

**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 308

Held at :

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

Thursday, November 20, 2008

Tenue à:

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

Jeudi, le 20 novembre 2008

Appearances/Comparutions

Ms. Brigitte Beaulne	Registrar
M ^e Pierre R. Dumais Ms. Suzanne Sinnamon	Commission Counsel
Mr. Mark Crane	Cornwall Community Police Service and Cornwall Police Service Board
Mr. Neil Kozloff Ms. Diane Lahaie	Ontario Provincial Police
Mr. Christopher Thompson	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims' Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDougald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll Mr. Mark Wallace	Ontario Provincial Police Association
Mr. Frank T. Horn	Coalition for Action
Mr. Larry O'Brien	D/Insp. Randy Millar
Mr. Joseph (Joe) Dupuis	

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1 --- Upon commencing at 9:36 a.m./

2 L'audience débute à 9h3

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

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

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good morning all. Mr.
10 Dupuis, how are you doing this morning?

11 **MR. DUPUIS:** Good, Mr. Commissioner.

12 **THE COMMISSIONER:** Good. You understand
13 you're still under oath?

14 **MR. DUPUIS:** Yes, sir.

15 **THE COMMISSIONER:** Thank you.

16 Maître Dumais?

17 **JOSEPH (JOE) DUPUIS, Resumed/Sous le même serment:**

18 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR MR.**
19 **DUMAIS (Cont'd/Suite):**

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

21 Mr. Dupuis, we left off yesterday -- we had
22 just looked at the indictment which is dated -- the eight-
23 count indictment which is dated the 5th day of May, 1999
24 which we believe had been prepared by the then-Crown
25 attorney, Mr. Robert Pelletier.

1 And I want to talk to you then about what
2 knowledge you had about the consolidation of these two
3 separate indictments. So we had the initial indictment and
4 this is now a new second indictment.

5 And before I ask you that, I understand that
6 at one point in time you were part of the discussion
7 between defence counsel and the Crown attorney about
8 possibly consolidating these two indictments. And my
9 understanding is that you were -- you were not necessarily
10 part of this conversation, but you were a witness of a
11 discussion. Can you tell me about that?

12 **MR. DUPUIS:** Is that the hallway discussion
13 that you're referring to?

14 **MR. DUMAIS:** Correct.

15 **MR. DUPUIS:** There was a chance meeting in a
16 hallway in a courthouse in Ottawa and there was a quick
17 discussion between Mr. Pelletier and Mr. Neville in regards
18 to consolidating those charges.

19 **MR. DUMAIS:** All right.

20 Can you tell us in your own words what you
21 recall, what was said between -- between the two?

22 **MR. DUPUIS:** The discussion goes -- Mr.
23 Pelletier draws Mr. Neville's attention to him, advises him
24 that there's further charges coming. Do you wish to have
25 one trial or two? There was one. And then what are we

1 going to do about a possible 11(b) and Mr. Neville refers
2 that he'd possibly waive it or waive that.

3 **MR. DUMAIS:** All right.

4 **THE COMMISSIONER:** Wait a minute. Wait a
5 minute now. You heard the word "possibly"?

6 **MR. DUPUIS:** No, sir. I correct myself
7 there.

8 **THE COMMISSIONER:** So no, no. Let's just --
9 tell me what you recall, please.

10 **MR. DUPUIS:** He would waive the 11(b).

11 **MR. DUMAIS:** All right.

12 **THE COMMISSIONER:** All right.

13 So now at this point, I think I should make
14 comment that I've indicated yesterday that following the
15 voir dire where we discussed and we heard the evidence of
16 this witness to see whether or not it was admissible, one
17 of the problems of course was that -- for folks to
18 understand the concept that I am not going to look at the
19 truth of the statement that you said. That matter with
20 respect to the 11(b) argument has been heard in court and
21 there has been judicial findings made with respect to that.
22 So the important matter here, and given that my mandate is
23 with respect to institutional response, is I want to
24 explore or have explored the issue of what did this police
25 officer do with that knowledge that he says he has and how

1 it -- how he dealt with it within his investigations and
2 how he dealt with it with the Crowns as the issue of the
3 11(b) argument proceeded. Accordingly, while I'm limiting
4 it to that in-chief, I'm also going to be limiting the
5 cross-examination, and I made that clear yesterday, that we
6 are not to deal with the truth of the contents; simply what
7 the institutional response was with this gentleman having
8 that belief in mind.

9 Thank you. Go ahead, sir.

10 **MR. DUMAIS:** All right.

11 So then if we can just try to pinpoint when
12 this conversation would have occurred. What's -- do you
13 have a specific recollection?

14 **MR. DUPUIS:** No, sir.

15 **MR. DUMAIS:** And if -- would you -- we know
16 that you would have signed the Information on these new
17 counts on January 26, 1998. Do you believe that this
18 conversation would have occurred prior to then?

19 **MR. DUPUIS:** Yes, sir.

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

21 **THE COMMISSIONER:** Have we identified who
22 the parties were? I don't ---

23 **MR. DUMAIS:** Yes.

24 **THE COMMISSIONER:** Did you say Mr. Pelletier
25 and Mr. Neville?

1 **MR. DUPUIS:** I don't recall, sir, when I ---

2 **THE COMMISSIONER:** No, not this morning yet
3 so let's -- so the conversation that you overheard, you say
4 was between Mr. Pelletier and Mr. Neville.

5 **MR. DUPUIS:** That's correct, sir.

6 **THE COMMISSIONER:** All right.

7 **MR. DUMAIS:** And so that would have been
8 before January 26, 1998 and I understand that you would
9 have prepared a Crown brief for these new charges and
10 delivered this Crown brief sometime around January 6, 1998.
11 Is that correct?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** All right.

14 So would -- that conversation would have
15 occurred around that period of time?

16 **MR. DUPUIS:** Again sir, I don't know when
17 that conversation occurred.

18 **MR. DUMAIS:** Okay.

19 So then to your best recollection, it would
20 have occurred prior to the 26th of January, '98. You're
21 sure about that?

22 **MR. DUPUIS:** Yes, sir.

23 **MR. DUMAIS:** All right.

24 Now, you hear this conversation and does
25 that affect in any way the way you're conducting your

1 investigation from this point in time?

2 MR. DUPUIS: No, sir.

3 MR. DUMAIS: So you're not -- you don't have
4 it in your mind that a delay is not an issue so I don't
5 need -- I don't need to move any quicker -- to move quickly
6 on this?

7 MR. DUPUIS: No, sir. It doesn't affect my
8 investigation.

9 MR. DUMAIS: Okay.

10 And this conversation, is it taken down in
11 any of your notes?

12 MR. DUPUIS: No, sir.

13 MR. DUMAIS: All right.

14 And prior to the application for a stay
15 which was brought in 2002, where I believe you brought it
16 up, would it have been discussed with anyone else?

17 MR. DUPUIS: The Crown attorney, Mr. Lorne
18 McConnery.

19 MR. DUMAIS: Yes.

20 MR. DUPUIS: And possibly Inspector Hall.

21 MR. DUMAIS: Okay.

22 And we'll deal with your discussions with
23 Mr. McConnery a little later, but prior to that discussion
24 with Mr. McConnery and Inspector Hall, would you have had
25 any discussion between '98 and 2002?

1 **MR. DUPUIS:** No, sir.

2 **MR. DUMAIS:** All right.

3 And it does not show up in any of the
4 documents which would have been produced by OPP
5 investigators, as far as you know?

6 **MR. DUPUIS:** I don't recall any; no, sir.

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

8 Now, I understand that following the -- or
9 shortly before the indictment was prepared that Mr.
10 Pelletier -- we're back in 1999 now, Mr. Pelletier would
11 have advised you that Ms. Hallett was taking over the case
12 of Father MacDonald. Is that correct?

13 **MR. DUPUIS:** I know Ms. Hallett took over
14 the case, but I don't know if Mr. Pelletier advised me of
15 that.

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

17 If you just have a look at Exhibit 2611, and
18 these are your notes, Mr. Dupuis, at Bates page 475.

19 **THE COMMISSIONER:** I'm sorry, what page?

20 **MR. DUMAIS:** Bates page 475.

21 **(SHORT PAUSE/COURTE PAUSE)**

22 **THE COMMISSIONER:** Okay, where do you want
23 to direct him?

24 **MR. DUMAIS:** It's the entry on April 29th,
25 1999; the entry at 1430 hours.

1 **MR. DUPUIS:** Yes, sir.

2 **MR. DUMAIS:** So am I correct then in
3 understanding that you would have known at this point in
4 time that Ms. Hallett was taking over this case?

5 **MR. DUPUIS:** That's correct.

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

7 And do you recall, did you have any
8 discussion with Mr. Pelletier as to why he was getting off
9 the case or -- and Ms. Hallett was now being involved?

10 **MR. DUPUIS:** I don't recall any discussion
11 about that, sir.

12 **MR. DUMAIS:** Okay, you don't recall
13 questioning that with him, why are you not finishing?

14 And my understanding from your review of
15 your notes is that on May 11th, 1999, Mr. Pelletier advises
16 you that a pre-trial was set in this matter for September
17 7th, 1999.

18 **MR. DUPUIS:** Which day again, sir, is that?

19 **MR. DUMAIS:** That's May 11th, 1999.

20 **THE COMMISSIONER:** It's on page 1482. Well,
21 if you're looking at -- yeah, 1482 or 127 if you're looking
22 at your page notes of your ---

23 **MR. DUPUIS:** Yes, sir.

24 **THE COMMISSIONER:** One-twenty-seven (127),
25 okay.

1 So what's the question?

2 **MR. DUMAIS:** So the Father Charlie MacDonald
3 matter was put over to the 7th day of September 1999. Do
4 you see that?

5 **MR. DUPUIS:** Yes, sir.

6 **MR. DUMAIS:** And then on September 7th, 1999
7 do you recall that the matter was again put over on October
8 22nd, 1999?

9 **MR. DUPUIS:** I don't recall that but ---

10 **THE COMMISSIONER:** Well, just show him his
11 notes if you want to.

12 **MR. DUMAIS:** That's at Bates page 559.

13 **THE COMMISSIONER:** Okay. So that's in
14 Exhibit 2612 again.

15 **MR. DUMAIS:** That's correct, Mr.
16 Commissioner.

17 **THE COMMISSIONER:** Are you there, sir?

18 **MR. DUPUIS:** Yes, sir.

19 **THE COMMISSIONER:** Okay.

20 **MR. DUMAIS:** Do you see the entry at 7:30
21 hours?

22 **MR. DUPUIS:** Yes, sir.

23 **MR. DUMAIS:** So you're picking up Ms.
24 Hallett and her assistant; you're proceeding to Ottawa to
25 Father Charlie MacDonald. It's indicated there GTP, I

1 believe. Did you mean by that the judicial pre-trial, is
2 that what you ---

3 **MR. DUPUIS:** It possibly could be but ---

4 **MR. DUMAIS:** All right.

5 And it's being put over to October 22nd,
6 1999. Is that correct?

7 **MR. DUPUIS:** That's correct.

8 **MR. DUMAIS:** And clearly at this point-in-
9 time Ms. Hallett was involved?

10 **MR. DUPUIS:** That's correct.

11 **MR. DUMAIS:** All right.

12 And in between those two dates -- if you can
13 look at Exhibit 2261.

14 **THE COMMISSIONER:** Exhibit 2261 -- 2261 is
15 the indictment?

16 **MR. DUMAIS:** That's correct.

17 And if you look at the last page, that new
18 indictment is dated the 10th day of September, 1999?

19 **MR. DUPUIS:** Yes, sir.

20 **MR. DUMAIS:** And it's signed by Ms. Hallett.
21 And this new indictment contains 15 counts, so both the
22 counts involving the -- both involving the counts from your
23 information, so the second set of charges, and the counts
24 involving the initial first information?

25 **MR. DUPUIS:** That appears to be correct,

1 sir.

2 MR. DUMAIS: All right. So it appears that,
3 at least from this document, that the two proceedings are
4 all in one indictment?

5 MR. DUPUIS: That's correct.

6 MR. DUMAIS: Now, I understand that after
7 this occurs, so early in the following year, you would have
8 received a new allegation. Is that correct?

9 MR. DUPUIS: I believe C-2 was ---

10 MR. DUMAIS: We're just referring to him --
11 I apologize. That's probably my fault, Mr. Dupuis. So
12 he's known as C-2.

13 MR. DUPUIS: I apologize.

14 THE COMMISSIONER: It's okay.

15 MR. DUMAIS: So then I understand that you
16 would have received a new allegation at the beginning of
17 2000. Is that correct?

18 MR. DUPUIS: I don't recall the date but
19 there was a new allegation.

20 MR. DUMAIS: All right. Do you recall how
21 you received this information?

22 MR. DUPUIS: I believe it came from
23 Inspector Hall to me.

24 MR. DUMAIS: Mr. Hall would have indicated
25 that to you?

1 **MR. DUPUIS:** I believe that's where my ---

2 **MR. DUMAIS:** All right. And do you recall
3 whether or not -- where Mr. Hall would have obtained this
4 information?

5 **MR. DUPUIS:** Can we use that gentleman's
6 name or ---

7 **THE COMMISSIONER:** No.

8 **MR. DUPUIS:** C-2.

9 **THE COMMISSIONER:** His name is ---

10 **MR. DUPUIS:** I meant ---

11 **THE COMMISSIONER:** Just a second. Just a
12 second. Are you referring to a victim's name?

13 **MR. DUPUIS:** No.

14 **THE COMMISSIONER:** Can you ---

15 **MR. DUMAIS:** You're referring to Mr. Dunlop?

16 **MR. DUPUIS:** Yes.

17 **MR. DUMAIS:** Oh, that's fine.

18 **THE COMMISSIONER:** Okay. Go ahead.

19 **MR. DUPUIS:** The information came from Mr.
20 Dunlop to Inspector Hall.

21 **MR. DUMAIS:** Okay. So was it your
22 understanding that Mr. Dunlop then would have had a
23 conversation with Inspector Hall and indicated to him that
24 he was aware of a new allegation and that he wanted you to
25 follow-up on that?

1 **MR. DUPUIS:** That's correct.

2 **MR. DUMAIS:** And am I correct in
3 understanding that at that point you did not know who the
4 allegation was against?

5 **MR. DUPUIS:** That's correct.

6 **MR. DUMAIS:** All right.
7 So if I can just then take you to your
8 notes, Exhibit 2612 at Bates page 707.

9 **THE COMMISSIONER:** I'm sorry; 707?

10 **MR. DUMAIS:** Yes.

11 So you see that, you would have contacted C-
12 2, Mr. Dupuis?

13 **MR. DUPUIS:** That's at 15:17?

14 **MR. DUMAIS:** The entry at 15:17. That's
15 correct. And then you would have set up a meeting to
16 interview him on the following day, on January 21st, 2000?

17 **MR. DUPUIS:** Yes, sir.

18 **MR. DUMAIS:** And during that interview, you
19 would have found out that this was a new allegation that
20 was being made against Father MacDonald. Is that correct?

21 **MR. DUPUIS:** That's correct.

22 **MR. DUMAIS:** And my understanding is when
23 you were made aware of that, that you would have set up
24 then or made arrangements to set up a video interview. Is
25 that correct?

1 **MR. DUPUIS:** That's correct.

2 **MR. DUMAIS:** All right. And that video
3 interview was completed on January 26th, 2000.

4 Just to follow up on some of your comments
5 from yesterday, Mr. Dupuis.

6 So you initially meet with the victim some
7 times, not exactly sure what the allegation will be, and
8 when you determine that there's some merits or some
9 importance to the allegation you set up a video interview.
10 Is that correct?

11 **MR. DUPUIS:** That's correct.

12 **MR. DUMAIS:** All right.

13 And my understanding is that at the time
14 that this new allegation had been made, that a trial had
15 already been set on the 15-count indictment and that trial
16 was to occur in April of 2000?

17 **MR. DUPUIS:** That's correct.

18 **MR. DUMAIS:** Actually on April -- so then
19 you now have a new allegation. Can you tell us whether or
20 not you would have had any discussion either with Inspector
21 Hall or Ms. Hallett as to what you guys are to do with this
22 new allegation?

23 **THE COMMISSIONER:** Well, who was the
24 allegation against?

25 **MR. DUMAIS:** Father MacDonald.

1 **MR. DUPUIS:** I don't recall.

2 **MR. DUMAIS:** Because you're set to proceed
3 to trial on a number of counts and this is now a new
4 allegation. So my question to you is whether or not there
5 would have been any discussion as to whether or not we
6 would adjourn the -- they would adjourn the trial, conduct
7 the preliminary hearing for this new allegation, and then
8 marry up this information to the other indictment?

9 **MR. DUPUIS:** I think that decision would
10 have had to come from between Ms. Hallett and Inspector
11 Hall.

12 **MR. DUMAIS:** Okay. All right. Fair enough.
13 And I understand that the decision came from them but do
14 you recall being part of any discussion regarding that?

15 **MR. DUPUIS:** No, sir.

16 **MR. DUMAIS:** Because the -- would you agree
17 with me that the allegation that C-2 had made was somewhat
18 a little different than the other previous allegations that
19 had been made?

20 **MR. DUPUIS:** That's correct.

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

22 Now, I believe a new information was sworn
23 on the 10th day of April, 2000, and if you can have a look
24 at Exhibit 2262?

25 So is that the new information that was

1 prepared by you, Mr. Dupuis?

2 MR. DUPUIS: Yes, sir.

3 MR. DUMAIS: All right. And if you look at
4 the last page, it appears to have been sworn on the 10th day
5 of April, 2000?

