

**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 282**

**Held at :**

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

Tuesday, October 7, 2008

**Tenue à:**

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

Mardi, le 7 octobre 2008

**ERRATA**  
**August 29, 2008**  
**Volume 272**

**Transcript**

**Page 76, line 15**

**BISHOP DUROCHER:** No, I consulted with -- I consulted with the priests' counsel. I consulted with Chris Bideral (ph), counsel -- the priests' counsel.

**Should have read:**

**BISHOP DUROCHER:** No, I consulted with -- I consulted with the priests' counsel. I consulted with **presbyteral** counsel -- the priests' counsel.

**Appearances/Comparutions**

Ms. Brigitte Beaulne	Registrar
M <sup>e</sup> Pierre R. Dumais	Commission Counsel
Ms. Jamie Liew	
Mr. Peter Manderville	Cornwall Community Police Service and Cornwall Police Service Board
Mr. David Rose	Ontario Provincial Police
Mr. Joe Neuberger	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of
Ms. Michele R.J. Allinotte	the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims' Group
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Coalition for Action
Mr. James O. Katz	Ms. Geraldine Fitzpatrick
Ms. Geraldine Fitzpatrick	CAS

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1 --- Upon commencing at 1:03 p.m. /

2 L'audience débute à 13h03

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:** Thank you. Good  
10 afternoon, all.

11 **MR. DUMAIS:** Good afternoon, Mr.  
12 Commissioner.

13 **THE COMMISSIONER:** Good afternoon, Maître  
14 Dumais.

15 **MR. DUMAIS:** Just one matter before I call  
16 our next witness. Mr. Bryan Keough was served with a  
17 summons, returnable today. He is present with his counsel,  
18 Mr. Larry Fillion; both standing.

19 **THE COMMISSIONER:** Thank you. Good  
20 afternoon.

21 **MR. DUMAIS:** After discussion, we've decided  
22 to postpone Mr. Keough's evidence to tomorrow morning at  
23 9:30. If we can just ask him to return at that time, Mr.  
24 Commissioner.

25 **THE COMMISSIONER:** All right. Mr. Keough,

1 if you could return tomorrow morning at 9:30, sir? Thank  
2 you. You are excused. You're free to stay if you wish,  
3 but you are free to go as well. Thank you.

4 **MR. DUMAIS:** Then if we could call our next  
5 witness, Ms. Geraldine Fitzpatrick.

6 **THE COMMISSIONER:** Thank you. Mrs.  
7 Fitzpatrick. Can the witness be affirmed or sworn in?

8 **GERALDINE FITZPATRICK, Sworn/Assermentée:**

9 **THE COMMISSIONER:** Thank you. Have a seat,  
10 please.

11 So I don't know if you've watched some of  
12 this on television but, in any event, with respect to all  
13 witnesses, I want you to get familiar with your  
14 surroundings a little bit.

15 **MS. FITZPATRICK:** Okay, if I can pour my  
16 water.

17 **THE COMMISSIONER:** Pour your water. There  
18 is a speaker in front of you if you wish to increase the  
19 volume. When you get old like me, you want to do that  
20 sometimes.

21 **MS. FITZPATRICK:** Okay.

22 **THE COMMISSIONER:** There is a screen there,  
23 that will be for documents. You'll either see a hard copy  
24 or something on the screen. I would like you to speak into  
25 the microphone as much as possible. You can move it

1 around, yes, closer to you.

2 MS. FITZPATRICK: Okay.

3 THE COMMISSIONER: And if there are any  
4 questions that you don't understand, please let me know.  
5 Otherwise, I would like you to give me the best answer you  
6 can. If at any time you feel uncomfortable or you need a  
7 break, please let me know.

8 MS. FITZPATRICK: I will. Thank you.

9 --- EXAMINATION IN-CHIEF/INTERROGATOIRE EN CHEF PAR MR.

10 DUMAIS:

11 MR. DUMAIS: Good afternoon, Geraldine.

12 MS. FITZPATRICK: Good afternoon.

13 MR. DUMAIS: I understand that you are  
14 presently in the employ of the Children's Aid Society of  
15 Stormont/Dundas/Glengarry. Is that correct?

16 MS. FITZPATRICK: That's correct.

17 MR. DUMAIS: And you are a Child protection  
18 worker with them?

19 MS. FITZPATRICK: That's correct.

20 MR. DUMAIS: And I understand that you have  
21 been a Child protection worker since December 6<sup>th</sup>, 1986?

22 MS. FITZPATRICK: This December 6<sup>th</sup>, 2008, it  
23 will be 23 years.

24 MR. DUMAIS: Now, I understand that through  
25 your counsel you have prepared a CV and I'm just going to

1 ask that the CV, the document, be put to you.

2 **THE COMMISSIONER:** Thank you.

3 Exhibit 2344 is a CV of Geraldine  
4 Fitzpatrick.

5 --- **EXHIBIT NO./PIÈCE NO. P-2344:**

6 CV of Ms. Geraldine Fitzpatrick

7 **MR. DUMAIS:** So I am going to go from back  
8 to front, Geraldine.

9 **MS. FITZPATRICK:** Sure.

10 **MR. DUMAIS:** So I'm just looking at page 3  
11 here and I'm looking at your education.

12 **MS. FITZPATRICK:** Yes.

13 **MR. DUMAIS:** I understand that you completed  
14 some studies in Early Childhood Education at Middlesex  
15 College in the States. Is that correct?

16 **MS. FITZPATRICK:** Yes, I did. That's  
17 correct.

18 **MR. DUMAIS:** And you completed that program?

19 **MS. FITZPATRICK:** Yes.

20 **MR. DUMAIS:** And you have a certificate. Is  
21 that correct?

22 **MS. FITZPATRICK:** Yes. There would be a  
23 certificate.

24 **MR. DUMAIS:** And I understand that you did  
25 complete some undergraduate studies in Psychology at the

1 University of Ottawa as well?

2 **MS. FITZPATRICK:** That's correct. Yes.

3 **MR. DUMAIS:** And my understanding is you  
4 completed some courses but never completed?

5 **MS. FITZPATRICK:** No. I haven't finished an  
6 undergraduate degree. No.

7 **MR. DUMAIS:** All right.

8 And if we are looking at the previous page,  
9 there are three sections. One deals with recognitions; the  
10 second at mid-page deals with a number of awards; and the  
11 third deals with a list of committees.

12 So these are recognitions that you received  
13 as a Child protection worker with the CAS, as well as  
14 awards you received and committees that you participated  
15 on. Is that correct?

16 **MS. FITZPATRICK:** That is correct, yes.

17 **MR. DUMAIS:** So then turning to the first  
18 page in your professional profile, you indicate there that  
19 you have been employed since the 6<sup>th</sup> day of December 1986,  
20 and that you spent the first 15 years with the Children's  
21 Aid Society as with the Forensic Investigative Unit. Is  
22 that correct?

23 **MS. FITZPATRICK:** That is correct.

24 **MR. DUMAIS:** And you were a Child protection  
25 worker with that Unit?

1                   **MS. FITZPATRICK:** Yes, frontline  
2 investigations.

3                   **MR. DUMAIS:** Okay. Can you just explain to  
4 us -- or perhaps I can ask you this firstly; and after  
5 that, you were a Child protection worker with the Family  
6 Services Unit?

7                   **MS. FITZPATRICK:** That's correct.

8                   **MR. DUMAIS:** All right. Can you just  
9 briefly explain to us what the distinction is between the  
10 two types of workers?

11                   **MS. FITZPATRICK:** Okay. In forensics, or  
12 what we used to call frontline investigations back then, we  
13 were the ones that responded to the calls, the first  
14 contact following up on a report.

15                   And so we would do -- investigate the  
16 allegations and do the assessment and check the safety of  
17 the children and then determine, you know, the risk to the  
18 child and if the child is safe there, what does the family  
19 need to have in place so that the child can stay there, or  
20 is it a situation where we can't leave the child there.

21                   So it was a lot crisis work. When a file  
22 goes to ongoing services, there's a period -- you know, the  
23 file is transferred because there's some stability and now  
24 there's a plan and it gives a period of working long-term  
25 with the family to support them, to support the child.

1 Some of the cases, there's a lot of court work involved.  
2 So it's long term in child protection. It's still a  
3 protection file, but it has a longer duration.

4 **MR. DUMAIS:** All right. And you are still  
5 involved with the Family Services Unit today. Is that  
6 correct?

7 **MS. FITZPATRICK:** That's correct, yes.

8 **MR. DUMAIS:** Now, when you first started  
9 working at the Children's Aid Society, do you recall who  
10 your supervisor was?

11 **MS. FITZPATRICK:** Yes. It was Bill  
12 Carriere.

13 **MR. DUMAIS:** And what type of supervisor was  
14 he?

15 **MS. FITZPATRICK:** Outstanding. Yes, more  
16 than outstanding. He should be training the other  
17 supervisors.

18 **MR. DUMAIS:** All right. And my  
19 understanding is that Mr. Carriere would have been your  
20 supervisor from 1986 through 1996; correct?

21 **MS. FITZPATRICK:** I had the good fortune of  
22 10 years with Mr. Carriere.

23 **MR. DUMAIS:** And who was your supervisor  
24 after Mr. Carriere?

25 **MS. FITZPATRICK:** Oh, then, I believe that

1 Mr. -- I think that's when Bill moved to being the clinical  
2 director and so I had Bernard Lamarche.

3 **MR. DUMAIS:** And is Mr. Lamarche still your  
4 supervisor today?

5 **MS. FITZPATRICK:** No, no. He's now with  
6 another agency and so there was some reshuffling of  
7 supervisors, and now I have a supervisor that I've had for  
8 close to three years.

9 **MR. DUMAIS:** All right. But we are going to  
10 be looking at your involvement in the Jeannette Antoine  
11 interview that you conducted and that would be in 1993, but  
12 certainly at that time Mr. Carriere was still your  
13 supervisor; correct?

14 **MS. FITZPATRICK:** Yes, he was.

15 **MR. DUMAIS:** All right.

16 Now, I want to talk about your training a  
17 bit and, firstly, if you could just give us a sense of what  
18 type of training a child protection worker would receive  
19 when they are first hired at the agency?

20 **MS. FITZPATRICK:** Okay. Well, when I  
21 arrived at the agency, I have to say I shadowed the other  
22 workers in the Unit for at least six months. As well, you  
23 know, then they had Phase 1 and Phase 2 of Ministry  
24 training that we were sent into. And then there were a lot  
25 of subsequent trainings after that.

1                   So, you know, I would say it takes a good  
2                   year to learn and understand the whole process and dynamics  
3                   of how the agency operates and it takes a good year of  
4                   training.

5                   **MR. DUMAIS:** And was there anything specific  
6                   for new workers? Were there modules being presented to new  
7                   workers? Do you recall that?

8                   **MS. FITZPATRICK:** When I was a new worker?

9                   **MR. DUMAIS:** Yes.

10                  **MS. FITZPATRICK:** More modules came later,  
11                  but at that time, no, we had an old recording system.  
12                  Well, I have to say maybe the Ministry hadn't endorsed  
13                  this, but Bill brought it to our agency himself. And he  
14                  brought one of the first risk assessments to our agency and  
15                  so as a practice in our Unit, we would do those risk  
16                  assessments.

17                  **MR. DUMAIS:** Is it fair to say that back in  
18                  1986, most of the training was done through the shadowing  
19                  of other child protection workers?

20                  **MS. FITZPATRICK:** And supervision.

21                  **MR. DUMAIS:** All right.

22                  **MS. FITZPATRICK:** There was a lot of  
23                  guidance and supervision by Bill.

24                  **MR. DUMAIS:** Okay.

25                  **MS. FITZPATRICK:** M'hm.

1                   **MR. DUMAIS:** Now, I'm just going to put a  
2 couple of documents to you as well, Geraldine. There are  
3 essentially two documents; the first one is Document Number  
4 741014.

5                   Perhaps, Madam Clerk, I'm going to be  
6 dealing with another document as well, so 741015. Thank  
7 you.

8                   **THE COMMISSIONER:** Thank you.

9                   Exhibit Number 2349 is a Participant  
10 History, Ontario Association of Children's Aid Societies.

11                   **---EXHIBIT NO./PIÈCE NO. P-2349:**

12                   (741014) Ontario Association of Children's  
13 Aid Societies - Participant History of  
14 Geraldine Fitzpatrick

15                   **THE COMMISSIONER:** And then Exhibit 2350 is  
16 a training log of Geraldine Fitzpatrick's and agency  
17 training log for the years 1992 through to -- well,  
18 different years from 1992 through to 2005.

19                   **---EXHIBIT NO./PIÈCE NO. P-2350:**

20                   (741015) Training Log of Geraldine  
21 Fitzpatrick and Agency Training Log

22                   **MR. DUMAIS:** So these documents were  
23 produced to us by the agency, Geraldine, and if we can just  
24 look at Exhibit 2350 firstly which is the training log.  
25 I'm just wondering whether or not you can have just a quick

1 look at it and just confirm that these are all of the  
2 training sessions that you would have completed with the  
3 agency?

4 **MS. FITZPATRICK:** Well, there would have  
5 been more but this is what we had available. There was --  
6 I guess with the shuffling and the moving in the new  
7 building or whatever, there was more training, but I  
8 thought it was put on the personal file and -- so we had to  
9 scramble looking for all the training that I underwent.

10 **MR. DUMAIS:** Okay. And. I mean, certainly,  
11 if we look at the start date of the training sessions, they  
12 start in 1992. There's nothing between 1986 and 92, do you  
13 ---

14 **MS. FITZPATRICK:** Well, that's the problem.  
15 I mean, in those days, after we went to the training  
16 seminar, we would take our certificate and give it to the  
17 executive secretary to put in our personal files. So it  
18 was just recently I discovered that that information wasn't  
19 in my file.

20 **MR. DUMAIS:** Okay. So then I guess the  
21 specific question is whether or not you would have  
22 completed some training sessions between '86 and '92 or  
23 whether or not they were non-existent?

24 **MS. FITZPATRICK:** Oh, no, I went to  
25 training, yes.

1                   **MR. DUMAIS:** All right.

2                   So then, I note as well, that there appears  
3 to be a gap between 1994 and 2001.

4                   **MS. FITZPATRICK:** Again, that's a systematic  
5 problem, you know, it -- the information wasn't put on the  
6 file, I don't know why.

7                   **MR. DUMAIS:** Okay. So what you're saying  
8 then is that it's not that you had not completed any  
9 training sessions between those years ---

10                  **MS. FITZPATRICK:** Right.

11                  **MR. DUMAIS:** --- there's just no log of it.  
12 Is that correct?

13                  **MS. FITZPATRICK:** Well, it was submitted,  
14 but I guess it's still being researched as to wherever it  
15 is.

16                  **MR. DUMAIS:** Okay. Now, if we look at the  
17 other document, which is Exhibit 2349, which appears to be  
18 a printout from the Ontario Association of Children's Aid  
19 Societies ---

20                  **MS. FITZPATRICK:** M'hm.

21                  **MR. DUMAIS:** --- and these are training  
22 sessions that you would have completed with them?

23                  **MS. FITZPATRICK:** Yes.

24                  **THE COMMISSIONER:** Excuse me, Mr. Dumais,  
25 can I stop you for a second?

1                   **MR. DUMAIS:** Yes, you may.

2                   **THE COMMISSIONER:** Madam Clerk, we put the -  
3                   - I'm just noticing it now -- that the exhibit for the CV  
4                   was 2344 and then we went to 49 and 50? That's not --  
5                   okay, what's in between then?

6                   **THE REGISTRAR:** All the motions et cetera.

7                   **THE COMMISSIONER:** Okay, fine. Thank you  
8                   very much.

9                   Go ahead.

10                  **MR. DUMAIS:** So these are the training  
11                  sessions that you would have completed with the OACAS. Is  
12                  that correct?

13                  **MS. FITZPATRICK:** That is correct.

14                  **MR. DUMAIS:** All right. And do you recall,  
15                  Geraldine, whether or not you would have completed any  
16                  training sessions with the Institute for the Prevention of  
17                  Child Abuse (IPCA)?

18                  **MS. FITZPATRICK:** Yes, yes, m'hm.

19                  **MR. DUMAIS:** Okay. And would that have been  
20                  early on?

21                  **MS. FITZPATRICK:** They would have been the  
22                  training material that we started under, at least that I  
23                  was introduced to.

24                  **MR. DUMAIS:** Okay.

25                  Now, we're going to be looking at some of

1 the joint investigations that you would have done with  
2 members from the Cornwall Police Service. Do you recall  
3 throughout your career ever receiving any training for  
4 these ---

5 **MS. FITZPATRICK:** Joint interviews, yes.

6 **MR. DUMAIS:** --- joint investigations?

7 **MS. FITZPATRICK:** M'hm. It was the ISOC  
8 training.

9 **MR. DUMAIS:** And do you recall when you  
10 would have completed this training?

11 **MS. FITZPATRICK:** Oh, I was one of the first  
12 ones -- our team was one of the first ones that went when  
13 it came out. I don't know what year that was but it would  
14 have been, I don't know, 1990 when the training came out,  
15 maybe earlier? Well, earlier, because John Yuille came  
16 out. See, there's where Bill was ahead again. Okay.  
17 Before ISOC came out, Bill Carriere heard about John Yuille  
18 and introduced us to John Yuille and his whole method of  
19 interviewing and analysis. So -- and basically that's what  
20 the ISOC training is.

21 **MR. DUMAIS:** Okay. And do you recall,  
22 Geraldine, whether or not some of these training sessions  
23 involved both police officers and social workers?

24 **MS. FITZPATRICK:** Yes.

25 **MR. DUMAIS:** Okay. And do you recall when -

1 - if these training sessions stopped?

2 MS. FITZPATRICK: When did it stop? With  
3 the police?

4 MR. DUMAIS: Well, whether they stopped I  
5 guess, firstly, and if you recall, if it did, when it did?

6 MS. FITZPATRICK: With the police, is that  
7 what you mean?

8 MR. DUMAIS: Yes.

9 MS. FITZPATRICK: Okay. You know what, I  
10 would say that it seemed to stop in 1993.

11 MR. DUMAIS: All right. And were these --  
12 the specific training, did it occur locally? Were the  
13 training sessions here?

14 MS. FITZPATRICK: Well, okay, before we had  
15 the ISOC training, Bill did some training here for the  
16 agency and for the police, the OPP and the Cornwall Police.  
17 Subsequent to that, there was the ISOC training and that  
18 was in Brockville.

19 MR. DUMAIS: And what was the office in  
20 Brockville; was it the Children's Aid Society office in  
21 Brockville?

22 MS. FITZPATRICK: Yes, it was.

23 MR. DUMAIS: Okay. Now ---

24 MS. FITZPATRICK: I'm sorry, well, it was  
25 off site. I believe they put it on but it was off site.

1 It wasn't in their building.

2 **MR. DUMAIS:** Okay. I see.

3 Now, we've been talking a bit about joint  
4 investigations with the Cornwall Police Service, and I  
5 understand that throughout your career as a Child  
6 protection worker you would have conducted these  
7 investigations with different members of the Cornwall  
8 Police Service. Is that correct?

9 **MS. FITZPATRICK:** That's correct.

10 **MR. DUMAIS:** And were you the -- was there a  
11 protocol in place as to who would set up these joint  
12 investigations?

13 **MS. FITZPATRICK:** Let's see, how would this  
14 work? Okay, well, yes, there was a protocol in place.  
15 Let's see, but -- or that was developed between CAS and the  
16 police. So, yes, there was a protocol in place.

17 **MR. DUMAIS:** I guess a more specific  
18 question is, is there someone that's acting as a liaison  
19 between the CAS and the Cornwall Police Service? And, I  
20 mean, more specifically, I'm talking when you first started  
21 with the CAS in 1986.

22 **MS. FITZPATRICK:** I don't know who that  
23 would have been. The people that I dealt with were mainly  
24 the people in the SACA Unit, plus I would also work with  
25 the road officers, the patrol officers. So that would be

1 duty -- sergeant duty.

2 **MR. DUMAIS:** All right. Well, just  
3 generally speaking, when someone from Cornwall Police  
4 Service wanted the assistance of a child protection worker  
5 to conduct an interview or an investigation, who would be  
6 contacting your agency?

7 **MS. FITZPATRICK:** Well, I would believe it  
8 would be the investigating officer who would be reporting  
9 it. It would come through our intake system. At that  
10 time, Bill was the supervisor, so he would have assigned  
11 the worker for that case.

12 **MR. DUMAIS:** Okay. And, again, just -- I'm  
13 just trying to get a general sense.

14 **MS. FITZPATRICK:** Okay.

15 **MR. DUMAIS:** What if yourself, as a child  
16 protection worker, required the assistance of a police  
17 officer, the Cornwall Police Service or the OPP for that  
18 matter ---

19 **MS. FITZPATRICK:** Yes?

20 **MR. DUMAIS:** --- to assist in an interview  
21 or an investigation, how was that set up?

