLL:** And that would involve doing
24 what, from your -- as for your role?

25 **D/CST. SEGUIN:** I took pretty extensive

1 notes of the hearings and assisting the appeal Crown or
2 whoever was assigned from Bay Street to start preparing the
3 application for appeal and meeting with them, providing the
4 information that I had and discrepancies with what was said
5 in court as opposed to maybe decisions that were not
6 exactly as the evidence came out.

7 **MR. CARROLL:** All right. What was a typical
8 work week, in terms of hours, while on the project?

9 **THE COMMISSIONER:** For what now; the
10 project?

11 **MR. CARROLL:** On the project, yeah. Let's
12 try to break it down. Normally what was it supposed to be?

13 **D/CST. SEGUIN:** Eight-hour days.

14 **MR. CARROLL:** And practically speaking, sir?

15 **D/CST. SEGUIN:** I don't know of too many
16 eight-hour days; maybe 12, 14-hour days.

17 **MR. CARROLL:** And I've been asking
18 specifically about you but can you relate the same
19 timeframes for working of your colleagues on the project?

20 **D/CST. SEGUIN:** Yes, it was continuous, sir.

21 **MR. CARROLL:** All right. I wanted to ask
22 you now just some -- a few ---

23 **D/CST. SEGUIN:** Actually, if I can, ---

24 **MR. CARROLL:** Sure.

25 **D/CST. SEGUIN:** --- and Mr. Commissioner,

1 this is one of those all-consuming investigations. Well,
2 we see it here with you folks involved in it now, it kind
3 of takes over your life and including middle of the night
4 stuff, so ---

5 **MR. CARROLL:** All right.

6 I wanted to ask you just a few specific
7 isolated areas. We heard evidence quite some time ago from
8 Mrs. Dunlop about officers arriving in British Columbia to
9 serve the production document.

10 You were one of those officers?

11 **D/CST. SEGUIN:** Yes.

12 **MR. CARROLL:** How were you dressed?

13 **D/CST. SEGUIN:** Suit and tie.

14 **MR. CARROLL:** All right. And we understand
15 that you visited the home in and around 7:00 a.m.,
16 somewhere in that range.

17 **D/CST. SEGUIN:** On the day I served it, yes.

18 **MR. CARROLL:** Yes. Were you aware of -- and
19 this was to serve Mr. Dunlop?

20 **D/CST. SEGUIN:** Yes.

21 **MR. CARROLL:** Were you aware of any location
22 of any employment Mr. Dunlop might have?

23 **D/CST. SEGUIN:** Was I aware of any location?
24 Yes, I knew what he was doing for a living, yes.

25 **MR. CARROLL:** And did you know where he was

1 working?

2 D/CST. SEGUIN: No, I did not.

3 MR. CARROLL: Were your instructions --
4 whose instructions; I know it was a judge's order but were
5 you given specific instructions about serving Mr. Dunlop
6 personally?

7 D/CST. SEGUIN: I spoke with Detective
8 Superintendent McQuade.

9 MR. CARROLL: And that was the direction you
10 received?

11 D/CST. SEGUIN: Yes.

12 MR. CARROLL: Right. And much was made of
13 the early hour, sir. Can you tell the Commissioner why you
14 went there at an early hour?

15 D/CST. SEGUIN: I wanted to be there before
16 he left for work in the day.

17 MR. CARROLL: Yeah. And from what you --
18 how long ---

19 D/CST. SEGUIN: If I can just ---

20 MR. CARROLL: Sure.

21 D/CST. SEGUIN: I don't know if it's come
22 out but he was involved in construction, sir, and they work
23 some pretty early hours.

24 MR. CARROLL: How long were you actually on
25 the Dunlop property to affect this service?

1 D/CST. SEGUIN: A day; it wasn't very long;
2 very short.

3 MR. CARROLL: Just give us an estimate;
4 matter of minutes?

5 D/CST. SEGUIN: Oh, yes, yes.

6 MR. CARROLL: All right. And you met with
7 Mr. Dunlop?

8 D/CST. SEGUIN: Yes.

9 MR. CARROLL: And you gave him the document?

10 D/CST. SEGUIN: Yes.

11 MR. CARROLL: And did you attempt to explain
12 to him what the document meant?

13 D/CST. SEGUIN: Yes, I did.

14 MR. CARROLL: All right. And ---

15 D/CST. SEGUIN: I had explained it on a
16 previous day.

17 MR. CARROLL: I beg your pardon?

18 D/CST. SEGUIN: I had explained it on a
19 previous day.

20 MR. CARROLL: To whom?

21 D/CST. SEGUIN: To Perry Dunlop.

22 MR. CARROLL: By way of?

23 D/CST. SEGUIN: Telephone call.

24 MR. CARROLL: Right.

25 D/CST. SEGUIN: Twelve -- 12 days before.

1 **MR. CARROLL:** All right.