6 MR. DUPUIS: Yes, sir.

7 MR. DUMAIS: So there appears to have been a
8 little lapse of time between the time you took down the
9 information -- or you took down the statement on April 26th,
10 2000 until such time as the actual information was sworn.
11 Do you know why that is?

12 THE COMMISSIONER: What date was the
13 statement taken?

14 MR. DUMAIS: April -- sorry, January 26,
15 2000.

16 THE COMMISSIONER: Okay, and then the ---

17 MR. DUMAIS: And the date that the
18 information is sworn, April 10, 2000.

19 MR. DUPUIS: Just follow up on the
20 investigation; witnesses to be interviewed.

21 MR. DUMAIS: Okay.

22 And my understanding is that another event
23 that would have occurred around that period of time is nine
24 boxes of disclosure material from Perry Dunlop was brought
25 from the Cornwall Police Service's office to your office.

1 Is that correct?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: All right. And if you look at
4 your notes, I believe the entry -- that's in Exhibit 2613.
5 The entry is at 795 -- at Bates page 795. Do you see the
6 entry at 11:01?

7 MR. DUPUIS: Yes.

8 MR. DUMAIS: Okay. So can you tell us what
9 you recall about that; why the boxes were being brought
10 over to the Project Truth office?

11 MR. DUPUIS: So Ms. Hallett could go through
12 them.

13 MR. DUMAIS: Do you recall what, if
14 anything, occurred that preceded that, that prompted
15 Ms. Hallett to bring the boxes over to Project Truth's
16 office?

17 MR. DUPUIS: I don't recall, sir.

18 MR. DUMAIS: All right. Do you recall
19 whether or not that was an issue for Inspector Hall, that
20 you now had those boxes in your possession?

21 MR. DUPUIS: I don't recall. I think you'd
22 have to ask Inspector Hall.

23 MR. DUMAIS: Okay. All right.

24 Now, my understanding is that the -- and we
25 know that the trial, the initial trial date, was adjourned

1 and that you proceeded with the preliminary inquiry on C-2

2 ---

3 MR. DUPUIS: That's correct.

4 MR. DUMAIS: --- later that year. Is that
5 correct?

6 MR. DUPUIS: That's correct.

7 MR. DUMAIS: All right.

8 THE COMMISSIONER: And that preliminary
9 inquiry was completed on August 30th, 2000? That's what the
10 information says.

11 MR. DUPUIS: Yes, sir.

12 THE COMMISSIONER: Okay.

13 MR. DUMAIS: And then the new indictment --
14 and that's Exhibit 2264 ---

15 MR. DUPUIS: Yes, sir.

16 MR. DUMAIS: --- was prepared on the 18th day
17 of October, 2000. It appears that Mr. Simard may have had
18 some involvement in drafting it but if we look at the last
19 page, Shelley Hallett's name appears as Crown counsel?

20 MR. DUPUIS: M'hm ---

21 THE COMMISSIONER: Not on my copy. Page 5
22 shows Guy Simard. On the back of the indictment there is
23 Shelley Hallett's name.

24 MR. DUMAIS: Yes, and that's what I ---

25 THE COMMISSIONER: Well ---

1 **MR. DUMAIS:** --- was referring to.

2 **THE COMMISSIONER:** Okay.

3 **MR. DUMAIS:** So then it appears that there
4 is now one indictment for all of the charges involving Mr.
5 MacDonald. Is that correct?

6 **MR. DUPUIS:** That's correct.

7 **MR. DUMAIS:** Right. So were you at any
8 point-in-time asked about your opinion about the merits of
9 joining all of these charges together?

10 **MR. DUPUIS:** No, sir.

11 **MR. DUMAIS:** Okay. Not part of any
12 discussion as to whether or not we should proceed with one
13 indictment and not deal with the second one, or deal with
14 them separately?

15 **MR. DUPUIS:** No, sir.

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

17 **THE COMMISSIONER:** Did you form any opinion
18 at that time as to what should be done?

19 **MR. DUPUIS:** No, sir.

20 **THE COMMISSIONER:** Okay.

21 **MR. DUMAIS:** Now, I understand that then the
22 new trial date, which had been -- was set, and that was on
23 April 25th, 2001. And that's at Exhibit 2614 in your notes
24 at Bates page 007.

25 **THE COMMISSIONER:** I'm sorry, what exhibit

1 again?

2 MR. DUMAIS: That's Exhibit 2614.

3 THE COMMISSIONER: Right; I'm sorry.

4 (SHORT PAUSE/COURTE PAUSE)

5 MR. DUPUIS: Which page is that again, sir,
6 please?

7 MR. DUMAIS: So at April 26th ---

8 THE COMMISSIONER: He asked what page.

9 MR. DUMAIS: Oh, sorry.

10 THE COMMISSIONER: What Bates page.

11 MR. DUMAIS: Zero-zero-seven (007).

12 THE COMMISSIONER: Zero-zero-seven (007),

13 okay. Page 38 of your notebook.

14 MR. DUPUIS: Thank you.

15 MR. DUMAIS: You see that? On April 25th,
16 2001 there's a court appearance and there are -- and a new
17 trial date is set for Father MacDonald. Do you recall
18 that?

19 MR. DUPUIS: Yes, sir, it's here in my
20 notes.

21 MR. DUMAIS: Okay, so -- and you remember
22 that; remember being there?

23 MR. DUPUIS: No.

24 MR. DUMAIS: You don't remember that the
25 2001 trial was -- trial date was vacated and new date set?

1 **MR. DUPUIS:** It's a message from Inspector
2 Hall advising me.

3 **MR. DUMAIS:** Okay.

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

5 **MR. DUMAIS:** So do you recall why that trial
6 date was adjourned?

7 **MR. DUPUIS:** No, sir.

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

9 Now, shortly thereafter -- and if I can just
10 take you to Bates pages 077 and 078, and I'm looking at the
11 entry that you made on -- 17:09 hours. So you had a
12 meeting with C-2:

13 "Crown explaining RP&G re. his
14 complaint. Crown to prosecute.
15 Reason. Hallett first Crown in
16 prelim."

17 And then it continues on:

18 "No reasonable suspect..."

19 It says "suspect", I think it's "prospect":

20 "...of conviction on your complaint."

21 And there's some explanation.

22 So is the conversation that's occurring here
23 the explanation to C-2 that they are no longer -- the Crown
24 is no longer proceeding with his charges?

25 **MR. DUPUIS:** That's correct.

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

2 So then the new -- the last allegation,
3 which had been made in early 2000, was never proceeded
4 with. Is that correct?

5 **MR. DUPUIS:** That is correct.

6 **MR. DUMAIS:** All right. And did you have
7 any opinion about the Crown's decision not to proceed with
8 these charges?

9 **MR. DUPUIS:** No.

10 **MR. DUMAIS:** So you never had any discussion
11 with the Crown?

12 **MR. DUPUIS:** I'm sure there was discussion
13 but I don't recall what.

14 **MR. DUMAIS:** You don't recall whether or not
15 you were agreeing with the decision or disagreeing with it?

16 **MR. DUPUIS:** No, sir.

17 **THE COMMISSIONER:** Did you have any -- feel
18 any opinion as to how the matter was progressing?

19 **MR. DUPUIS:** I'm not sure I understand, sir,
20 what -- from the question.

21 **THE COMMISSIONER:** Were you getting
22 frustrated? Were you -- how was the team feeling as this
23 was going along?

24 **MR. DUPUIS:** Too slow.

25 **THE COMMISSIONER:** You thought it was too

1 slow? Was that discussed amongst the folks?

2 MR. DUPUIS: Just amongst the constables
3 themselves, I believe.

4 THE COMMISSIONER: Okay. Thank you.

5 MR. DUMAIS: So then this is your view or
6 your opinion was not being shared by the -- with the Crown
7 Attorney?

8 MR. DUPUIS: No, sir. The Crown does their
9 job. We do our job.

10 MR. DUMAIS: All right.

11 And the other event which occurred shortly
12 before the adjournment of this trial was that Ms. Hallett
13 was no longer involved with this prosecution. Is that
14 correct?

15 MR. DUPUIS: I believe on the 30th of April
16 that in reference to the Crown explaining here, that was
17 Mr. Lorne McConnery explaining to that person.

18 MR. DUMAIS: All right.

19 And the decision not to proceed with this
20 particular charge would have come from Mr. McConnery. Is
21 that correct?

22 MR. DUPUIS: That's correct.

23 MR. DUMAIS: All right.

24 And the fact that Ms. Hallett was now being
25 replaced by Mr. McConnery, did that have any effect on the

1 adjournment of this particular trial date?

2 **MR. DUPUIS:** I don't recall, sir.

3 **MR. DUMAIS:** All right.

4 Now, in the other event that, of course,
5 occurred in early April, 2002 is that Mr. Neville would
6 have filed an application to stay the proceedings based on
7 unreasonable delay. Is that correct?

8 **MR. DUPUIS:** That is correct.

9 **MR. DUMAIS:** All right. And were you part
10 of that process? Were you in court when this was
11 happening?

12 **MR. DUPUIS:** Yes, sir.

13 **MR. DUMAIS:** And we spoke earlier about your
14 -- the previous conversation that you would have witnessed
15 between Mr. Neville and Mr. Pelletier in early 1998. Did
16 you at any point-in-time address this with the now new
17 Crown, Mr. McConnery?

18 **MR. DUPUIS:** Yes, I did.

19 **MR. DUMAIS:** So as best as you can recall,
20 can you tell us what you would have told him?

21 **MR. DUPUIS:** Basically, just relay what I
22 had heard to Mr. McConnery.

23 **THE COMMISSIONER:** All right. And what you
24 had heard was conversation between Mr. Neville and Mr.
25 Pelletier?

1 **MR. DUPUIS:** That's correct.

2 **THE COMMISSIONER:** All right.

3 **MR. DUMAIS:** And do you recall or do you
4 know what Mr. McConnery would have done with this
5 information?

6 **MR. DUPUIS:** I don't recall.

7 **MR. DUMAIS:** Okay. And do you know if
8 anyone else was part of this conversation with Mr.
9 McConnery?

10 **MR. DUPUIS:** Again, I don't recall.

11 **MR. DUMAIS:** Okay. And do you recall
12 whether or not this conversation would have occurred at the
13 courthouse or at his office?

14 **MR. DUPUIS:** Again, sir, I don't recall.

15 **MR. DUMAIS:** And do I understand from your
16 evidence that this conversation would have occurred as the
17 application was about to be argued. Is that correct?

18 **MR. DUPUIS:** That would be correct.

19 **MR. DUMAIS:** And then on May 13, 2002,
20 Justice Chilcott allowed the 11(b) application and all
21 charges were stayed. Is that correct?

22 **MR. DUPUIS:** That's correct.

23 **MR. DUMAIS:** Now, if we can just move on to
24 the involvement you would have had with another
25 investigation, and that investigation is allegations that

1 had been made, or that were made, against Jacques Leduc.

2 My understanding, Mr. Dupuis, is that you
3 first became aware of these allegations following a
4 discussion that you had with Detective Constable Charlene
5 Davidson of the Lancaster OPP Detachment on or around the
6 8th day of May, 1998?

7 **MR. DUPUIS:** That is correct.

8 **MR. DUMAIS:** So you recall that
9 conversation?

10 **MR. DUPUIS:** Yes, sir.

11 **MR. DUMAIS:** And the day is confirmed for us
12 in a Will-Say statement that you prepared and if you can
13 just -- if we can put Document 705105 to you?

14 **(SHORT PAUSE/COURTE PAUSE)**

15 **THE COMMISSIONER:** Thank you.

16 Exhibit Number 2616 is a Will Say of Jacques
17 Leduc. No, Will Say of Charlene Davidson, sorry, and the
18 date is -- is there a date?

19 **MR. DUMAIS:** It appears to be undated.

20 **THE COMMISSIONER:** Undated. All right.

21 Document Number 705105.

22 **--- EXHIBIT NO./PIÈCE NO. P-2616:**

23 (705105) - Will Say of Charlene
24 Davidson, undated

25 **MR. DUMAIS:** And, Mr. Dupuis, you'll see

1 there's a name of a victim there and that victim is known
2 as C-16.

3 **THE COMMISSIONER:** Mr. Lee?

4 **MR. LEE:** Could I just ask that Officer
5 Dupuis be shown the monikers for all three of the Leduc
6 complainants, just so ---

7 **THE COMMISSIONER:** Yes.

8 **MR. LEE:** --- there's no risk of ---

9 **THE COMMISSIONER:** Sure. Thank you.

10 Sir, be careful with respect to the name of
11 any victims and when in doubt, don't say it and ask for
12 some help. But I'll give you the three names.

13 **(SHORT PAUSE/COURTE PAUSE)**

14 **MR. DUMAIS:** So C-16 ---

15 **THE COMMISSIONER:** We'll give them to you.

16 The Clerk will give you a ---

17 **MR. DUMAIS:** Okay.

18 Madam Clerk, C-16, C-17, C-22 and C-23.

19 **(SHORT PAUSE/COURTE PAUSE)**

20 **MR. DUPUIS:** Thank you.

21 **MR. DUMAIS:** So you have the -- sorry.

22 So then my understanding that you would have
23 been at the Lancaster Detachment on May 8th, 1998 and you
24 were not there specifically to meet with Officer Davidson.
25 Is that correct?

1 **MR. DUPUIS:** That is correct.

2 **MR. DUMAIS:** And she had just received an
3 allegation -- an allegation had been made by C-16 and she
4 was asking you whether or not this would fall within your
5 mandate?

6 **MR. DUPUIS:** That's correct.

7 **MR. DUMAIS:** So then do you make the
8 decision that this is within the mandate of Project Truth?

9 **MR. DUPUIS:** No.

10 **MR. DUMAIS:** So tell me what you did and how
11 you made that determination.

12 **MR. DUPUIS:** I placed a phone call to
13 Detective Inspector Smith and advised him of this and then
14 he made the decision.

15 **MR. DUMAIS:** And what was his decision?

16 **MR. DUPUIS:** That it fell within the Project
17 Truth mandate.

18 **MR. DUMAIS:** All right. So from then on
19 you -- Project Truth continued on with this investigation;
20 is that correct?

21 **MR. DUPUIS:** That's correct.

22 **MR. DUMAIS:** All right. And my
23 understanding is that at one point in time you would have
24 met with C-16 and taken a statement from him?

25 **MR. DUPUIS:** That's correct.

1 **MR. DUMAIS:** And if Document Number 712835
2 can be put to you?

3 **THE COMMISSIONER:** Thank you. Exhibit 2617
4 is a statement -- a Witness Synopsis, rather, it's
5 called -- and I'll make sure that -- C-16?

6 **MR. DUMAIS:** Correct.

7 **THE COMMISSIONER:** On May 7th, 1998.

8 **---EXHIBIT NO./PIÈCE NO P-2617:**

9 (712835) - Witness Synopsis of C-16 dated 07
10 May 98

11 **MR. DUMAIS:** So this is the initial
12 statement, correct, Mr. Dupuis? That's the one that had
13 been taken by Officer Davidson?

14 **MR. DUPUIS:** I believe so.

15 **THE COMMISSIONER:** Well, it's called a
16 Witness Synopsis, and it's bullet points, so I don't know
17 if we ---

18 **MR. DUMAIS:** Sorry. So this is the synopsis
19 that summarizes the initial allegation made to Ms.
20 Davidson?

21 **MR. DUPUIS:** Yes, sir, because it's dated
22 the 7th of May. I'm not aware of it until the 8th of May.

23 **MR. DUMAIS:** Yes. So now following
24 this -- so that was the -- that's the initial synopsis. My
25 understanding is that you would have taken a videotaped

1 statement of C-16; is that correct?

2 MR. DUPUIS: At a later date, yes.

3 MR. DUMAIS: And if we can just put Document
4 Number 712837 to you?

5 THE COMMISSIONER: Thank you. Exhibit
6 Number 2618 is a videotaped interview report of -- was that
7 C-16? On the 11th of May, 1998, and the interview is taken
8 by Constables Seguin and Dupuis.

9 ---EXHIBIT NO./PIÈCE NO P-2618:

10 (712837) - Videotaped interview report of
11 C-16 dated 11 May 98

12 MR. DUMAIS: So that videotape statement had
13 been taken on the 11th of May at the Lancaster detachment;
14 is that correct?

15 MR. DUPUIS: That's correct.

16 MR. DUMAIS: And am I correct in
17 understanding that you had been assigned to be the lead
18 investigator on this investigation as well?

19 MR. DUPUIS: That's correct.

20 MR. DUMAIS: Although, as we see here,
21 Detective Dupuis (sic) would have been assisting you with
22 some of these statements from time to time? Seguin, sorry?

23 MR. DUPUIS: That's correct.

24 MR. DUMAIS: All right. And so my
25 understanding is, following this statement taken from C-16,

1 you would have also interviewed his mother; is that
2 correct?

3 **MR. DUPUIS:** That's correct.

4 **MR. DUMAIS:** All right. And if we can put
5 Document Number 712833 to you?

6 **THE COMMISSIONER:** Thank you. Exhibit 2619
7 is an interview report of C-16's mother, and that is taken
8 on the 13th of May, 1998, and present is Constable Dupuis.

9 **---EXHIBIT NO./PIÈCE NO P-2619:**

10 (712833) - Interview Report of C-16's
11 mother dated 13 May 98

12 **MR. DUPUIS:** And, can I ask, is this lady's
13 name ---

14 **THE COMMISSIONER:** Well, we're going to ---

15 **MR. DUPUIS:** --- also protected?