22 **MS. FITZPATRICK:** Let's see. Well, first we  
23 -- I, as a worker, would call in and report to -- oh, what  
24 is it called -- their dispatch unit or the sergeant on duty  
25 that this is the situation. They usually would send over a

1 uniform officer to take the report and then that file, if  
2 it's child abuse or sexual abuse, would be assigned to the  
3 SACA Unit and the police officer assigned would contact the  
4 worker.

5 **MR. DUMAIS:** Okay. And more often than not,  
6 it was one of the officers that had -- that was working  
7 within the SACA Unit that would be communicating with you?

8 **MS. FITZPATRICK:** Yes.

9 **MR. DUMAIS:** And if I asked you between 1986  
10 and today, how many of these joint investigations would you  
11 have participated in?

12 **MS. FITZPATRICK:** You know what? It's 23  
13 years we're talking about, so I tried to figure that out  
14 and without the stats, but I would think at least 50.

15 **MR. DUMAIS:** And my understanding is that at  
16 different points in time you would have worked with  
17 different officers from the SACA Unit?

18 **MS. FITZPATRICK:** That's correct.

19 **MR. DUMAIS:** And would you have worked with  
20 Constable Bough?

21 **MS. FITZPATRICK:** Oh, yes, m'hm.

22 **MR. DUMAIS:** And you would have worked with  
23 Constable White as well as he then was?

24 **MS. FITZPATRICK:** Not too much. We did one  
25 investigation together.

1                   **MR. DUMAIS:** Okay. And what about Constable  
2 Malloy. Would you have conducted ---

3                   **MS. FITZPATRICK:** Yes. We had quite a few  
4 investigations together.

5                   **MR. DUMAIS:** All right. And I understand  
6 that at one point-in-time in early 1993, Constable Malloy  
7 would have been moved out of the SACA Unit, and Constable  
8 Sebalj would have been effected to that Unit. Is that  
9 correct?

10                   **MS. FITZPATRICK:** That's correct.

11                   **MR. DUMAIS:** All right. And I understand  
12 that in early 1993, you would have conducted your first  
13 inter-agency investigation that involved Constable Sebalj.  
14 Is that correct?

15                   **MS. FITZPATRICK:** In 1993, I would have  
16 worked with her on an investigation. Is that what your  
17 question is?

18                   **MR. DUMAIS:** Yes.

19                   **MS. FITZPATRICK:** Yes.

20                   **MR. DUMAIS:** In the early part of 1993 ---

21                   **MS. FITZPATRICK:** Yes.

22                   **MR. DUMAIS:** --- you were involved with a  
23 joint investigation with Constable Sebalj?

24                   **MS. FITZPATRICK:** That's correct. Well,  
25 one, two, and then, okay.

1                   **MR. DUMAIS:** Okay. You were involved in  
2 more than one but ---

3                   **MS. FITZPATRICK:** Okay. Yes.

4                   **MR. DUMAIS:** --- I guess the first one that  
5 you were involved with was sometime early 1990. Is that  
6 correct?

7                   **MS. FITZPATRICK:** Yes. M'hm.

8                   **MR. DUMAIS:** And do you recall what that  
9 investigation was just generally?

10                  **MS. FITZPATRICK:** Well, it was a sexual  
11 abuse investigation of a young girl who reported she was  
12 being sexually abused by her stepfather.

13                  **MR. DUMAIS:** Okay. So you are both involved  
14 in that?

15                  **MS. FITZPATRICK:** That's correct.

16                  **MR. DUMAIS:** And you are both involved in  
17 interviewing the complainant; correct?

18                  **MS. FITZPATRICK:** No. In that first one, I  
19 did the interview, and it was sometime around then that the  
20 police had set up their own interview room. So once she  
21 had my interview, we did follow up with a videotape  
22 interview.

23                  **MR. DUMAIS:** Okay. And do you recall  
24 whether or not this was an historical allegation or whether  
25 it's current?

1                   **MS. FITZPATRICK:** Well, my first  
2 investigation with Heidi, that was a current investigation.

3                   **MR. DUMAIS:** Okay. And just generally  
4 speaking, what were your impressions of Constable Sebalj at  
5 that time?

6                   **MS. FITZPATRICK:** She had a great future  
7 ahead of her. That was my impression.

8                   **MR. DUMAIS:** And I understand that as a  
9 result of a follow-up on this first investigation, that you  
10 would have attended at the Cornwall Police Service sometime  
11 in the fall of 1993?

12                   **MS. FITZPATRICK:** That's correct.

13                   **MR. DUMAIS:** And do you recall you going to  
14 the Cornwall Police Service detachment?

15                   **MS. FITZPATRICK:** I do.

16                   **MR. DUMAIS:** Do you recall the reason why  
17 you went there?

18                   **MS. FITZPATRICK:** Yes, because Heidi and I  
19 were assigned to a second case because the first case was  
20 successful. It was a textbook case.

21                   **MR. DUMAIS:** Okay.

22                   **MS. FITZPATRICK:** The second case was very  
23 similar to the first one and so I had tried contacting  
24 Heidi from the office a couple of times, leaving her  
25 messages, because I needed her to pick up her part of the

1 investigation. And I wasn't hearing back from her and I  
2 was becoming a little ambivalent because the weekend was  
3 coming up. And without the alleged perpetrator being  
4 addressed, there was always the potential that he could  
5 persuade the mother that this didn't happen and then you've  
6 got people recanting; that sort of thing. So I was  
7 concerned. I wanted to know when she was going to take  
8 action on her part of the case.

9 MR. DUMAIS: All right. So you did attend?

10 MS. FITZPATRICK: Yes.

11 MR. DUMAIS: And this was not a planned  
12 meeting?

13 MS. FITZPATRICK: No.

14 MR. DUMAIS: And tell us what happened at  
15 that meeting.

16 MS. FITZPATRICK: Okay. Well, what I can  
17 recall is that it was the end of the day and I stopped in  
18 to see Heidi, as I said, to find out, you know, when she  
19 was going to pick up her piece of the case. When I went  
20 into her office, I noticed her demeanour was different than  
21 the other contacts I had had with her. And she was  
22 somewhat guarded and defensive and I didn't know why, and  
23 I, you know, take everything personally, so I had to -- I  
24 couldn't let it go. I had to ask her, you know, "Have I  
25 done something wrong?" You know, "What's the problem

1 here?"

2 When she let down her guard, she made a  
3 disclosure to me and told me what she was upset about.

4 **MR. DUMAIS:** Okay. And what was that?

5 **MS. FITZPATRICK:** Okay. Heidi told me that  
6 she had been assigned a case of a priest who had molested a  
7 young man many years ago, and she believed the victim, and  
8 she wanted to charge the ---

9 **THE COMMISSIONER:** So, just a second, just a  
10 minute.

11 **MS. FITZPATRICK:** Okay.

12 **THE COMMISSIONER:** She told you about an  
13 allegation of molestation?

14 **MS. FITZPATRICK:** Yes. Yes. Okay, okay,  
15 sorry, back up. Excuse me.

16 Well, her first thing, you know, I just --  
17 I'll tell it straight out the way that she did it.

18 She was very upset and she said to me -- she  
19 seemed to think that I knew what she was about to tell me,  
20 which I didn't know anything about this. And she told me  
21 that my co-worker, Greg Bell, had just been in the office  
22 and that he had been photographing her file.

23 And so I said to her, "He photographed your  
24 file? There's a Xerox machine right out in the hall. Why  
25 would he photograph your file?"

1                   And so she said that there was -- that he  
2                   wanted to investigate a case that she had. She said, "I  
3                   did this investigation. I had a victim who alleged that he  
4                   had been abused by a priest as a young boy." She said, "He  
5                   had been to the Children's Aid before he came to me and he  
6                   told the Children's Aid Society that he had been abused by  
7                   a priest". And that the intake reception worker had  
8                   basically said, "Well, that's not our mandate. You can go  
9                   to the police and tell your story, but that's not something  
10                  that we would address here".

11                  So Heidi said he came forward and, you know,  
12                  he followed the advice and he went to the police station  
13                  and he reported the abuse. Heidi believed him. She wanted  
14                  to charge the priest.

15                  She said she went to the Crown Attorney and  
16                  told the Crown Attorney that she wanted to charge the  
17                  priest and that in the meantime, she said, the Diocese had  
18                  contact with the victim, and they were offering him a deal.  
19                  And she said she told the Crown Attorney that, and he said,  
20                  "Well, you don't have a victim; you don't have a case".

21                  So she said, "Now, Perry Dunlop went and he  
22                  stole..." -- I'm sorry, I'll back up a little.

23                  So she said, "I was upset, so I told Perry  
24                  Dunlop and another police officer how upset I was because I  
25                  wanted to charge the priest and the Crown Attorney wouldn't

1 let me". And so she said, "Perry Dunlop went and stole my  
2 file and he brought it to Richard Abell".

3 And she said, "And now he's being made the  
4 big hero for the work that I did".

5 And so she felt really upset about that.  
6 And then she told me that she thought there was some  
7 collusion going on. And I'm saying "Collusion, what are  
8 you talking about?"

9 And so she said that when she had been a  
10 beat officer, she had responded to a neighbourhood  
11 complaint and when she went there, the woman that she  
12 interviewed spent her time focusing on reporting that she  
13 was abused as a child while she was in care, as opposed to  
14 dealing with the issues why the police officer is there.  
15 She said, "So, Geraldine," she said, "I don't know if this  
16 woman had mental health issues or if there was really  
17 something to it".

18 And so she asked me if I ever heard of a  
19 group home on Second Street.

20 At first I said "No, we don't have any group  
21 homes in Cornwall". And then -

22 **MR. DUMAIS:** Sorry, sorry, Geraldine.

23 **MS. FITZPATRICK:** Okay. Okay.

24 **MR. DUMAIS:** Just before we get into the  
25 second investigation ---

1                   **MS. FITZPATRICK:** M'hm, m'hm. Okay.

2                   **MR. DUMAIS:** And, of course, you're  
3 referring here to the Jeannette Antoine interview here;  
4 correct?

5                   **MS. FITZPATRICK:** Yes.

6                   **MR. DUMAIS:** All right. So, if I can just  
7 take you back a bit there.

8                   **MS. FITZPATRICK:** Okay.

9                   **MR. DUMAIS:** So you indicated that -- well,  
10 I guess, firstly, did she ever provide you with the name of  
11 the complainant here?

12                   **MS. FITZPATRICK:** No.

13                   **MR. DUMAIS:** And did she -- or did she ever  
14 advise you of the name of the alleged perpetrator, the  
15 priest, here?

16                   **MS. FITZPATRICK:** No. She just kept calling  
17 him "the priest".

18                   **MR. DUMAIS:** Okay.

19                   And you indicated that the complainant  
20 initially had gone to the Children's Aid Society. Is that  
21 correct?

22                   **MS. FITZPATRICK:** That's correct.

23                   **MR. DUMAIS:** And did she indicate to you  
24 whom he would have spoken to there?

25                   **MS. FITZPATRICK:** Yes. She said to me that

1 he spoke to Carole Leblanc.

2 MR. DUMAIS: Okay. And do you know -- did  
3 you know Carole Leblanc?

4 MS. FITZPATRICK: Yes. M'hm

5 MR. DUMAIS: And what was her job at the  
6 CAS?

7 MS. FITZPATRICK: Well, at that time she was  
8 an intake reception worker.

9 MR. DUMAIS: Which means what, Geraldine?

10 MS. FITZPATRICK: When somebody comes in and  
11 they want to make a report, we do have some social workers  
12 that are in the office and, you know, will take walk-in  
13 clients and take their reports while the others are taking  
14 the reports through the telephone or, you know?

15 MR. DUMAIS: Right.

16 MS. FITZPATRICK: So this was a walk-in  
17 intake, my understanding.

18 MR. DUMAIS: But she would have told you.  
19 Is that correct?

20 MS. FITZPATRICK: That's what Heidi told me,  
21 yes.

22 MR. DUMAIS: Okay. Were you ever -- did you  
23 ever try to verify that, Geraldine?

24 MS. FITZPATRICK: No. No.

25 MR. DUMAIS: All right.

1                   And did you ever speak to Carole Leblanc  
2                   about this at any point-in-time?

3                   **MS. FITZPATRICK:** You know what? About a  
4                   year ago, for some reason she told me that she was the  
5                   worker who took the report when the victim came in. And I  
6                   don't really know why that conversation came up.

7                   **MR. DUMAIS:** Okay. And is she still  
8                   employed at the Children's Aid office?

9                   **MS. FITZPATRICK:** Yes. She's a supervisor.

10                  **MR. DUMAIS:** Okay. Now ---

11                  **THE COMMISSIONER:** Before we go, I don't  
12                  know if you're going to cover this, but -- so, when you  
13                  heard that from Heidi ---

14                  **MS. FITZPATRICK:** Yes.

15                  **THE COMMISSIONER:** --- that this fellow had  
16                  walked in ---

17                  **MS. FITZPATRICK:** Yeah.

18                  **THE COMMISSIONER:** --- and talked with  
19                  Carole ---

20                  **MS. FITZPATRICK:** Yeah.

21                  **THE COMMISSIONER:** --- and she would have  
22                  told him that this isn't within the mandate of the  
23                  Children's Aid Society?

24                  **MS. FITZPATRICK:** Right.

25                  **THE COMMISSIONER:** At that time in 1993,

1 would you have agreed with that? Is that -

2 MS. FITZPATRICK: No.

3 THE COMMISSIONER: And why not?

4 MS. FITZPATRICK: Because he was still  
5 active in the community. So, if -- in my -- let's put it  
6 this way.

7 In my résumé, in my history, I have quite a  
8 history of working with offenders or uncovering offenders  
9 and so to me this was a potential pedophile.

10 THE COMMISSIONER: M'hm, but would that fall  
11 within the mandate as it was seen by the Children's Aid  
12 Society in 1993?

13 MS. FITZPATRICK: I guess you'd have to ask  
14 -- oh, you're asking me?

15 THE COMMISSIONER: I'm asking you.

16 MS. FITZPATRICK: Okay. No, I would have  
17 responded differently.

18 THE COMMISSIONER: So were you surprised  
19 when ---

20 MS. FITZPATRICK: Yes, I was very surprised.  
21 Yes.

22 THE COMMISSIONER: What was your reaction?

23 MS. FITZPATRICK: I was very surprised.

24 THE COMMISSIONER: So Heidi tells you this,  
25 that this guy went and saw who you now know is Carole

1 Leblanc?

2 **MS. FITZPATRICK:** Yeah.

3 **THE COMMISSIONER:** And she says, "No, you go  
4 to the police"?

5 **MS. FITZPATRICK:** Yes. M'hm.

6 **THE COMMISSIONER:** Did you respond to Heidi  
7 by saying anything about that issue?

8 **MS. FITZPATRICK:** M'hm, let's see. Well, I  
9 just said -- I said it didn't make sense to me, that this  
10 isn't the way it's supposed to go.

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

12 Go ahead.

13 **MR. DUMAIS:** Now, you indicated as well  
14 earlier on that she was upset because ---

15 **THE COMMISSIONER:** "She" being Sebalj?

16 **MS. FITZPATRICK:** Yes. Heidi.

17 **MR. DUMAIS:** Constable Sebalj was upset  
18 because one of your co-workers, Greg Bell, had been at the  
19 detachment. Is that correct?

20 **MS. FITZPATRICK:** Yes, that's correct.

21 **MR. DUMAIS:** And after this day, did you  
22 ever have any conversation with Greg Bell regarding this?

23 **MS. FITZPATRICK:** Never. No.

24 **MR. DUMAIS:** So you never raised it with  
25 him?

1 MS. FITZPATRICK: No.

2 MR. DUMAIS: Okay.

3 THE COMMISSIONER: Is there a reason why you  
4 didn't raise it with him?

5 MS. FITZPATRICK: Well, a lot of reasons why  
6 I didn't raise it.

7 One, because she was telling me this in her  
8 confidence. Two, I wasn't really sure, I had to process it  
9 myself, you know? Is this correct? I mean, all of a  
10 sudden you're telling me the people that I've worked with  
11 for seven years are not up to par, or, you know, have made  
12 some huge errors, so -

13 THE COMMISSIONER: Well, what was the huge  
14 error? Of photographing a ---

15 MS. FITZPATRICK: Well, that doesn't make  
16 any sense. Why would you go in and photograph a file when  
17 the Zerox machine is there? Why, you know, why would you  
18 send someone away and say it's not our mandate but now all  
19 of a sudden you're interested in the case. That's what  
20 didn't make sense. And that's what didn't make sense to  
21 her.

22 THE COMMISSIONER: M'hm.

23 MR. DUMAIS: But I guess you get the same  
24 result from a photograph than you would from a Zerox  
25 machine, right?

1                   **MS. FITZPATRICK:** Well, it's the first time  
2 I've heard of photographing a file.

3                   **MR. DUMAIS:** Yeah. Fair enough.

4                   So you never took that up with Greg, I mean,  
5 I'm talking after you left the detachment on that day?

6                   **MS. FITZPATRICK:** No, because she was  
7 telling -- I mean, the information she gave me was huge.

8                   **MR. DUMAIS:** All right. And, you were --  
9 well, were you aware that Greg was attending the Cornwall  
10 Police Service office for that purpose?

11                   **MS. FITZPATRICK:** No. No.

12                   **MR. DUMAIS:** Prior to that?

13                   **MS. FITZPATRICK:** No. In fact, Heidi seemed  
14 to think that I knew because I came in the same day as he  
15 had been there, and so she thought this was just some sort  
16 of -- another person saying what are you doing about the  
17 case, you know?

18                   **MR. DUMAIS:** All right.

19                   And were you aware on that day whether or  
20 not Perry Dunlop had attended the Children's Aid office and  
21 given a statement of a Mr. David Silmser?

22                   **MS. FITZPATRICK:** Perry -- we had -- all the  
23 staff saw Perry Dunlop at the agency. Now, I happened to  
24 be going down the hall. I don't know what he was there  
25 for, but when he was leaving Richard's office, Richard was

1 giving him a lot of assurances that he was on his side and  
2 he supported him.

3 That's all I know, so, we knew something was  
4 going on but we didn't know what.

5 **MR. DUMAIS:** So as a child protection worker  
6 at the CAS, you weren't privy to the specifics?

7 **MS. FITZPATRICK:** You know what? Greg Bell  
8 sat next to me for 10 years and I can't tell you what cases  
9 he had, and that's the way it is in the agency. So, no,  
10 we're not privy, we're only -- it's on a need-to-know  
11 basis. You will have your caseload, your supervisor knows,  
12 but it's confidential.

13 **MR. DUMAIS:** Okay.

14 **THE COMMISSIONER:** Do you know about what  
15 time in '93 you would have had that conversation with  
16 Constable Sebalj?

17 **MS. FITZPATRICK:** It was the end of the day,  
18 it was about four o'clock.

19 **THE COMMISSIONER:** That's good. That's a  
20 day, but how about a week, a month?

21 **MS. FITZPATRICK:** Oh, sorry. The week-  
22 month?

23 See, that's what I asked the agency to get  
24 because it would be in Greg Bell's -- you see, I can give  
25 the subjective time, but Greg Bell was there earlier that

1 day for them, so it would be in his case note.

2 THE COMMISSIONER: Okay, but other than  
3 that, in your independent recollection, can you give me  
4 some ballpark as to when that was in 1993?

5 MS. FITZPATRICK: Well, it was January --  
6 no, I'm sorry, November, right? No? It was in November  
7 that this would have taken place.

8 THE COMMISSIONER: November?

9 MS. FITZPATRICK: Yeah.

10 MR. DUMAIS: All right.

11 Now you had mentioned, Geraldine, that you  
12 got into speaking about another case where Heidi had asked  
13 for your assistance to conduct an interview. Is that  
14 correct?

15 MS. FITZPATRICK: That's correct.

16 MR. DUMAIS: Okay. So if you can just take  
17 us there, Geraldine.

18 So she required your assistance to conduct  
19 an interview and, again, this appears to have been an  
20 historical allegation?

21 MS. FITZPATRICK: Yes. M'hm.

22 MR. DUMAIS: And what did she tell you at  
23 that time? Did she give you any details about the  
24 allegations?

25 MS. FITZPATRICK: Well, not really, no.

1                   This is in the same conversation. When she  
2 finished telling me about how disappointed she was about  
3 the case with the priest, she said that she had some  
4 suspicions, and I said what are you talking about?

5                   And that's when she told me about her  
6 encounter, with meeting this woman in the community who  
7 alleged that she had abused in a group home ---

8                   **THE COMMISSIONER:** That she was abused in a  
9 group home?

10                  **MS. FITZPATRICK:** Yes.

11                  **THE COMMISSIONER:** You said that she had  
12 abused in a group home.

13                  **MS. FITZPATRICK:** No, oh, I'm sorry. That  
14 she alleged ---

15                  **THE COMMISSIONER:** So you're talking here of  
16 Ms. Antoine?

17                  **MS. FITZPATRICK:** Okay.

18                  **MR. DUMAIS:** Yes. Correct.

19                  **MS. FITZPATRICK:** Okay. So she had alleged  
20 she was abused in the group home.