2 **THE COMMISSIONER:** So did he know you were
3 coming out?

4 **D/CST. SEGUIN:** Did he know I was coming
5 out?

6 **THE COMMISSIONER:** You or someone?

7 **D/CST. SEGUIN:** Yes, he knew he was going to
8 be served, sir.

9 **THE COMMISSIONER:** Okay.

10 **MR. CARROLL:** And, sir, for the time that
11 you were on the property, from what you could observe, was
12 there any family upset? Was there any reactions of the
13 children or Mrs. Dunlop during the time that you were
14 there?

15 **D/CST. SEGUIN:** Well, Mrs. Dunlop looked at
16 us and what are we doing there.

17 **MR. CARROLL:** Right. She wasn't pleased to
18 see you?

19 **D/CST. SEGUIN:** No.

20 **MR. CARROLL:** All right.

21 **D/CST. SEGUIN:** And I didn't see any
22 children.

23 **MR. CARROLL:** Okay. All right.

24 In dealing with -- again, there has been a
25 fair bit of questioning in and around the letter from

1 Hallett to Hall that got disclosed to Skurka; okay?

2 D/CST. SEGUIN: Yes.

3 MR. CARROLL: And you were one of the
4 officers that went to see Ms. Hallett to get a copy of the
5 letter?

6 D/CST. SEGUIN: Yes.

7 MR. CARROLL: Were you given instructions,
8 sir, by -- I guess Smith is retired by then -- by Hall,
9 "Don't tell her why we want this. Make up a story if you
10 have to but under no circumstances tell her why we want
11 it."

12 D/CST. SEGUIN: No, sir.

13 MR. CARROLL: So had -- I'm not suggesting
14 she had an obligation to ask but if she had asked, you
15 would have told her what you understood was going to be the
16 purpose of it?

17 D/CST. SEGUIN: Yeah, Inspector Hall asked
18 me to get a copy of it.

19 MR. CARROLL: Okay. With respect to C-22 --
20 -

21 THE COMMISSIONER: Do you know who that is?

22 D/CST. SEGUIN: I may have it still written
23 here. Yes, I have it.

24 MR. CARROLL: Okay.

25 D/CST. SEGUIN: Thank you.

1 **MR. CARROLL:** He would be a -- described, I
2 suppose, at various stages as a reluctant witness but
3 somebody who seemed resigned to assisting you?

4 **D/CST. SEGUIN:** Yes.

5 **MR. CARROLL:** And you had this interview at
6 his home where you had talked to him about what happened to
7 him.

8 **D/CST. SEGUIN:** Yes.

9 **MR. CARROLL:** And there had been a
10 discussion about court and again he wasn't enthusiastic but
11 he was willing to go.

12 **D/CST. SEGUIN:** Yes.

13 **MR. CARROLL:** All right. And then you leave
14 and then some gentleman comes out and is rather aggressive
15 in telling you that under no circumstances is he going to
16 go to court. Have I captured that?

17 **D/CST. SEGUIN:** Yes. In essence, yes.

18 **MR. CARROLL:** All right. Did you know who
19 that person was?

20 **D/CST. SEGUIN:** No, sir.

21 **MR. CARROLL:** Did you know what interest he
22 had, whether it was for or against C-22's interests?

23 **D/CST. SEGUIN:** None whatsoever.

24 **MR. CARROLL:** He was just somebody who
25 emerged from the house and made this announcement?

1 D/CST. SEGUIN: Yes, in a very aggressive
2 manner, sir.

3 MR. CARROLL: And it was at that point that
4 you in a firm tone told him that C-22 could well be
5 subpoenaed to come to court even if he didn't want to?

6 D/CST. SEGUIN: Yes. I wasn't sure if it
7 was me or Joe; one of us.

8 MR. CARROLL: All right.

9 D/CST. SEGUIN: Joe Dupuis.

10 MR. CARROLL: That was not directly to the
11 witness though. This was to this intervenor.

12 D/CST. SEGUIN: Yes.

13 MR. CARROLL: Have you ever, sir, threatened
14 a reluctant witness directly to -- and, in particular, in a
15 sexual assault -- that they're going to come to court not
16 matter what?

17 D/CST. SEGUIN: No, you can't do that, sir.

18 MR. CARROLL: Why is that?

19 D/CST. SEGUIN: Like I mentioned earlier,
20 they're the most fragile of all the people we deal with.
21 And you can't be heavy-handed with them whatsoever.