16 **THE COMMISSIONER:** I'm sorry?

17 **MR. DUPUIS:** Is her name protected?

18 **THE COMMISSIONER:** Yes. I said she
19 was "C-16's mother."

20 **MR. DUPUIS:** I'm sorry.

21 **THE COMMISSIONER:** No, okay, so ---

22 **MR. DUMAIS:** Do you recall why you would
23 have interviewed C-16's mother, Mr. Dupuis?

24 **MR. DUPUIS:** To corroborate the statement.

25 **MR. DUMAIS:** Okay. Had C-16 advised you

1 that he would have had this -- he would have discussed
2 allegations with his mother? Do you recall that?

3 **MR. DUPUIS:** I believe he did.

4 **MR. DUMAIS:** Okay. And that was the
5 idea -- you don't necessarily interview all of the
6 complainants' mothers; is that correct?

7 **MR. DUPUIS:** That's correct.

8 **MR. DUMAIS:** All right. Now, following this
9 interview you would have proceeded -- well, perhaps if you
10 can just look at your notes, Exhibit 2609, at Bates page
11 325? So it's the entry on June 22nd, 1998.

12 That's -- it's on that date that you would
13 have placed Mr. Leduc under arrest; is that correct?

14 **MR. DUPUIS:** That's correct.

15 **MR. DUMAIS:** All right. And this is one of
16 the two cases that you mentioned yesterday, where you would
17 not have consulted with the Crown prior to placing the
18 alleged perpetrator under arrest; is that correct?

19 **MR. DUPUIS:** That's correct.

20 **MR. DUMAIS:** All right. And I believe you
21 indicated to us yesterday that your concern was, with these
22 two cases, that there could be on-going abuse; is that
23 correct?

24 **MR. DUPUIS:** That's correct.

25 **MR. DUMAIS:** All right. Now, I also

1 understand that you would have interviewed C-16 a second
2 time, and that would be on July 28th, 1998. Do you recall
3 that? You had conducted ---

4 **MR. DUPUIS:** No, he -- I know he was
5 interviewed more than once.

6 **MR. DUMAIS:** And on the second interview he
7 would have provided further disclosure regarding his abuse;
8 is that correct?

9 **MR. DUPUIS:** That's correct.

10 **MR. DUMAIS:** All right. And at one point in
11 time, and that's on June 15, 1998 -- and if you can look at
12 Exhibit 2610, at Bates page 352AC ---

13 **THE COMMISSIONER:** Two six one zero (2610).
14 That would be in another book. Two six one zero (2610) is
15 what he wants to look at. I don't know if it's there.
16 It's at the front -- oh, no, it -- right, sorry -- it's at
17 the end. It's the last one, okay. Okay.

18 **MR. DUMAIS:** So the Bates page number is ---

19 **THE COMMISSIONER:** Go ahead?

20 **MR. DUMAIS:** I believe it's 321 ---

21 **THE COMMISSIONER:** Not in this -- no, that's
22 a document number, sir.

23 **MR. DUMAIS:** Sorry, that's 352AC.

24 **THE COMMISSIONER:** Okay. So they've thrown
25 another loop here, sir. They've put it in alphabet at the

1 end of 352; AC.

2 MR. DUPUIS: Excuse me. AC?

3 THE COMMISSIONER: That's right. Correct.

4 MR. DUPUIS: The 28th of July?

5 MR. DUMAIS: That would be the 15th of June,
6 1998.

7 THE COMMISSIONER: No. Then you've got the
8 wrong one. Three-five-two (352) AC shows notes at -- and
9 we're at the same place, Officer, at 28th of July, so it
10 might not be the right page.

11 MR. DUMAIS: Are we there?

12 MR. DUPUIS: No.

13 THE COMMISSIONER: No. We're at 1352 AC and
14 those are notes of the 28th of July, 1998.

15 MR. DUMAIS: Okay, so I believe it might be
16 Bates page 321 then.

17 THE COMMISSIONER: Three-twenty-one (321).
18 Well, then that's not in 2610.

19 MR. DUMAIS: That would be in then Exhibit
20 2609, I believe.

21 THE COMMISSIONER: Two-six-zero-nine (2609)?
22 Okay, so one before. So what number again, sir?

23 MR. DUMAIS: Three-two-one (321).

24 THE COMMISSIONER: So 321. It's near the
25 end. Do you have it, sir?

1 **MR. DUPUIS:** Yes, sir.

2 **MR. DUMAIS:** All right.

3 **THE COMMISSIONER:** Okay.

4 **MR. DUMAIS:** Sorry about that.

5 So then if you can just -- so the entry on -
6 - and I'll read it out for you -- is at 10:54 hours:

7 "Picked up Project Guardian tape from
8 the [C-16s]. Ms. [C-16] stated that
9 she had received a call from Perry
10 Dunlop. Wanted to know how the
11 investigation was proceeding."

12 So can you just explain to us what you're
13 doing at the C-16's home on that day and what the
14 conversation is about that you've noted here?

15 **MR. DUPUIS:** I was returning to the
16 residence to pick up the Project Guardian tape. That was a
17 tape that was, I believe, produced from a case from London,
18 Ontario, and it was to help the victims dealing with these
19 issues. And I was picking it up so we could use it for
20 other people, and when this -- she advised me of a
21 conversation with Mr. Dunlop.

22 **MR. DUMAIS:** Okay. And did she indicate to
23 you whether or not that was a face-to-face conversation or
24 a telephone conversation?

25 **MR. DUPUIS:** Telephone.

1 **MR. DUMAIS:** All right. And am I correct in
2 understanding that this conversation with Mr. Dunlop would
3 have occurred while you were there or shortly before you
4 arrived? There was a very short time span?

5 **MR. DUPUIS:** I was there very shortly -- but
6 it was my understanding that they were on the phone at the
7 time I was there.

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

9 **MR. DUPUIS:** And so C-16's mother would have
10 advised you of that. Is that correct?

11 **MR. DUPUIS:** That's correct.

12 **MR. DUMAIS:** All right. And what was your
13 response, or did you tell her anything?

14 **MR. DUPUIS:** I asked her not to discuss
15 anything with Mr. Dunlop while the investigation was going
16 on.

17 **MR. DUMAIS:** All right. And was that the
18 extent of your discussion with her on this point?

19 **MR. DUPUIS:** That's correct.

20 **MR. DUMAIS:** Right. So you didn't get into,
21 "Why was he calling you? Was this the first time? Why was
22 he calling you?"

23 **MR. DUPUIS:** No, I -- there was no further
24 discussion.

25 **MR. DUMAIS:** So you didn't ask either

1 whether or not this was the first contact or whether or not
2 there had been previous contact?

3 **MR. DUPUIS:** That's correct.

4 **MR. DUMAIS:** Okay. And I understand that
5 after that you would have returned to the office. Is that
6 correct?

7 **MR. DUPUIS:** That's correct.

8 **MR. DUMAIS:** And would you have advised
9 anyone at the office about the contents of your
10 conversation with C-16's mother?

11 **MR. DUPUIS:** That's correct.

12 **MR. DUMAIS:** And who would you have spoken
13 to then?

14 **MR. DUPUIS:** It was a general comment made
15 to the people in the office that day. I don't recall who
16 was there.

17 **MR. DUMAIS:** Okay. So you don't recall
18 whether or not Inspector Hall would have been there?

19 **MR. DUPUIS:** No, I don't.

20 **MR. DUMAIS:** Would it make sense that he --
21 this is the type of information that you would relate to
22 him?

23 **MR. DUPUIS:** That's correct.

24 **MR. DUMAIS:** All right. And do you recall
25 whether or not Inspector Smith was at the office?

1 **MR. DUPUIS:** I don't believe he was.

2 **MR. DUMAIS:** Okay. Do you know whether or
3 not at one point-in-time Inspector Smith was briefed on
4 this?

5 **MR. DUPUIS:** Yes, he was.

6 **MR. DUMAIS:** All right. And do you -- was
7 he briefed by you?

8 **MR. DUPUIS:** I don't recall that but it's
9 possible.

10 **MR. DUMAIS:** All right.

11 And if I can just ask you to look then at
12 Document Number 123033.

13 **THE COMMISSIONER:** That's in your ---

14 **MR. DUMAIS:** And, Mr. Commissioner, while I
15 was filing the statements of C-16, C-16's mother, I omitted
16 to indicate that they should be stamped with a publication
17 order.

18 **THE COMMISSIONER:** M'hm. That's good.
19 Thank you.

20 **MR. DUPUIS:** Thank you.

21 **THE COMMISSIONER:** So this 2620 is what
22 here, Mr. -- can you describe this for me, Mr. Dumais?

23 **MR. DUMAIS:** This is a document I believe
24 summarizing the York Regional Police investigation. You'll
25 see at the top left-hand corner of every page, it's

1 indicated "York Regional Police".

2 **THE COMMISSIONER:** Okay.

3 **MR. DUMAIS:** I think it's a summary of their
4 investigation. They're investigating allegations against
5 Ms. Hallett of wilful nondisclosure.

6 **THE COMMISSIONER:** All right. Exhibit 2620.

7 **--- EXHIBIT NO./PIÈCE NO. P-2620:**

8 (123033) - Document Summarizing the York
9 Regional Police Investigation

10 **MR. DUMAIS:** So do you recall being part of
11 this investigation, being interviewed, Mr. Dupuis?

12 **MR. DUPUIS:** Yes, I was.

13 **MR. DUMAIS:** All right.

14 And if I can then just take you to Bates
15 page 562, and I'm looking at the second paragraph -- Bates
16 page 562. I'm looking at the second paragraph, the last
17 five lines, and if I can I'll read it out to you:

18 "Detective Constable Dupuis advised me
19 that after that day at [C-16's]
20 residence, he recalls returning to the
21 office and making a general comment to
22 those present about Dunlop having
23 called Ms. [C-16]. After that, he
24 states that he passed the same
25 information on to Detective Inspector

1 Smith to deal with the matter.

2 Detective Constable Dupuis advises that
3 he never made Shelley aware of this
4 incident."

5 MR. DUMAIS: So do you recall advising the
6 investigators about providing that information to them?

7 MR. DUPUIS: Again, you lost me in the
8 context of the thing here but ---

9 MR. DUMAIS: Let me start again then.

10 So I'm looking at Bates page 562, the second
11 paragraph, and if you go at the bottom of the paragraph,
12 the last five lines.

13 MR. DUPUIS: Yes, sir. That's correct.

14 MR. DUMAIS: All right. So you can read
15 there what I just read in, Mr. Dupuis?

16 MR. DUPUIS: Yes.

17 MR. DUMAIS: All right. So at one point-in-
18 time, Inspector Smith was made aware of this information?

19 MR. DUPUIS: Yes, he was.

20 MR. DUMAIS: All right. And do you know --
21 and as far as you know, Ms. Hallett was not. You never
22 made her aware that there had been comments?

23 MR. DUPUIS: That's correct.

24 MR. DUMAIS: All right. So I'm just going
25 to leave this issue there for now. I'm going to take it up

1 again when we look at what happened at the trial, Mr.
2 Dupuis.

3 If we can then just look at your involvement
4 with another one of the Leduc victims and that's C-22.

5 **MR. DUPUIS:** Okay.

6 **MR. DUMAIS:** And my understanding is that at
7 one point in time, you were advised that C-22 was possibly
8 also a victim of Mr. Leduc. Is that correct?

9 **MR. DUPUIS:** I don't know if it was a victim
10 as much as an ex-employee at the start.

11 **MR. DUMAIS:** Okay. So that's your starting
12 point?

13 **MR. DUPUIS:** Yes.

14 **MR. DUMAIS:** But would you not have been
15 made aware of this by C-23?

16 **MR. DUPUIS:** I believe that's where the
17 information came from.

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

19 **MR. DUPUIS:** In any event, I believe you
20 would have attended C-22's home on the 2nd day of June,
21 1998.

22 **MR. DUPUIS:** We did attend his residence,
23 yes.

24 **MR. DUMAIS:** All right. And if can just
25 have a look at Exhibit 2609, Bates pages 311 to 312.

1 Are you at that entry?

2 MR. DUPUIS: Yes, sir.

3 MR. DUMAIS: All right. So my understanding
4 is you get at the residence at 1624 hours and you strike up
5 a conversation with C-22. Is that correct?

6 MR. DUPUIS: That is correct.

7 MR. DUMAIS: Fair to say that at this point,
8 C-22 is reluctant to speak to you?

9 MR. DUPUIS: That is correct.

10 MR. DUMAIS: And you're having this
11 conversation and you're trying to convince him to provide a
12 statement to you. Is that correct?

13 MR. DUPUIS: We're asking for his
14 assistance, yes.

15 MR. DUMAIS: And sometime in the middle of
16 this conversation, he would have agreed to come with you
17 and provide you with a statement. Is that correct?

18 MR. DUPUIS: That is correct.

19 MR. DUMAIS: If I understand your notes
20 correctly, he would have gone back to the house to get a
21 pair of shoes on. Is that correct?

22 MR. DUPUIS: That is correct.

23 MR. DUMAIS: And my understanding is that he
24 never came back out. Is that correct?

25 MR. DUPUIS: That's correct.

1 **MR. DUMAIS:** And so he would have sent
2 someone else out to speak to you guys?

3 **MR. DUPUIS:** That's correct.

4 **MR. DUMAIS:** And I understand that this
5 person or at least your notes don't indicate that this
6 person would have identified himself or herself to you.

7 **MR. DUPUIS:** We never did find out who that
8 person was.

9 **MR. DUMAIS:** Okay. And essentially that
10 person would have indicated to you that he did not -- that
11 C-22 did not want to talk to you and that essentially he
12 was dealing with it in his own way and was refusing to go
13 with you guys.

14 **MR. DUPUIS:** That's correct.

15 **MR. DUMAIS:** That's fair?

16 And what was your response to this third
17 person who was not identified?

18 **MR. DUPUIS:** We advised him that we could
19 subpoena him anyway.

20 **MR. DUMAIS:** All right. And did you advise
21 this third person to relate that to C-22?

22 **MR. DUPUIS:** I don't know if that was put to
23 him.

24 **MR. DUMAIS:** Expressly put to him?

25 **MR. DUPUIS:** Expressed to him but ---

1 **MR. DUMAIS:** All right. If I can then just
2 ask you to look at Exhibit 2610 at Bates pages 352?

3 **(SHORT PAUSE/COURTE PAUSE)**

4 **MR. DUMAIS:** Do you have that entry?

5 **MR. DUPUIS:** Yes, sir.

6 **MR. DUMAIS:** So my understanding is that on
7 that day, you would have returned to -- at C-22's
8 residence?

9 **MR. DUPUIS:** I've got the 24th of July.

10 **MR. DUMAIS:** So this is Bates pages 352AG to
11 352AH?

12 **MR. DUPUIS:** Oh.

13 **MR. DUMAIS:** Same issue that we had with the
14 ---

15 **MR. DUPUIS:** What's the letters of it again,
16 please?

17 **MR. DUMAIS:** Bates page 352AG and 352AH.

18 **THE COMMISSIONER:** Maybe it's simpler just
19 to give him the number in his notebook. You know in the
20 top left-hand corner, Mr. ---

21 **MR. DUMAIS:** Twenty-three (23).

22 **THE COMMISSIONER:** Twenty-three (23). There
23 you go. Okay. Good, thanks.

24 **MR. DUMAIS:** All right. So you would have
25 gone back to C-22's residence on that day?

1 **MR. DUPUIS:** That's correct.

2 **MR. DUMAIS:** And was this a prearranged
3 meeting when you went back?

4 **MR. DUPUIS:** I don't believe so.

5 **MR. DUMAIS:** And why did you go back there?
6 What was your intent?

7 **MR. DUPUIS:** To ask him again if he would
8 assist us.

9 **MR. DUMAIS:** All right. And was he there
10 when you guys went at the house?

11 I'm just looking at your notes. It looks at
12 1545 that you arrived there and apparently it doesn't look
13 like he was there. Am I correct in understanding that you
14 would have waited until 1608?

15 **MR. DUPUIS:** That's correct.

16 **MR. DUMAIS:** All right. And my
17 understanding is that on that day, C-22 is still indicating
18 to you that he does not want to provide you with a
19 statement although he does provide you with some
20 information. Is that correct?

21 **MR. DUPUIS:** That's correct.

22 **MR. DUMAIS:** And do you, after you're
23 provided with this information, believe that C-22 is an
24 alleged victim of Mr. Leduc?

25 **MR. DUPUIS:** That's correct.

1 **MR. DUMAIS:** All right. And in this
2 particular conversation he also confirms that he does not
3 want to go to court and that he believes that you have
4 enough people and does not want to provide you with either
5 a written or any other type of statement. Is that correct?

6 **MR. DUPUIS:** That's correct.

7 **MR. DUMAIS:** And would you then have advised
8 him that in any event he would be subpoenaed. Is that
9 correct?

10 **MR. DUPUIS:** That's correct.

11 **MR. DUMAIS:** All right. So, I mean, looking
12 at this in hindsight, Mr. Dupuis, is this the type of
13 statement you should have made to a victim or alleged
14 victim?

15 **MR. DUPUIS:** No.

16 **MR. DUMAIS:** And am I correct in
17 understanding that at this point you would have had a
18 statement from both C-16, C-17, as well as C-23?

19 **MR. DUPUIS:** That's possible.

20 **MR. DUMAIS:** All right. Because I believe
21 the statement from C-17 would have been taken on May 13th,
22 1998. Does that make sense?

23 **MR. DUPUIS:** Yes, sir.