21                  So Heidi asked me if I knew anything about a  
22 group home and my first response was, no, we don't have any  
23 group homes in Cornwall. And then I remembered --- that  
24 one of the first children I ever brought into care, when I  
25 was driving down Second Street, this little girl told

1 me -- she pointed to a yellow house and she said, "My mummy  
2 used to live there", and she told me that it was a group  
3 home, that her mother used to live there and it was a home  
4 for teenagers. So I remembered that when Heidi asked me  
5 and I told her that piece.

6 **MR. DUMAIS:** M'hm. And was she referring to  
7 the group home as the Second Street Group Home? Is  
8 that what ---

9 **MS. FITZPATRICK:** Well, at that time she  
10 didn't say anything, you know.

11 **MR. DUMAIS:** Yes.

12 **MS. FITZPATRICK:** She just said did I know  
13 about a group home, yes.

14 **MR. DUMAIS:** What about the name of the  
15 complainant? Did she make you aware of what her name was  
16 at that time?

17 **MS. FITZPATRICK:** I'm not sure if she gave  
18 me the woman's name at the time. She just said that this  
19 woman -- and she wasn't -- she wanted me to help determine,  
20 you know, was there really a group home; is this woman  
21 well; or it this all mental health issues. You know, was  
22 there anything to this.

23 **MR. DUMAIS:** And so did she ask you to check  
24 anything at the office?

25 **MS. FITZPATRICK:** No.

1                   **MR. DUMAIS:** All right. Did she request  
2 your assistance in conducting an interview?

3                   **MS. FITZPATRICK:** Yes, she did. She said if  
4 I find this woman again, she said, would you interview this  
5 woman for me, because Heidi hadn't been through the ISOC  
6 training yet.

7                   So, I said sure, but it was sort of laissez-  
8 faire. I never thought that she would find the woman  
9 or -- you know, because she made it sound so minute that I  
10 didn't think it was such a big deal.

11                  **MR. DUMAIS:** Okay. So is that the extent of  
12 your discussion on that day?

13                  **MS. FITZPATRICK:** On that day, yes.

14                  **MR. DUMAIS:** Okay.

15                         So you leave the Cornwall Police office ---

16                  **MS. FITZPATRICK:** M'hm.

17                  **MR. DUMAIS:** --- you go back to your office?

18                  **MS. FITZPATRICK:** No, it was Friday and I  
19 went home.

20                  **MR. DUMAIS:** Okay. The following week you  
21 go back to the office. Do you do any checking up -- if  
22 we're talking about the first thing she told you, do you  
23 check up with anyone at the office about Greg Bell going  
24 over and taking pictures of her file?

25                  **MS. FITZPATRICK:** No. No.

1                   **MR. DUMAIS:** Did you take down notes of that  
2 meeting with some of the details?

3                   **MS. FITZPATRICK:** No.

4                   **MR. DUMAIS:** Okay. And what about talking  
5 to your supervisors, reporting back to your supervisor  
6 about what she had told you?

7                   **MS. FITZPATRICK:** What Jeannette Antoine had  
8 told me?

9                   **MR. DUMAIS:** No, we're dealing strictly with  
10 the first ---

11                   **MS. FITZPATRICK:** Okay, the first? No, I  
12 didn't.

13                   **MR. DUMAIS:** Okay. What about the group  
14 home allegation ---

15                   **MS. FITZPATRICK:** Yes.

16                   **MR. DUMAIS:** --- did you do anything with  
17 that?

18                   **MS. FITZPATRICK:** Okay. Well, then, that's  
19 when -- I don't know if it was two weeks after that that  
20 Heidi called me up and -- I had actually booked some time  
21 off to go Christmas shopping, and she called me up and she  
22 said that she found this woman and, you know, could I give  
23 her a time to be available. And I said, well, I'm off  
24 today and I'm off tomorrow and that's it.

25                   So then she called me back and she asked me

1 if I would come -- I believe it was a Friday morning -- for  
2 the interview, and I said, sure, yes.

3 **MR. DUMAIS:** Okay. So then just prior to  
4 the interview, do you check up at the office whether or not  
5 there's -- this group home existed?

6 **MS. FITZPATRICK:** No.

7 **MR. DUMAIS:** You don't talk to anyone about  
8 this group home, this allegation?

9 **MS. FITZPATRICK:** No.

10 **MR. DUMAIS:** So I'm going to refer you to a  
11 document, Geraldine, hopefully that can give us a bit of  
12 context as to the dates, and it's Exhibit 1285.

13 You've seen this document before, Geraldine?

14 **MS. FITZPATRICK:** Yes, I have, m'hm.

15 **MR. DUMAIS:** Just if I can put the document  
16 in context.

17 This is a supplementary occurrence report  
18 that appears to have been prepared by Constable Heidi  
19 Sebalj. You see the author's name at the top left and the  
20 reporting time, that's right -- this side, towards the  
21 right -- appears to be the 13<sup>th</sup> day of January, 1994 at  
22 14:05.

23 **MS. FITZPATRICK:** M'hm?

24 **MR. DUMAIS:** And this is the report that  
25 presumably was prepared by Heidi and was filed in the

1 Cornwall Police Service OMPPAC system, which is their  
2 reporting system.

3 So I want to take you, firstly, to the  
4 seventh line -- no, sorry, the tenth line, Geraldine. So  
5 it starts with, "Of the victim seen, being Jeannette  
6 Antoine." So Heidi appears to be describing how the  
7 allegation came to her, and says:

8 "On July 3<sup>rd</sup>, 1992, Constable Sebalj and  
9 Jeannette discussed the outcome of the  
10 investigation at her residence. Upon  
11 completion of said discussion,  
12 conversation between the two shifted to  
13 Jeannette's life experience. Jeannette  
14 recalled being sexually abused and  
15 physically abused by both her father  
16 and by representatives of the  
17 Children's Aid Society."

18 And then it goes on.

19 So the first question is, she appears to  
20 have made first contact -- or Jeannette appears to have  
21 made first contact with Constable Sebalj in 1992. Were you  
22 involved at that period of time?

23 **MS. FITZPATRICK:** No, I was not.

24 **MR. DUMAIS:** And it goes on to say, right  
25 where I left off, Geraldine:

1 "Jeannette explained that CAS and  
2 Constable Kevin Malloy of the Cornwall  
3 Police Service had been apprised of the  
4 allegations."

5 Did you ever have any conversation about the  
6 Jeannette Antoine case with Constable Malloy?

7 **MS. FITZPATRICK:** Absolutely not ---

8 **MR. DUMAIS:** All right.

9 **MS. FITZPATRICK:** --- no.

10 **THE COMMISSIONER:** But by that time in 1993,  
11 you knew who Constable Malloy was?

12 **MS. FITZPATRICK:** Oh, I had several  
13 investigations with him, yes.

14 **THE COMMISSIONER:** Okay.

15 **MR. DUMAIS:** Now, just a little further down  
16 this first page, and about 20 lines from the bottom, it  
17 starts with Constable Sebalj's interest?

18 **MS. FITZPATRICK:** M'hm?

19 **MR. DUMAIS:** Do you have that line?

20 **MS. FITZPATRICK:** Yes.

21 **MR. DUMAIS:** I'm just going to read that.

22 "Constable Sebalj's interest in  
23 Jeannette Antoine's history surfaced  
24 again in November of 1993. Constable  
25 Sebalj had been advised that the

1 Children's Aid Society would not  
2 investigate allegations made against a  
3 Cornwall probation officer, suggesting  
4 that Probation was not within the  
5 Children's Aid Ministry."

6 So do you recall whether or not  
7 Constable Sebalj would have mentioned anything to you about  
8 this?

9 MS. FITZPATRICK: She's talking about the  
10 probation officer here?

11 MR. DUMAIS: Yes.

12 MS. FITZPATRICK: It was Jeannette?

13 MR. DUMAIS: Sorry, this is  
14 Constable Sebalj ---

15 MS. FITZPATRICK: Yes.

16 MR. DUMAIS: --- recounting of her  
17 involvement with Jeannette Antoine.

18 MS. FITZPATRICK: Okay.

19 MR. DUMAIS: So this is her views on this or  
20 what she was told.

21 MS. FITZPATRICK: Yes, okay.

22 MR. DUMAIS: Now, you mentioned that she  
23 would have talked to you about a file involving a priest?

24 MS. FITZPATRICK: Yes.

25 MR. DUMAIS: So my question to you then is,

1 would she have mentioned anything about allegations against  
2 a probation officer?

3 **MS. FITZPATRICK:** In the second meeting,  
4 when Jeannette was there -- I'm trying to think how  
5 he -- his name even came up because at the end of the  
6 view -- interview, she asked Jeannette if she knew  
7 Ken Seguin and I thought, why is she asking that question?  
8 But ---

9 **MR. DUMAIS:** Okay.

10 **THE COMMISSIONER:** So, just a minute.

11 **MS. FITZPATRICK:** Okay. I'm sorry.

12 **THE COMMISSIONER:** I'm a little confused  
13 here.

14 **MS. FITZPATRICK:** Yes.

15 **THE COMMISSIONER:** It says that, "...had  
16 been advised that the Children's Aid Society would not  
17 investigate allegations" -- not the police?

18 **MR. DUMAIS:** Correct.

19 **THE COMMISSIONER:** Okay.

20 **MR. DUMAIS:** Right. Right.

21 **MS. FITZPATRICK:** I don't know anything  
22 about that.

23 **MR. DUMAIS:** Okay. And perhaps I'm not  
24 being clear, and it's my fault.

25 **MS. FITZPATRICK:** M'hm.

1                   **MR. DUMAIS:** When you first meet with ---

2                   **MS. FITZPATRICK:** Heidi.

3                   **MR. DUMAIS:** --- with Heidi, the meeting  
4 that we just discussed?

5                   **MS. FITZPATRICK:** Yes.

6                   **MR. DUMAIS:** Did she bring the matter of a  
7 probation officer up?

8                   **MS. FITZPATRICK:** No.

9                   **MR. DUMAIS:** Okay. Now, just continuing on  
10 where we left off, so then it says:

11                                "On November 12<sup>th</sup>, 1993, Constable  
12                                Sebalj met with Jeannette Antoine in  
13                                the Youth Bureau of the Cornwall Police  
14                                Service. Constable Sebalj summonsed  
15                                Antoine personally. Also present  
16                                during this interview was Geraldine  
17                                Fitzpatrick, a child protection worker  
18                                with the Children's Aid Society of  
19                                SD&G. This interview was audiotaped  
20                                requiring one 90-minute and one 60-  
21                                minute cassette."

22                   **MS. FITZPATRICK:** That's correct.

23                   **MR. DUMAIS:** Okay. So you recall that, that  
24 the meeting was at the Cornwall Police Service?

25                   **MS. FITZPATRICK:** Yes.

1                   **MR. DUMAIS:** The date makes sense to you as  
2 well, November 12<sup>th</sup>, 1993?

3                   **MS. FITZPATRICK:** Yeah.

4                   **MR. DUMAIS:** So your initial meeting with  
5 Heidi would have been prior to November 12<sup>th</sup>, 1993?

6                   **MS. FITZPATRICK:** That is correct.

7                   **MR. DUMAIS:** And I think you just indicated  
8 to us that it would have been approximately two weeks prior  
9 to the interview. Is that fair?

10                   **MS. FITZPATRICK:** To the best of my recall,  
11 yeah.

12                   **MR. DUMAIS:** Okay. And the fact that this  
13 audiotape -- or this interview required two audiotapes,  
14 that's your recollection as well?

15                   **MS. FITZPATRICK:** M'hm, yes, it is.

16                   **MR. DUMAIS:** All right.

17                   Now, my understanding is that you did attend  
18 on November 12<sup>th</sup>, 1993 and you did conduct this interview of  
19 Jeannette Antoine. Is that correct?

20                   **MS. FITZPATRICK:** That is correct.

21                   **MR. DUMAIS:** And just in terms of getting  
22 ready for this interview, just background preparation, were  
23 you provided with any further details by Constable Sebalj?

24                   **MS. FITZPATRICK:** No. So this was really  
25 going into an interview cold and not really knowing what

1 I'm looking for.

2 MR. DUMAIS: Okay.

3 If we can then just ask that a number of  
4 documents be put to you, Geraldine.

5 MS. FITZPATRICK: Okay.

6 MR. DUMAIS: The document is Document Number  
7 740721.

8 THE COMMISSIONER: Thank you.

9 Exhibit 2351 is a -- appears to be a  
10 transcript of an interview with Heidi Sebalj on November  
11 12<sup>th</sup>, 1993 and Jeannette Antoine and Geraldine Fitzpatrick.

12 MR. DUMAIS: And, Mr. Commissioner, the  
13 interview's actually broken down in two separate documents.  
14 So the other document is 740722.

15 THE COMMISSIONER: M'hm.

16 MR. DUMAIS: And I'm also going to be filing  
17 the audiotapes ---

18 THE COMMISSIONER: Yes.

19 MR. DUMAIS: --- to these transcripts, Mr.  
20 Commissioner.

21 THE COMMISSIONER: Fine.

22 MR. DUMAIS: As Exhibits A and B, so on.

23 THE COMMISSIONER: Yes.

24 So 2352 is the second part of the interview  
25 between Heidi Sebalj, Geraldine Fitzpatrick and Jeannette

1 Antoine. And A and B will -- A and A, 2351A will be the  
2 cassette and 2352 will be the corresponding cassette.

3 **MR. DUMAIS:** And just for greater certainty,  
4 Mr. Commissioner, the cassette number is Document Number  
5 740601 -- sorry, 739084 -- Ms. Daley inspired me -- and  
6 739085.

7 **THE COMMISSIONER:** Thank you.

8 **---EXHIBIT NO./PIÈCE NO. P-2351A:**

9 (739084) Audiotape of Interview with  
10 Antoine, Sebalj and Fitzpatrick, Part 1,  
11 dated November 12, 1993

12 **---EXHIBIT NO./PIÈCE NO. P-2351B:**

13 (740721) Transcription (Unofficial) of  
14 Interview with Antoine, Sebalj and  
15 Fitzpatrick, Part 1, dated November 12, 1993

16 **---EXHIBIT NO./PIÈCE NO. P-2352A:**

17 (739085) Audiotape of Interview with  
18 Antoine, Sebalj and Fitzpatrick, Part 2,  
19 dated November 12, 1993

20 **---EXHIBIT NO./PIÈCE NO. P-2352B:**

21 (740722) Transcription (Unofficial) of  
22 Interview with Antoine, Sebalj and  
23 Fitzpatrick, Part 2, dated November 12, 1993

24 **MR. DUMAIS:** So ---

25 **THE COMMISSIONER:** Thank you.

1                   Go ahead, sir.

2                   **MR. DUMAIS:** So you've seen -- and just so  
3                   that we're clear, Mr. Commissioner, this is not an official  
4                   transcription.

5                   **THE COMMISSIONER:** No.

6                   **MR. DUMAIS:** It's just to provide us with  
7                   assistance.

8                   **THE COMMISSIONER:** I noticed that. At the  
9                   bottom, it says it's an unofficial document and in case of  
10                  a discrepancy, it should go to the audio which is the  
11                  normal rule in these ---

12                  **MR. DUMAIS:** Thank you.

13                  Now, Geraldine, you've looked at this  
14                  document which is now Exhibit 2352?

15                  **MS. FITZPATRICK:** M'hm.

16                  **MR. DUMAIS:** And that is the interview that  
17                  you conducted of Jeannette Antoine on November 12<sup>th</sup>, 1993  
18                  with Constable Sebalj; correct?

19                  **MS. FITZPATRICK:** That is correct.

20                  **MR. DUMAIS:** Okay. And just before we go  
21                  there, before going to this interview, would you have  
22                  advised anyone at your office that you were conducting this  
23                  interview?

24                  **MS. FITZPATRICK:** No, I did not.

25                  **MR. DUMAIS:** Would you have opened a file?

1                   **MS. FITZPATRICK:** No.

2                   **MR. DUMAIS:** Advised your supervisor?

3                   **MS. FITZPATRICK:** No.

4                   **MR. DUMAIS:** Okay.

5                   **THE COMMISSIONER:** Were you supposed to?

6                   **MS. FITZPATRICK:** Not that I know of.

7                   **THE COMMISSIONER:** Okay.

8                   **MR. DUMAIS:** And you indicated to us earlier  
9 that you had actually booked these two days off. Is that  
10 correct?

11                   **MS. FITZPATRICK:** Pardon?

12                   **MR. DUMAIS:** That you had booked these two  
13 days off from work?

14                   **MS. FITZPATRICK:** Yes.

15                   **MR. DUMAIS:** So, in your mind, were you --  
16 did you -- were you off on that day? I guess ---

17                   **MS. FITZPATRICK:** Yes, I was going -- you  
18 have to understand. Every Christmas that I worked at the  
19 agency, I never got my Christmas shopping done so I made it  
20 a point in November, I was getting the Christmas shopping  
21 done so we were going to have a real Christmas. So I had  
22 booked it off for shopping.

23                   **MR. DUMAIS:** Okay.

24                   **MS. FITZPATRICK:** M'hm.

25                   **MR. DUMAIS:** But I guess my question is, in

1           your mind, were you there in an official capacity? Were  
2           you there as a child protection worker for the ---

3                   **MS. FITZPATRICK:** No, no.

4                   **MR. DUMAIS:** What were you there for?

5                   **MS. FITZPATRICK:** For support of Heidi and  
6           to help her validate or substantiate or rule out if there  
7           was anything to what this woman was telling her.

8                   **MR. DUMAIS:** All right.

9                   So before starting the interview, Geraldine,  
10          you're introduced to Jeannette. Is that correct?

11                   **MS. FITZPATRICK:** That is correct.

12                   **MR. DUMAIS:** And did you -- do you strike up  
13          a conversation with her?

14                   **MS. FITZPATRICK:** Not really, no.

15                   **MR. DUMAIS:** Okay.

16                   **MS. FITZPATRICK:** No. Heidi, you know, it  
17          was, "This is Jeannette" and the audiotape was going on.  
18          Yeah.

19                   **MR. DUMAIS:** So there's no discussion before  
20          the tape starts about what you're going to be talking  
21          about. Is that correct?

22                   **MS. FITZPATRICK:** No, as a matter of fact, I  
23          think it opens up in that, that I want to talk to her about  
24          the group home or somewhere it's in there.

25                   **MR. DUMAIS:** Okay.

1                   **MS. FITZPATRICK:** Heidi may have told her on  
2                   the telephone, I wouldn't know.

3                   **MR. DUMAIS:** All right. So is it fair to  
4                   say that when you first get there, you're introduced to  
5                   Jeannette and you almost immediately get into the  
6                   interview. Is that fair?

7                   **MS. FITZPATRICK:** Yes. M'hm.

8                   **MR. DUMAIS:** Okay. Now, I'm going to take  
9                   you through the statement that you took and I guess the  
10                  first question is, you were conducting this interview;  
11                  correct?

12                  **MS. FITZPATRICK:** Yes, that's correct.

13                  **MR. DUMAIS:** And you asked most questions  
14                  from Jeannette Antoine. Is that correct?

15                  **MS. FITZPATRICK:** That is correct.

16                  **MR. DUMAIS:** And Heidi would have intervened  
17                  here and there, but it was very limited. Is that correct?

18                  **MS. FITZPATRICK:** That's correct. She was  
19                  taking the notes.

20                  **MR. DUMAIS:** All right.

21                                So we're just starting at the first page of  
22                                the statement, so if I can just take you to Exhibit 2352,  
23                                so it starts off where Jeannette is describing this group  
24                                home. Is that correct?

25                  **MS. FITZPATRICK:** Now, hold on, my screen

1           went off.

2                           **THE COMMISSIONER:** Two-three-five-one (2351)  
3           perhaps? Is that what you're -- the first transcript or  
4           the second?

5                           **MR. DUMAIS:** The first transcript.

6                           **THE COMMISSIONER:** So it's 2351.

7                           **MS. FITZPATRICK:** Yeah.

8                           **MR. DUMAIS:** Correct.

9                           So she starts off by providing a description  
10          of her initial involvement with the group home. Is that  
11          correct?

12                           **MS. FITZPATRICK:** That's correct.

13                           **MR. DUMAIS:** And she mentioned there that  
14          initially the person that was in charge there was a  
15          gentleman by the name of Rod Rabey. Is that correct?

16                           **MS. FITZPATRICK:** That is correct.

17                           **MR. DUMAIS:** And did you know who Rod Rabey  
18          was at that time?

19                           **MS. FITZPATRICK:** No, I did not.

20                           **MR. DUMAIS:** Okay. So had -- do you know  
21          whether or not you had worked with Mr. Rabey?

22                           **MS. FITZPATRICK:** If who had worked with Mr.  
23          Rabey?

24                           **MR. DUMAIS:** If you had worked with him?

25                           **MS. FITZPATRICK:** No, no.

1                   **MR. DUMAIS:** Okay. And you had -- you  
2 hadn't heard his name around at the office either?

3                   **MS. FITZPATRICK:** No, I had not.

4                   **MR. DUMAIS:** And certainly Ms. Antoine did  
5 not appear to have any concerns about Mr. Rabey. Is that  
6 correct?

7                   **MS. FITZPATRICK:** No. She was quite fond --  
8 they were very kind to her. That's how she described it.

9                   **MR. DUMAIS:** Okay.