22 MR. CARROLL: Thank you, sir.

23 D/CST. SEGUIN: Thank you.

24 THE COMMISSIONER: Ms. Jones? Oh, I'm sorry
25 Ms. Sinnamon? Sorry.

1 **MS. SINNAMON:** I've no question sir, thank
2 you.

3 **THE COMMISSIONER:** Thank you.

4 Constable Seguin, thank you very much for
5 coming. I appreciate your testimony. I'll certainly
6 consider it when I write up my report.

7 **D/CST. SEGUIN:** Thank you, sir.

8 **THE COMMISSIONER:** You're free to go.

9 I'm told we should take a short break so
10 that we can get documents organized for the next witness.

11 **THE REGISTRAR:** Order; all rise. À l'ordre;
12 veuillez vous lever.

13 This hearing will resume at 4:05 p.m.

14 --- Upon recessing at 3:52 p.m. /

15 L'audience est suspendue à 15h52

16 --- Upon resuming at 4:05 p.m. /

17 L'audience est reprise à 16h05

18 **THE REGISTRAR:** Order; all rise. À l'ordre;
19 veuillez vous lever.

20 This hearing is now resumed. Please be
21 seated. Veuillez vous asseoir.

22 **THE COMMISSIONER:** Good afternoon, Mr. Hall,
23 how are you doing today?

24 **MR. HALL:** Fine, thank you.

25 **THE COMMISSIONER:** Good.

1 Madam Clerk, would you want to ask him to
2 make a promise?

3 **PATRICK HALL:** Sworn/Assermenté

4 **THE COMMISSIONER:** Mr. Hall, I don't know --
5 Mr. Hall?

6 **MR. HALL:** Yes?

7 **THE COMMISSIONER:** I don't know if you --
8 have you seen any of on TV or ---

9 **MR. HALL:** Yes, I have.

10 **THE COMMISSIONER:** All right. So you
11 understand that when you're sitting there, you have to
12 answer some questions?

13 **MR. HALL:** I certainly do.

14 **THE COMMISSIONER:** All right. And you'll be
15 there for a while, so you have fresh water; you have a
16 microphone that I'd like you to speak into.

17 **MR. HALL:** Yes.

18 **THE COMMISSIONER:** There's a speaker is the
19 voices get a little low -- it's that little box right
20 beside on your left-hand side there, that's a little box.

21 **MR. HALL:** Okay.

22 **THE COMMISSIONER:** That's a speaker and
23 there's a volume thing on there.

24 And, of course, there's a computer. You'll
25 be seeing documents either in hard copy or on the computer,

1 which one you prefer. If you have any problems or if you
2 want a break at any time, let me know.

3 We're going to sit until 4:30 this afternoon
4 so this will be a brief one for you. But tomorrow, if
5 during the course of the time, you need a break, let me
6 know.

7 **MR. HALL:** Thank you.

8 **THE COMMISSIONER:** All right? Thank you.
9 Mr. Engelmann?

10 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.
11 ENGELMANN:

12 **MR. ENGELMANN:** Sir, just for the record,
13 the next witness for the Commission is Mr. Patrick Hall.

14 I know you were anticipating that probably
15 for some time today. Welcome to the Inquiry, Mr. Hall.

16 **MR. HALL:** Thank you.

17 **MR. ENGELMANN:** And, sir, I just -- just by
18 way of housekeeping, I spoke to Mr. Hall earlier and to his
19 counsel and he certainly has a preference for starting the
20 day a bit earlier but finishing at 4:30. So if that's
21 something you might be able to accommodate this week, sir,
22 the suggestion was 9:00 to 4:30.

23 **THE COMMISSIONER:** Well, we'll go from 9:00,
24 depending on the 4:30. We're already a day behind now for
25 this week and so we'll see how it goes.

1 **MR. ENGELMANN:** All right.

2 **THE COMMISSIONER:** Because we need to finish
3 this gentleman this week.

4 **MR. ENGELMANN:** Mr. Hall, what I'm going to
5 do is I'm going to start with your background if I may.
6 And I understand that you're now retired from the Ontario
7 Provincial Police?

8 **MR. HALL:** Yes, I am.

9 **MR. ENGELMANN:** But that you worked with the
10 OPP from sometime in 1968 right through sometime in 2004?

11 **MR. HALL:** That's correct.