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

25 I understand that a little later on, C-22

1 did agree to provide you with a statement.

2 MR. DUPUIS: Yes, he did.

3 MR. DUMAIS: Do you recall how that
4 happened; whether or not he contacted you or whether you
5 made further contact?

6 MR. DUPUIS: I think that at that time we --
7 I don't know if there was contact prior to but Ms. Hallett,
8 I believe Steve Seguin and myself attended at the residence
9 and she asked him to come on board.

10 MR. DUMAIS: Okay.

11 And perhaps we can just have a look at
12 Exhibit 2610, Bates pages 352DR?

13 THE COMMISSIONER: So it's ---

14 MR. DUMAIS: Three five two (352).

15 THE COMMISSIONER: --- page 16 of your
16 notes.

17 MR. DUMAIS: One one two (112) of your
18 notebook.

19 THE COMMISSIONER: What?

20 MR. DUPUIS: The page numbers on my copy are
21 ---

22 THE COMMISSIONER: Okay. So you want 352,
23 1352. Right, Mr. Dumais?

24 MR. DUMAIS: Correct.

25 MR. DUPUIS: Which letters, please?...

1 **THE COMMISSIONER:** No letters, just 352.

2 **MR. DUPUIS:** Just 352.

3 **MR. DUMAIS:** No, sorry, Mr. Commissioner,
4 352DR.

5 **THE COMMISSIONER:** "D" as in Darryl?

6 **MR. DUMAIS:** Correct.

7 **THE COMMISSIONER:** So we're going in the
8 back. So 112, I think, is the page number.

9 **MR. DUMAIS:** One twelve (112).

10 **MR. DUPUIS:** I have that.

11 **THE COMMISSIONER:** All right.

12 **MR. DUPUIS:** Thank you.

13 **MR. DUMAIS:** So is that -- is that the
14 meeting that you're referring to; the entry at 1612, 1626,
15 1640?

16 **MR. DUPUIS:** That's correct.

17 **MR. DUMAIS:** All right.

18 So can you just explain to me how a decision
19 was made to attend at the office? What preceded that?

20 **MR. DUPUIS:** Ms. Hallett had been talking to
21 the other people in this matter.

22 **MR. DUMAIS:** Yes, the other ---

23 **MR. DUPUIS:** Victims.

24 **MR. DUMAIS:** --- the other ---

25 **MR. DUPUIS:** I think we just decided that

1 we'd go there and see if we could talk to C-22.

2 MR. DUMAIS: Okay. All right.

3 So -- I'd ask that that be struck from the
4 record.

5 THE COMMISSIONER: Yeah, but ---

6 MR. DUMAIS: C-22.

7 THE COMMISSIONER: C-22.

8 MR. DUPUIS: I apologize.

9 MR. DUMAIS: So then you would have attended
10 the residence, Ms. Hallett would have spoken to him and
11 after this conversation he would agree -- he would agree to
12 provide you with a statement. Is that correct?

13 MR. DUPUIS: That's correct.

14 MR. DUMAIS: All right.

15 And is this something that was usual for Ms.
16 Hallett to be involved at that part of the investigation?

17 MR. DUPUIS: No.

18 MR. DUMAIS: Okay.

19 This is something that was unusual that
20 happened. This was the only time that it happened, as far
21 as you know?

22 MR. DUPUIS: As far as I know, yes.

23 MR. DUMAIS: All right.

24 (SHORT PAUSE/COURTE PAUSE)

25 MR. DUMAIS: Now, if you can just have a

1 look at Exhibit 2609 at Bates page 292. The date that I'd
2 like you to look at is the entry ---

3 **THE COMMISSIONER:** Easy, easy, hang on a
4 second. You're not there yet?

5 **MR. DUPUIS:** No, I'm not.

6 **MR. DUMAIS:** May 12, '98.

7 **THE COMMISSIONER:** Two-nine-two (292). Two-
8 nine-two (292) and it's page 163 on your notes.

9 **MR. DUPUIS:** Thank you.

10 **THE COMMISSIONER:** All right.

11 Now, Mr. Dumais.

12 **MR. DUMAIS:** So are you at that entry -- you
13 have that Bates page at 292, the entry on -- at 1632, but
14 I'll just read what you wrote just before that entry; so:

15 "On the airport road, we had a drink;
16 rum and coke, I believe. We end up
17 masturbating. The first time I
18 thought..."

19 **THE COMMISSIONER:** "...there was something
20 wrong with me."

21 **MR. DUMAIS:** And actually -- I actually
22 don't need to make a reference to that, Mr. Commissioner.

23 My understanding that you're speaking to --
24 you're speaking to C-17 about his allegations. Is that
25 correct?

1 **MR. DUPUIS:** That's correct.

2 **MR. DUMAIS:** And while you're speaking to
3 him and taking down this information, you write down in
4 your notes at 1632 that Jacques Leduc arrived at the
5 residence. Is that correct?

6 **MR. DUPUIS:** That's correct.

7 **MR. DUMAIS:** So he arrives there while
8 you're taking this statement from C-17?

9 **MR. DUPUIS:** That's correct.

10 **MR. DUMAIS:** And as far as you know, this is
11 purely coincidence. Is that correct?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** Because certainly at that time,
14 Mr. Leduc had not been placed under arrest.

15 **MR. DUPUIS:** That's correct.

16 **MR. DUMAIS:** And you have no reason to
17 believe that he would have been aware of your
18 investigation. Is that correct?

19 **MR. DUPUIS:** That's correct.

20 **(SHORT PAUSE/COURTE PAUSE)**

21 **MR. DUMAIS:** If you -- and at one point in
22 time on July 13th, 1998, I understand that you would have
23 been at C-17's residence and he would have provided you
24 with an envelope with his name on it. Do you recall that?

25 **MR. DUPUIS:** Is that May 13th you're

1 referring to?

2 **MR. DUMAIS:** It's July 13th, 1998. Do you
3 recall that C-17 provided you with an envelope?

4 **MR. DUPUIS:** I believe his mother.

5 **MR. DUMAIS:** His mother would have done
6 that? And my understanding is that envelope would have
7 contained some sort of a threat; is that correct?

8 **MR. DUPUIS:** I don't have it there yet, but
9 I believe it was a death threat.

10 **THE COMMISSIONER:** He wants to -- he wants
11 to ---

12 **MR. DUMAIS:** July 13th, 1998; that's Exhibit
13 2601 at Bates pages 342.

14 **THE COMMISSIONER:** Two four two (242)?

15 **MR. DUMAIS:** Three four two (342).

16 **THE COMMISSIONER:** Three four two (342),
17 okay.

18 **(SHORT PAUSE/COURTE PAUSE)**

19 **THE COMMISSIONER:** Okay, so ---

20 **MR. DUMAIS:** Do you have that?

21 **MR. DUPUIS:** Yes, sir.

22 **MR. DUMAIS:** Am I correct in understanding
23 that then?

24 **MR. DUPUIS:** Could I have the question
25 again, please?

1 **MR. DUMAIS:** So C-17's mother would have
2 given you an envelope. The envelope contained a threat and
3 I believe the specific words were, "You're dead meat,
4 faggot." Is that correct?

5 **MR. DUPUIS:** That's correct.

6 **MR. DUMAIS:** And she'd asked you to
7 investigate that. Is that correct?

8 **MR. DUPUIS:** That's correct.

9 **MR. DUMAIS:** And what was the follow-up that
10 you did on that?

11 **MR. DUPUIS:** Through normal investigative
12 procedures; we -- we sent the letter to our people in Long
13 Sault to examine it for fingerprints; anything they could
14 extract off of that envelope. We couldn't get anything.
15 We tried to obtain the author of that envelope and we were
16 unsuccessful.

17 **MR. DUMAIS:** All right.

18 So you were never able to identify who had
19 sent it?

20 **MR. DUPUIS:** That's correct.

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

22 Mr. Dupuis, I understand as well that in the
23 course of other interviews -- and I'm looking at your entry
24 on May 27th, 1998, so that's Exhibit 2609, Bates page 306.
25 Three zero six (306).

1 **MR. DUPUIS:** Yes, sir.

2 **MR. DUMAIS:** And I'm looking at the entry at
3 1615 and 1635.

4 **MR. DUPUIS:** Yes, sir.

5 **MR. DUMAIS:** So I understand that you're
6 conducting this interview from this possible witness in the
7 Leduc matter and then telephone call -- there was a
8 telephone call at the residence and this particular witness
9 would have advised you that it was Jacques Leduc that was
10 calling. Is that correct?

11 **MR. DUPUIS:** That's correct.

12 **MR. DUMAIS:** All right.

13 And again, is that, as far as you can tell,
14 just a pure coincidence that he was calling at about the
15 same time that you were there?

16 **MR. DUPUIS:** I believe so.

17 **MR. DUMAIS:** So my understanding is that
18 this would have occurred another time as well. Do you
19 recall that?

20 **MR. DUPUIS:** In reference to, sir?

21 **MR. DUMAIS:** And actually, that's fine.

22 **THE COMMISSIONER:** It might be a good time
23 for a break, Mr. Dumais?

24 **MR. DUMAIS:** Yes, perhaps, thank you.

25 **THE REGISTRAR:** Order; all rise. À

1 l'ordre; veuillez vous lever.

2 This hearing will resume at 11:10 a.m.

3 --- Upon recessing at 10:56 a.m./

4 L'audience est suspendue à 10h56

5 --- Upon commencing at 11:20 a.m./

6 L'audience débute à 11h20

7 **THE REGISTRAR:** Order; all rise. À

8 l'ordre; veuillez vous lever.

9 This hearing is now resumed. Please be
10 seated. Veuillez vous asseoir.

11 **JOSEPH BRYAN DUPUIS, Resumed/Sous le même serment:**

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

13 **DUMAIS (cont'd/suite):**

14 **MR. DUMAIS:** Now, most of the contacts that
15 we've been looking at prior to us taking a break, Mr.
16 Dupuis, were contacts that would have occurred in 1998 and
17 would have preceded the preliminary inquiry which would
18 have started on November 26th, 1999.

19 And my understanding is, at the end of
20 1999 -- sorry, at the end of 1998 and throughout 1999 prior
21 to the preliminary inquiry, at times Ms. Hallett and
22 yourself are meeting with some of these victims in order to
23 prepare them for their evidence. Is that correct?

24 **MR. DUPUIS:** That's correct.

25 **MR. DUMAIS:** All right. And during all of

1 those contacts and meetings with different victims and the
2 issue of ---

3 **THE COMMISSIONER:** "Alleged victims".

4 **MS. ROBITAILLE:** Thank you, Commissioner.

5 **THE COMMISSIONER:** "Alleged."

6 **MR. DUMAIS:** Thank you -- the issue of
7 Mr. Dunlop's involvement with any of these alleged victims
8 never comes up. Is that correct?

9 **MR. DUPUIS:** That's correct.

10 **MR. DUMAIS:** And if I can just have -- if
11 Document Number 705108 can be put to you?

12 **THE COMMISSIONER:** Thank you.

13 Exhibit 2621 is a document called Regina v.
14 Jacques Leduc, Outstanding Disclosure Issues.

15 **---EXHIBIT NO./PIÈCE NO P-2621:**

16 (705108) Joe Dupuis - Regina v. Jacques
17 Leduc, Outstanding Disclosure Issues - dated
18 March 30, 1999

19 **MR. DUMAIS:** Mr. Dupuis, if I understand
20 this document correctly -- and this document should be
21 stamped with a publication ban, Mr. Commissioner.

22 **THE COMMISSIONER:** Certainly.

23 **MR. DUMAIS:** This appears to be the review
24 of the different allegations by Ms. Hallett, and this
25 appears to be some sort of a memo directed to you

1 identifying some of the missing disclosure that needs to be
2 produced. Do I understand that correctly?

3 **MR. DUPUIS:** Yes.

4 **MR. DUMAIS:** And if you look at the
5 last -- the third page of that document, there's an entry
6 there. It says:

7 "Joe, could you please prepare
8 supplementary statements containing
9 your observation and recollection of
10 this meeting with C-22."

11 **MR. DUPUIS:** Correct.

12 **MR. DUMAIS:** All right. So is this what
13 she's doing here? Is that -- was that the intent, for you
14 to look in your files and your notes and locate these
15 missing pages for the purpose of disclosing them to
16 the -- to defence counsel?

17 **MR. DUPUIS:** Yes, sir.

18 **MR. DUMAIS:** And is it -- well, let me put
19 it this way, whose responsibility is it to provide
20 disclosure to the defence?

21 **MR. DUPUIS:** The Crown.

22 **MR. DUMAIS:** All right. So you conduct your
23 investigation, you prepare a Crown brief, and that Crown
24 brief is then given to either the Crown or the assistant
25 Crown who has carriage of this case, and the ultimate

1 decision to disclose to the defence comes from the Crown?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: All right.

4 And that's your understanding, and is that
5 how you were proceeding with all of your Project Truth
6 investigations?

7 MR. DUPUIS: That's correct.

8 MR. DUMAIS: And when something is missing,
9 the Crown would get back to you and ask you for additional
10 documents? But even in those cases, those documents would
11 be remitted to the Crown who would have the -- who would
12 then disclose it to the defence; correct?

13 MR. DUPUIS: That's correct.

14 MR. DUMAIS: All right. And am I correct in
15 understanding that the only exception to this disclosure
16 process would have been for the cases involving Mr. Godin?

17 MR. DUPUIS: Mr. Godin, I think his Crown's
18 office was in Fort Frances.

19 MR. DUMAIS: Yes.

20 MR. DUPUIS: So we'd advise him what we'd
21 have, and it was communications between him and Inspector
22 Hall and what action was going to take place.

23 MR. DUMAIS: All right. But am I correct in
24 understanding that this -- for the case involving
25 Mr. Godin, the actual disclosure would go from the Project

1 Truth office, whoever had carriage of that investigation,
2 to defence counsel?

3 MR. DUPUIS: But on his instructions.

4 MR. DUMAIS: On his instructions, all right.

5 Now, as I previously indicated, the
6 preliminary inquiry in this matter had begun on
7 November 26th, 1999. At one point-in-time the matter was
8 set for trial and my understanding is that it was set to
9 begin on January 15, 2001?

10 MR. DUPUIS: Correct.

11 MR. DUMAIS: Now, we've discussed already
12 the incident of your note on June 15, 1998, and that's the
13 note that you took about the contact that C-16's mother
14 would have had with Perry Dunlop.

15 Do you know whether or not that note was
16 ever disclosed to the Crown and afterwards disclosed to
17 defence counsel?

18 MR. DUPUIS: It was not disclosed prior to
19 the trial date.

20 MR. DUMAIS: Okay. And do you have any
21 explanation for why that note was not disclosed,
22 Mr. Dupuis?

23 MR. DUPUIS: I missed it.

24 MR. DUMAIS: All right.

25 MR. DUPUIS: In doing my Will Say, I missed

1 it.

2 MR. DUMAIS: So as you're preparing some of
3 the relevant documents that need to be disclosed, you're
4 going through your notes and the June 15th, 1998 note would
5 simply have been missed by you; correct?

6 MR. DUPUIS: That's correct.

7 MR. DUMAIS: And, as well, am I correct in
8 understanding that you are using your notes to prepare your
9 Will-Say statements for particular files. Is that correct?

10 MR. DUPUIS: That's correct.

11 MR. DUMAIS: And so then if you don't locate
12 the note, that would not find itself in the Will-Say
13 statement either; correct?

14 MR. DUPUIS: That's correct.

15 MR. DUMAIS: And do you know whether either
16 Inspectors Smith or Hall would have identified the Dunlop
17 contact and brought that to the attention of Ms. Hallett
18 prior to the trial beginning?

19 MR. DUPUIS: I'm not aware of that.

20 MR. DUMAIS: And do you recall whether or
21 not Inspectors Smith or Hall would have prepared a Will-Say
22 statement for the Leduc matter?

23 MR. DUPUIS: I believe they did.

24 MR. DUMAIS: If I can then just ask you to
25 have a look at Document Number 701542? It's a new

1 document.

2 **THE COMMISSIONER:** Exhibit 2622 is a letter
3 written to -- dated February 15th, '01 to Shelley Hallett
4 from Pat Hall; Detective Inspector, I believe.

5 **--- EXHIBIT NO./PIÈCE NO. P-2622:**

6 (701542) - Letter from Pat Hall to Shelley
7 Hallett re. Jacques Leduc - dated February
8 15, 2001

9 **MR. DUMAIS:** So this appears to be a letter
10 that -- sort of looks like a Will-Say statement that would
11 have been prepared on February 15th, 2001. Have you
12 previously seen this document, Mr. Dupuis?

13 **MR. DUPUIS:** I believe I have but I don't
14 recall it.

15 **MR. DUMAIS:** Okay. And it appears just be -
16 - and I'm looking at the date and it appears to be a Will-
17 Say statement of Inspector Hall's involvement in the file,
18 and I believe that it was prepared for the motion in the
19 Leduc trial. Is that -- you're not aware?

20 **MR. DUPUIS:** No, I'm not aware. Sorry.

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

22 If you can just then look at the second-last
23 paragraph on this page, and I'm going to start reading from
24 the third line, the last two words, and I believe this is
25 Inspector Hall speaking:

1 "I was not aware that [C-16's mother]
2 called Perry Dunlop on the 8th day of
3 May, 1998 until I read it in Dunlop's
4 Will Say received on the 10th day of
5 April, 2000. I have no specific
6 recollection of [C-16's mother's]
7 conversation about Dunlop with
8 Detective Constable Dupuis."