10                   And as you get into her description of her  
11 experience at the group home, she gets into identifying  
12 some of the other children that were placed there?

13                   **MS. FITZPATRICK:** Correct.

14                   **MR. DUMAIS:** And as I'm asking that  
15 question, Mr. Commissioner, I just realised that this  
16 document should be identified -- should be stamped with a  
17 publication ban.

18                   The names of the children that were placed  
19 in the group home were previously identified by a request,  
20 I believe Miss Simms made that request in the Towndale  
21 evidence, it's the same names. This document had not been  
22 filed but certainly all of the names have been identified.

23                   **THE COMMISSIONER:** All right.

24                   **MR. DUMAIS:** So just on that note,  
25 Geraldine, we should be careful about -- and I think two of

1           these children do have monikers but I don't think there's  
2           any need to refer specifically to their name.

3                        So I'm looking here at Bates page 843 or  
4           page 4 of the transcript, Geraldine.

5                        So you're essentially asking her whether or  
6           not she can recall -- at the top of the page -- the names  
7           of other kids that were in the group home at the same time  
8           that she was. Is that correct?

9                        **MS. FITZPATRICK:** That is correct.

10                      **MR. DUMAIS:** And she is able to identify a  
11           number of these children both by first and last name. Is  
12           that correct?

13                      **MS. FITZPATRICK:** Yes, that's correct.

14                      **MR. DUMAIS:** And when she's mentioning these  
15           names to you, do they mean anything to you? Do you  
16           recognise any of these names?

17                      **MS. FITZPATRICK:** One name I recognised.

18                      **MR. DUMAIS:** Okay. And had you been a child  
19           protection worker for one of these specific ---

20                      **MS. FITZPATRICK:** No.

21                      **MR. DUMAIS:** --- child, no?

22                      **MS. FITZPATRICK:** No.

23                      **MR. DUMAIS:** But you said you recognised the  
24           name as being someone involved with the agency?

25                      **MS. FITZPATRICK:** Well, I would have met one

1 of his offspring, I guess, or relatives, yes.

2 **MR. DUMAIS:** Okay.

3 Now, at the bottom of that page, and I'm  
4 just going to read it out to you, it's the last paragraph.  
5 Ms. Antoine is indicating:

6 "I went. I didn't want to go back  
7 to the group home, but I did. I  
8 remember walking in the door and I  
9 seen this man that I seen, I'd  
10 seen before, but I couldn't  
11 picture him until he said that.  
12 His comments was 'Oh, brother'.  
13 And I knew right off the bat that  
14 it had been Bryan Keough. And  
15 Brian and I had never hit it off  
16 from the time I can remember  
17 speaking. He used to be my worker  
18 when I was in the foster care."

19 So that's -- she identifies Mr. Keough;  
20 correct?

21 **MS. FITZPATRICK:** Correct.

22 **MR. DUMAIS:** And did you know who Bryan  
23 Keough was at that time?

24 **MS. FITZPATRICK:** Yes I did, m'hm.

25 **MR. DUMAIS:** And do you recall whether or

1 not -- at this particular time, whether or not he was still  
2 working at the agency?

3 **MS. FITZPATRICK:** No. He had left to become  
4 a minister, I believe.

5 **MR. DUMAIS:** Okay. So do you recall when  
6 that was or?

7 **MS. FITZPATRICK:** Oh, gee. We had the going  
8 away party but I don't remember when -- okay, hold on,  
9 let's see. No, I just remember that he was leaving and so  
10 it was before this for sure. I don't know what year he had  
11 left.

12 **MR. DUMAIS:** Okay.

13 Now, I'm looking at Bates page 850.

14 **THE COMMISSIONER:** So the Bates pages are in  
15 the top left corner.

16 **MS. FITZPATRICK:** Okay.

17 **MR. DUMAIS:** Or page 11 of the transcript if  
18 that's easier.

19 She's describing some of the staff that was  
20 involved at the Second Street Group Home; correct?

21 **MS. FITZPATRICK:** That's correct.

22 **MR. DUMAIS:** All right.

23 And just towards the bottom of the page  
24 there, her second last answer:

25 "I remember going home. We were

1 all at home and Brian was there  
2 and this man in black, totally had  
3 black on. I asked him if he was -  
4 - this thing had anything to do  
5 with morbid because he was always  
6 wore black right down to socks and  
7 shoes. We used to make fun of him  
8 because he always wore black and  
9 he was really tall. And then  
10 there was this other girl."

11 And then you asked him to identify this  
12 person and she indicates in her last response on that page,  
13 "Derry Tenger".

14 **MS. FITZPATRICK:** M'hm.

15 **MR. DUMAIS:** So did you know Derry Tenger at  
16 that period of time?

17 **MS. FITZPATRICK:** No, I did not.

18 **MR. DUMAIS:** Okay. And you hadn't heard  
19 anything from him at the Children's Aid office?

20 **MS. FITZPATRICK:** Not a word.

21 **MR. DUMAIS:** And you -- in 1993, you  
22 couldn't have said whether or not he had ever worked there?  
23 Is that fair?

24 **MS. FITZPATRICK:** I wouldn't have known  
25 because I never saw his name on any files or ---

1                   **MR. DUMAIS:** Okay.

2                   Now, if you flip on to the next page, which  
3                   is Bates page 851, about mid-page there, she's identifying  
4                   someone else, and she's giving you the name of Ms. Gratton.  
5                   Do you see this?

6                   **MS. FITZPATRICK:** Yes, I do, m'hm.

7                   **MR. DUMAIS:** So did you know Miss Gratton at  
8                   that period of time?

9                   **MS. FITZPATRICK:** No, I did not.

10                  **MR. DUMAIS:** Okay. And a little further  
11                  down she identifies a lady by name, she indicates initially  
12                  Ms. Lepage and then you indicate to her Fran Lepage. Is  
13                  that correct?

14                  **MS. FITZPATRICK:** That is correct.

15                  **MR. DUMAIS:** And did Jeannette indicate that  
16                  she would have had some involvement in the Second Street  
17                  affair? Put it that way.

18                  **MS. FITZPATRICK:** Did Fran have some  
19                  involvement?

20                  **MR. DUMAIS:** Yes. Did she identify her?

21                  **MS. FITZPATRICK:** I know that she had some  
22                  kind of an encounter with her, with Fran.

23                  **MR. DUMAIS:** And was Fran, in 1993, still  
24                  employed by the Children's Aid Society?

25                  **MS. FITZPATRICK:** That is correct. Yes.

1                   **MR. DUMAIS:** She was? All right.

2                   And then on the next page, at page 13, she  
3 identifies the name of Heather Tenger. Did that name mean  
4 anything to you at that time?

5                   **MS. FITZPATRICK:** No, it did not.

6                   **MR. DUMAIS:** It did not? All right.

7                   Now, in the next 14 or 15 pages, Geraldine,  
8 and that's pages 853 through 867. I'm not going to take  
9 you through each and every one of her allegations ---

10                  **MS. FITZPATRICK:** Right.

11                  **MR. DUMAIS:** --- but, essentially, Jeannette  
12 was indicating to you that while she was placed in the  
13 group home, that she would have suffered both physical and  
14 sexual abuse. Is that correct?

15                  **MS. FITZPATRICK:** That's correct.

16                  **MR. DUMAIS:** And some of the incidents that  
17 she was explaining to you was that both her and some of the  
18 other kids that had been in the group home had been hit by  
19 a belt. Is that correct?

20                  **MS. FITZPATRICK:** Had been hit by what?

21                         Well, she described it as some kind of a  
22 black rubber thing like this, not a belt.

23                  **MR. DUMAIS:** Okay, not a belt specifically.

24                  **MS. FITZPATRICK:** It was some kind of a  
25 rubber ---

1                   **MR. DUMAIS:** And she had recounted incidents  
2 of where kids were punished and, more specifically, girls  
3 had been punished, asked to strip down to their bras and  
4 underwear and made to clean up with a toothbrush. Do you  
5 recall that?

6                   **MS. FITZPATRICK:** I certainly do. By male  
7 staff.

8                   **MR. DUMAIS:** By male staff, yes.

9                   **MS. FITZPATRICK:** M'hm. When I look at it  
10 clinically, you're looking at sexually abused children and  
11 male staff watching them in their underwear.

12                   **MR. DUMAIS:** And she went on to describe  
13 different occurrences that happened over her stay, during  
14 the long -- the time she was there at the Second Street  
15 Group Home. Is that correct?

16                   **MS. FITZPATRICK:** Yes.

17                   **MR. DUMAIS:** All right. And certainly she  
18 was making specific allegations against Bryan Keough who  
19 had been a child protection worker with the agency. Is  
20 that correct?

21                   **MS. FITZPATRICK:** That is correct.

22                   **MR. DUMAIS:** All right.

23                   And, as a matter of fact, at one point-in-  
24 time would even have indicated to you that she suspected  
25 that he had -- that is, she thought that he was perhaps was

1 the father of her niece. Is that correct?

2 **MS. FITZPATRICK:** She believed that he was  
3 having sexual relationships with her sister, that the  
4 sister gave birth to a baby, and that the sister named the  
5 baby, Brian.

6 **MR. DUMAIS:** At that time, Geraldine, she  
7 was not indicating that her sister had confirmed that to  
8 her. Is that correct?

9 **MS. FITZPATRICK:** I believe geographically  
10 they were separated and she had very little contact with  
11 her.

12 **MR. DUMAIS:** All right. But she didn't  
13 indicate that her sister had told that?

14 **MS. FITZPATRICK:** Oh, okay.

15 **MR. DUMAIS:** Is that right?

16 **MS. FITZPATRICK:** Yes. Yes.

17 **MR. DUMAIS:** Is that correct?

18 **MS. FITZPATRICK:** M'hm.

19 **MR. DUMAIS:** Now, if I can just take you to  
20 Bates page 869 which is page 30 of the transcript. And if  
21 I can just take you to about the middle of the second  
22 paragraph, Geraldine, and the line starts with the words  
23 "And I said no. Why did you ever think that."

24 Do you have that line?

25 **THE COMMISSIONER:** So this is her sister --

1 is that her sister, Heather?

2 MS. FITZPATRICK: Yes, that's correct.

3 MR. DUMAIS: So you have the line, Geraldine?

4 MS. FITZPATRICK: Yes, I do.

5 MR. DUMAIS: Okay, so I'm just going to read  
6 out the relevant portion:

7 "I've never had other than being raped  
8 or sexually assaulted when I was in  
9 foster care, I was never involved with  
10 anybody."

11 So certainly Jeannette Antoine appears to be  
12 indicating here that she would have been raped or sexually  
13 assaulted while in foster care?

14 MS. FITZPATRICK: M'hm.

15 MR. DUMAIS: And these incidents that would  
16 have preceded her involvement with this group home. Is  
17 that correct?

18 MS. FITZPATRICK: That I don't know. I  
19 don't know -- I think she's a multi-victim.

20 MR. DUMAIS: Okay. And I guess specifically  
21 about the reference to being sexually assaulted in foster  
22 care ---

23 MS. FITZPATRICK: M'hm.

24 MR. DUMAIS: --- would she have provided you  
25 with any of those details?

1                   **MS. FITZPATRICK:** No.

2                   **MR. DUMAIS:** Did you ask her for those  
3 details?

4                   **MS. FITZPATRICK:** No, because I thought I  
5 would be doing a subsequent interview. That day she  
6 provided so much information, I was overwhelmed.

7                   **MR. DUMAIS:** Okay.

8                   **MS. FITZPATRICK:** And I couldn't absorb any  
9 more of what she had to say. So I thought that that type  
10 of thing would come later in a subsequent interview.

11                   **MR. DUMAIS:** Okay.

12                   And then she goes to explain that at one  
13 point-in-time the children that were in the group home  
14 would have ran away. Is that correct?

15                   **MS. FITZPATRICK:** That is correct.

16                   **MR. DUMAIS:** And some sort of contact had  
17 been made with the Children's Aid office and there had been  
18 a number of meetings. Is that correct?

19                   **MS. FITZPATRICK:** Well, the way, you know --  
20 and I just hear this from the heart -- the way she  
21 described that running away, this was out of fear. And the  
22 children were running away from a group home.

23                   And I believe she said it was at night time  
24 and I can't imagine, they ended up in Summerstown, these  
25 children. They broke into a cottage because they were cold

1 and they were hungry.

2 They tried to make a plan who was going to  
3 come help them. She told me that they called Tom O'Brien  
4 hoping that he would come and see them and that they could  
5 tell him their story.

6 But what happened instead was some police  
7 cruisers showed up instead and picked the children up and  
8 brought them to the agency. And then she tells the rest of  
9 the story of what happened.

10 **MR. DUMAIS:** All right. And, again, as  
11 she's telling you some of the details of the 2nd Street  
12 Group Home. That doesn't trigger any memory for you?  
13 You're no more aware of any of the incidents that would  
14 have occurred at the group home; correct?

15 **MS. FITZPATRICK:** I had never heard these  
16 stories before, no.

17 **MR. DUMAIS:** I'm now at the Exhibit 2352,  
18 Geraldine, which is the second part of the transcript, and  
19 I'm just looking at Bates page 887 or page 6 of that  
20 transcript.

21 Now, some of the questions in the next few  
22 pages, Geraldine, deal with who Jeannette would have told  
23 of these allegations prior to speaking with you.

24 **MS. FITZPATRICK:** M'hm.

25 **MR. DUMAIS:** And -- sorry, I'm looking at

1           rather Bates page 888 which is page 7. So she's indicating  
2           towards the bottom of the page that she would have told  
3           Bill McNally.

4                       **MS. FITZPATRICK:** M'hm.

5                       **MR. DUMAIS:** Did you know Bill McNally?

6                       **MS. FITZPATRICK:** I've met him as I ended up  
7           replacing his office. So he was -- when I met him he had  
8           left the agency but he was often in the office because he  
9           was an attendance counsellor.

10                      **MR. DUMAIS:** Okay. But he was no longer  
11           working there in 1993. Is that correct?

12                      **MS. FITZPATRICK:** That's correct.

13                      **MR. DUMAIS:** And she also mentions the name  
14           of Dawn Osler, that she would have told this lady. Do you  
15           know who she was?

16                      **MS. FITZPATRICK:** Dawn Osler currently is a  
17           foster parent. She used to be a crown ward worker at our  
18           agency and then she shifted over to Children's Mental  
19           Health, and so she's a mental health counsellor for  
20           children.

21                      **MR. DUMAIS:** So she -- if you can just then  
22           turn to Bates page 890, which is page 9, and I'm looking at  
23           the third paragraph on that page and perhaps I can just  
24           read it out:

25    "He said to me that he couldn't work in

1 the situation if Bryan Keough were  
2 still there. And I asked Greg Bell if  
3 Bryan was there and he said yeah. I  
4 said what's he doing. He said that he  
5 was working with children to be placed  
6 in foster care."

7 So certainly it appears that at one point-  
8 in-time Jeannette would have disclosed this to Greg Bell.  
9 Is that correct?

10 **MS. FITZPATRICK:** That is correct.

11 **MR. DUMAIS:** And I forget now whether or not  
12 I asked you this earlier, but is -- was Mr. Bell still  
13 working at the agency in 1993?

14 **MS. FITZPATRICK:** Yes, he was.

15 **MR. DUMAIS:** All right.

16 And he appears to indicate here or Greg  
17 appears to be -- or Jeannette indicates that Greg would  
18 have told her that he was taking this to the Board.

19 **MS. FITZPATRICK:** Yeah.

20 **MR. DUMAIS:** And, again, you would not have  
21 been made aware. either then or now, whether or not this  
22 matter went to the Board?

23 **MS. FITZPATRICK:** No.

24 **MR. DUMAIS:** All right.

25 **MS. FITZPATRICK:** Well, there's a piece I

1 was told by another worker that Greg had pursued some  
2 things on this matter.

3 MR. DUMAIS: That he had been involved with  
4 Jeannette Antoine?

5 MS. FITZPATRICK: But I found this out from  
6 Carleen Hickey after I had done my part.

7 MR. DUMAIS: Okay.

8 MS. FITZPATRICK: M'hm.

9 MR. DUMAIS: All right. And perhaps we'll  
10 just leave those questions for when we deal ---

11 MS. FITZPATRICK: Later.

12 MR. DUMAIS: --- Carleen's involvement in a  
13 short while.

14 MS. FITZPATRICK: Okay.

15 MR. DUMAIS: And at one point she advises  
16 that she would have recounted the story to Rick Abell. Is  
17 that correct?

18 MS. FITZPATRICK: That's correct.

19 MR. DUMAIS: All right. And he had actually  
20 at one point-in-time met with her; correct?

21 MS. FITZPATRICK: He met her in a  
22 restaurant.

23 MR. DUMAIS: Okay. And as she was following  
24 up on her involvement with the Children's Aid Society,  
25 Jeannette Antoine described to you on how she attempted to

1 get a copy of her file. Is that correct?

2 MS. FITZPATRICK: Yes.

3 MR. DUMAIS: And, essentially, she had been  
4 dealing with Carleen Cummings to get a copy of her file.  
5 Is that correct?

6 MS. FITZPATRICK: M'hm. I don't know how  
7 Carleen would get a copy but I'd have to re-read this part.  
8 I guess.

9 MR. DUMAIS: Perhaps if I can just take you  
10 then to Bates page 894, page 13.

11 So it's a question that you're asking in  
12 about mid-page.

13 "How did Carleen Cummings come into the  
14 picture? Was that after you met with  
15 Richard Abell or before?"

16 And her answer:

17 "Oh, Carleen. The first time; you talk  
18 about the first time I seen her; the  
19 first time I've seen here was because  
20 I'd been having some flashbacks, they  
21 were scary flashbacks. There is this  
22 man and this thing that is hurting me  
23 and I don't know who it is. And I  
24 really want to know who it is. And I  
25 want to know my past. I want to know

1                   who my mom was, who my dad was. How  
2                   many kids were in my family. Why was I  
3                   taken away from the Children's Aid.  
4                   Was I -- did I have any -- did I have  
5                   these diseases, normal disease that  
6                   kids have, chicken pox, you know? I  
7                   want a birth certificate."

8                   And then you answer:

9                   "So you want to know what your social  
10                  history was?"

11                 **MS. FITZPATRICK:** M'hm.

12                 **MR. DUMAIS:** And then the last two lines on  
13                 that page, she indicates:

14                   "And then when I talked to Richard  
15                   about it, he said that Carleen Cummings  
16                   would give me what I needed. So I --  
17                   Carleen called me and asked me what I  
18                   wanted and I told her basically..."

19                 And then she provided a one-sheet disclosure about her  
20                 file. Do you recall that now?

21                 **MS. FITZPATRICK:** Well, I do now reading  
22                 this, but I don't, you know.

23                 **MR. DUMAIS:** Okay. And my understanding,  
24                 Geraldine, is you had a personal relationship with Carleen  
25                 at that time back then?

1                   **MS. FITZPATRICK:** That's true.

2                   **MR. DUMAIS:** Okay. And, I mean, certainly -  
3                   - and would she have discussed with you at any point-in-  
4                   time this disclosure?

5                   **MS. FITZPATRICK:** That's what surprised me.  
6                   When I -- no, she never said a word to me about this.

7                   **MR. DUMAIS:** Okay.

8                   **MS. FITZPATRICK:** Not until a later time.

9                   **MR. DUMAIS:** Yes.

10                  **MS. FITZPATRICK:** Yes, okay.

11                  **MR. DUMAIS:** And we'll get to that ---

12                  **MS. FITZPATRICK:** Yes.

13                  **MR. DUMAIS:** --- a little later on.

14                  **MS. FITZPATRICK:** M'hm.

15                  **MR. DUMAIS:** And at Bates page 901 --  
16                  perhaps, Mr. Commissioner, if I can just finish with the  
17                  interview, I just have a few more questions then perhaps we  
18                  can take the afternoon break?

19                  **THE COMMISSIONER:** If you want to.

20                  I thought usually three o'clock was the  
21                  afternoon break.

22                  **MR. DUMAIS:** Fair enough.

23                  **THE COMMISSIONER:** Whatever you want.

24                  **MR. DUMAIS:** Yeah.

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

1                   **THE COMMISSIONER:** So we're at 293 -- 893,  
2           is that where ---

3                   **MR. DUMAIS:** Nine-zero-one (901).

4                   **THE COMMISSIONER:** Nine-zero-one (901),  
5           sorry.

6                   **MR. DUMAIS:** So this is a question that's  
7           coming from Constable Sebalj towards the end of that page.  
8           She's essentially asking Jeannette whether or not she's  
9           identified everyone that she would have told about these  
10          incidents and at the end of that page, the bottom of that  
11          page, she identifies the name of Ms. Sammass.

12                   **MS. FITZPATRICK:** M'hm.

13                   **MR. DUMAIS:** I don't know if I'm pronouncing  
14          that right but does that ---

15                   **MS. FITZPATRICK:** M'hm. Yes.

16                   **MR. DUMAIS:** Does that name mean anything to  
17          you?

18                   **MS. FITZPATRICK:** No, it doesn't.

19                   **MR. DUMAIS:** Okay. And I think she goes on  
20          to describe her as being a Board member.