12 **MR. ENGELMANN:** And I'd like to start with
13 some background questions. I understand, sir, that you'd
14 be familiar with a document; the Document Number is 200222.
15 If the witness could be shown that document. It is a
16 career profile document of that nature and it says "Joseph
17 Patrick Robert Hall, Ontario Provincial Police", Document
18 200222.

19 **THE COMMISSIONER:** Thank you.

20 Exhibit 2742 is a profile of Joseph Patrick
21 Robert Hall and, again, Exhibit 2742.

22 **---EXHIBIT NO./PIÈCE NO. P-2742:**

23 (200222) Career profile of Pat Hall

24 **MR. ENGELMANN:** Mr. Hall, was this document
25 prepared for the Inquiry?

1 MR. HALL: Yes, it was.

2 MR. ENGELMANN: And whether or not you
3 prepared it sir, you would have approved it?

4 MR. HALL: Yes, I did.

5 MR. ENGELMANN: All right. And it sets out
6 in accurate terms a summary of your career with the Ontario
7 Provincial Police?

8 MR. HALL: Yes, it does.

9 MR. ENGELMANN: And, sir, if we follow it
10 through and I'm just going to lead you through some of this
11 if I may. If I make a mistake, please feel free to correct
12 me, but I understand you would have begun your career in
13 Southwestern Ontario in District 1 in Chatham?

14 MR. HALL: That's correct.

15 MR. ENGELMANN: And that was on April 29th,
16 1968?

17 MR. HALL: That's correct.

18 MR. ENGELMANN: And I understand that in
19 1974, you were assigned to the role of crime reader in
20 Chatham?

21 MR. HALL: That's correct.

22 MR. ENGELMANN: Can you tell us what a crime
23 reader is?

24 MR. HALL: I was plainclothes duties,
25 primarily investigating criminal matters; the equivalent of

1 a detective constable today.

2 MR. ENGELMANN: All right, detective
3 constable in a CIB unit?

4 MR. HALL: They didn't call us detective
5 constables then.

6 MR. ENGELMANN: All right. Fair enough.
7 You were in that role for approximately two
8 years until sometime in 1976?

9 MR. HALL: Yes.

10 MR. ENGELMANN: And at that time, you were
11 transferred to a plainclothes investigation division. Am I
12 correct?

13 MR. HALL: Yes. I'd like just to correct
14 that first one; the one before.

15 MR. ENGELMANN: Yes.

16 MR. HALL: From '74 to '76.

17 MR. ENGELMANN: Yes.

18 MR. HALL: Okay, I was a district reader; I
19 was administrative duties at that time. Okay? I became
20 plainclothes in January of '76.

21 MR. ENGELMANN: Oh, okay. And would that be
22 the equivalent of a detective constable then?

23 MR. HALL: Yes, it was.

24 MR. ENGELMANN: All right. So in '76,
25 you're in plainclothes?

1 MR. HALL: That's correct.

2 MR. ENGELMANN: And I understand that in
3 1978, you then become a criminal intelligence coordinator
4 for the district?

5 MR. HALL: That's correct.

6 MR. ENGELMANN: And that would have some
7 supervisory responsibilities at that point?

8 MR. HALL: No.

9 MR. ENGELMANN: No?

10 MR. HALL: No.

11 MR. ENGELMANN: What did coordinator stand
12 for, sir?

13 MR. HALL: It was gathering intelligence
14 information within the district.

15 MR. ENGELMANN: All right. And would
16 involve some work with perhaps some other police agencies
17 or other agencies to collect information?

18 MR. HALL: It would basically be interacting
19 with other intelligence units and various police
20 departments and intelligence units within our own force.

21 MR. ENGELMANN: Okay. So it could be other
22 detachments of the OPP or city police?

23 MR. HALL: That's correct.

24 MR. ENGELMANN: All right.

25 And was the mandate of that focused on

1 organized crime?

2 MR. HALL: Partly, it was district crime; it
3 was any crime.

4 MR. ENGELMANN: Okay.

5 You would then seconded, were you not, to
6 the Windsor Intelligence Unit in March of 1978?

7 MR. HALL: That's correct.

8 MR. ENGELMANN: And I understand, sir, that
9 you were there for a couple of years, returning to the OPP
10 as an acting corporal in 1980?

11 MR. HALL: That's correct.

12 MR. ENGELMANN: You're promoted to the rank
13 of full corporal in July of '81?

14 MR. HALL: That's correct.

15 MR. ENGELMANN: After which you were
16 transferred to Perth to become the Community Services
17 Coordinator?

18 MR. HALL: That's correct.

19 MR. ENGELMANN: Then, sir, I understand that
20 you were appointed to the position of Crime Coordinator for
21 the Tenth District in March of 1984?