9 So am I correct in understanding then that
10 in Perry Dunlop's Will-Say statement the contacts with
11 C-16's mother would have been identified?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** All right. And do you recall
14 whether or not, at any point-in-time, you would have ever
15 reviewed Dunlop's Will-Say statement?

16 **MR. DUPUIS:** I did not.

17 **MR. DUMAIS:** But certainly it appears from
18 what Inspector Hall is saying here is that he would have
19 reviewed that statement?

20 **MR. DUPUIS:** That's correct.

21 **MR. DUMAIS:** Now, at one point-in-time
22 during the trial, the mother of C-16 was called as a
23 witness by the Crown. Is that correct?

24 **MR. DUPUIS:** That's correct.

25 **MR. DUMAIS:** My understanding is that it was

1 during her evidence that it was disclosed that she had had
2 prior contacts with Perry Dunlop?

3 MR. DUPUIS: That's correct.

4 MR. DUMAIS: And while giving her evidence,
5 she not only would have indicated that she had a
6 conversation with him on June 15th, 1998 -- so the one that
7 you noted in your notes -- but that she would have had a
8 prior contact with him?

9 MR. DUPUIS: That's correct.

10 MR. DUMAIS: And that's the contact that
11 Inspector Hall identified in the letter that we just looked
12 at, right?

13 MR. DUPUIS: That's correct.

14 MR. DUMAIS: And so were you present in the
15 courtroom when you heard -- when C-16's mother was giving
16 her evidence?

17 MR. DUPUIS: Yes.

18 MR. DUMAIS: And when you heard that
19 evidence did that jog your memory?

20 MR. DUPUIS: It did.

21 MR. DUMAIS: All right. And can you explain
22 to us what you then proceeded to do?

23 MR. DUPUIS: I tried to locate that meeting.

24 MR. DUMAIS: You mean in your notes?

25 MR. DUPUIS: Well, first of all I went to

1 the brief, and obviously it's not there. So then I
2 returned to my notes, looking for it, and it took me three
3 tries before I found it.

4 MR. DUMAIS: So then -- and the only contact
5 that you found would be the one on June 15th, 1998; correct?

6 MR. DUPUIS: That's correct.

7 MR. DUMAIS: All right. So you find this
8 contact. What's the next thing you do after that?

9 MR. DUPUIS: I make copies of it and Will
10 Say, and produce to that to the Crown's office.

11 MR. DUMAIS: Okay.

12 MR. DUPUIS: Or the Crown.

13 MR. DUMAIS: So then that Will Say is
14 provided to the Crown. Is that correct?

15 MR. DUPUIS: That's correct.

16 MR. DUMAIS: And my understanding is a copy
17 would have been provided to the defence counsel as well?

18 MR. DUPUIS: I don't know that.

19 MR. DUMAIS: And did you as well call
20 Inspector Hall?

21 MR. DUPUIS: Yes, I did.

22 MR. DUMAIS: And what was the purpose of
23 your call?

24 MR. DUPUIS: In regards to Dunlop's notes, I
25 believe. I'm not sure; not sure about that.

1 **MR. DUMAIS:** All right. I don't know if I
2 have a reference for your call to Inspector Hall, but do
3 you recall whether or not you had asked Inspector Hall to
4 look for something or look -- review a document?

5 **MR. DUPUIS:** I think the original call was
6 to advise him of this disclosure.

7 **MR. DUMAIS:** Yes.

8 **MR. DUPUIS:** He recalls seeing it, and
9 you'll have to confirm that with Inspector Hall.

10 **MR. DUMAIS:** Yes.

11 **MR. DUPUIS:** That was where it started.

12 **MR. DUMAIS:** Okay. And do you know whether
13 or not he would have reviewed Perry Dunlop's Will State to
14 find whether or not there was any entry there?

15 **MR. DUPUIS:** I believe he recalled something
16 in the ---

17 **MR. DUMAIS:** Okay.

18 **MR. DUPUIS:** --- Will Say.

19 **MR. DUMAIS:** So as you're having this
20 conversation with you -- Inspector Hall recalls these
21 contacts?

22 **MR. DUPUIS:** I believe so.

23 **MR. DUMAIS:** All right.

24 Do you know whether or not Inspector Hall
25 then would have attended the courtroom where the trial was

1 being held?

2 MR. DUPUIS: I believe he did, but I can't
3 be 100 percent positive about that.

4 MR. DUMAIS: Okay.

5 And perhaps we can just -- if I can take you
6 to -- I've found the reference now. It's Exhibit 2613 at
7 Bates page 958.

8 (SHORT PAUSE/COURTE PAUSE)

9 MR. DUPUIS: Which page number again,
10 please?

11 MR. DUMAIS: It's 958. The date is the 7th
12 day of February, 2001.

13 THE COMMISSIONER: And it's page 193 of your
14 notes, if that helps.

15 MR. DUPUIS: Thank you.

16 MR. DUMAIS: So does that help you refresh
17 your memory on your call with Inspector Hall?

18 MR. DUPUIS: Yes, sir.

19 MR. DUMAIS: So the fifth line from the
20 bottom, you have an entry there:

21 "Detective Inspector Hall took Will Say
22 to court. Copy made of noted area in
23 Will Say, along with Detective
24 Inspector Hall notes re this same area
25 disclosed to Ms. Tier, which I believe

1 was the assistant Crown in this matter
2 ---"

3 **MR. DUPUIS:** That is correct.

4 **MR. DUMAIS:** --- for further disclosure.

5 **MR. DUPUIS:** That is correct.

6 **MR. DUMAIS:** Correct?

7 **MR. DUPUIS:** Correct.

8 **MR. DUMAIS:** All right. So it certainly
9 appears that Detective Inspector Hall would have brought a
10 copy of the Will-Say as well as his notes.

11 **MR. DUPUIS:** Correct.

12 **MR. DUMAIS:** All right. Now this is
13 occurring on February 7th, 2001 but my understanding is that
14 this new disclosure does not stop the trial.

15 **MR. DUPUIS:** That is correct.

16 **MR. DUMAIS:** And the Crown is presenting its
17 case and is continuing to call witnesses. Correct?

18 **MR. DUPUIS:** Correct.

19 **MR. DUMAIS:** All right. I understand that
20 on February 20th, 2001 you would have attended a meeting
21 with Inspector Hall, retired Inspector Smith, and Leduc's
22 defence counsel.

23 **MR. DUPUIS:** That is correct.

24 **MR. DUMAIS:** And the reference to your note
25 then is in Exhibit 2614 at Bates pages 975?

1 **MR. DUPUIS:** Can I have the Bates page
2 number again, please?

3 **MR. DUMAIS:** Nine seven five (975).

4 **THE COMMISSIONER:** Madam Clerk?

5 **MR. DUPUIS:** I can't seem to locate it.
6 Could you give me a possible date, please?

7 **MR. DUMAIS:** Page 6.

8 **(SHORT PAUSE/COURTE PAUSE)**

9 **MR. DUPUIS:** Sorry. Thank you.

10 **MR. DUMAIS:** So the entry that you have on
11 that day, starting at 0845:

12 "10-8 to court Cornwall re Leduc
13 trial."

14 And then at 11:18:

15 "Meet with S. Skurka, P. Campbell,
16 along with Detective Inspector Hall,
17 Tim Smith re being called as a witness
18 for defence re stay motion requested in
19 notebook re 15th of June '98. Note:
20 Skurka checked pages before 15th and
21 after the 15th. Any further disclosure
22 re Leduc, nothing found. Asked several
23 questions by Skurka and Campbell."

24 So my understanding then is that you're
25 meeting with defence counsel and the purpose of your

1 meeting is that they intend on calling you to testify in
2 their stay application or motion.

3 **MR. DUPUIS:** That's correct.

4 **MR. DUMAIS:** And so arrangements -- can you
5 explain why you're meeting with defence counsel or ---

6 **THE COMMISSIONER:** How did the meeting come
7 about?

8 **MR. DUMAIS:** Thank you.

9 **MR. DUPUIS:** Both Detective Inspector Smith
10 and Hall thought it was prudent to have this meeting with
11 defence counsel.

12 **MR. DUMAIS:** Okay. And the purpose was to
13 find out what areas they were going to question you on;
14 right?

15 **MR. DUPUIS:** Yes. And I believe Inspector
16 Hall also testified in that ---

17 **MR. DUMAIS:** Okay. And was the intent at
18 that time -- or did you know whether or not the defence
19 team wanted to call all of you at that time? Had they
20 indicated that to you?

21 **MR. DUPUIS:** No, I don't recall anyways.

22 **MR. DUMAIS:** Okay. So you would have taken
23 the original of your notes to that meeting?

24 **MR. DUPUIS:** Yes, sir, I believe so.

25 **MR. DUMAIS:** And they would have -- they

1 would have reviewed not only the entry on June 15th, 1998
2 but I'm assuming they would have looked at the June 8th, '98
3 and whether or not there was anything there. Do you recall
4 that?

5 **MR. DUPUIS:** Are you referring to the May
6 8th?

7 **MR. DUMAIS:** I thought the prior contact --
8 do you know what they reviewed?

9 **MR. DUPUIS:** They reviewed the 15th of June,
10 a couple days prior to or whatever they felt comfortable
11 and the same at the back of -- like the 16th, 17th, 18th of
12 June.

13 **MR. DUMAIS:** And they satisfied themselves
14 that that was the only entry you had on this matter?

15 **MR. DUPUIS:** Yes.

16 **MR. DUMAIS:** All right. And did they say
17 anything to you or was anything being discussed?

18 **MR. DUPUIS:** Most of the conversation was
19 pointed to the two Inspectors, rather than myself.

20 **MR. DUMAIS:** All right. Because the last
21 entry that you have on that -- not on that date but at
22 11:18 was:

23 "Asked several questions by Skurka
24 and Campbell."

25 **MR. DUPUIS:** Yes, but I don't recall.

1 **MR. DUMAIS:** Okay. And do I understand that
2 the discussion -- that you were not necessarily
3 participating in the discussion in that your role there was
4 simply to ask questions when questions were being put to
5 you?

6 **MR. DUPUIS:** That's correct.

7 **MR. DUMAIS:** Okay. And at any point in time
8 -- let me start again. Am I correct in understanding that
9 at this particular point in time what defence counsel were
10 alleging is that you had wilfully failed to disclose your
11 notes? Is that correct?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** And did that change at any
14 point in time in the meeting?

15 **MR. DUPUIS:** I don't recall.

16 **THE COMMISSIONER:** Well, did the spotlight
17 change? I mean they were looking at you; you had the notes
18 and they were saying you had wilfully non-disclosed, I
19 guess. Did it change during the course of the meeting?

20 **MR. DUPUIS:** I can't recall. I'm sorry.

21 **THE COMMISSIONER:** That's fine. That's
22 fine.

23 **MR. DUMAIS:** Now I asked you to look at a
24 document this morning, and that was what appears to be the
25 summary of the investigation that had been done by York

1 Regional Police and that's Exhibit 2620.

2 **THE COMMISSIONER:** It's in the new book. I
3 think it's in the other book.

4 Would that be right? No. Madam Clerk?
5 Yes.

6 **(SHORT PAUSE/COURTE PAUSE)**

7 **MR. DUMAIS:** I apologize, Mr. Commissioner.
8 I'm just trying to find the reference here.

9 And perhaps -- was it at this meeting that
10 defence counsel were made aware of the existence of a memo
11 from Shelley Hallett addressed to you that was dated July
12 4, 2000?

13 **MR. DUPUIS:** I don't recall that. They were
14 made aware of a memo but I don't know if that's the date
15 that they were made aware of it.

16 **MR. DUMAIS:** Okay. So perhaps we can just
17 have a look at that document which is Document Number
18 123032.

19 **THE COMMISSIONER:** Thank you. Exhibit
20 Number 2633 is a letter dated July 4th, 2000, addressed to
21 Detective Constable Joe Dupuis from Shelley Hallett.

22 **THE REGISTRAR:** Two six two three (2623).

23 **THE COMMISSIONER:** Two six two three (2623)?
24 Okay.

25 --- **EXHIBIT NO./PIÈCE NO. P-2623:**

1 (123032) - Letter from Shelley Hallett to
2 Joe Dupuis dated 04 Jul 00

3 **MR. DUMAIS:** So do you recall receiving this
4 memo, Mr. Dupuis?

5 **MR. DUPUIS:** Yes, sir.

6 **MR. DUMAIS:** And do you recall any
7 discussion during that meeting regarding this memo and its
8 existence?

9 **THE COMMISSIONER:** What memo?

10 **MR. DUMAIS:** Sorry, am I correct that this
11 correspondence is in some documents referred to as a memo?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** All right.

14 **MR. DUPUIS:** I believe this was turned over
15 to Mr. Skurka but I don't know when.

16 **MR. DUMAIS:** All right. But do you recall -
17 - I guess turning it over is one issue but do you recall
18 having a discussion about this, whether or not this memo
19 exists and whether or not a copy should be provided to
20 defence counsel?

21 **MR. DUPUIS:** I think it may have been
22 brought up by Inspector Hall and you could confirm that
23 with him.

24 **MR. DUMAIS:** Yes. And essentially I think
25 the thrust of this correspondence or this memo is that it

1 could be interpreted to mean that Ms. Hallett would have
2 been in possession of the Dunlop Will-Say and therefore
3 would know of the two contacts with C-16; correct?

4 **MR. DUPUIS:** That's correct.

5 **MR. DUMAIS:** So do you recall that part of
6 that conversation, or having a conversation about that?

7 **MR. DUPUIS:** Again I don't believe I was
8 part of that conversation in the sense that I was
9 participating. I may have been there but ---

10 **MR. DUMAIS:** You're not the one doing the
11 talking?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** All right. But do you recall
14 Inspector Hall having that discussion with defence counsel?

15 **MR. DUPUIS:** Again, sir, there was no notes
16 other than what was recorded before that, and I don't
17 recall.

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

19 In any event, at one point in time you're
20 given an assignment to retrieve this memo. Is that
21 correct?

22 **MR. DUPUIS:** Yes, I am.

23 **MR. DUMAIS:** And my understanding is that
24 you have gone back to the court file. Is that correct?

25 **MR. DUPUIS:** No, our files.

1 **MR. DUMAIS:** Your files, and by that you
2 mean your files at your office?

3 **MR. DUPUIS:** Yes.

4 **MR. DUMAIS:** And to see whether or not this
5 memo was there; is that correct?

6 **MR. DUPUIS:** I didn't look for it but I know
7 -- I believe Constable Seguin did.

8 **MR. DUMAIS:** Okay. So someone looks for this
9 memo in your file. My understanding is that it is not
10 located.

11 **MR. DUPUIS:** That's correct.

12 **MR. DUMAIS:** Am I correct?

13 **MR. DUPUIS:** That's correct.

14 **MR. DUMAIS:** And so therefore what are you
15 asked to do, or what do you do?

16 **MR. DUPUIS:** We're asked to go to
17 Ms. Hallett's room ---

18 **MR. DUMAIS:** Yes.

19 **MR. DUPUIS:** --- where she was staying, and
20 ask her if we could have a copy of that.

21 **MR. DUMAIS:** Okay, and she ---

22 **THE COMMISSIONER:** I'm sorry, who was asking
23 this?

24 **MR. DUPUIS:** Pardon?

25 **THE COMMISSIONER:** Who asked you to go over

1 to ---

2 MR. DUPUIS: Inspector Hall.

3 THE COMMISSIONER: Okay.

4 MR. DUMAIS: So my understanding is then
5 that you did attend at her room and you asked for a copy of
6 the memo. Is that correct?

7 MR. DUPUIS: That's correct.

8 MR. DUMAIS: Is there any discussion as to
9 why this request is being made?

10 MR. DUPUIS: I think the only part was why
11 we needed her copy, and it was explained that we couldn't
12 find ours.

13 MR. DUMAIS: Okay.

14 MR. DUPUIS: She gives it to us and we
15 leave.

16 THE COMMISSIONER: To "us"? Who's there?

17 MR. DUPUIS: Sorry, Constable Seguin and
18 myself.

19 THE COMMISSIONER: All right. So you don't
20 tell her why you need it?

21 MR. DUPUIS: No, sir -- oh yes, because we
22 can't find our copy.

23 THE COMMISSIONER: Yeah, but -- and you want
24 to get that memo to give it to the defence counsel? Is
25 that the idea?

1 **MR. DUPUIS:** Yes, sir.

2 **THE COMMISSIONER:** Okay. She wasn't advised
3 at that point that you wanted to give it to the defence
4 counsel; right?

5 **MR. DUPUIS:** That's correct.

6 **THE COMMISSIONER:** Okay, and ---

7 **MR. DUPUIS:** It was -- this was ---

8 **THE COMMISSIONER:** I'm sorry. Go ahead.

9 **MR. DUPUIS:** It was my understanding she
10 knew it.

11 **THE COMMISSIONER:** She knew what?

12 **MR. DUPUIS:** That we were -- that's what our
13 purpose was.

14 **THE COMMISSIONER:** And how would she know
15 that if you didn't tell her?

16 **MR. DUPUIS:** Because she would -- I would
17 assume that she was in contact with Inspector Hall, and
18 Inspector Hall advises us.

19 **THE COMMISSIONER:** You assumed?

20 **MR. DUPUIS:** That's correct. I'm ---

21 **THE COMMISSIONER:** Okay.

22 **MR. DUPUIS:** I'm sorry, that's ---

23 **THE COMMISSIONER:** No, no. That's fine.

24 **MR. DUMAIS:** All right. So then you get a
25 copy of the memo. You make a copy of it; correct?