21                   **MS. FITZPATRICK:** Yes, that's right.  
22          Correct.

23                   **MR. DUMAIS:** But that doesn't -- the name  
24          doesn't mean anything to you, either at that time or now?

25                   **MS. FITZPATRICK:** No.

1                   **MR. DUMAIS:** Okay.

2                   And then if we're looking at the second last  
3 page, Geraldine, so Bates page 911, page 30.

4                   I just need to find the reference, Mr.  
5 Commissioner.

6                   **THE COMMISSIONER:** Certainly.

7                   **(SHORT PAUSE/COURTE PAUSE)**

8                   **MR. DUMAIS:** I'm sorry, it's actually -- I  
9 believe at, yeah, it's at Bates page 901 again.

10                  **MS. FITZPATRICK:** Zero-one (01).

11                  **MR. DUMAIS:** It's about mid-page, Geraldine,  
12 and I'll read it out for you.

13                  **MS. FITZPATRICK:** M'hm.

14                  **MR. DUMAIS:** So then you're -- this is you  
15 speaking:

16                                 "Are you prepared to let Constable  
17 Sebalj have all the information to  
18 Xerox it so she can have that  
19 information for her?"

20                   And then Jeannette answers:

21                                 "Sorry, yeah. If she wants a copy of  
22 it."

23                   And then you ask:

24                                 "The letters, the correspondence,  
25 anything like that."

1 "Yeah."

2 Do you recall whether or not Jeannette had  
3 any documents with her at that time?

4 **MS. FITZPATRICK:** No, not that I saw.

5 **MR. DUMAIS:** Okay. And did she indicate to  
6 you and Constable Sebalj that she did have documents at her  
7 home? That she was in possession of that?

8 **MS. FITZPATRICK:** Not that I remember.

9 **MR. DUMAIS:** Okay. And do you recall -- do  
10 you know whether or not you would have followed up with  
11 that? Obtained at any point-in-time any documents from  
12 Jeannette Antoine yourself personally?

13 **MS. FITZPATRICK:** No.

14 **MR. DUMAIS:** Okay. Now, the recording ends  
15 -- or the statement, you're finished taking the statement  
16 from Jeannette Antoine. How did you leave things with her?

17 **MS. FITZPATRICK:** Okay. Well, it was Heidi  
18 that sort of left things with her. She said that she would  
19 be getting back to her; that she would want to speak with  
20 her again. And then, you know, took her to the door,  
21 exited her out. Then she came back in to see me and back  
22 into the room.

23 **MR. DUMAIS:** All right. And was that the  
24 extent of the discussion with Jeannette. It was Constable  
25 Sebalj that was to get back to her?

1 MS. FITZPATRICK: Yes.

2 MR. DUMAIS: Okay. And you were not  
3 provided with any contact information?

4 MS. FITZPATRICK: Of who?

5 MR. DUMAIS: Of Jeannette Antoine?

6 MS. FITZPATRICK: No, no.

7 MR. DUMAIS: And during this interview,  
8 Geraldine, are you taking down notes?

9 MS. FITZPATRICK: No.

10 MR. DUMAIS: You're not taking any notes at  
11 all?

12 MS. FITZPATRICK: No. Heidi was taking the  
13 notes.

14 MR. DUMAIS: Okay. All right.

15 So then, Jeannette Antoine leaves the  
16 interview ---

17 MS. FITZPATRICK: M'hm.

18 MR. DUMAIS: --- and I take it you would  
19 have had a discussion with ---

20 MS. FITZPATRICK: With Heidi.

21 MR. DUMAIS: --- Heidi. Is that correct?

22 MS. FITZPATRICK: M'hm, that's correct.

23 MR. DUMAIS: All right. So tell us about  
24 that discussion. What did ---

25 MS. FITZPATRICK: Well, after we finished

1 with Jeannette, I have to say I was more than disappointed  
2 to say the least. And I said, "Oh my God, Heidi, what are  
3 we going to do?" And she was taking the audiotapes and she  
4 was wrapping them up.

5 And she said, "Well, I'm going to take these  
6 tapes to a lawyer". And I said, "What do you mean a  
7 lawyer? You know I have to tell my boss".

8 And so she said, "No", she said, "You'll be  
9 obstructing a criminal investigation if you do". And I  
10 said, "Well, aren't you going to tell your boss, Luc?" And  
11 so she said, "Well, I can't". And I said, "Why not?" And  
12 she said, "Well, he sits on the Board of the Children's Aid  
13 Society".

14 And it's not that she -- the only -- she saw  
15 it as a conflict of interest because he sat on the Board;  
16 the allegations were made; very serious allegations were  
17 made against Children's Aid.

18 And so what Heidi wanted to do -- oh, I'm  
19 sorry -- she said to me that she was taking this to the  
20 lawyers and when I realized that she told me I can't tell  
21 my boss, and that she's not going to tell her boss, that  
22 made me really nervous.

23 And she was going to take it to a lawyer;  
24 put it in his care because she said that she wasn't going  
25 to let the Crown Attorney get a hold of this case the way

1 he ruined the last case on her.

2 And she said her plan was, she was going  
3 within the legal department but to another law enforcement  
4 or whoever, to find out what she should do about this. So  
5 she told me -- I thought people were going to get arrested  
6 right away.

7 And she told me that she would be back in  
8 touch with me in two weeks because by then she will have  
9 known what to do and the process will be in place.

10 **MR. DUMAIS:** Now, Geraldine, you indicated  
11 that she would be taking the tapes to a lawyer. Did she  
12 provide you with a name? Did she ---

13 **MS. FITZPATRICK:** No, she did not.

14 **MR. DUMAIS:** And did you get the impression  
15 that by "lawyer" she meant the Crown Attorney or ---

16 **MS. FITZPATRICK:** No, she was going to a  
17 private lawyer to secure the tapes until she could find out  
18 what to do.

19 **MR. DUMAIS:** And were you ever made aware of  
20 that fact that she would have seen a lawyer to do with the  
21 tapes?

22 **MS. FITZPATRICK:** After that day, I waited  
23 the two weeks for Heidi and I never heard from her. And  
24 every day I sat at work wondering when they were coming in  
25 to arrest people and it was a horrible situation to be in.

1 And I never heard from her and then I tried to call over to  
2 her office to sort of fish out like what is going on, and I  
3 would leave messages and I didn't hear from her. And I  
4 remember one time speaking with Dave Bough, just trying to  
5 get a sense of where's Heidi, you know, and he said  
6 something like, "Oh, it's terrible what they're doing to  
7 her."

8 MR. DUMAIS: Did he elaborate; provide  
9 details?

10 MS. FITZPATRICK: Well, he didn't that day,  
11 but then another day he told me that they were disciplining  
12 her and they were making her the scapegoat.

13 MR. DUMAIS: Okay.

14 Do you know what he was talking about?

15 MS. FITZPATRICK: He was talking about the  
16 whole priest investigation.

17 MR. DUMAIS: All right.

18 MS. FITZPATRICK: M'hm.

19 MR. DUMAIS: Now, after -- so ---

20 MS. FITZPATRICK: Okay.

21 MR. DUMAIS: --- you had left things with  
22 Heidi saying that -- by her saying that she would contact  
23 you in two weeks; is that correct?

24 MS. FITZPATRICK: Yes, correct.

25 MR. DUMAIS: At one point in time you go

1 back to your office after this interview ---

2 MS. FITZPATRICK: M'hm.

3 MR. DUMAIS: --- when you're next at work.

4 Do you speak to anyone about this?

5 MS. FITZPATRICK: I told three of my  
6 colleagues.

7 MR. DUMAIS: Who would you have told?

8 MS. FITZPATRICK: I would have told Carol  
9 Beamer, Jennifer Ray, Carleen Cummings, and later Patricia  
10 Garrahan.

11 MR. DUMAIS: Okay.

12 And perhaps I'll be a little more specific  
13 with my question, but do you tell them this shortly after  
14 this interview in 1993?

15 MS. FITZPATRICK: No, no, I waited until  
16 after. It would have been after the Christmas break, yeah.

17 MR. DUMAIS: Okay, all right.

18 So if we can just use, I guess, the  
19 Christmas break as ---

20 MS. FITZPATRICK: Yeah.

21 MR. DUMAIS: Do you speak to anyone at the  
22 agency about this from the day of the interview, so  
23 November 12<sup>th</sup>, '93 ---

24 MS. FITZPATRICK: Oh, yeah.

25 MR. DUMAIS: --- to the end of the year?

1                   **MS. FITZPATRICK:** No.

2                   **MR. DUMAIS:** And when you get back to the  
3 office, do you take down notes of what went on and who said  
4 what, and do you write anything down?

5                   **MS. FITZPATRICK:** No, because you know what,  
6 I was leaving this in Heidi's hands and part of me was  
7 hoping that this stuff wasn't true and so there was a part  
8 of me that wanted to dismiss it, but I knew that we  
9 couldn't but I knew she had the notes. I didn't take  
10 notes.

11                   **MR. DUMAIS:** All right.  
12 And you don't open a file at your office?

13                   **MS. FITZPATRICK:** For what?

14                   **MR. DUMAIS:** A file about the Jeannette  
15 Antoine allegation.

16                   **MS. FITZPATRICK:** No, because that's Heidi's  
17 job.

18                   **MR. DUMAIS:** Okay.

19                   **MS. FITZPATRICK:** She's going to do an  
20 investigation.

21                   **MR. DUMAIS:** Okay.

22                   **MS. FITZPATRICK:** She would open up the  
23 file; not me.

24                   **MR. DUMAIS:** And Jeannette Antoine would  
25 have provided you with the name of a number of children

1 that had stayed at the Second Street group home.

2 MS. FITZPATRICK: Correct.

3 MR. DUMAIS: Do you do any checking up at  
4 the office? Do you go back and look at those files?

5 MS. FITZPATRICK: No.

6 MR. DUMAIS: So you don't follow up on any  
7 of these names?

8 MS. FITZPATRICK: No.

9 MR. DUMAIS: And again, Jeannette would have  
10 identified a number of people that she would have told ---

11 MS. FITZPATRICK: Yes.

12 MR. DUMAIS: --- about this at the agency.

13 MS. FITZPATRICK: M'hm, but the way that she  
14 explained it was when Greg Bell interviewed her, she said -  
15 --

16 THE COMMISSIONER: When Greg Bell  
17 interviewed who?

18 MS. FITZPATRICK: Jeannette Antoine.

19 THE COMMISSIONER: Yes.

20 MS. FITZPATRICK: She felt that he believed  
21 her and that he was going to do something about it. And  
22 she said but after that she didn't hear from him and so she  
23 felt it was her impression that he had been called off.

24 THE COMMISSIONER: M'hm.

25 MS. FITZPATRICK: That's how she interpreted

1       it. And then she said that Carleen Cummings interviewed  
2       her and she said the same thing happened, you know, where  
3       they wanted to help her but then she felt that upper  
4       management had pressured them. So there was no retribution  
5       for the victim; no validation; no -- she was left hanging.

6                   **MR. DUMAIS:** All right.

7                   And what about the Second Street group home;  
8       do you try to find out anything about that group home,  
9       whether it actually existed, whether there's a file at the  
10      office?

11                  **MS. FITZPATRICK:** You see, in that period,  
12      from the day that I interview Jeannette Antoine until the  
13      event where I meet Wayne Murphy, I'm basically at home and  
14      no, I'm not in the agency reading their files; I'm only  
15      doing my work.

16                  **MR. DUMAIS:** And as a matter of fact, did  
17      Heidi ever call you back on this file?

18                  **MS. FITZPATRICK:** No, she never did.

19                  **MR. DUMAIS:** And did Jeannette Antoine ever  
20      attempt to communicate with you?

21                  **MS. FITZPATRICK:** I don't think -- you know  
22      what, I never knew where she lived and she certainly didn't  
23      know anything personal about me other than my name.

24                  **MR. DUMAIS:** And you had indicated that  
25      there would be a follow-up interview about some of the

1           allegations that ---

2                   **MS. FITZPATRICK:** That's what I thought  
3           would happen.

4                   **MR. DUMAIS:** And this certainly didn't  
5           happen, Geraldine?

6                   **MS. FITZPATRICK:** No, it did not happen.

7                   **THE COMMISSIONER:** I'm wondering -- you said  
8           at the beginning that in the case of an historical  
9           allegation against the priest ---

10                   **MS. FITZPATRICK:** Yes.

11                   **THE COMMISSIONER:** --- that you thought the  
12           Children's Aid Society should be involved because there  
13           would be children at risk.

14                   **MS. FITZPATRICK:** Absolutely.

15                   **THE COMMISSIONER:** Okay, so now you know  
16           through this interview that Mr. Keough, who is now a  
17           minister ---

18                   **MS. FITZPATRICK:** Yes.

19                   **THE COMMISSIONER:** --- for all you know, is  
20           still alive and well ---

21                   **MS. FITZPATRICK:** Yeah.

22                   **THE COMMISSIONER:** --- and there's an  
23           allegation of ---

24                   **MS. FITZPATRICK:** Yeah.

25                   **THE COMMISSIONER:** I guess similar to what

1 the priest is ---

2 MS. FITZPATRICK: Yes.

3 THE COMMISSIONER: So do you not think that  
4 the Children's Aid ought to have been involved?

5 MS. FITZPATRICK: Absolutely.

6 THE COMMISSIONER: Okay.

7 MS. FITZPATRICK: Absolutely, yes.

8 THE COMMISSIONER: Okay.

9 MS. FITZPATRICK: And you mean involved in  
10 what way, I'm sorry?

11 THE COMMISSIONER: Open a file. Start an  
12 investigation.

13 MS. FITZPATRICK: They needed to investigate  
14 him but, according to Jeannette Antoine, twice this report  
15 went to the agency.

16 THE COMMISSIONER: M'hm.

17 MS. FITZPATRICK: So I'm the third person  
18 and if the agency is going to respond, somebody is  
19 accountable for what happened here and that's how I saw it.

20 THE COMMISSIONER: Right.

21 MS. FITZPATRICK: And that this -- she's a  
22 victim.

23 THE COMMISSIONER: M'hm.

24 MS. FITZPATRICK: And she needs to be  
25 validated.

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

2                   **MS. FITZPATRICK:** So because of the  
3 information that I'd been given, that (1) my co-worker has  
4 already addressed the whole thing but hasn't gotten back to  
5 her, and then I'm hearing another co-worker -- and these  
6 are people I worked with side by side, you know, so to hear  
7 this was very shocking to me and I was very disappointed in  
8 them too. Not knowing the other piece, though, I don't  
9 know what their side of the story was and I couldn't find  
10 out what their side of the story was but I didn't  
11 understand why, after she made those allegations -- where  
12 was her retribution?

13                   **THE COMMISSIONER:** So my question to you is  
14 -- and maybe it's coming.

15                   **MS. FITZPATRICK:** Yeah, it is coming.

16                   **MR. DUMAIS:** Well, you can ask the question,  
17 Commissioner.

18                   **MS. FITZPATRICK:** Okay, yeah.

19                   **MR. DUMAIS:** It's my next question.

20                   **MS. FITZPATRICK:** M'hm.

21                   **THE COMMISSIONER:** Why didn't you do  
22 something about it with the Children's Aid Society?

23                   **MS. FITZPATRICK:** Because she's making the  
24 allegations against the Children's Aid Society and because  
25 she's saying they already know and they've been told in the

1           eighties and they were told later in the eighties. This  
2           was already news to them. They already knew this, so why  
3           would I go back and tell them when Heidi said to me,  
4           "You'll be obstructing an investigation"?

5                       **THE COMMISSIONER:** I can see that.

6                       **MS. FITZPATRICK:** M'hm.

7                       **THE COMMISSIONER:** But that's two weeks  
8           later.

9                       **MS. FITZPATRICK:** Oh, no, because the first  
10          time I didn't know about this. All I knew about ---

11                      **THE COMMISSIONER:** No, I'm sorry ---

12                      **MS. FITZPATRICK:** Okay.

13                      **THE COMMISSIONER:** --- I'm sorry. Let me go  
14          again.

15                      **MS. FITZPATRICK:** Okay.

16                      **THE COMMISSIONER:** You find out about it.  
17          She says, "Give me two weeks."

18                      **MS. FITZPATRICK:** Yes.

19                      **THE COMMISSIONER:** Two weeks passes.

20                      **MS. FITZPATRICK:** M'hm.

21                      **THE COMMISSIONER:** Three weeks passes.

22                      **MS. FITZPATRICK:** M'hm.

23                      **THE COMMISSIONER:** A month passes. We're  
24          into the new year.

25                      **MS. FITZPATRICK:** And something happened

1 during the Christmas break ---

2 THE COMMISSIONER: Okay.

3 MS. FITZPATRICK: --- that helped me address  
4 it.

5 MR. DUMAIS: All right.

6 MS. FITZPATRICK: M'hm.

7 THE COMMISSIONER: Time for a break or ---

8 MR. DUMAIS: Sure, last question.

9 MS. FITZPATRICK: M'hm.

10 THE COMMISSIONER: Thank you.

11 MS. FITZPATRICK: Okay.

12 THE REGISTRAR: Order; all rise. À l'ordre;  
13 veuillez vous lever.

14 This hearing will resume at 3:00 p.m.

15 --- Upon recessing at 2:42 p.m./

16 L'audience est suspendue à 14h42

17 --- Upon resuming at 3:04 p.m./

18 L'audience est reprise la 15h04

19 THE REGISTRAR: This hearing is now resumed.

20 Please be seated. Veuillez vous asseoir.

21 GERALDINE FITZGERALD, Resumed/Sous le même serment

22 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.

23 DUMAIS (cont'd/suite):

24 MR. DUMAIS: Mr. Commissioner, I should have  
25 identified my co-counsel today, which is a new Commission

1 counsel, Jamie Liew.

2 **THE COMMISSIONER:** Pleased to meet you.

3 Welcome aboard.

4 **MR. DUMAIS:** Now, Geraldine, right before we  
5 took the break, we were just about to talk -- I was just  
6 going to ask you about a gentleman by the name of Wayne  
7 Murphy, and my understanding is that you would have spoken  
8 to him on Boxing Day in 1993. Is that correct?

9 **MS. FITZPATRICK:** That is correct, m'hm.

10 **MR. DUMAIS:** Perhaps you can just give us a  
11 bit of background. Who is Wayne Murphy, Geraldine?

12 **MS. FITZPATRICK:** Wayne Murphy would be my  
13 step-daughter's husband and, let's see -- they would come  
14 to our house on the holidays, and they came to our house on  
15 Boxing Day, m'hm.

16 **MR. DUMAIS:** And it's my understanding that  
17 at one point-in-time during the evening of the day, you  
18 would have struck a conversation with him ---

19 **MS. FITZPATRICK:** Yes.

20 **MR. DUMAIS:** --- about the Jeannette Antoine  
21 allegation. Is that correct?

22 **MS. FITZPATRICK:** That is correct. Let's  
23 see, during the Christmas holidays I had made up my mind  
24 that I, myself, was going to either go to a lawyer or go  
25 tell my boss about this.

1                   And so what happened was, when Wayne Murphy  
2                   was at the house -- I knew that he had been an RCMP  
3                   officer. He used to talk about the Miramichi and Nova  
4                   Scotia, and so I ran it by him and I said, "What should I  
5                   do, you know, should I go see a lawyer; should I tell my  
6                   boss? You know, it's such a precarious situation to be  
7                   in." And so he said to me, "Well, let me check a few  
8                   things out and I'll get back to you and let you know which  
9                   way you should go".

10                   So a few days pass and he called me and he  
11                   asked me a few more tidbits of information about Jeannette  
12                   Antoine's disclosure, sort of clarifying names, like who  
13                   was -- the man that dressed in black, the kids used to call  
14                   him "the black priest", and that would have been Mr.  
15                   Tenger, I guess, if I'm saying his name correctly. And so  
16                   he wanted clarification on that. He wanted clarification  
17                   on Bryan Keough's name.

18                   And then he called back another time with  
19                   one two other questions, and then the third time he called  
20                   back he said to me, "This is a lot bigger than you know".  
21                   He said, "I just want you to know you've done a really good  
22                   job, but now your part is over. We're taking over. We're  
23                   going to keep your name out of this, but we're setting up  
24                   three task forces."

25                   And one task force was to investigate the

1 group home, one task force was to investigate the police,  
2 and one task force was to -- okay, so what was -- was the  
3 priest situation, m'hm.

4 **MR. DUMAIS:** And who is he talking to,  
5 Geraldine?

6 **MS. FITZPATRICK:** Who's -- oh, okay. Well,  
7 Wayne Murphy is talking to the people that he knows inside  
8 the legal system.

9 **MR. DUMAIS:** But I guess my question is,  
10 does he ever identify these people to you? Does he every  
11 say ---

12 **MS. FITZPATRICK:** No.

13 **MR. DUMAIS:** --- well, listen, I spoke to  
14 the ---

15 **MS. FITZPATRICK:** No, never, no.

16 Now, I was told later that Wayne Murphy  
17 works for CSIS.

18 **MR. DUMAIS:** All right.

19 And after this last telephone conversation,  
20 is this the last dealing that you have with ---

21 **MS. FITZPATRICK:** Wayne Murphy?