22 MR. HALL: That's correct.

23 MR. ENGELMANN: And the Tenth District at
24 that time was what, sir?

25 MR. HALL: It was the Counties of Renfrew,

1 Lenark and Leeds and Grenville.

2 MR. ENGELMANN: Okay. And your
3 responsibilities as Crime Coordinator in those counties,
4 sir?

5 MR. HALL: Supervising criminal
6 investigations within the 13 detachments.

7 MR. ENGELMANN: And, sir, were you promoted
8 to the rank of Detective Sergeant in the Crime Unit in the
9 summer of 1987?

10 MR. HALL: That's correct.

11 MR. ENGELMANN: And, sir, between 1987 and
12 1989, did you work in a temporary assignment in VIP
13 personal security duties?

14 MR. HALL: Yes, I did.

15 MR. ENGELMANN: All right. So that would be
16 outside then of criminal investigation. Is that fair?

17 MR. HALL: Well, it was a situation where
18 events were happening with the Premier or other dignitaries
19 in Toronto or wherever and I would be seconded for
20 motorcades, bodyguard security, that sort of thing.

21 MR. ENGELMANN: All right.

22 MR. HALL: You may get -- work on it for a
23 few days a week and then not again for maybe a couple of
24 months. It was intermittent.

25 MR. ENGELMANN: Okay. So that wasn't full-

1 time work, sir?

2 MR. HALL: It wasn't full-time but because
3 of the number of embassies in Ottawa, a lot of the
4 dignitaries travelled between Ottawa and Toronto and we
5 would provide security, along with the RCMP, for those
6 people.

7 MR. ENGELMANN: All right.

8 And, sir, I understand that after that, you
9 were sergeant in the Criminal Investigations Unit at
10 District 10 Headquarters in Perth for about four years,
11 from '89 to '93?

12 MR. HALL: Yes, that was still basically the
13 same position I held since '84.

14 MR. ENGELMANN: All right.

15 And, sir, from '93 to '99 you were a
16 detective sergeant in the Criminal Investigations Unit at
17 Perth?

18 MR. HALL: That's correct.

19 MR. ENGELMANN: All right. Now, during this
20 period, from May of 1990 to September of '96, were you also
21 doing victim assistance and sexual assault co-ordination
22 work?

23 MR. HALL: Yes, I was.

24 MR. ENGELMANN: And can you tell us,
25 briefly, what that entailed, sir?

1 **MR. HALL:** Well, I was the sexual assault
2 co-ordinator for Number 10 District and the organization in
3 the early nineties identified the position in each one of
4 the districts, and we supervised sexual assault
5 investigations, arranged for training for various officers
6 within the district.

7 **MR. ENGELMANN:** And would that have included
8 sexual assaults against young people and children?

9 **MR. HALL:** Yes, it was. Most of the
10 training was more along the lines for sexual assault and
11 physical assault of children.

12 We developed guidelines in conjunction with
13 the Crown Attorney in Renfrew, Peter Barnes. We had
14 developed guidelines to interview children and those
15 guidelines were actually used throughout Ontario.

16 **MR. ENGELMANN:** Okay. Was some of that work
17 joint work with local CAS?

18 **MR. HALL:** Yes, it was. We, actually -- our
19 identification unit assisted them in putting cameras in the
20 various interviews rooms at CAS. At that particular time
21 when the advent of videotaping statements came in, we had
22 to utilize our identification unit.

23 **MR. ENGELMANN:** Sorry, you had to use?

24 **MR. HALL:** Identification unit. They were
25 the people who did the videotaping.

1 **MR. ENGELMANN:** Fair enough.

2 **MR. HALL:** So in order to do a videotape,
3 we'd have to contact them and they would go to the various
4 areas where it was required. Quite often we would use a
5 CAS office as well.

6 **MR. ENGELMANN:** So those were ---

7 **MR. HALL:** These were all three counties.

8 **MR. ENGELMANN:** All right. And so you had
9 options of either videotaping at a police station or
10 possibly a local CAS?

11 **MR. HALL:** That's correct.

12 **MR. ENGELMANN:** All right. This stuff
13 wasn't very portable at that time though?

14 **MR. HALL:** No. Video cameras at that time
15 were quite bulky.

16 **MR. ENGELMANN:** Yes, right.

17 And, sir, I understand that from '96 until
18 April of '99, as detective sergeant you were responsible
19 for conducting internal investigations?

20 **MR. HALL:** Yes, I was, both in municipal
21 departments as well as OPP areas. I ---

22 **MR. ENGELMANN:** By "internal", that would
23 mean investigating other police officers?