1 **MR. DUPUIS:** That's correct.

2 **MR. DUMAIS:** You return Ms. Hallett's copy
3 to her?

4 **MR. DUPUIS:** That's correct.

5 **MR. DUMAIS:** No discussion about -- no
6 further discussion with her about the -- this memo and what
7 you intend to do with it?

8 **MR. DUPUIS:** No. I believe she may have
9 been in a meeting with Inspector Smith at the time.

10 **MR. DUMAIS:** You mean when you returned the
11 memo to her?

12 **MR. DUPUIS:** I don't know if Inspector Smith
13 was there when we first went there, or he was there when we
14 was back, or he was there through the -- but he was there
15 at one point ---

16 **MR. DUMAIS:** Okay.

17 **MR. DUPUIS:** --- in these transactions.

18 **MR. DUMAIS:** Okay. And so what do you do
19 then with the copy of the memo that you have?

20 **MR. DUPUIS:** On instructions from Inspector
21 Hall we take it to Mr. Campbell.

22 **MR. DUMAIS:** Okay. So you go back to
23 Inspector Hall and you say, "Listen, I located Ms. Hallett,
24 provided me with a copy," and he tells you that this goes
25 to the defence counsel?

1 **MR. DUPUIS:** I think it was phone
2 conversations. Like we don't go back to the office.

3 **MR. DUMAIS:** I see. So you're having a
4 telephone conversation with Inspector Hall?

5 **MR. DUPUIS:** That's correct.

6 **MR. DUMAIS:** And you actually do that?

7 **MR. DUPUIS:** Yes.

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

9 **THE COMMISSIONER:** So is this normal
10 procedure? Is this something unusual that's going on here?

11 **MR. DUPUIS:** For me to give -- yes.

12 **THE COMMISSIONER:** In which way?

13 **MR. DUPUIS:** Because it's normally the Crown
14 would give disclosure to defence, not me.

15 **THE COMMISSIONER:** Right. But you were
16 acting on instructions of your superiors?

17 **MR. DUPUIS:** That's correct.

18 **THE COMMISSIONER:** Okay. And did you at any
19 time say to them, "Shouldn't we be telling Hallett about
20 this?"

21 **MR. DUPUIS:** Again, sir, I believed that
22 those were -- that situation had been discussed by them.

23 **THE COMMISSIONER:** By "them"?

24 **MR. DUPUIS:** Being Ms. Hallett and Inspector
25 Hall. I didn't question my inspector as to why.

1 **THE COMMISSIONER:** Okay. So you -- we'll go
2 back. You felt this was a little unusual, or how would you
3 put that?

4 **MR. DUPUIS:** Well, not -- unusual that I'd
5 be disclosing this, but also to the timeframe. It was,
6 "Hurry up and get it to Mr. Campbell."

7 **THE COMMISSIONER:** M'hm. Okay.

8 **MR. DUMAIS:** And would you have -- so when
9 you turn over the memo to defence counsel is there any
10 discussion that occurs between you and them?

11 **MR. DUPUIS:** No.

12 **MR. DUMAIS:** All right.

13 **MR. DUPUIS:** And it was just Mr. Campbell.

14 **MR. DUMAIS:** Just Mr. Campbell?

15 **MR. DUPUIS:** Yeah.

16 **MR. DUMAIS:** All right. And so he doesn't
17 indicate to you what he intends to do with this memo?

18 **MR. DUPUIS:** No.

19 **MR. DUMAIS:** All right. So did you
20 participate in any other meeting with defence counsel prior
21 to the matter proceeding to trial -- proceeding to
22 argument, sorry?

23 **MR. DUPUIS:** No, sir, not that I recall.

24 **MR. DUMAIS:** Okay. So am I correct in
25 understanding that they proceeded with their application on

1 the following day?

2 MR. DUPUIS: Yes, sir.

3 MR. DUMAIS: And I think you've previously
4 indicated that you believe Inspector Hall had been called
5 as a witness. Is that correct?

6 MR. DUPUIS: I believe so.

7 MR. DUMAIS: And you would have been called
8 as a witness as well?

9 MR. DUPUIS: That's correct.

10 MR. DUMAIS: And you would have indicated to
11 the Court that you had forgotten about this contact of June
12 15th, 1998 and it had never been disclosed to Crown counsel,
13 and therefore never disclosed to the defence?

14 MR. DUPUIS: That's correct.

15 MR. DUMAIS: All right. And were you asked
16 any questions about the July 4, 2000 memo?

17 THE REGISTRAR: June.

18 MR. DUMAIS: June? Sorry.

19 THE REGISTRAR: Sorry, it's July.

20 MR. DUMAIS: July 4, 2000.

21 MR. DUPUIS: I don't recall.

22 MR. DUMAIS: Were you asked to explain that?

23 MR. DUPUIS: This memo, or letter or
24 correspondence?

25 MR. DUMAIS: The context of the

1 correspondence. You don't recall that?

2 **MR. DUPUIS:** No, I don't.

3 **MR. DUMAIS:** All right. And my
4 understanding is that at one point in time a finding was
5 made by the court of wilful non-disclosure and all charges
6 were stayed. Is that correct?

7 **MR. DUPUIS:** That's correct.

8 **MR. DUMAIS:** All right. Now, I understand
9 that after the matter had been argued and the decision had
10 been made that there would have been a meeting between you,
11 Ms. Hallett and Ms. Tier and it also involved a law student
12 and Detective Seguin. And the reference in your note is on
13 February 26th, 2001. So that's Exhibit 2614, Bates pages
14 979.

15 **THE COMMISSIONER:** Two six one four (2614),
16 979. Page 10, yes. We're there.

17 **MR. DUMAIS:** So then if you look at ---

18 **THE COMMISSIONER:** Excuse me. No.

19 **MR. DUMAIS:** So this is an entry that you
20 make on February 26th, 2001 and I'm looking more
21 specifically at 1615 hours. Perhaps I'll read it all?

22 "On completion of motion to stay, meet
23 with Steve Seguin, Ms. Hallett,
24 Christine Tier and Kerry in a small
25 room in front of Crown's office. Ms.

1 Hallett very upset with Detective
2 Inspector Hall, stated he went behind
3 her back and gave memo to the defence."

4 So do you recall that conversation?

5 **MR. DUPUIS:** Yes.

6 **MR. DUMAIS:** Do you recall Ms. Hallett
7 indicated that?

8 **MR. DUPUIS:** Yes.

9 **MR. DUMAIS:** All right. And do you agree
10 with her conclusion? Inspector Hall went behind her back
11 and ---

12 **MR. DUPUIS:** I don't know. You'd have to
13 ask Inspector Hall. I ---

14 **MR. DUMAIS:** Are you commenting on that at
15 all?

16 **MR. DUPUIS:** Pardon?

17 **MR. DUMAIS:** It certainly appears that Ms.
18 Hallett would not have been aware that the memo had been
19 given to defence counsel.

20 **MR. DUPUIS:** That's her belief, the way ---

21 **MR. DUMAIS:** That was her belief at that
22 time?

23 **MR. DUPUIS:** --- it's written here, yes.

24 **MR. DUMAIS:** All right. And are you
25 commenting at all during this meeting? Are you indicating

1 what your involvement in this was?

2 **MR. DUPUIS:** No.

3 **MR. DUMAIS:** All right.

4 **THE COMMISSIONER:** How much of this have you
5 read again?

6 She says:

7 "Ms. Hallett very upset with [Sergeant
8 -- Staff] Inspector Hall, stated he went
9 behind her back and gave memo to
10 defence. He advised that all
11 disclosure is handled by Crown..."

12 So who is "he"?

13 **MR. DUPUIS:** I think it should have been
14 "she" is telling me that disclosure is handled by her or
15 Crown's office.

16 **MR. DUMAIS:** This is Ms. Hallett speaking?

17 **MR. DUPUIS:** Yes.

18 **THE COMMISSIONER:** Okay, then it goes on and
19 says what now? It says he advised. I've got your comment.

20 "...that all disclosure is handled by
21 Crown but in this case he gave the
22 defence copy of memo by telling me to
23 turn same over."

24 Who are those people now? Is that you?

25 **MR. DUPUIS:** I believe it is, yes.

1 **THE COMMISSIONER:** So you're saying there,
2 "Listen" ---

3 **MR. DUPUIS:** I'm following the instructions
4 of my Detective Inspector.

5 **THE COMMISSIONER:** All right. Okay.

6 **MR. DUMAIS:** So just so that I'm clear, Mr.
7 Dupuis, so it reads:

8 "...but in this case he gave the
9 defence copy of memo by telling me to
10 turn same over."

11 Is the "he" here Inspector Hall and the "me"
12 yourself? Or am I not reading that correctly?

13 **MR. DUPUIS:** I believe I'm referring to
14 myself as "me," like he told me to turn it over.

15 **MR. DUMAIS:** Okay. Is that your
16 recollection as well that you would have explained that to
17 her that you had turned over the memo?

18 **MR. DUPUIS:** I think we were trying to
19 explain it to her but she was very upset.

20 **MR. DUMAIS:** Yes. Now if in -- my
21 understanding is after this decision came down, the
22 subsequent steps were the matter was appealed and there was
23 a second trial ordered at one point in time. Is that
24 correct?

25 **MR. DUPUIS:** That's correct.

1 **MR. DUMAIS:** And my -- am I correct in
2 understanding that you would not have been involved in this
3 second trial?

4 **MR. THOMPSON:** Just for the purposes of the
5 record I think it might be of assistance to just say that
6 there was appeal and there was a finding that there was no
7 wilful non-disclosure and that's why the appeal was
8 successful and we go on to the next trial. I just thought
9 that was -- that might be helpful for the public.

10 **THE COMMISSIONER:** Oh, it certainly would be
11 helpful for the Attorney General. Yes.

12 **MR. DUMAIS:** I just meant to put things in
13 context. Am I correct in understanding or did you have any
14 dealings with the second trial?

15 **MR. DUPUIS:** I would assume so. I'd have to
16 go by dates.

17 **MR. DUMAIS:** Okay. If you can just have a
18 look at Exhibit 2614 at Bates pages 024 and 025.

19 **MR. DUPUIS:** Can I have those numbers again,
20 please?

21 **MR. DUMAIS:** Pardon me?

22 **MR. DUPUIS:** Can I have those numbers again,
23 please?

24 **MR. DUMAIS:** So in Exhibit 2614, Bates pages
25 024 and 025.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. DUMAIS: So this -- sorry.

3 MR. DUPUIS: Thank you.

4 MR. DUMAIS: All right. So this is an entry
5 that you made on August 8, 2001, a couple of months after
6 the charges are stayed in the Leduc matter. My
7 understanding is that at one point in time C-22 would have
8 given you a call. Is that correct?

9 MR. DUPUIS: Yes. Are you looking at --
10 what is it, 1728?

11 MR. DUMAIS: That's correct. Your entry
12 there.

13 MR. DUPUIS: Yes.

14 MR. DUMAIS: Do you recall that?

15 MR. DUPUIS: Yes.

16 MR. DUMAIS: Okay. Can you tell us what
17 this was all about?

18 MR. DUPUIS: C-22 contacts me and he's been
19 requested by Jacques Leduc's wife to meet.

20 MR. DUMAIS: Yes.

21 MR. DUPUIS: And he's asking me for advice,
22 what he should do.

23 MR. DUMAIS: And what will you tell him?

24 MR. DUPUIS: It was up to him to make his
25 own decision whether he wanted to meet with her.

1 **MR. DUMAIS:** Okay. And my understanding is
2 that the meeting would have been set up for the following
3 day. Is that correct?

4 **MR. DUPUIS:** Yes.

5 **MR. DUMAIS:** So -- and that's the entry that
6 continues, and the meeting would have been set up at a
7 specific time, so at noon. Is that correct?

8 **MR. DUPUIS:** I can't find it here but I
9 believe that's what the time was.

10 **MR. DUMAIS:** And it had also been set up at
11 a specific location, so at Cornwall at the corner of
12 Marleau at Hamilton Street. Is that correct? The entry is
13 at 2012.

14 **MR. DUPUIS:** Yes. Yes; I'm sorry.

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

16 And Mr. Dupuis, can you tell us whether or
17 not you were involved -- you got involved in this on the 9th
18 day of August, 2001?

19 **MR. DUPUIS:** Yes, I was involved.

20 **MR. DUMAIS:** All right. So can you just
21 explain to us what your involvement was?

22 **MR. DUPUIS:** We set up surveillance on the
23 location to see if the meeting would take place.

24 **MR. DUMAIS:** Yes.

25 **MR. DUPUIS:** Ms. Leduc did show up, C-22 did

1 not.

2 MR. DUMAIS: All right. And you were able
3 to identify Ms. Leduc? You knew who she was?

4 MR. DUPUIS: Yes.

5 THE COMMISSIONER: Easy on the names now,
6 sir.

7 MR. DUPUIS: Pardon?

8 THE COMMISSIONER: Don't forget to use the
9 monikers, please?

10 MR. DUPUIS: Oh, I'm sorry. I apologize.

11 MR. DUMAIS: So ---

12 MR. LEE: Sir, just for my own piece of
13 mind, is there a standing order that when a witness or
14 counsel makes an error that the transcript will be
15 corrected and we don't need to tell them every single time?

16 THE COMMISSIONER: No, we don't need to tell
17 them every single time.

18 MR. LEE: Okay, thank you, sir.

19 MR. DUMAIS: So you were able -- you knew
20 who Ms. Leduc was?

21 MR. DUPUIS: Yes.

22 MR. DUMAIS: All right. So she would have
23 showed up at the location indicated to you by C-22 at the
24 time indicated ---

25 MR. DUPUIS: I think we actually followed

1 her right from the residence to the location specified for
2 the meeting.

3 **MR. DUMAIS:** Okay.

4 **MS. ROBITAILLE:** Mr. Commissioner, I'm
5 having a hard time understanding the relevance of this line
6 of questioning. I really am struggling with that issue and
7 I was hoping that your counsel could advise.

8 **MR. DUMAIS:** Well, the trial ends in
9 February of 2001. The matter is now being appealed. It's
10 going through the court process. It could lead to a second
11 trial. The wife of Mr. Leduc is contacting one of the
12 victims who has made allegations against ---

13 **THE COMMISSIONER:** Just a minute.

14 **MR. DUMAIS:** --- she's contacting one of the
15 alleged victims who has made allegations against Mr. Leduc.
16 I think it's very relevant.

17 **MS. ROBITAILLE:** In my respectful
18 submission, Mr. Commissioner, we can't do this in a vacuum.
19 We know that there is no second trial. In fact, the matter
20 is ultimately stayed. I don't see what the purpose of
21 examining this issue is. It has no relevance to
22 institutional response and, frankly, I think it's a waste
23 of time.

24 **MR. DUMAIS:** And, of course, the
25 institutional response is I want to know from Mr. Dupuis

1 what he did with that, if anything.

2 **MS. ROBITAILLE:** We've already heard from
3 the witness that he set up surveillance. Can we leave it
4 at that, Mr. Commissioner? I really don't see the point of
5 continuing along this line.

6 **THE COMMISSIONER:** Well, we'll see how far
7 he wants to go with this. Where are we going now?

8 **MR. DUMAIS:** Well, the next question is
9 whether or not he would have confronted Ms. Leduc and what
10 she would have told him if he did and, if not, whether or
11 not he would have advised a Crown counsel when the matter
12 went back to trial whether or not they gave any
13 consideration as to the set-up of this meeting.

14 **THE COMMISSIONER:** Sounds like institutional
15 response to me.

16 **MS. ROBITAILLE:** You have my objection, Mr.
17 Commissioner.

18 **THE COMMISSIONER:** Thank you.

19 **MR. DUMAIS:** All right.

20 So on -- so we're back on August 9, 2001,
21 Mr. Dupuis. You made this observation. Is there any -- if
22 I can just -- is there any confrontation with Ms. Leduc at
23 that time?

24 **MR. DUPUIS:** We did not speak to her.

25 **MR. DUMAIS:** Okay.

1 And you've made reference to "we" a number
2 of times. Who are you talking about when you say "we"?

3 **MR. DUPUIS:** I believe Detective Genier and
4 Detective Seguin were also assisting with the surveillance
5 and we had radio communications with one another.

6 **MR. DUMAIS:** Okay. So all three of you were
7 present in three separate vehicles?

8 **MR. DUPUIS:** Yes.

9 **MR. DUMAIS:** All right.

10 And after August 9, 2001, would you have
11 received a further call from C-22?

12 **MR. DUPUIS:** I believe I called him on the
13 9th of August at 16:27.

14 **MR. DUMAIS:** And did he indicate to you that
15 he had not showed up at the meeting?

16 **MR. DUPUIS:** That's correct.

17 **MR. DUMAIS:** All right. Did he indicate to
18 you at any point-in-time whether or not there had been any
19 further contact by Ms. Leduc?

20 **MR. DUPUIS:** He had not received any calls,
21 but if he did, he would contact us.

22 **MR. DUMAIS:** And am I correct in
23 understanding that he never did contact you after that?

24 **MR. DUPUIS:** I have no knowledge of him
25 trying to contact us again.

1 **MR. DUMAIS:** And you would have had
2 discussions with C-22, for example, shortly before the
3 matter went back to court?

4 **MR. DUPUIS:** I don't recall.

5 **MR. DUMAIS:** Do you ever -- do you remember
6 ever bringing the matter back again with C-22?

7 **MR. DUPUIS:** I don't recall. I'd have to go
8 through my notes.

9 **MR. DUMAIS:** All right.