22 **MR. DUMAIS:** --- Mr. Murphy?

23 **MS. FITZPATRICK:** There was one more  
24 conversation, and it was some time after that.

25 I guess he assumed that I knew this

1 information and he just said, "Well, that was quite  
2 interesting. Bryan Keough left the agency and for two  
3 years we continued to pay him on our books" -- the agency -  
4 - and then he said that Jeannette Antoine got a civil  
5 settlement that was so big the agency couldn't pay her in  
6 one year.

7 MR. DUMAIS: Okay.

8 MS. FITZPATRICK: That's all he told me.

9 MR. DUMAIS: Who is telling you this?

10 MS. FITZPATRICK: Wayne Murphy.

11 MR. DUMAIS: Okay. Is he telling you where  
12 this information is coming from?

13 MS. FITZPATRICK: No.

14 MR. DUMAIS: And is this something that you  
15 were otherwise able to verify?

16 MS. FITZPATRICK: No. How -- how would I  
17 know? I mean ---

18 MR. DUMAIS: Okay.

19 MS. FITZPATRICK: There's gag orders signed.  
20 I wouldn't know.

21 MR. DUMAIS: Okay. And if you can just give  
22 us an idea of the amount of time between these telephone  
23 conversations -- or are they all telephone conversations?

24 MS. FITZPATRICK: Yes. I think the last one  
25 was another visit to the house, but that was much later,

1           you know, when he told me about basically the outcome, or  
2           at least the outcome that he knew about.

3                       **MR. DUMAIS:** M'hm.

4                       **MS. FITZPATRICK:** M'hm.

5                       **MR. DUMAIS:** What do you mean by "that much  
6           later"? What's that mean?

7                       **MS. FITZPATRICK:** Oh, it could have been a  
8           year later, yes.

9                       **MR. DUMAIS:** All right.

10                      Now, following your initial conversation  
11           with Wayne Murphy, do you then disclose anything to the  
12           agency, anyone at the agency?

13                      **MS. FITZPATRICK:** No.

14                      **MR. DUMAIS:** Okay.

15                      **MR. DUMAIS:** Because it's in -- it's in the  
16           law enforcement's hand.

17                      **MR. DUMAIS:** All right.

18                      **MS. FITZPATRICK:** That's their job.

19                      **MR. DUMAIS:** And we've spoken earlier on  
20           about your involvement with Carleen Cummings. Is that  
21           correct?

22                      **MS. FITZPATRICK:** Yes. M'hm.

23                      **MR. DUMAIS:** And perhaps you can just  
24           explain what her involvement in this was? Perhaps start  
25           with who she is?

1                   **MS. FITZPATRICK:** Okay. Well, to me,  
2                   Carleen Cummings used to be one of my best friends ---

3                   **MR. DUMAIS:** Okay.

4                   **MS. FITZPATRICK:** --- for several years. We  
5                   met at the agency. She was also a child protection worker.  
6                   We were both pregnant at the same time, so we shared a lot.  
7                   We did a lot of investigations together.

8                   **MR. DUMAIS:** Okay. And in 1993 was she  
9                   still working at the agency? Do you recall?

10                  **MS. FITZPATRICK:** I'm not sure because  
11                  sometimes she was with a program called the Children's  
12                  First program, so she came in and out.

13                  I can't -- so she had several contracts with  
14                  us at different times, so I don't know what she was doing  
15                  in '93 but, I mean, we still would have been hearing from  
16                  her because she was working with children in the school  
17                  board.

18                  **MR. DUMAIS:** Okay. And at one point-in-time  
19                  did you discuss the Jeannette Antoine allegation with her?

20                  **MS. FITZPATRICK:** Absolutely. I mean, this  
21                  is the kind of situation that it put me into because when  
22                  Jeannette made her disclosure, she talked about my friends.  
23                  She talked about people that I worked with for seven years,  
24                  that I had the most -- utmost respect for. And up until  
25                  then, all of my work and my work with the police had been

1 very successful.

2 So to hear these kind of allegations really  
3 threw me off the rails, that's for sure. And so your  
4 question to that was?

5 **MR. DUMAIS:** Perhaps I can ask you this.

6 **MS. FITZPATRICK:** Okay.

7 **MR. DUMAIS:** At one point-in-time you would  
8 have spoken to Carleen ---

9 **MS. FITZPATRICK:** Okay, yes.

10 **MR. DUMAIS:** --- about this.

11 **MS. FITZPATRICK:** So what happened was in  
12 all that time, since the day that Jeannette Antoine told me  
13 that Carleen had been involved, I didn't talk to Carleen.

14 We used to spend every Sunday going to the  
15 movies with our little boys, every Friday night we'd be on  
16 the phone debriefing each other on our casework, and the  
17 contact stopped. And, at first, I guess she assumed that  
18 it was because of holidays and that sort of thing. She  
19 called; I wouldn't answer her calls.

20 One day she showed up at my house and so  
21 that's when the conversation took place. She showed up at  
22 my house to find out why I was not responding to her calls,  
23 why we weren't together, that sort of thing.

24 **MR. DUMAIS:** And ---

25 **MS. FITZPATRICK:** And I told her that it was

1 very -- I had -- I avoided seeing her because I was afraid  
2 I would break down and tell her what I was telling her that  
3 day.

4 But, see, I had already met with Wayne  
5 Murphy so I knew it was in their hands, and so then I spoke  
6 with Carleen and I asked her, I said, "Jeannette told me  
7 you knew this information. What did you do? I can't  
8 believe..." you know, I thought that -- she would have gone  
9 further with it. And then that's when she broke down and  
10 told me her feelings about the whole thing.

11 **MR. DUMAIS:** Well, had Jeannette Antoine  
12 made allegations to her? Did she make her aware of  
13 these allegations?

14 **MS. FITZPATRICK:** Yes. Yes.

15 **MR. DUMAIS:** Okay, so she was aware of that?

16 **MS. FITZPATRICK:** Carleen told me that  
17 Richard Abell sent her to see Jeannette to find  
18 out -- because previously Jeannette had called Richard and  
19 was saying things like, "Compensation; I'm going to go to  
20 the news; I'm going to be on a talk show", so ---

21 **MR. DUMAIS:** Jeannette was saying this?

22 **MS. FITZPATRICK:** Yes.

23 **MR. DUMAIS:** Yes.

24 **MS. FITZPATRICK:** So Richard -- my  
25 understanding, sent Carleen to see Jeannette to find out

1           how far she planned to go with this, or that's how she  
2           explained it to me.

3                       When Carleen -- Carleen told me that when  
4           she heard the story she was quite sickened by the whole  
5           thing, basically wanted to dissociate herself, and had lost  
6           faith in the agency, based on the interview with Jeannette.

7                       **MR. DUMAIS:** But Carleen, at that time, was  
8           providing some sort of services to Jeannette. Is that  
9           correct?

10                      **MS. FITZPATRICK:** Well, that's why I'm  
11           wondering if she was with the Children's First project  
12           because they would go into the schools and if children have  
13           behavioural problems, well then they were the support  
14           system that would work with the school and the home to  
15           service the child. So, I'm just speculating that may where  
16           she was working at the time.

17                      **MR. DUMAIS:** All right.

18                      Now, if I can just take you to Exhibit 1286.  
19           So Geraldine, you've seen this document before?

20                      **MS. FITZPATRICK:** I am not sure. No, I'm  
21           not sure.

22                      **MR. DUMAIS:** All right. So perhaps I can  
23           just give you a bit of context. So this is a report, if  
24           you look at the last page, that is signed by Staff Sergeant  
25           Garry Derochie of the Cornwall Police Services.

1                   And if you look at the first page it  
2                   essentially describes what the document is. So it's a  
3                   report to Acting Chief Carl Johnston on the media  
4                   allegations of misconduct by the Cornwall Police Services  
5                   in the 1989-1990 investigation of the Jeannette Antoine  
6                   complaint against the Cornwall Children's Aid Society.

7                   **MS. FITZPATRICK:** Okay. M'hm. Yes.

8                   **MR. DUMAIS:** All right?

9                   **MS. FITZPATRICK:** M'hm.

10                  **MR. DUMAIS:** And that's dated April 1995.

11                  **MS. FITZPATRICK:** Yes.

12                  **MR. DUMAIS:** And so that's an investigation  
13                  that Staff Sergeant Derochie would have conducted.

14                  **MS. FITZPATRICK:** M'hm.

15                  **MR. DUMAIS:** So if I can then just take you  
16                  to Bates pages 640.

17                  **MS. FITZPATRICK:** 640.

18                  **MR. DUMAIS:** It's just actually the first  
19                  written page of the report.

20                  **MS. FITZPATRICK:** Okay.

21                  **MR. DUMAIS:** I'm looking at the first  
22                  paragraph and let me just read it out to you:

23                                "On January 10th, 1994 the Cornwall  
24                                Police Services received information  
25                                that the media was looking into a

1 reported police cover-up of a child  
2 abuse case. These allegations came on  
3 the heels of extensive media coverage  
4 of the Silmser investigation where  
5 again police were accused of working  
6 with the Roman Catholic Diocese to  
7 cover up an allegation of sexual  
8 misconduct by one of its priests."

9 So early in January of 1994, so right after  
10 you would have spoken to Mr. Murphy, Jeannette Antoine  
11 would have gone to the media; correct?

12 **MS. FITZPATRICK:** A whole -- oh, yeah. Did  
13 she go to the media or did someone find her?

14 **THE COMMISSIONER:** In any event it came out  
15 in the media.

16 **MS. FITZPATRICK:** It came out in the media,  
17 okay.

18 **MR. DUMAIS:** Right. So you recall that?

19 **MS. FITZPATRICK:** Yeah. I heard about it,  
20 yes.

21 **MR. DUMAIS:** Okay. And she -- it would have  
22 been on the news and she would have been indicating what --  
23 her concerns about the investigation of this allegation;  
24 correct?

25 **MS. FITZPATRICK:** Yes.

1                   **MR. DUMAIS:** And if we look at the second  
2 paragraph, so the first three lines, firstly:

3                   "The new allegation involved a 1989-  
4 1990 investigation into a complaint  
5 made by a former ward of the CAS. She  
6 was a resident of a group home in 1975-  
7 '76."

8                   And now the last three lines of that same --  
9 well, I'll just keep going:

10                   "Jeannette Antoine complained to  
11 Constable Kevin Malloy in 1989 that she  
12 had been sexually and physically abused  
13 by staff at the CAS-operated group  
14 home. Ms. Antoine is now alleging  
15 through the media that her 1989  
16 complaint to Constable Kevin Malloy was  
17 hushed up because he was a member of  
18 the Board of Directors of the  
19 Children's Aid Society of SD&G at that  
20 time."

21                   So is this something that you had been made  
22 aware of when you interviewed Jeannette in 1993?

23                   **MS. FITZPATRICK:** She said something about  
24 Kevin Malloy. I don't recall her saying that he was on the  
25 Board of the Children's Aid Society, but I believe she said

1 that she had met with Kevin Malloy and he didn't believe  
2 her.

3 MR. DUMAIS: All right. And so this is all  
4 coming out in the media, so obviously at that time everyone  
5 knows about it; correct?

6 MS. FITZPATRICK: Right.

7 MR. DUMAIS: And you have this information  
8 that you would have conducted this investigation with  
9 Constable Sebalj back in November of 1993; correct?

10 MS. FITZPATRICK: Correct.

11 MR. DUMAIS: Now, when the events come out  
12 in the media do you then go to your supervisors and tell  
13 them something to the effect, "Well, listen, you guys  
14 should know I did this interview with Jeannette Antoine  
15 last year"?

16 MS. FITZPATRICK: No, I do not.

17 MR. DUMAIS: Okay.

18 MS. FITZPATRICK: I wanted it to be a pure  
19 investigation.

20 MR. DUMAIS: Okay. And you were not  
21 concerned by the fact that the only reason the media found  
22 out about this was that Jeannette Antoine would have gone  
23 to them?

24 MS. FITZPATRICK: No -- I'm sorry what,  
25 again?

1                   **MR. DUMAIS:** I mean what the media are  
2                   reporting ---

3                   **MS. FITZPATRICK:** Yeah.

4                   **MR. DUMAIS:** --- is Jeannette Antoine's  
5                   statement to them that nothing -- that she had disclosed  
6                   these allegations and nothing had been done about them.

7                   **MS. FITZPATRICK:** M'hm.

8                   **MR. DUMAIS:** So you had no concerns about  
9                   that, that that was coming out?

10                  **MS. FITZPATRICK:** I didn't hear or see that  
11                  at the time that nothing was being done about it. I mean I  
12                  saw a very brief caption on the news of the group home and  
13                  Charlie Greenwell saying something about Jeannette Antoine.  
14                  I didn't catch what she said or -- and I didn't get this  
15                  information until I was put in the Inquiry.

16                  **MR. DUMAIS:** Okay. And shortly after this  
17                  media coverage of the Antoine allegation were people at the  
18                  agency talking about this?

19                  **MS. FITZPATRICK:** Jeez, let's see. Back  
20                  then in '94, not really. You got to -- it's amazing, just  
21                  like the Inquiry right now. I mean workers are doing their  
22                  work. They're absorbed in their case loads and they have  
23                  little time for anything else.

24                  **MR. DUMAIS:** Okay. So no one is having any  
25                  discussion with you to the effect of, "Well, did you hear

1 what Jeannette ---"

2 MS. FITZPATRICK: No.

3 MR. DUMAIS: "--- Antoine said on the news  
4 last night?" So no one is having any ---

5 MS. FITZPATRICK: Oh, I can remember sort of  
6 Patricia Garrahan saying to me, "Oh, did you see the news  
7 last night? You know, Jeannette Antoine was on," but that  
8 was just a co-worker.

9 MR. DUMAIS: Okay. But certainly you would  
10 not have disclosed to her at that time that you had prior  
11 knowledge of these allegations?

12 MS. FITZPATRICK: Of Jeannette?

13 MR. DUMAIS: Yes.

14 MS. FITZPATRICK: I think that's probably  
15 when I did talk to Patricia, yes.

16 MR. DUMAIS: Oh, you talked to her about the  
17 fact that you had done this prior interview with Jeannette?

18 THE COMMISSIONER: Yeah, I believe at the  
19 beginning of your testimony you said you mentioned it to  
20 two or three or four people.

21 MS. FITZPATRICK: Yeah, right.

22 THE COMMISSIONER: So now we're getting  
23 closer to when you told your friend who came to see you ---

24 MS. FITZPATRICK: Yeah, Carleen. That would  
25 have been after Wayne Murphy saying -- calling me and

1 saying, "You've done a good job," and so that would have  
2 been February, March -- maybe March or April he called me  
3 and gave me that.

4 So then Carleen comes to the house and I  
5 tell Carleen how upset I am, you know, what kind of friend  
6 is she, blah, blah, blah. Then -- see, a couple of things  
7 came out at the same time that's why I really don't know  
8 the sequence with Patricia.

9 You were asking did I talk to somebody about  
10 it and I did, yeah.

11 **MR. DUMAIS:** Okay, but I guess if I could  
12 just go back ---

13 **MS. FITZPATRICK:** Yeah.

14 **MR. DUMAIS:** --- to my original question  
15 firstly, I mean when everything is coming out, when the  
16 news story has just come out about Jeannette Antoine, do  
17 you speak to anyone at the agency about this?

18 **MS. FITZPATRICK:** Not really, no.

19 **MR. DUMAIS:** Okay. And I guess my question  
20 is shortly afterwards, so within the next couple of days.

21 **MS. FITZPATRICK:** Well, there's little bits  
22 of rumbling in the staff room but not much, you know,  
23 because it seemed to all come out at the same time about  
24 Milton MacDonald, the group home, and there was a third  
25 thing. But they all seemed to come out at the same time.

1 MR. DUMAIS: Yes.

2 MS. FITZPATRICK: So all of a sudden havoc  
3 was loose.

4 MR. DUMAIS: All right. Now ---

5 MS. FITZPATRICK: The priest, yeah.

6 MR. DUMAIS: Okay. So you indicated that at  
7 one point in time, sometime in 1994 ---

8 MS. FITZPATRICK: Yeah.

9 MR. DUMAIS: --- you would have spoken to  
10 Patricia Garrahan; is that correct?

11 MS. FITZPATRICK: Yes.

12 MR. DUMAIS: Okay. And you spoke to her  
13 about what?

14 MS. FITZPATRICK: Well, actually she called  
15 me into her office. See, I think that the MacDonald case  
16 was on the news first and then Jeannette was second. I  
17 think that's how it happened because when she called me in  
18 her office it was to talk about the MacDonald case.

19 MR. DUMAIS: What MacDonald case?

20 MS. FITZPATRICK: That would be Milton  
21 MacDonald.

22 MR. DUMAIS: Okay, the investigation against  
23 allegations for Milton MacDonald?

24 MS. FITZPATRICK: Yes.

25 MR. DUMAIS: Okay.

1                   **MS. FITZPATRICK:** Okay, so that's why she  
2                   called me in, okay. Leading into that, because she knew  
3                   people in Cornwall, she knew people in Lancaster, she knew  
4                   -- she grew up in this area, so she was making her own  
5                   deductions; let's put it this way.

6                   I talked to Patricia about it but, yes, I  
7                   talked a little bit to her about the group home, saying did  
8                   she ever hear about this group home and this is what this  
9                   woman is saying. Yeah. M'hm.

10                  **MR. DUMAIS:** Okay. She didn't give you any  
11                  information? You just had a discussion with her about the  
12                  Antoine allegation, generally?

13                  **MS. FITZPATRICK:** Yes. M'hm. But, Patricia  
14                  was dating Charlie Greenwell at the time.

15                  **MR. DUMAIS:** And what's the significance of  
16                  that?

17                  **MS. FITZPATRICK:** Well he was the one who  
18                  was doing the newscast.

19                  **MR. DUMAIS:** All right.

20                  **MS. FITZPATRICK:** Just coincidental, but ---

21                  **MR. DUMAIS:** All right. And I mean is this  
22                  something that she may be aware of?

23                  **MS. FITZPATRICK:** Well she told me she was  
24                  dating him and I asked her:

25                  "How did that ever happen? How in the world did you ever

1 meet Charlie Greenwell?"

2 And she didn't answer and then I tried to  
3 get a little more information from her like, well what do  
4 you do or whatever, and -- they had a few dates and that  
5 was it. It was over shortly after. That's all I know.

6 **MR. DUMAIS:** Okay.

7 And Geraldine, just so that I'm clear,  
8 you're getting this information from Patricia; right?

9 **MS. FITZPATRICK:** Yes.

10 **MR. DUMAIS:** All right.

11 She's telling you this?

12 **MS. FITZPATRICK:** Yes.

13 **MR. DUMAIS:** And are you at the same time  
14 discussing the Antoine media reports?

15 **MS. FITZPATRICK:** Well I told her I thought  
16 it was quite coincidental that -- no, the media report ---

17 **MR. DUMAIS:** Fair enough.

18 **MS. FITZPATRICK:** Okay I mean ---

19 **MR. DUMAIS:** I mean, is that a conclusion  
20 that you're drawing, Geraldine or is that something that  
21 Patricia is telling you?

22 **MS. FITZPATRICK:** The conclusion being? I'm  
23 sorry.

24 **MR. DUMAIS:** Well that Charlie Greenwell is  
25 involved with the media report on the Antoine allegation,

1 and the fact that she's dating Charlie Greenwell.

2 MS. FITZPATRICK: All I'm just saying is  
3 that it's coincidental.

4 MR.DUMAIS: Fair enough.

5 MS. FITZPATRICK: Okay.

6 MR.DUMAIS: I mean I just want to know what  
7 Patricia is telling you in this conversation.

8 MS. FITZPATRICK: Okay. What Patricia is  
9 telling me ---

10 MR.DUMAIS: Is she telling you that she  
11 disclosed anything to Charlie Greenwell?

12 MS. FITZPATRICK: No, she's smarter than  
13 that. She didn't tell me that she was telling Charlie  
14 Greenwell anything.

15 MR.DUMAIS: Okay. During this conversation,  
16 is she telling you that she's dating Charlie Greenwell ---

17 MS. FITZPATRICK: Yes.

18 MR. DUMAIS: --- do you have that specific  
19 discussion?

20 MS. FITZPATRICK: I don't know if it's that  
21 or the next discussion where she tells me she's dating  
22 Charlie Greenwell. M'hm.

23 MR. DUMAIS: And I mean is she telling you  
24 that after you begun discussing the Jeannette Antoine  
25 allegation?

1                   **MS. FITZPATRICK:** See, I'm trying to  
2                   remember. She called me in because her news was her  
3                   husband -- who she was divorced from -- was a sexual abuse  
4                   victim from one of these people and she had an issue with  
5                   that, big time.

6                   And then it was like a few days later, she  
7                   announces to me and two of our other coworkers that she's  
8                   dating Charlie Greenwell.

9                   So basically I had the impression that she  
10                  might be a loose cannon.

11                  So I don't remember discussing Jeannette  
12                  with her. I don't.

13                  **MR. DUMAIS:** Pardon me?

14                  **MS. FITZPATRICK:** I don't remember  
15                  discussing Jeannette with her, Jeannette Antoine.