24 **MR. HALL:** Other police officers in both
25 criminal offences and *Police Service Act* offences. We laid

1 charges. Some officers municipal departments lost their
2 jobs over it.

3 **MR. ENGELMANN:** Okay. So that would be, in
4 essence, professional standards work of some sort?

5 **MR. HALL:** At that time -- we didn't have
6 professional standards people, at that time within the
7 district, and the crime sergeant quite often was delegated
8 to do that duty.

9 Later on, sergeant majors were in the
10 regional headquarters and there was sergeants assigned to
11 do strictly *Police Service Act* investigations. Criminal
12 matters still came to my -- my attention, quite often.

13 **MR. ENGELMANN:** But at that point you had a
14 dual role?

15 **MR. HALL:** That's right.

16 **MR. ENGELMANN:** And, sir, I understand you
17 would have assisted on various criminal investigations in
18 the Crime Prevention and Investigations Unit for the
19 Eastern Region?

20 **MR. HALL:** That's correct.

21 **MR. ENGELMANN:** And, sir, on April 5th of
22 1999, you were promoted to the rank of Detective Inspector,
23 Major Cases, Criminal Investigations Bureau of the Eastern
24 Region; correct?

25 **MR. HALL:** That's correct.

1 **MR. ENGELMANN:** And that was the title you
2 held when you retired, sir?

3 **MR. HALL:** Yes, it was.

4 **MR. ENGELMANN:** All right.

5 Sir, let's deal very briefly with some
6 training that's listed in the exhibit at Bates page 676.
7 That's the last three digits of the page, at the top left.
8 It's page 3 of the career profile.

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** You list some of the
11 training and then it flows onto the next couple of pages.
12 Is that right?

13 **MR. HALL:** That's correct.

14 **MR. ENGELMANN:** And would I -- is this all
15 of your training or is this just a summary of what you
16 thought was relevant training?

17 **MR. HALL:** No, this would be -- this would
18 be all of my training.

19 **MR. ENGELMANN:** All right.

20 **MR. HALL:** All formal training.

21 **MR. ENGELMANN:** All right. And you'd have
22 some informal inservice training as well, sir?

23 **MR. HALL:** Yes.

24 **MR. ENGELMANN:** Okay. It would appear, just
25 from looking at it, that you've taken many investigative

1 courses?

2 MR. HALL: Yes, I did.

3 MR. ENGELMANN: You've taken a two-week
4 criminal investigations course in 1984?

5 MR. HALL: That's correct.

6 MR. ENGELMANN: You've also taken a one-week
7 course in investigative analysis, and a two-week major
8 crime investigative techniques course in 1993?

9 MR. HALL: That's correct.

10 MR. ENGELMANN: And, sir, I understand ---

11 MR. HALL: Could you ---

12 MR. ENGELMANN: Sorry?

13 MR. HALL: Could you give me that date
14 again?

15 MR. ENGELMANN: 1993; on the last page.

16 MR. HALL: Okay. Yes, that's correct.

17 MR. ENGELMANN: And, sir, I understand over
18 the course of your career you've also had some training in
19 the investigation of sexual assaults and sexual abuse?

20 MR. HALL: Yes, I did.

21 MR. ENGELMANN: And some of that would
22 include -- you've listed some in April of 1985, at the
23 bottom of page 4? Pornography training and
24 familiarization?

25 MR. HALL: Correct.

1 **MR. ENGELMANN:** What does Project "P" stand
2 for, sir?

3 **MR. HALL:** Project "P" stands for
4 Pornography. It was a separate unit based out of our
5 headquarters.

6 At that time, it was in Toronto and we did
7 presentations to the public throughout the district, and
8 that training was basically working with the fellows from
9 Project "P" to identify different things of pornography,
10 for instance videotapes, doing a breakdown, I went out on
11 search warrants.

12 **MR. ENGELMANN:** When you say "the public",
13 do you mean professionals ---

14 **MR. HALL:** Public presentations.

15 **MR. ENGELMANN:** --- in agencies ---

16 **MR. HALL:** Yes, I did.

17 **MR. ENGELMANN:** --- or do you mean the
18 public generally, or both?

19 **MR. HALL:** No. Well, for instance, high
20 schools would have a teachers' conference and I recall
21 doing one presentation to a bunch of high school teachers
22 in Carleton Place, and various community groups wanted to
23 go -- wanted a presentation on pornography.

24 About that time, there was a big issue about
25 community standards and what was legal and what wasn't

1 legal, and the Ontario Film Review Board had different
2 opinions than what the *Criminal Code* was saying and -- a
3 lot of discussion.