10 Do you remember advising Inspector Hall of
11 the occurrence on August 9th, 2001?

12 **MR. DUPUIS:** Yes, he would have been aware
13 of it. I'm sure he would have been aware of it.

14 **MR. DUMAIS:** Right. And do you recall
15 discussing this as to what the -- your course of action
16 should be regarding this?

17 **MR. DUPUIS:** We were confused as to why the
18 request was made and we would have -- I'm sure if Mr. -- or
19 C-22 would have attended that meeting to find out what the
20 request by Ms. Leduc would have been.

21 **MR. DUMAIS:** All right. And we don't know
22 what that request would have been?

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

24 **MR. DUMAIS:** And do you recall when the
25 matter went back to court -- I believe the Crown that was -

1 - that had carriage of the file was Ms. Narozniak -- do you
2 remember advising her of this August 9, 2001 occurrence?

3 MR. DUPUIS: The name again, please.

4 MR. DUMAIS: The Crown Attorney, Ms.
5 Narozniak.

6 MR. DUPUIS: That name ---

7 MR. DUMAIS: Do you recall speaking to the
8 Crown Attorney that was involved in the second Leduc trial?

9 MR. DUPUIS: Could it be Ms. Wilhelm?

10 MR. DUMAIS: But I don't believe it was.

11 MR. DUPUIS: I just don't remember the name.

12 MR. DUMAIS: Fair enough, but do you
13 remember bringing this occurrence up to a Crown Attorney?

14 MR. DUPUIS: I don't recall.

15 MR. DUMAIS: Mr. Dupuis, I'm going to ask
16 you now about your involvement in a new investigation and
17 that is the Jean-Luc Leblanc investigation.

18 So am I correct in understanding that
19 Detective Seguin was the lead investigator in this matter
20 and you would only have provided some assistance?

21 MR. DUPUIS: That's correct.

22 MR. DUMAIS: And I understand that the
23 matter of Jean-Luc Leblanc would have come to the attention
24 of Project Truth investigators -- and we're going to need a
25 new moniker -- when C-21 made allegations.

1 Madam Clerk, if we can identify ---

2 **THE COMMISSIONER:** Do you want to show him
3 who C-21 is?

4 **MR. DUMAIS:** Yes, thank you.

5 (SHORT PAUSE/COURTE PAUSE)

6 **MR. DUMAIS:** So do you recall that, that
7 someone would have come at your office and disclosed that
8 he was a victim of Jean-Luc Leblanc?

9 **MR. DUPUIS:** Yes.

10 **MR. DUMAIS:** Yes. And do you recall whether
11 or not you were involved in taking that statement from him?

12 **MR. DUPUIS:** I don't recall.

13 **MR. DUMAIS:** Okay, but in any event, you
14 would have been made aware at one point-in-time?

15 **MR. DUPUIS:** Yes.

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

17 And as a result of this disclosure, I
18 understand that surveillance was conducted on Mr. Leblanc?

19 **MR. DUPUIS:** Yes, it was.

20 **MR. DUMAIS:** And I believe your involvement
21 in the surveillance began on the 18th day of December, 1998?

22 **MR. DUPUIS:** Somewhere around there, yes,
23 sir.

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

25 And do you know of the reason why when the -

1 - let me rephrase that.

2 My understanding is that a decision was made
3 to conduct surveillance on Mr. Leblanc because you
4 were -- I'll rephrase it a second time. Why did you
5 conduct surveillance on Mr. Leblanc?

6 **MR. DUPUIS:** We believed that there was a
7 possibility of young people being involved at the time ---

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

9 **MR. DUPUIS:** --- and was -- it had to be
10 done immediately.

11 **MR. DUMAIS:** Okay. And was that Inspector
12 Hall's belief or was it C-21's belief?

13 **MR. DUPUIS:** No, it was through the
14 investigation of C-21's allegations, the investigation led
15 us to this.

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

17 **MR. DUPUIS:** And then Inspector Hall advised
18 us accordingly.

19 **MR. DUMAIS:** Okay.

20 Do you recall any discussion as to -- I
21 mean, if this was your concern, any discussions whether or
22 not you should place Mr. Leblanc under arrest right at that
23 time?

24 **MR. DUPUIS:** I still think we have to have
25 a victim, so that's why the surveillance, to watch him to

1 see what his movements were.

2 MR. DUMAIS: Okay. But was then C-21 not a
3 victim at that time?

4 MR. DUPUIS: Historic.

5 MR. DUMAIS: All right. So he's ---

6 MR. DUPUIS: He's an historic victim.

7 MR. DUMAIS: So he came in, disclosed
8 historical allegations, but he indicated to you that there
9 may be ongoing abuse going on?

10 MR. DUPUIS: No.

11 MR. DUMAIS: Is that correct?

12 MR. DUPUIS: No, no. Through our
13 investigation, we learned of possible abuse ongoing.

14 MR. DUMAIS: Okay. So this is not what C-21
15 is telling you?

16 MR. DUPUIS: That's correct.

17 MR. DUMAIS: Okay. So the only thing C-21
18 is telling you is that he is a victim of historical abuse?

19 MR. DUPUIS: That's correct.

20 MR. DUMAIS: All right.

21 And do you recall, Mr. Dupuis, what
22 information you would have gathered after the C-21
23 statement that would lead you to believe that there may be
24 ongoing abuse going on?

25 MR. DUPUIS: We checked out police files,

1 and I believe at that time it was called OMPPAC ---

2 MR. DUMAIS: Yes.

3 MR. DUPUIS: --- and I can't give you what
4 those letters stood for now -- at the time, I may
5 have -- and we found that Cornwall had received a complaint
6 and it eventually went to our detachment in Long Sault, and
7 that's what brought our attention to it.

8 MR. DUMAIS: Okay. So then am I correct in
9 understanding that when you receive this statement, you
10 query OMPPAC with the name of Jean-Luc Leblanc, and that
11 triggers the previous report? Is that correct? Do I have
12 that right?

13 MR. DUPUIS: You lost me.

14 MR. DUMAIS: So when you receive the
15 statement from C-21, you query the name of Jean-Luc Leblanc
16 in OMPPAC?

17 MR. DUPUIS: Correct.

18 MR. DUMAIS: And OMPPAC then brings you to
19 this ---

20 MR. DUPUIS: Finding.

21 MR. DUMAIS: --- disclosure that
22 we -- pardon me?

23 MR. DUPUIS: Our finding ---

24 MR. DUMAIS: Yes.

25 MR. DUPUIS: --- shall I say? Of possible

1 abuse happening then.

2 MR. DUMAIS: Okay, all right.

3 THE COMMISSIONER: So you also see -- did
4 you learn about his criminal record?

5 MR. DUPUIS: Possibly. I don't recall that,
6 but that would be -- if he's got a criminal record, that
7 would have also been in there.

8 MR. DUMAIS: Okay. All right.

9 So then you're involved in conducting the
10 surveillance on Jean-Luc Leblanc, and am I correct in
11 understanding that this is not a 24-hour surveillance?

12 MR. DUPUIS: That's correct.

13 MR. DUMAIS: And do you recall who was
14 involved?

15 MR. DUPUIS: I believe it started off with
16 the Project Truth officers as well as some assistance from
17 the ST&G crime unit.

18 MR. DUMAIS: Yes.

19 MR. DUPUIS: But I'd have to check my notes
20 to -- to see exactly.

21 MR. DUMAIS: All right, but, I mean --
22 perhaps I can just ask you then to look at your notes on
23 December 29th, 1998?

24 THE COMMISSIONER: What page?

25 MR. DUMAIS: Three-five-two EO (352EO).

1 **THE COMMISSIONER:** All right.

2 **MR. DUMAIS:** Two-six-one-zero (2610).

3 Actually, that reference is not helpful, Mr. Dupuis.

4 Perhaps if I can just do it this way. So on
5 December 29th, I understand and, I mean, I know that ---

6 **MR. DUPUIS:** I don't believe I have that
7 binder. You said 2610?

8 **MR. DUMAIS:** You don't have that exhibit
9 with you?

10 **MR. DUPUIS:** I've only got two.

11 **THE COMMISSIONER:** Two-six-one-zero (2610)
12 is right at the end of ---

13 **MR. DUPUIS:** I'm sorry.

14 **MR. DUMAIS:** No, no, it's not your fault.
15 And actually, Mr. Dupuis, I'm going to try to do this
16 without the reference.

17 So I understand that at one point-in-
18 time -- I believe the date is December 29th, 1998 -- you're
19 conducting surveillance on Mr. Leblanc and you would have
20 observed him in his vehicle with someone who appears to be
21 around 14 years of age. Is that correct?

22 **MR. DUPUIS:** That's correct.

23 **MR. DUMAIS:** And my understanding is you
24 would have followed that vehicle down a concession road.
25 Is that correct?

1 **MR. DUPUIS:** Several concession roads.

2 **MR. DUMAIS:** All right. So you were
3 following for a certain period of time?

4 **MR. DUPUIS:** That's correct.

5 **MR. DUMAIS:** And do you know at this time
6 where Mr. Leblanc resides? Do you have that address?

7 **MR. DUPUIS:** Where he resides?

8 **MR. DUMAIS:** Yes.

9 **MR. DUPUIS:** It's in Newington. I don't ---

10 **THE COMMISSIONER:** So you know where he
11 resides; he's in Newington. Let's keep going.

12 **MR. DUMAIS:** All right. So then you're
13 conducting surveillance on this vehicle. At one point-in-
14 time they stop at a house on that concession road?

15 **MR. DUPUIS:** No, sir, they go down a dead-
16 end road, and I don't follow them down that dead-end road.

17 **MR. DUMAIS:** Okay. Because you don't want
18 to be discovered. Is that correct?

19 **MR. DUPUIS:** That's a tactic used by people
20 to see if they're being followed.

21 **MR. DUMAIS:** I see.

22 **MR. DUPUIS:** So I don't go down the road.

23 **MR. DUMAIS:** Okay. So then he goes down
24 this road. My understanding is he came back out and he no
25 longer -- and the boy would not longer be in the vehicle.

1 Is that correct?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: And what did you do at this
4 point-in-time?

5 MR. DUPUIS: I continued following
6 Mr. Leblanc.

7 MR. DUMAIS: Okay. And I understand that at
8 one point-in-time later on you would have lost sight of Mr.
9 Leblanc. Is that correct?

10 MR. DUPUIS: That's correct.

11 MR. DUMAIS: All right. But certainly you
12 would not have confronted him that night?

13 MR. DUPUIS: No.

14 MR. DUMAIS: All right. And as I understand
15 it you would have gone back then to the concession road to
16 attempt to find where the boy could have gone?

17 MR. DUPUIS: That's correct.

18 MR. DUMAIS: All right. And you're not able
19 to locate him that night?

20 MR. DUPUIS: I'm unsuccessful.

21 MR. DUMAIS: Okay.

22 And I understand that on December 30th you
23 would have -- or the following day -- you're again involved
24 in this surveillance, and you would have received a
25 dispatch or a call from Detective Seguin. Is that correct?

1 **MR. DUPUIS:** That's correct.

2 **MR. DUMAIS:** And Detective Seguin is asking
3 you to do what?

4 **MR. DUPUIS:** To assist him because he
5 located someone.

6 **MR. DUMAIS:** All right. And perhaps, Madam
7 Clerk, if we can show C-82?

8 **MR. DUPUIS:** I think I know who he is.

9 **MR. DUMAIS:** So then Mr. Seguin wants you to
10 assist him and take a statement from C-82. Is that
11 correct?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** And you do take a statement
14 from him?

15 **MR. DUPUIS:** That's correct.

16 **MR. DUMAIS:** And you find out that this was
17 the individual that had been in the vehicle with
18 Mr. Leblanc on December 29th, the previous day?

19 **MR. DUPUIS:** That's correct.

20 **THE COMMISSIONER:** Sir, did you ever find
21 out how he got separated from Mr. Leblanc? Did he leave
22 him down at the dead-end or ---

23 **MR. DUPUIS:** He was taken home. C-82 lived
24 down that road.

25 **THE COMMISSIONER:** Oh, it was a dead-end.

1 Okay, I see what you're saying, but there were houses down
2 that ---

3 **MR. DUPUIS:** Several houses.

4 **THE COMMISSIONER:** Okay, okay, I got it.
5 Pick a spot, Mr. Dumais?

6 **MR. DUMAIS:** Perhaps we can stop now, thank
7 you.

8 **THE COMMISSIONER:** All right, let's have
9 lunch.

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

12 This hearing will resume at 2:00 p.m.

13 --- Upon recessing at 12:30 p.m./

14 L'audience est suspendue à 12h30

15 --- Upon resuming at 2:04 p.m./

16 L'audience est reprise à 14h04

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

19 This hearing is now resumed. Please be
20 seated. Veuillez vous asseoir.

21 **JOSEPH (JOE) DUPUIS, Resumed/Sous le même serment:**

22 --- **EXAMINATION BY/INTERROGATOIRE PAR MR. DUMAIS**

23 **(cont'd/suite):**

24 **THE COMMISSIONER:** Good afternoon, sir.

25 **MR. DUPUIS:** Thank you.

1 **MR. DUMAIS:** Mr. Dupuis, I found a document
2 which perhaps will assist both you and I.

3 So right before we broke for lunch, we were
4 discussing your interview of C-82 and the involvement in
5 the Jean-Luc Leblanc investigation.

6 If I can just ask that Document Number
7 708539 be put to you?

8 **THE COMMISSIONER:** Thank you.

9 Exhibit 2624 is a Will-Say statement of
10 Jean-Luc Leblanc. No? No, sorry, is the Will Say of
11 Officer Dupuis and on the 18th of December, 1998.

12 --- **EXHIBIT NO./PIÈCE NO. P-2624:**

13 (708539) Will Say of Joe Dupuis re. Jean-Luc
14 Leblanc - dated December 18, 1998 to January
15 12, 1999

16 **MR. DUMAIS:** In that document, it makes
17 reference to some of the victims' names, so it should be
18 stamped.

19 **THE COMMISSIONER:** Yes, all right.

20 **MR. DUMAIS:** So I couldn't find the
21 information in your notes this morning, Mr. Dupuis, but if
22 you look at the second page of your Will State, and that is
23 the Will State that you prepared for this investigation?

24 **MR. DUPUIS:** It appears to be, yes.

25 **MR. DUMAIS:** All right. So I'm just looking

1 then at your entry on December 30th, 1998 at 15:16 hours.
2 So it appears that you would have conducted this interview
3 together with Detective Seguin. Is that correct?

4 **MR. DUPUIS:** That's correct.

5 **MR. DUMAIS:** And after the interview was
6 completed, you would have driven C-82 to his home. Is that
7 correct?

8 **MR. DUPUIS:** Yes.

9 **MR. DUMAIS:** And the residence where you
10 dropped him off at would have been on the dead-end road
11 which you had been conducting surveillance on on the 29th?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** All right.

14 Perhaps we should also file the statements
15 that were taken, Mr. Commissioner, and that's Document
16 Number 712332.

17 **THE COMMISSIONER:** Thank you. All right.

18 Exhibit 2625 is an interview report of C-82
19 taken on the 30th day of December, 1998.

20 **--- EXHIBIT NO./PIÈCE NO. P-2625:**

21 (712332) Interview Report #1 of C-82 - dated
22 December 30, 1998

23 **MR. DUMAIS:** Now, do you recall, Mr. Dupuis,
24 that when you completed the first interview of C-82 he was
25 sort of being noncommittal about making his allegations?

1 **MR. DUPUIS:** I'd have to read the statement
2 over but I believe you're right.

3 **MR. DUMAIS:** Because -- and perhaps the next
4 document might provide some assistance. It's Document
5 Number 712333.

6 **THE COMMISSIONER:** And we should be putting
7 the publication ban on 2625?

8 **MR. DUMAIS:** Yes, thank you.

9 **THE COMMISSIONER:** And I suspect -- 2626 is
10 a videotaped interview report of C-82 done on the 30th of
11 December, 1998.

12 **--- EXHIBIT NO./PIÈCE NO. P-2626:**

13 (712333) Videotaped Interview Report #2 of
14 C-82 - dated December 30, 1998

15 **MR. DUMAIS:** And I guess perhaps a better
16 way of putting it, Mr. Dupuis, is that it took him a bit of
17 time to come around and provide you with a statement
18 indicating that he had been abused at the hands of Mr.
19 Jean-Luc Leblanc?

20 **MR. DUPUIS:** That's correct.

21 **MR. DUMAIS:** And towards the end of the
22 statement, he gives you information that then makes you and
23 Detective Seguin decide to take a video statement. Is that
24 correct?

25 **MR. DUPUIS:** That's correct.

1 **MR. DUMAIS:** And that would be then the
2 second statement that we just put to you?

3 **MR. DUPUIS:** Yes.

4 **MR. DUMAIS:** So the one starting at 15:16
5 hours? Sorry, the second statement would be the one
6 starting at 16:41 hours?

7 **MR. DUPUIS:** Yes.

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

9 And certainly C-82, as opposed to the first
10 allegation, was disclosing that he had been recently abused
11 by Mr. Leblanc. Is that correct?

12 **MR. DUPUIS:** If memory serves me, I think it
13 was the week before.

14 **MR. DUMAIS:** All right.

15 **MR. DUPUIS:** Or a week and-a-half before.

16 **THE COMMISSIONER:** The first report, first
17 interview?

18 **MR. DUPUIS:** The written interview at ---

19 **THE COMMISSIONER:** The 30th of December?

20 **MR. DUPUIS:** --- 15:16.