16                  **MR. DUMAIS:** Okay.

17                  So you don't think you had any discussion  
18                  with her?

19                  **MS. FITZPATRICK:** Well ---

20                  **MR. DUMAIS:** With respect to -- I mean ---

21                  **MS. FITZPATRICK:** Yeah, I'm just trying to  
22                  think because it was all coming at the same time. And yes,  
23                  there probably was discussion about her but I knew very  
24                  little about Jeannette. I didn't know where she lived or -  
25                  - and I don't even know if I would recognise her.

1                   **MR. DUMAIS:** M'hm.

2                   **MS. FITZPATRICK:** I told her, you know, that  
3 Heidi and I did this interview and this woman made  
4 complaints against the group home. And I asked her, was  
5 there a group home when you were here -- because Patricia  
6 was there before me -- did she know anything about that.

7                   **MR. DUMAIS:** Right. Let me ask you again,  
8 Geraldine.

9                   **MS. FITZPATRICK:** Okay. I guess I'm not  
10 getting the question.

11                   **MR. DUMAIS:** Well, I mean I'm just wondering  
12 what was the discussion that you were having with Patricia?  
13 What are you telling her specifically ---

14                   **MS. FITZPATRICK:** Yeah.

15                   **MR. DUMAIS:** --- and what is she telling  
16 you?

17                   **MS. FITZPATRICK:** Okay. She called me in  
18 the office because she had learned that her husband was a  
19 victim ---

20                   **THE COMMISSIONER:** No, no, no, I don't know  
21 that we ---

22                   **MS. FITZPATRICK:** Okay, so she called me, so  
23 that's that conversation; okay?

24                   **THE COMMISSIONER:** Okay.

25                   **MS. FITZPATRICK:** And then basically she's  
trying to find out had I heard anything in my community

1 about this person; the same person who was alleged to have  
2 molested her husband. Okay.

3 MR. DUMAIS: Well ---

4 MS. FITZPATRICK: I know, I know.

5 So then you want to know what I told her.

6 No, I did not know ---

7 MR. DUMAIS: Our only concern, Geraldine, is  
8 we're on the public record.

9 MS. FITZPATRICK: Yes.

10 MR. DUMAIS: So she calls you in to her  
11 office, she has some discussions with you ---

12 MS. FITZPATRICK: Yeah.

13 MR. DUMAIS: --- does the conversation ever  
14 go to the allegation that Jeannette Antoine made?

15 MS. FITZPATRICK: Yes.

16 MR. DUMAIS: So you're having a specific  
17 discussion about the Second Street Group Home?

18 MS. FITZPATRICK: Yes.

19 MR. DUMAIS: Okay. And you're asking her  
20 what her involvement or ---

21 MS. FITZPATRICK: Did she have any  
22 knowledge.

23 MR. DUMAIS: -- you're asking her what  
24 knowledge she had of it?

25 MS. FITZPATRICK: Yeah. Right.

1                   **MR. DUMAIS:** And what did she tell you?

2                   **MS. FITZPATRICK:** She said she had heard  
3 about the group home but it was all hushed up.

4                   **MR. DUMAIS:** Period or does she elaborate?

5                   **MS. FITZPATRICK:** Period. Well she said  
6 there were some funny things that went on, it was hushed  
7 up, she didn't really know. That's all she knew.

8                   **MR. DUMAIS:** Okay. So then you go -- do you  
9 tell her, "Well listen, I know Jeannette Antoine and --  
10 because I met with her back in November with Constable  
11 Sebalj and I took a statement from her"?

12                   **MS. FITZPATRICK:** I didn't go into that  
13 detail, no. I just said -- I told her, I said well, she's  
14 alleging that she was abused by Bryan Keough and what does  
15 Patricia know about Bryan Keough?

16                   **MR. DUMAIS:** M'hm.

17                   **MS. FITZPATRICK:** You know, because he was a  
18 worker and he was a worker when she was there. He left  
19 shortly after I was there. So it's quite concerning to  
20 hear that a worker, possibly ---

21                   **THE COMMISSIONER:** So what did she say to  
22 you about ---

23                   **MS. FITZPATRICK:** Oh, what did she -- well,  
24 he was a trainer. She said that when she was at the  
25 agency, he was a trainer and she thought that he had some

1 kind of special status at the agency. That's all.

2 MR. DUMAIS: But was she aware of the  
3 allegations?

4 MS. FITZPATRICK: No.

5 MR. DUMAIS: Okay. Now, a certain while  
6 ago, Geraldine, I referred you to the report of Staff  
7 Sergeant Derochie.

8 MS. FITZPATRICK: M'hm.

9 MR. DUMAIS: Did he ever contact you or  
10 communicate with you regarding your interview with  
11 Jeannette Antoine?

12 MS. FITZPATRICK: No.

13 MR. DUMAIS: Okay. Now after all the events  
14 came out in the media did you ever discuss the Jeannette  
15 Antoine case with Heidi Sebalj?

16 MS. FITZPATRICK: No, we never had another  
17 conversation. I don't know what happened to her and I even  
18 asked around; "Where's Heidi, what happened to her?"

19 MR. DUMAIS: And did you ever conduct any  
20 other type of investigation with Constable Sebalj following  
21 this?

22 MS. FITZPATRICK: I saw her once. I  
23 wouldn't say that it was an investigation between her and I  
24 but I had reported something to the police department and -  
25 - because there was a dangerous person on our site that the

1 police were looking for, she attended the office undercover  
2 with several other undercover police officers. That was  
3 it. There was no conversation.

4 **MR. DUMAIS:** Okay. So you were never  
5 involved in any other investigation with Constable Sebalj?

6 **MS. FITZPATRICK:** No.

7 **MR. DUMAIS:** Am I correct in understanding  
8 that you never spoke to her, ever again after November 12<sup>th</sup>  
9 ---

10 **MS. FITZPATRICK:** That's correct.

11 **MR. DUMAIS:** --- 1993?

12 **MS. FITZPATRICK:** Yeah, that's correct.

13 **MR. DUMAIS:** Now, at one point in time, in  
14 1994, the Ottawa Police Service would have conducted an  
15 investigation regarding the David Silmser matter and his  
16 allegations in the release of the statement to the  
17 Children's Aid Society. Were you aware of that?

18 **MS. FITZPATRICK:** No, I was not.

19 **MR. DUMAIS:** Okay. And then no one from  
20 that Service would have contacted you in the course of  
21 their investigation, am I correct?

22 **MS. FITZPATRICK:** No.

23 **MR. DUMAIS:** Okay. What about in 1994,  
24 Geraldine, when the OPP were investigating, conducting a  
25 number of investigations in Cornwall, did anyone ever

1           communicate with you or have any discussion with you?

2                       **MS. FITZPATRICK:** No.

3                       **MR. DUMAIS:** And what about later on, when  
4 Project Truth was established in 1997, did anyone ever  
5 contact you ---

6                       **MS. FITZPATRICK:** No.

7                       **MR. DUMAIS:** --- communicate with you then?

8                       **MS. FITZPATRICK:** No.

9                       **THE COMMISSIONER:** Were you expecting  
10 someone to call you or did you have any idea ---

11                       **MS. FITZPATRICK:** I knew that eventually  
12 something would happen. I mean because after I met with  
13 Wayne Murphy when I can remember returning from summer  
14 holidays and staff telling me that the police had been in  
15 with warrants and had been, you know, pulling files. So I  
16 knew that there were some results.

17                       **MR. DUMAIS:** Fair to say that you never  
18 spoke to anyone officially about these -- your interview  
19 with Jeannette Antoine with Constable Sebalj until most  
20 recently?

21                       **MS. FITZPATRICK:** That's correct.

22                       **MR. DUMAIS:** Now, earlier on, Geraldine, I  
23 took you to the Supplementary Occurrence Report that  
24 Constable Sebalj had prepared; do you recall?

25                       **MS. FITZPATRICK:** M'hm.

1                   **MR. DUMAIS:** Perhaps we can just take you to  
2                   it. It's Exhibit 1285.

3                   **MS. FITZPATRICK:** Okay.

4                   **MR. DUMAIS:** And I took you to a passage --  
5                   it's towards -- about three-quarters down, where Heidi was  
6                   indicating that the Society would not investigate  
7                   allegations made against a Cornwall probation officer,  
8                   suggesting that probation was not within the Children's  
9                   Aid's ministry. And I believe Constable Sebalj was  
10                  referring here to Ken Seguin, who's a probation officer  
11                  here.

12                  **MS. FITZPATRICK:** That's correct.

13                  **MR. DUMAIS:** All right. So were you -- did  
14                  you know Ken Seguin?

15                  **MS. FITZPATRICK:** No, I did not.

16                  **MR. DUMAIS:** Okay. So you had no  
17                  professional dealings with him?

18                  **MS. FITZPATRICK:** Well, I did, but they were  
19                  indirectly. I had never seen him before, no.

20                  **MR. DUMAIS:** Okay. And were you ever made  
21                  aware by anyone in your line of work about allegations  
22                  against Ken Seguin?

23                  **MS. FITZPATRICK:** Yes.

24                  **MR. DUMAIS:** And just before we get into  
25                  that, if you can just keep the -- if these are allegations

1 of abuse by some of your clients or otherwise, perhaps if  
2 you can just not mention the name and ---

3 MS. FITZPATRICK: Yes.

4 MR. DUMAIS: All right.

5 MS. FITZPATRICK: So do you want me to talk  
6 about the case that I went out on?

7 MR. DUMAIS: Yes. Well, perhaps just give  
8 us the circumstances.

9 MS. FITZPATRICK: Of the case or shortly  
10 after his suicide?

11 THE COMMISSIONER: Were the -- before his  
12 suicide ---

13 MS. FITZPATRICK: Okay, yes.

14 THE COMMISSIONER: --- had you heard any  
15 allegations of him abusing children or boys?

16 MS. FITZPATRICK: Yes, I did.

17 THE COMMISSIONER: You did? When?

18 MS. FITZPATRICK: I was a new worker and I  
19 was still shadowing in those days.

20 THE COMMISSIONER: So '86?

21 MS. FITZPATRICK: Yes. '86-'87, in there.

22 THE COMMISSIONER: Yeah.

23 MS. FITZPATRICK: And what happened was I  
24 had a co-worker named Jean Dupuis and he was not in the  
25 office that day or maybe out on another case, I don't know,

1 so Bill was our supervisor and ---

2 **THE COMMISSIONER:** Bill Carriere?

3 **MS. FITZPATRICK:** Bill Carriere, yes. He  
4 asked me to go out and check in on a situation on Jean's  
5 case.

6 Apparently, what I recall about the case,  
7 was that mother was an alcoholic, had gotten into some kind  
8 of a community situation. She was being detained at the  
9 police department but her -- she had placed her children in  
10 a community placement.

11 So Bill asked that I go check in on the  
12 children to make sure that this is a suitable placement for  
13 the children until Jean gets back to pick up his case.

14 So I did, and I went to the home and I saw a  
15 very suitable home, met all the safety standards, good  
16 quality care. Family was aware of the mother and her  
17 problems and they often rescued her children, so that was  
18 pretty good. I had done the home scan.

19 What surprised me was when I was leaving I  
20 caught, out of the corner of my eye, a man sitting in the  
21 corner of the house who I didn't spot all the time that I  
22 was there. There was no conversation from him, nothing,  
23 and I had been there for at least 40 minutes.

24 Anyway, to make a long story short, I went  
25 over to talk to him to find out, you know, who he was and

1        what his situation was because he presented as having some  
2        mental health -- you know, he was very nervous, withdrawn,  
3        physical body jitters and shakes. So I introduced myself  
4        and I asked him basically what his story was and he told me  
5        that he had been seeing psychiatrists, he had been in 11  
6        different treatment centres, and he was saying nothing was  
7        working for him.

8                    And so then I started asking, "Well, what is  
9        the root of all this? Like what is this problem? You  
10       know, you've been to every psychiatrist, treatment centres,  
11       and nothing is being effective".

12                   And so what he said to me was that he used  
13       to be a young man -- when he was a young man he was placed  
14       in the Alfred group homes, and he said that in the Alfred  
15       group homes he was being physically and sexually abused.  
16       So he used to run away and when he ran away he used to run  
17       away to his probation officer's home, who was Ken Seguin.  
18       And he said that Ken was a great guy and that he would help  
19       him a lot.

20                   And I said, "Well, did you tell Ken what was  
21       going on in Alfred, what they were doing to you?" And he  
22       said, "Oh, yeah, he knew what they were doing to me," and  
23       he said, "But he said that he was sorry but that he had to  
24       take me back there."

25                   And he said -- I said, "Well, then what

1           happened?" And he says, "Well," he said, "we had lunch, he  
2           let me have a shower, and then we had sex together." And  
3           he said, "And then he drove me back to the Alfred group  
4           home."

5                           And so I said, "You're telling me he was a  
6           good guy?" And he said, "Yeah." And I said, "Well, you're  
7           telling me he sexually abused you." And he said, "Yeah,  
8           well, at least he didn't physically -- at least he didn't  
9           beat me."

10                           **MR. DUMAIS:** All right.

11                           **MS. FITZPATRICK:** So that was the story that  
12           I heard of about Ken Seguin.

13                           **MR. DUMAIS:** All right, so in 1986 did you  
14           know who Ken Seguin was?

15                           **MS. FITZPATRICK:** No.

16                           **MR. DUMAIS:** All right. And did you relay  
17           this -- did you ever relay this information to anyone at  
18           your office?

19                           **MS. FITZPATRICK:** Well, what happened was I  
20           did go back to the agency and I reported to Bill that I saw  
21           the children, this is where they were, this was the care.  
22           I didn't have any concerns. I may have told -- and see  
23           this is the problem. I don't have the file and unless we  
24           track down Jean Dupuis' file, the notes would be in there  
25           so I don't -- and here's the other thing. It's open-door

1 policy there. I worked with Bill for 10 years, so I know  
2 at the end of the evening he used to stand outside his door  
3 and say good night to each and every one of us, and we  
4 would always have some little tidbit of a joke or some  
5 little event in the evening to say to him before we went  
6 out the door.

7 My comment was -- but I didn't connect that  
8 Ken Seguin was a current probation officer. I thought he  
9 had been dealt with with the Alfred trials, in my mind. I  
10 thought this was all dealt with at the same time. So at  
11 the end of the evening, when I was walking out the door, I  
12 said to Bill, "Can you imagine this man thinks that -- here  
13 he is being beaten by the brothers and sexually abused by  
14 them, and he runs away to his probation officer and he  
15 thinks the probation officer's a good guy because he  
16 doesn't beat him. He only has sex with him."

17 But that was -- I wasn't making an official  
18 report. I didn't even know. You know, I thought this man  
19 had been dealt with with all the others.

20 **MR. DUMAIS:** All right. And did you ever  
21 identify the name of Ken Seguin?

22 **MS. FITZPATRICK:** Not that I recall because  
23 I -- you know.

24 **MR. DUMAIS:** Right. These are my questions,  
25 Geraldine. I did indicate to you that at the end of my

1 questions you would be given the opportunity to give the  
2 Commissioner your recommendations before I turn it over to  
3 my friends for cross-examination.

4 Do you wish to do that at this time?

5 **MS. FITZPATRICK:** Yes, I do,  
6 Mr. Commissioner.

7 **THE COMMISSIONER:** Sure.

8 **MS. FITZPATRICK:** And I know this Inquiry is  
9 to look at the system and what went wrong and how can we  
10 improve the situation, and in 23 years I've seen the agency  
11 evolve, I've seen the community evolve, so I do have a few  
12 recommendations I would like to make.

13 The first one that I would like to make  
14 basically involves the Province and it has to do with our  
15 infants. And I know that in the State of Massachusetts, as  
16 well as in many other states, they have what is called the  
17 safe drop-off law.

18 And this is -- I'll just get that  
19 information out. But what that is, it's a law that's put  
20 into place that has designated sites in the community. And  
21 so when women have babies, and they're in the first  
22 seventy-two hours, and we know that's when babies can be at  
23 the highest risk, well, rather than putting the baby at a  
24 door step or putting the baby in a trash can they can take  
25 the baby to a school, to a church, to a police station

1 without any questions being asked, okay? And so that makes  
2 them secure enough to get their baby to a safe site.

3 And the research shows that this has been  
4 quite effective, according to the State of Massachusetts;  
5 they endorsed this in legislation in 2004.

6 **MR. DUMAIS:** M'hm.

7 **MS. FITZPATRICK:** Now, another  
8 recommendation that I have, that I've noticed in  
9 my 23 years, is that, you know, it has to be preventative,  
10 and so there has to be community awareness. I mean, it's  
11 not Children's Aid that just protects the children; it has  
12 to be the community.

13 And one of the things I've come across is  
14 that a lot of the families that I work with, the parents  
15 are illiterate, so they're not getting the information of  
16 the resources that are out there for them.

17 So I know that in the State of Alabama they  
18 have a program called the Pal Program, and it's a  
19 public -- a public service, and it's a radio show, and it's  
20 every evening they have a one-hour radio talk show where  
21 professionals come in and parents can call in ask  
22 questions, you know, and this gives them a support.

23 Added to that, there's a hot line from this  
24 Pal line where these people can call in and speak with  
25 social workers, because, you know, the situation, one may

1 just be a simple one like, "Hello. You know, I have a  
2 teenager that knows more than me, so who should live in the  
3 house?" compared to, "Hello. I'm in crisis, I have a baby,  
4 you know, and I don't love my child, what do I do?"

5 So that's public and that is very safe and  
6 un-intrusive to these people, okay, because they will call  
7 in. They'll ask questions that they won't ask people  
8 directly. So -- and a lot of spin-offs can come from that.

9 The third -- and here's another situation  
10 that is really bothering me. Within the last three years I  
11 have come across numerous children in this community that  
12 do not have doctors, and they don't have doctors, not  
13 because the parents aren't trying to get them doctors but  
14 because we don't have them here. So how can we follow  
15 these children? We need their medical histories. We need  
16 to know that these children are being seen and getting  
17 their medical care. So, you know, I'm putting a plug in  
18 there. We need community doctors for these -- and these  
19 children need to be followed. So that's it.

20 Now, as far as the infrastructure of the  
21 Agency, okay, I have to tell you, in my 23 years experience  
22 as a worker I have never come across a worker who  
23 would -- who was not compassionate, who did not care about  
24 the children, okay? Who spent countless nights not  
25 sleeping.

1                   Most of them have eating disorders at the  
2                   Agency because we can't even hold -- we're just on the run  
3                   all the time. And they take their job and their commitment  
4                   to the children very seriously. And, you know, there's a  
5                   whole untold story about the life of a CAS worker, and  
6                   until you get in the trenches you have no idea what it's  
7                   about.

8                   And our workers are out there and they've  
9                   gone into very dangerous situations getting children out.  
10                  I can speak for them. I've been there. And we have relied  
11                  on the police to help us and we have had great success.

12                  So the recommendation that I do have, for  
13                  the infrastructure of the Agency, is that  
14                  historically -- and it's not just our Agency, it's with the  
15                  hospitals as well. Historically the Ministry will do  
16                  audits but they alert us ahead of time and they alert us to  
17                  what files they want to read.

18                  Well, you know, I don't consider that a pure  
19                  audit. I think our audits should be pure. I think the  
20                  Ministry should come in, without notification, and read the  
21                  files, because then you get a true sense of how we're  
22                  really functioning. It gives the clear picture; workload,  
23                  paperwork, and children, okay?

24                  I know our workers want to be out there with  
25                  the children. They don't want to be sitting in the office

1 for hours doing paperwork; they want to be out there in the  
2 field.

3 So I think that the Ministry should come in  
4 and do pure audits. By doing pre-planned audits that's  
5 only self-serving for the Ministry, because if they come in  
6 and all these workers have gone home the night before and  
7 stayed up burning the candle to get these files done then  
8 the Ministry is saying, "Well, look, everything's fine.  
9 Look at this, this, and this file. They're all up to date.  
10 They're doing great work." And the Agency is doing great  
11 work, but that is self-serving to the Ministry.

12 What the real story here is, they need to  
13 see the real picture, because workers have enormous  
14 caseloads. This summer one of the workers called me up and  
15 said "I have 35 cases" and the worker next to me told me  
16 she lost count. Well, how can one worker manage 35 cases?  
17 And if you do an average of one to three children per  
18 family, you're looking at one worker responsible for a  
19 hundred children at a time. Now, imagine how many children  
20 the supervisor is responsible for and then bring it up  
21 another level, and how many children is the clinical  
22 directors, you know, responsible for?

23 So the Ministry -- and you know what, if you  
24 look at the minutes from 23 years ago, or 40 years ago, the  
25 minutes are going to be the same. It's going to be

1 workload and not enough staff. And those workers, I tell  
2 you, they work at night time, they are not declaring  
3 overtime, they work in the daytime, and this is why our  
4 workers are burning out.

5 So I think that you have to have true, clear  
6 audits so that the Ministry can tow the line and put the  
7 services and the money where it needs to be.

8 **THE COMMISSIONER:** Thank you.

9 **MS. FITZPATRICK:** Those are my  
10 recommendations.