4 MR. ENGELMANN: There was a public education
5 aspect?

6 MR. HALL: That's right.

7 MR. ENGELMANN: Sir, I wanted to ask you
8 about some training with the Institute for the Prevention
9 of Child Abuse. You have some listed in 1988 and also in
10 1990?

11 MR. HALL: Yes.

12 MR. ENGELMANN: Page 5, Bates 678. And
13 that's an institute that was known by the acronym "IPCA"?

14 MR. HALL: Yes.

15 MR. ENGELMANN: Is that correct?

16 MR. HALL: Yes.

17 MR. ENGELMANN: And I just wanted to know
18 whether the training you took through them in '88 and 1990,
19 was that for police officers only or was that training for
20 police officers, child welfare workers, prosecutors, et
21 cetera?

22 MR. HALL: It was Family and Children's
23 Services people. Some of them called themselves Children's
24 Aid people ---

25 MR. ENGELMANN: Yes.

1 **MR. HALL:** --- of different counties, and I
2 don't recall any prosecutors being there, but it was a
3 combination of police officers and ---

4 **MR. ENGELMANN:** And child care workers?

5 **MR. HALL:** --- case workers, yes ---

6 **MR. ENGELMANN:** All right.

7 **MR. HALL:** --- people that would be dealing
8 with children.

9 **MR. ENGELMANN:** And was some of that
10 training provided by psychologists who had expertise in
11 the area?

12 **MR. HALL:** Yes. Dr. Yuille was one of the
13 presenters and Mary Wells was another one of the
14 presenters, and they had various people come in and speak.

15 There was some role-playing going on, the
16 use of the anatomical-correct dolls, that sort of thing,
17 how to videotape young children and -- and how to get them
18 to identify different parts of the body; those sort of
19 things.

20 **MR. ENGELMANN:** Did you find the joint
21 training useful?

22 **MR. HALL:** Yes, I did.

23 **MR. ENGELMANN:** All right. And did you find
24 it helpful in encouraging relationships between police
25 officers and children -- child welfare workers who were

1 working in that area?

2 MR. HALL: Well, yes, I did, because when
3 you -- when you're investigating a child abuse, whether
4 it's physical abuse or sexual abuse, CAS workers are
5 involved and usually you do a joint interview of the
6 victim.

7 The CAS worker didn't take part in the
8 interviews of the suspect, obviously, that was strictly a
9 police matter.

10 MR. ENGELMANN: Okay. And this training
11 would have covered then both physical and sexual abuse of
12 young people?

13 MR. HALL: That's correct.

14 MR. ENGELMANN: Sir, let's talk then a
15 little bit about some of your practical experience, and
16 we've certainly looked at your career, but you had
17 experience -- prior to your involvement here in the Project
18 Truth case which starts in the spring of '97, you would
19 have had some experience in investigating sexual assault
20 and child abuse cases?

21 MR. HALL: Yes, definitely.

22 MR. ENGELMANN: And, in fact, you talked to
23 us about the fact that you were a coordinator in
24 supervising some of that work?

25 MR. HALL: That's correct.

1 **MR. ENGELMANN:** Can you describe for us some
2 of the practical experience you would have in this area
3 prior to '97?

4 **MR. HALL:** Some of the cases, I would review
5 them and if there were difficulties maybe doing interviews,
6 I would get some -- for instance, a female officer to come
7 in and conduct the interviews.

8 I also -- in the City of Brockville we had
9 complaints of child abuse and they were historic in nature
10 and involved the ex-mayor of Brockville by the name of
11 Langmuir, and for one reason or another, the Brockville
12 City Police didn't want to investigate it, and we had some
13 complainants in OPP area and I gave the detective
14 constables the go-ahead to interview the children.

15 They did, and we ended up with five victims.
16 The suspect, a very prominent citizen, World War II ---

17 **MR. ENGELMANN:** I'm sorry?

18 **MR. HALL:** --- decorated hero of World War
19 II.

20 **MR. ENGELMANN:** Yes.

21 **MR. HALL:** He owned Brock Air Service, and
22 most of these complaints took place in the air while he was
23 taking the kids up. Anyway, he had a villa in the
24 Dominican Republic and he fled to the Dominican Republic
25 and word was out that the charges were coming and he didn't

1 come back, basically. He moved his money down.

2 And the difficulty we had there, that the
3 Dominican Republic is an unextraditable country, so through
4 efforts through the Federal Justice Department, External
5 Affairs and Dominican government, he was expelled from the
6 country. Nobody likes pedophiles, even though it's
7 unextraditable, and we just happened to be on the plane
8 they were going to extradite him on, and we arrested him
9 when he entered the plane and ---

10 **MR. ENGELMANN:** I'm sure that was a complete
11 coincidence.