11 **MR. DUMAIS:** All right.

12 **THE COMMISSIONER:** Thank you.

13 **MR. DUMAIS:** Thank you.

14 **THE COMMISSIONER:** Thank you.

15 Ms. Daley.

16 **MS. FITZPATRICK:** Oh, sorry.

17 **THE COMMISSIONER:** It's called cross-  
18 examination now.

19 **MS. FITZPATRICK:** Oh, okay.

20 **MS. DALEY:** I have that effect on people.

21 **MS. FITZPATRICK:** What, that they want to  
22 leave the room?

23 **MS. DALEY:** Yeah, they want to leave the  
24 room.

25 **MS. FITZPATRICK:** Okay.

1       ---CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

2       DALEY:

3               MS. DALEY: Ms. Fitzpatrick, my name is  
4 Helen Daley and I am counsel for a group called The  
5 Citizens for Community Renewal.

6               MS. FITZPATRICK: Yes.

7               MS. DALEY: That's a local organization,  
8 with standing at the inquiry, whose interest centres on the  
9 protection of children.

10              MS. FITZPATRICK: Perfect.

11              MS. DALEY: There's a number of items I just  
12 want to review with you. Do you need water or are you all  
13 right for ---

14              MS. FITZPATRICK: I'll just take a little.

15              MS. DALEY: --- what you've got?

16              MS. FITZPATRICK: Yes. Okay.

17              MS. DALEY: Okay. Now, you made a point in  
18 your opening evidence about Mr. Carriere and what an  
19 outstanding supervisor you found him to be. I take it you  
20 had a very open and trusting relationship with him?

21              MS. FITZPATRICK: Absolutely.

22              MS. DALEY: All right.

23                      And you were asked on several occasions here  
24 by my friend, Mr. Dumais, about after having conducted the  
25 Antoine interview whether or not you disclosed to your co-

1 workers or to your supervisor back at the CAS about the  
2 occurrence, and you said, for a variety of reasons, that,  
3 no, you didn't do that.

4 **MS. FITZPATRICK:** That's correct.

5 **MS. DALEY:** Do you recall that?

6 I understand that you did, however, disclose  
7 this occurrence to Mr. Carriere back in February of this  
8 year?

9 **MS. FITZPATRICK:** That is correct.

10 **MS. DALEY:** And, Madam Clerk, if the witness  
11 could be shown Document 740602 please?

12 **MR. MANDERVILLE:** We object to this document  
13 going in, Mr. Commissioner, and we'll have a host of  
14 objections that perhaps should be heard in the absence of  
15 the witness.

16 **THE COMMISSIONER:** Certainly.

17 Ms. Fitzpatrick ---

18 **MS. FITZPATRICK:** M'hm?

19 **THE COMMISSIONER:** --- we're going to ask  
20 you to step out ---

21 **MS. FITZPATRICK:** Sure.

22 **THE COMMISSIONER:** --- and it has nothing to  
23 do with your evidence or the quality of it, it's an  
24 administrative matter that we should be dealing with in  
25 your absence.

1                   **MS. FITZPATRICK:** Okay.

2                   **MR. MANDERVILLE:** I apologize,  
3                   Mr. Commissioner. I should also have added, in my view, it  
4                   should probably be heard in camera.

5                   **THE COMMISSIONER:** Okay, well, you can go.  
6                   And now we need to know why it should be  
7                   held in camera. Is there any value in me looking at this?

8                   **MR. MANDERVILLE:** Value? It might be  
9                   informative to you. So I don't object to you looking at  
10                  it.

11                  **THE COMMISSIONER:** Okay. I'm always  
12                  interested in looking at it and seeing ---

13                  **MS. DALEY:** All right.

14                  **THE COMMISSIONER:** --- what's up.

15                  **MS. DALEY:** It's a fairly lengthy document,  
16                  sir, and it purports to be an interview with Ms. Fitzgerald  
17                  that was done by Mr. Carriere, and Anne McKinnon, whom I'm  
18                  assuming is a CAS employee.

19                  **THE COMMISSIONER:** Okay. And you say -- no,  
20                  not yet. Just give it to me and we'll see.

21                  **MS. DALEY:** Okay.

22                  **THE COMMISSIONER:** Okay. So why should we  
23                  do it in camera?

24                  ---SUBMISSIONS BY/REPRÉSENTATIONS PAR **MR. MANDERVILLE:**

25                  **MR. MANDERVILLE:** There are references in

1 the document to what I believe might raise medical issues  
2 or health issues and I believe that submissions I make on  
3 that front should be dealt with in camera, sir.

4 **THE COMMISSIONER:** All right.

5 Does anybody -- I guess everybody knows  
6 about this document? Does anybody want to participate in  
7 this discussion as to whether it should ---

8 **MR. DUMAIS:** It's been disclosed, Mr.  
9 Commissioner.

10 **THE COMMISSIONER:** Okay.

11 **MR. MANDERVILLE:** Subject to your thoughts  
12 on it, Mr. Commissioner, I was going to suggest we read  
13 through it ---

14 **THE COMMISSIONER:** Yes.

15 **MR. MANDERVILLE:** --- and then I'll make my  
16 ---

17 **THE COMMISSIONER:** Sure.

18 **MR. MANDERVILLE:** --- submissions ---

19 **THE COMMISSIONER:** Yes.

20 **MR. MANDERVILLE:** --- to you.

21 **THE COMMISSIONER:** Mr. Neville?

22 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. NEVILLE:

23 **MR. NEVILLE:** I share my friend's concerns  
24 and would have some comments at the appropriate time,  
25 Commissioner.

1                   **THE COMMISSIONER:** All right.

2                   **MR. NEVILLE:** I think it might help if you  
3 see it because you'll see the issues that perhaps ought to  
4 be vetted carefully first.

5                   **THE COMMISSIONER:** Okay. Yes, sir, Mr.  
6 Rose?

7 ---**SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. ROSE:**

8                   **MR. ROSE:** Mr. Commissioner, to the extent  
9 that the document refers to a probationer who is suffering  
10 from, it would appear, some medical issues which are  
11 inferentially disclosed in that document, I agree with Mr.  
12 Manderville, but I invite you to take a look at it. That  
13 will be my position.

14                   **THE COMMISSIONER:** Well, let's take a break  
15 and we'll come back in 15.

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

18                   This hearing will resume at 4:15 p.m.

19 --- Upon recessing at 3:56 p.m./

20                   L'audience est suspendue à 15h56

21 --- Upon resuming at 4:23 p.m./

22                   L'audience est reprise à 16h23

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:** Thank you.

3 Mr. Manderville?

4 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. MANDERVILLE:

5 **MR. MANDERVILLE:** Mr. Commissioner, I take  
6 it you've reviewed this document?

7 **THE COMMISSIONER:** Yes, I have.

8 **MR. MANDERVILLE:** First, I would submit that  
9 the document is full of speculation and second-and- third-  
10 hand hearsay, some of which is scandalous.

11 We have already heard from this witness  
12 about every aspect that she has to tell this Inquiry of  
13 what is relevant and of what is first-hand and we've heard  
14 more than that, and I submit this document adds nothing to  
15 what you need to look into and what this Inquiry is charged  
16 with looking into and merely serves to foster additional  
17 rumour and innuendo and speculation within the community of  
18 which this witness has no first-hand knowledge.

19 She speaks in terms of some of my clients  
20 being involved in a conspiracy because of where they live  
21 and a conspiracy with the Crown; again, none of which is  
22 first-hand.

23 In addition, she makes allegations against  
24 Luc Brunet in this document; again, not first-hand.

25 We have this document. We were provided

1 with this document back in March 2008 prior to Mr. Brunet  
2 testifying. None of these matters were raised with Mr.  
3 Brunet by counsel.

4 **THE COMMISSIONER:** Just a minute. Just a  
5 minute. This isn't Commission counsel. This is Ms. Daley  
6 who wants to introduce this as cross-examination, right?

7 **MR. MANDERVILLE:** Mr. Commissioner, I am  
8 advised we are not in camera at the moment?

9 **THE COMMISSIONER:** No, we're not.

10 **MR. MANDERVILLE:** Oh, I was under the  
11 impression that we were, so ---

12 **THE COMMISSIONER:** No, no, no. Remember the  
13 idea was for me to read this ---

14 **MR. MANDERVILLE:** Yes.

15 **THE COMMISSIONER:** --- and you to come back  
16 and I thought you had abandoned it, or I don't know what,  
17 but so ---

18 **MR. MANDERVILLE:** My apologies, Mr.  
19 Commissioner.

20 **THE COMMISSIONER:** So now we're going back.  
21 You want to apply to have it heard in camera?

22 **MR. MANDERVILLE:** Portions of it, in my  
23 submission, should definitely be heard in camera. Portions  
24 of what I'm going to submit should definitely be heard in  
25 camera and you've reviewed this document and the last two

1 pages of it raise some issues that I suggest should be  
2 dealt with in camera.

3 **THE COMMISSIONER:** Okay. Well ---

4 **MR. MANDERVILLE:** And I don't know if my  
5 friends object to that proposal. I've spoken with them and  
6 I didn't hear an objection based on what I told them I was  
7 going to suggest, but if you want to deal with that now,  
8 I'll step aside and let Mr. Lee and Ms. Daley set out their  
9 position.

10 **THE COMMISSIONER:** Well, okay. First of  
11 all, I see Mr. Rose; he's ready to go. I don't think  
12 there's any question that with respect to a probation  
13 person, that he should be given that protection because he  
14 has nothing to do with this. I don't know if that is  
15 really relevant and I don't know -- subject to any  
16 objections to anybody, I think that that measure should be  
17 given.

18 So, Mr. Rose, you can sit tight there for a  
19 moment unless you have other things to say.

20 In the last two pages, it would seem that  
21 that would go back to the witness and her interests; would  
22 it not?

23 **MR. MANDERVILLE:** Yes, it would.

24 **THE COMMISSIONER:** Okay. And she's  
25 represented here by counsel?

1                   **MR. MANDERVILLE:** She is.

2                   **THE COMMISSIONER:** All right.

3                   So do you have any -- and first of all, we  
4 should identify you for the record, sir.

5                   ---**SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. KATZ:**

6                   **MR. KATZ:** James Katz, Mr. Commissioner.

7                   **THE COMMISSIONER:** All right.

8                   So Mr. Manderville is saying that we should  
9 go in camera to discuss the effect of those two last pages.  
10 What's your position on it?

11                   **MR. KATZ:** I think, depending on what areas  
12 Mr. Manderville would like to discuss, if he can give me  
13 some idea, it could help make my decision. I'd also like  
14 to be able to -- we are in cross-examination now. This is  
15 a new issue that hasn't been brought to my attention and  
16 I'd like to be able to discuss that with my client and  
17 check her views on this.

18                   **THE COMMISSIONER:** All right.

19                   **MR. KATZ:** I've been broadsided. No one's  
20 provided me any indication this was going to occur before  
21 this hearing today. This document has been in circulation  
22 since March's. It's referenced.

23                   **THE COMMISSIONER:** Well, Mr. Manderville, do  
24 you want to tell him?

25                   **MR. MANDERVILLE:** Yes, and can we break for

1 30 seconds or a minute?

2 **THE COMMISSIONER:** Okay.

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

5 This hearing will resume at 4:35.

6 --- Upon recessing at 4:28 p.m./

7 L'audience est suspendue à 16h28

8 --- Upon resuming at 4:31 p.m./

9 L'audience est reprise à 16h31

10 **THE REGISTRAR:** This hearing is now resumed.

11 Please be seated. Veuillez vous asseoir.

12 **THE COMMISSIONER:** Thank you.

13 ---**SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. MANDERVILLE:**

14 **MR. MANDERVILLE:** I apologize for the delay,  
15 Mr. Commissioner.

16 **THE COMMISSIONER:** Yes.

17 **MR. MANDERVILLE:** I've spoken with my  
18 friend. As I understand it, he'll certainly correct me if  
19 I'm misstating things. He understands why I think it  
20 appropriate to go in camera and he has no objection to  
21 going in camera to deal with things. He will certainly be  
22 objecting to what I'm going to request, but insofar as  
23 going in camera is concerned, he agrees.

24 Mr. Lee or Ms. Daley may have some points to  
25 make on whether or not we do that.

1 THE COMMISSIONER: All right.

2 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DALEY:

3 MS. DALEY: I have no objection to us  
4 proceeding in camera at this time.

5 THE COMMISSIONER: Well, it's not the  
6 objection. I'm wondering whether or not we've satisfied  
7 the test.

8 MS. DALEY: I'm satisfied that where we're  
9 going would satisfy the test, that it touches on a personal  
10 interest and it should not be exposed publicly.

11 THE COMMISSIONER: Thank you.

12 Mr. Lee?

13 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. LEE:

14 MR. LEE: Mr. Manderville has outlined for  
15 me what he intends to request and briefly the submissions  
16 he intends to make.

17 He's in an awkward position because it seems  
18 to me that in order to fully inform you of that, it defeats  
19 the purpose of going in camera.

20 The best I can tell you is that I'm  
21 satisfied that we probably do need to go in camera --- to  
22 protect the witness' interests here.

23 (SHORT PAUSE)

24 THE COMMISSIONER: Excuse me. I have a  
25 cold.

1 Well, I've read the document and, given that  
2 there seems to be an avenue for some -- for some need for  
3 confidentiality, I will at this point agree to hear the  
4 matter in camera.

5 And if, at the end of the day, it shouldn't  
6 have been in camera, well then, I will advise the public as  
7 to what went on.

8 In any event, I will advise them what went  
9 on, leaving out certain details but, we'll go in camera.

10 Mr. Dumais?

11 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DUMAIS:

12 MR. DUMAIS: Well, the only thing I'm  
13 thinking, Mr. Commissioner, is if after the argument you  
14 feel that this matter should be a public matter, I mean, we  
15 still have a transcript with the in camera hearing ---

16 THE COMMISSIONER: Sure.

17 MR. DUMAIS: --- and we can simply convert  
18 that into a public transcript.

19 THE COMMISSIONER: Okay.

20 MR. DUMAIS: If that's okay.

21 THE COMMISSIONER: So then, I am always  
22 anxious to have the matter dealt with in the public forum.  
23 When officers of the court, as we all are, indicate to me  
24 that there may be some personal interests at hand, then  
25 that will satisfy me at this point.

1 So we need 15 minutes and then we'll go in  
2 camera?

3 **MR. DUMAIS:** Yes.

4 **THE COMMISSIONER:** Thank you.

5 **THE REGISTRAR:** Order. All rise.

6 À l'ordre. Veuillez vous lever.

7 This hearing will resume at 4:50 p.m.

8 --- Upon recessing at 16:34/

9 L'audience est suspendue à 16h34

10 --- Upon resuming in public at 5:47 p.m. /

11 L'audience est reprise en public à 17h47

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

14 This hearing is now resumed. Please be  
15 seated. Veuillez vous asseoir.

16 ---**RULING BY THE COMMISSIONER/DÉCISION PAR LE COMMISSAIRE :**

17 **THE COMMISSIONER:** Thank you.

18 We are in the midst of -- or the beginning  
19 of the cross-examination of Geraldine Fitzpatrick, and, Ms.  
20 Daley, counsel for the Citizens for Community Renewal, has  
21 wanted to introduce a document for the purposes of cross-  
22 examination.

23 It is an interview with Geraldine -- well,  
24 first of all, it's a summary in point form of an interview  
25 with Geraldine Fitzpatrick, dated February 20<sup>th</sup>, 2008, where

1 Geraldine Fitzpatrick was audio-recorded in a conversation  
2 with Anne McKinnon and Bill Carriere, who are members of  
3 the Children's Aid Society, and who, of course, were  
4 interviewing Geraldine Fitzpatrick who is also a member of  
5 the Children's Aid Society.

6 And, it refers back, generally speaking, to  
7 a discussion of an interview she would have had, Geraldine  
8 Fitzpatrick, with Jeannette Antoine in the mid-1990s. It  
9 is clear that the Children's Aid Society and the police  
10 eventually knew of that interview, back in 1994.

11 Ms. Daley says that she wants to use the  
12 document to establish or to find out what was going on in  
13 Ms. Fitzpatrick's mind as to why she said certain of the  
14 comments that she would have attributed and conclusions  
15 that she would have made with respect to some certain  
16 linkages and matters of that nature.

17 It is clear that in weighing that view, the  
18 cross-examination and what she has indicated,  
19 Ms. Daley, is quite proper and inasmuch as -- is proper  
20 questions to the witness.

21 The parties objecting have indicated that  
22 while -- that there are portions in this document that  
23 fueled the fans of innuendo, distrust, lies and non-facts  
24 that have plagued this community, and that the prejudicial  
25 value far outweighs that of the probative value.

1 Others have said that, in order to have this  
2 document entered, that we should be -- I should be ordering  
3 a certain disclosure of medical reports and the like.

4 Others have indicated that it is double hearsay, and  
5 sometimes triple hearsay, and is not the subject matter of  
6 proper cross-examination.

7 I have considered all of these matters and I  
8 find that, first of all, I will permit the matter -- the  
9 document to be entered, subject to the conditions that will  
10 protect -- a publication ban and whatever other steps need  
11 to be taken to deal with protecting the identity and any  
12 facts that might tend to identify a person that is -- that  
13 at least this witness thought was a probationer at the time  
14 of her visiting a foster home, or, a prospective foster  
15 home, or a placement for someone.

16 And I find that -- I will err on the side of  
17 caution in that regard and -- because I don't know that  
18 anyone really objected, but, secondly, the name of that  
19 person, unless otherwise provided, has no relevance to the  
20 Inquiry and it should be a matter of protection.

21 With respect to -- and I will not order, at  
22 this point in time, in any event, the production of any  
23 medical reports.

24 I think that at this point in time, in this  
25 Inquiry, in this community, the community has, in my view,

1       accepted that any final determinations will be made when  
2       the final determination is made; that if some of the  
3       allegations or conclusions that this witness comes to will  
4       have to be aired in the full public light and that the  
5       slings and arrows may well be -- and I'm not  
6       prejudging -- but may well be rubber ones.

7               And so I think it's time for the community  
8       and the members of -- that we should sit back and look for  
9       what the document is worth.

10              And what we're doing is simply a matter of  
11       cross-examination, that we have dealt with people  
12       sympathetically, consistently, throughout this Inquiry, and  
13       if there are any questions at the end about the emotional  
14       state of a witness when giving a statement, I think that  
15       that can be canvassed in a proper, sensitive way, and if  
16       the answers are such that it means that we'll have to re-  
17       examine the issue of whether or not medical records are  
18       sought, well, then so be it.

19              I find that at this point-in-time it's  
20       probably premature to talk about all of these things. I  
21       found that in the end, after everyone has made their cross-  
22       examination that it was all for naught. The objections and  
23       the caution that we've -- that we had to protect all of  
24       these people.

25              So all in all, I think that we'll see at the

1 end of the cross-examination, Ms. Daley and Mr. Lee,  
2 whether or not we have to deal with it in any further  
3 matter.

4 As for Mr. Horn's comments that these  
5 conclusions prove that what the Coalition has been  
6 advocating or saying, that there has been collusion, et  
7 cetera, that, of course, remains to be seen.

8 It remains my decision to make with respect  
9 to how the institutions responded; if they responded in the  
10 proper way. And that, of course, will be determined when  
11 we've finished the evidence.

12 So I'm going to leave with that. It's six  
13 o'clock now, so we will continue tomorrow, subject to Mr.  
14 Chisholm's comments.

15 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. CHISHOLM:

16 MR. CHISHOLM: Sorry, sir. Just looking at  
17 this document quickly, the names that you want to have  
18 included in the publication ban may go beyond the  
19 probationer's name. If you look at Bates page 7181412 ---

20 THE COMMISSIONER: M'hm.

21 MR. CHISHOLM: --- which is page 21 of the -  
22 --

23 THE COMMISSIONER: Yes.

24 MR. CHISHOLM: Seven paragraphs, and you'll  
25 see there a couple of boys that are referenced there.

1                   And also if I take you back to page 16 of  
2                   the document, which is Bates page 7181407, seventh bullet  
3                   from the bottom, there's a reference to another person that  
4                   ---

5                   **THE COMMISSIONER:** All right.

6                   Well, in any event, what we'll do is  
7                   tomorrow morning before we start, you can speak to Monsieur  
8                   Dumais or Mr. Rose can speak to Monsieur Dumais, so we can  
9                   craft something that will permit the newspapers and the  
10                  media to fully understand exactly what we mean by the  
11                  publication ban.

12                  And so the document will not be entered as  
13                  an exhibit tonight in order that we may be in a position to  
14                  do it all at the same time so that the media knows exactly  
15                  what we're talking about.

16                  **MR. CHISHOLM:** Thank you, sir.

17                  **THE COMMISSIONER:** All right. Thank you.

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

20                  This hearing is adjourned until tomorrow  
21                  morning at 9:30 a.m.

22                  --- Upon adjourning at 5:56 p.m. /

23                  L'audience est ajournée à 17h56

24

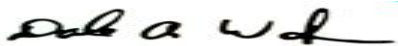
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C E R T I F I C A T I O N

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.



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Dale Waterman, CVR-CM