12 **MR. HALL:** Not likely to ever happen again.
13 It was just one of those situations that everything fell
14 into place.

15 **MR. ENGELMANN:** Yeah.

16 **MR. HALL:** That's an example.

17 **MR. ENGELMANN:** Sure.

18 **MR. HALL:** There was another example, if I
19 may say, that was a prominent doctor -- and I won't give
20 the town but it's a small community in the area -- who had
21 six children and there was allegations from one of his
22 nephews that he was sexually abusing them, and the schools
23 where the kids went covered two counties, basically, so we
24 had to coordinate Family and Children Services in both
25 counties. We did interviews simultaneously at six schools

1 and resolved the situation, basically.

2 MR. ENGELMANN: Okay. So let's just -- if I
3 can sort of categorize the type of sexual abuse of young
4 people you may have been involved in, some of it would have
5 been children involving fairly current reports?

6 MR. HALL: Yes. Some of it was -- you know,
7 I always toy -- how do you define historic? Is it a year,
8 two years, three years, five years? I mean people have
9 different opinions of what's historic and quite often some
10 of them were four or five years before they reported it.

11 MR. ENGELMANN: That's what I wanted to ask,
12 sir, and maybe just go through a couple more categories if
13 I may.

14 Would some of it have been children who are
15 reporting abuse that might have happened a year or a few
16 years before, but they're still children when they report?

17 MR. HALL: Well, I can recall several cases
18 where the abuse took place when they were 9 or 10 years old
19 but they didn't report it until they were 17 or 18 years of
20 age; that sort of thing.

21 MR. ENGELMANN: And ---

22 MR. HALL: Sometimes with females it was
23 when they were getting married or something like that and
24 domestic issues came up and it all came out, so to speak.

25 MR. ENGELMANN: Okay. So you were familiar

1 with the fact that -- you were familiar with doing some
2 historical report, whether it may be a few months after, a
3 few years, or many years after. You had done some of those
4 types of cases?

5 MR. HALL: Yes. I had one case that went
6 back about 40 years.

7 MR. ENGELMANN: Right.

8 MR. HALL: And we had a couple of cases were
9 20, 30 years. I recall -- I mean, I literally reviewed
10 hundreds of cases because part of my duties as Crime
11 Corporal was the management of the crime units within the
12 districts, so part of our function was auditing the
13 occurrence reporting system. So that would -- reviewing
14 all the reports and made sure they were concluded properly.

15 MR. ENGELMANN: And, sir, the historical
16 work that you would have either investigated or been
17 responsible for supervising, would some of that have been
18 institutional; like an institutional setting?

19 MR. HALL: Yes. I done several
20 investigations at the Rideau Regional Centre ---

21 MR. ENGELMANN: Right.

22 MR. HALL: --- in Smiths Falls with the
23 physically and mentally challenged people.

24 MR. ENGELMANN: All right, and those would
25 be allegations against staff members there or others who

1 may have ---

2 **MR. HALL:** Other inmates more than staff.
3 There was one staff member but most of it was other
4 inmates.

5 **MR. ENGELMANN:** Okay.

6 **MR. HALL:** Or other "clients" I guess is the
7 proper term.

8 **MR. ENGELMANN:** And what about historical
9 reporting where it's in a non-institutional setting? Would
10 you have had some experience both with extrafamilial and
11 the more incestual type?

12 **MR. HALL:** Yes, I had -- when I was a
13 constable in southwestern Ontario in Chatham I had a couple
14 of cases that I recall.

15 **MR. ENGELMANN:** Both extrafamilial ---

16 **MR. HALL:** Yes.

17 **MR. ENGELMANN:** --- and ---

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** And incest? Okay.

20 Sir, I'm in your hands. It's 4:30.

21 **THE COMMISSIONER:** How much time did you
22 have to finish this?

23 **MR. ENGELMANN:** I'm done. I was about to go
24 into notes and notebooks, things of that nature.

25 **THE COMMISSIONER:** We'll do that tomorrow.

1 Thank you.

2 **THE REGISTRAR:** Order; all rise. À l'ordre;
3 veuillez vous lever.

4 This hearing is adjourned until tomorrow
5 morning at 9:00 a.m.

6 --- Upon adjourning at 4:29 p.m. /

7 L'audience est ajournée à 16h29

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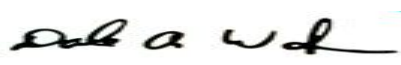
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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CVR-CM