21 **MR. DUMAIS:** And I guess the distinction is
22 "recent" as opposed to "historical"?

23 **MR. DUPUIS:** Yes.

24 **MR. DUMAIS:** Whereas C-21 was -- and at --
25 so this is on December 30th, 1998. Do you at this point

1 make a decision to place him under arrest?

2 MR. DUPUIS: No.

3 MR. DUMAIS: And my understanding is that he
4 would have been arrested only on January 5th, 1998 (sic)?

5 MR. DUPUIS: That's correct.

6 MR. DUMAIS: All right, so do you -- do you
7 know -- well, firstly, who made the decision to delay the
8 arrest?

9 MR. DUPUIS: I believe Inspector Hall.

10 MR. DUMAIS: Okay. Do you recall whether or
11 not there was any reason for that?

12 MR. DUPUIS: I believe we felt that C-82 had
13 been taken out of danger, back with his parents, and they
14 were advised in a short format what was going on.

15 MR. DUMAIS: All right. So when you drove
16 C-82 home you did -- you met with his parents?

17 MR. DUPUIS: Mother and stepfather, I
18 believe.

19 MR. DUMAIS: Okay. And they were made aware
20 of what allegations had been made?

21 MR. DUPUIS: Just that there was
22 allegations. We didn't get into any details of what may
23 have transpired.

24 MR. DUMAIS: Okay. If I can -- and am I
25 correct in understanding that you were not involved in the

1 arrest of Mr. Leblanc?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: Okay. And this was not one of
4 the investigations that you had carriage of?

5 MR. DUPUIS: Pardon, sir?

6 MR. DUMAIS: You weren't the lead on this
7 investigation?

8 MR. DUPUIS: No, Constable Seguin was.

9 MR. DUMAIS: All right.

10 If I can just take you to Exhibit 2611 at
11 Bates page 465?

12 THE COMMISSIONER: What page, please?

13 MR. DUMAIS: Four six five (465).

14 THE COMMISSIONER: Four six five (465).

15 So 465, sir, is page 110, if that helps you,
16 in your notes.

17 MR. DUPUIS: Yes, sir.

18 MR. DUMAIS: So you see the entry at --
19 perhaps Madam Clerk if you could just bring us to the next
20 page. All right. There it is.

21 So I'm just looking at the entry at 1336
22 hours. So we are on April 14th, 1999. It says:

23 "Placed under arrest in January of
24 that year."

25 And your notation reads as follows:

1 "Returned call to Pina DeBellis re
2 C-82, concerned that he may be
3 returning to Leblanc residence.
4 Advised her that Leblanc released on
5 conditions not to associate with anyone
6 under the age of 18. DeBellis happy
7 with information concerning C-82."

8 So do you recall that conversation with Ms.
9 DeBellis?

10 **MR. DUPUIS:** Yes.

11 **MR. DUMAIS:** And she's the -- one of the
12 protection workers at the Children's Aid Society?

13 **MR. DUPUIS:** That's correct.

14 **MR. DUMAIS:** So she called you. Is that
15 correct?

16 **MR. DUPUIS:** That's correct.

17 **MR. DUMAIS:** And is there any more
18 information than this?

19 **MR. DUPUIS:** I believe that information was
20 shared with other officers and they checked into it farther
21 to see in fact that he was not going to that residence.

22 **MR. DUMAIS:** Okay. But you didn't ---

23 **MR. DUPUIS:** I didn't.

24 **MR. DUMAIS:** --- you didn't have any
25 involvement in that?

1 **MR. DUPUIS:** No.

2 **MR. DUMAIS:** All right. Did you know why
3 she had that belief? Do you recall?

4 **MR. DUPUIS:** No, sir.

5 **MR. DUMAIS:** All right. Now if I can then
6 take you to Exhibit 2612. Are you there?

7 **THE COMMISSIONER:** We're at 2612; what page?

8 **MR. DUMAIS:** Oh, sorry. Bates pages --
9 let's see, November 29th, 1999 entry, Bates pages 657.

10 **THE COMMISSIONER:** Six five seven (657).

11 Are you there, sir?

12 **MR. DUPUIS:** Yes.

13 **THE COMMISSIONER:** Okay. Which portion?

14 **MR. DUMAIS:** So I'm looking at the entry at
15 902 hours. So it reads as follows:

16 "Talked to Jason Tyo. He advised that
17 the sex continued after Leblanc
18 convicted on Cornwall charges. This
19 occurred in Newington when Tyo was
20 early in high school. This information
21 not disclosed to police."

22 So at one point in time, were you made aware
23 that Mr. Leblanc had previously been charged and convicted
24 on sexual offences?

25 **MR. DUPUIS:** Yes.

1 **MR. DUMAIS:** And had you -- did you -- were
2 you involved at all in any of the follow-ups with Cornwall
3 Police Services? Do you know if anyone from your office
4 contacted anyone from Cornwall Police Services?

5 **MR. DUPUIS:** I'm not sure, sir.

6 **MR. DUMAIS:** Then perhaps it's a question
7 for Detective Seguin.

8 And the last entry:

9 "This information not disclosed to
10 police."

11 Do you recall what Mr. Tyo meant by that?

12 **MR. DUPUIS:** Is this a person that maybe
13 should be ---

14 **MR. DUMAIS:** No.

15 **MR. DUPUIS:** Okay. Can I have the question
16 again, please?

17 **MR. DUMAIS:** So it reads as follows:

18 "This information not disclosed to
19 police."

20 Do you recall what you meant by that?

21 **MR. DUPUIS:** I think he was referring to
22 information from the past that he hadn't disclosed to
23 police.

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

25 And I don't believe you were involved in

1 taking a statement from Mr. Tyo?

2 MR. DUPUIS: I don't remember.

3 MR. DUMAIS: Okay.

4 Now if I can then ask you to turn to Exhibit
5 2614, Bates pages 033.

6 THE COMMISSIONER: We're there.

7 MR. DUMAIS: The date is October 25th, 2001.

8 MR. DUPUIS: Yes, sir.

9 MR. DUMAIS: All right. So the entry starts
10 at 1509.

11 Do you have that, Madam Clerk? It starts at
12 032 and ends at 033.

13 THE COMMISSIONER: So 1509?

14 MR. DUMAIS: Correct.

15 THE COMMISSIONER: Okay. It's the last
16 entry at the bottom.

17 MR. DUMAIS: Thank you.

18 So it reads as follows:

19 "Ten-seven (10-7), CS checking on any
20 files on Jean-Luc Leblanc. Advise if
21 they have anything will require written
22 request for file."

23 And then at Bates pages 033:

24 "Advised that CS do have a file,
25 Leblanc, Jean-Luc, red shirt as a sex

1 offender. They will not give police
2 any info out of this file. They stated
3 that they fear being sued by Leblanc if
4 they gave info. Carriere also advised
5 that all the info came from police
6 source but will not advise what police
7 force or when they got info other than
8 files, date 1988."

9 So it appears that you're having a
10 conversation with Mr. Carriere from the CS office?

11 **MR. DUPUIS:** It would appear so, yes.

12 **MR. DUMAIS:** Do you recall that
13 conversation?

14 **MR. DUPUIS:** Vaguely.

15 **MR. DUMAIS:** Do you recall at one point in
16 time you were made aware that they had a file on Mr.
17 Leblanc?

18 **MR. DUPUIS:** Yes.

19 **MR. DUMAIS:** And it appears that you attend
20 their office, obtain a copy of that file.

21 **MR. DUPUIS:** I'm not sure if I -- yes, yes.
22 I met at their office -- 10-7, I'm there.

23 **MR. DUMAIS:** Ten-seven (10-7), yes.

24 So do you recall whether or not you were
25 ever able to obtain a copy of that file?

1 **MR. DUPUIS:** Not that day and I don't recall
2 that I obtained any information. That doesn't take away
3 from somebody else may have been able to obtain it.

4 **MR. DUMAIS:** Okay. Again, perhaps a
5 question for Detective Seguin.

6 I'm going to ask you some questions now
7 about a new investigation, Mr. Dupuis. Just give me a
8 moment.

9 **(SHORT PAUSE/COURTE PAUSE)**

10 **MR. DUMAIS:** I'm just trying to determine if
11 the victim's name, the alleged victim's name, is protected.
12 I don't think he's protected by a moniker, Mr.
13 Commissioner. All right.

14 So I understand that at one point-in-time
15 you would have had dealings with a gentleman by the name of
16 David Petepiece?

17 **MR. DUPUIS:** Yes.

18 **MR. DUMAIS:** And I understand that Detective
19 Seguin would have interviewed him sometime in July of 1998,
20 regarding allegations of sexual abuse?

21 **MR. DUPUIS:** I believe Constable Seguin was
22 in charge of that investigation.

23 **MR. DUMAIS:** All right. Do you then recall
24 that the allegations that he had made were against an
25 Anglican priest?

1 **MR. DUPUIS:** Yes.

2 **MR. DUMAIS:** All right. And am I correct in
3 understanding that you had not been involved in this
4 initial interview of Mr. Petepiece?

5 **MR. DUPUIS:** I don't recall ---

6 **MR. DUMAIS:** You don't recall?

7 **MR. DUPUIS:** --- being involved in it.

8 **MR. DUMAIS:** And I understand that at one
9 point-in-time, Mr. Petepiece would have written a letter of
10 complaint to the OPP Headquarters and had called Detective
11 Seguin and asked him to meet with him prior to him mailing
12 the letter. Is that correct?

13 **MR. DUPUIS:** That's correct.

14 **MR. DUMAIS:** And I understand that you had
15 been involved with meeting with Mr. Petepiece as well. Is
16 that correct?

17 **MR. DUPUIS:** That's correct.

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

19 And if I can then just take you to your
20 notes, which is Exhibit 2614 ---

21 **THE COMMISSIONER:** Two-six-one-four (2614).
22 Yes.

23 **MR. DUMAIS:** --- on July 16th, 2001, and
24 that's Bates page 021.

25 **THE COMMISSIONER:** Zero-two-one (021).

1 Okay, we're there?

2 **MR. DUPUIS:** Yes.

3 **MR. DUMAIS:** All right. So the entry just
4 under the phone numbers there, reads as follows:

5 "Read letter of complaint dated July
6 12th, 2001."

7 So you would have reviewed his letter of
8 complaint?

9 **MR. DUPUIS:** Yes.

10 **MR. DUMAIS:** All right. And Petepiece
11 advised that he was forward counselling invitation to
12 sexual touching, not an offence at the time, date, 1956.

13 "Petepiece advised of the above,
14 expressed concern re. same offence
15 occurring."

16 Then he provides names of other possible
17 victims or witnesses; correct?

18 **MR. DUPUIS:** Correct.

19 **MR. DUMAIS:** And then on the next page there
20 is an indication that one of these subjects that is named
21 is deceased; correct?

22 **MR. DUPUIS:** Yes.

23 **MR. DUMAIS:** And Mr. Petepiece would have
24 provided you with that information?

25 **MR. DUPUIS:** I believe so, yes.

1 **MR. DUMAIS:** Okay.

2 And do you recall that this letter that Mr.
3 Petepiece had written indicated that he believes Project
4 Truth was not handling his complaint because it involved an
5 Anglican priest? Do you recall that?

6 **MR. DUPUIS:** I believe that was the context
7 of the letter. I'd have to read it again, but ---

8 **MR. DUMAIS:** It's Exhibit 325.

9 **(SHORT PAUSE/COURTE PAUSE)**

10 **THE COMMISSIONER:** Okay.

11 **MR. DUMAIS:** Perhaps it's not as clear in
12 Mr. Petepiece's letter, but at one point-in-time Inspector
13 Hall would have written back to him and advised him of the
14 fact that the allegations against an Anglican priest was
15 beyond the mandate of Project Truth. Do you recall that?

16 **MR. DUPUIS:** No, sir.

17 **MR. DUMAIS:** Do you recall any discussion
18 about what the mandate of Project Truth was in that meeting
19 with Mr. Petepiece?

20 **MR. DUPUIS:** I recall Constable Seguin doing
21 the talking and I was the second officer there, and I only
22 recall what's written in my notes.

23 **MR. DUMAIS:** All right. So you don't
24 remember exactly what was being ---

25 **MR. DUPUIS:** Not exactly the -- yes.

1 **MR. DUMAIS:** Okay.

2 And do you recall whether or not -- well,
3 Mr. Petepiece testified here at the Inquiry. Are you aware
4 of that, Mr. Dupuis?

5 **MR. DUPUIS:** No, I'm not. Well, correction,
6 I believe I read something in the paper, I'm sorry.

7 **MR. DUMAIS:** And Mr. Petepiece in his
8 evidence would have indicated to you -- would have
9 indicated, sorry, that he had found one of the officers
10 intimidating?

11 **MR. CARROLL:** I recall the evidence of
12 Mr. Petepiece. I don't have the transcript at hand, but I
13 can tell you that I don't believe he used the word
14 "intimidating" but, if he did, he ultimately retracted any
15 allegation of that sort, so that it did not stand as his
16 evidence at the end of the day.

17 **THE COMMISSIONER:** Mr. Lee?

18 **MR. DUMAIS:** I'm not exactly sure if that's
19 correct. I thought the -- Mr. Carroll's cross-examination
20 had established that perhaps Inspector Hall had not been
21 involved in ---

22 **MR. CARROLL:** No. In fact, I think that
23 might have been Ms. Costom that cleared that point up.

24 The witness thought at first it was
25 Inspector Hall, but, in any event, it was settled and it is

1 fact that it was Dupuis and I dealt with the ---

2 **THE COMMISSIONER:** Settled as fact?

3 **MR. CARROLL:** I'm sorry?

4 **THE COMMISSIONER:** I'm sorry, you said
5 settled as fact that?

6 **MR. CARROLL:** Well, subject to your
7 findings, settled as fact that Dupuis was the officer with
8 Seguin, not Hall ---

9 **THE COMMISSIONER:** M'hm?

10 **MR. CARROLL:** --- because at one point
11 Petepiece thought it was Hall.

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

13 **MR. CARROLL:** The issue that I dealt with,
14 primarily, involved an accusation by the witness, or a
15 characterization of the role of Mr. Dupuis in that
16 interview and he ultimately volunteered to retract the
17 characterization that he had put forward, and that was the
18 end of that.

19 **THE COMMISSIONER:** Mr. Lee, did you wish to
20 wade in here?

21 **MR. LEE:** Just that Mr. Commissioner, I've
22 reviewed this recently and I don't intend to pursue this,
23 but just to assist you, Mr. Petepiece originally made a
24 comment that he considered one of the officers in the room
25 be, quote, "the muscle".

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

2 **MR. LEE:** And Mr. Carroll is quite right,
3 that he withdrew that, unconditionally as I understood it,
4 he withdraw that comment, but I think what Mr. Dumais is
5 getting at, there's still -- from the evidence of Mr.
6 Petepiece, there's obviously some concern about that
7 interview and I think that's a valid point, and frankly
8 that Officer Dupuis needs to address it.

9 **THE COMMISSIONER:** Okay. So intimidation is
10 off the table, Mr. Dumais.

11 **MR. DUMAIS:** Oh, sure. Certainly,
12 Mr. Commissioner.

13 Do you recall anything from the interview
14 which Mr. Petepiece -- which might have caused concern to
15 Mr. Petepiece?

16 **MR. DUPUIS:** No, sir. I checked my notes
17 here. I've got several lines. It appears that the
18 interview took place in approximately 32 minutes.

19 **MR. DUMAIS:** Yes.

20 **MR. DUPUIS:** And I really don't recall even
21 speaking to Mr. Petepiece.

22 **MR. DUMAIS:** Okay. All right. Fair enough;
23 thank you.

24 And your notes indicate:

25 "Invitation to sexual touching not an

1 **MR. DUMAIS:** Okay. If I can just ask you,
2 then, to look at Exhibit 516?

3 **MR. DUPUIS:** Thank you.

4 **THE COMMISSIONER:** This gentleman, sir, is
5 known as C-11.

6 **MR. DUMAIS:** Thank you.

7 Now, this is an interview report. Am I
8 correct in understanding that you would have prepared this?
9 I'm just looking on -- right under the date, it's
10 indicating who was present; J.B. Dupuis.

11 **MR. DUPUIS:** Yes. I believe the first
12 contact was a phone call.

13 **MR. DUMAIS:** Yes. So do you recall that
14 phone call then?

15 **MR. DUPUIS:** Yes.

16 **MR. DUMAIS:** And your interview report
17 appears to indicate that it would have been on October 7th,
18 1997.

19 **MR. DUPUIS:** Yes, sir.

20 **MR. DUMAIS:** And my understanding is as
21 following this phone call you would have requested that C-
22 11 provide you with a statement in writing. Is that
23 correct?

24 **MR. DUPUIS:** Yes.

25 **MR. DUMAIS:** And my understanding is you

1 could not conduct a face-to-face interview, at least at
2 that time, of C-11 because he resided out of the country.
3 Is that correct?

4 **MR. DUPUIS:** That's correct.

5 **MR. DUMAIS:** All right. And certainly he
6 was prepared to do so, and he did do so, providing you with
7 a statement on October ---

8 **MR. DUPUIS:** Yes, he did.

9 **MR. DUMAIS:** And that's the letter that we
10 see at the bottom of that first page that continues on to
11 the fourth page. That's essentially the statement you
12 would have received from C-11?

13 **MR. DUPUIS:** I would assume -- I didn't read
14 it but I would assume that that would appear to be correct.

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

16 And your notes indicate that you would have
17 picked up this letter at Lancaster office on October 16th,
18 1998. So does that make sense?

19 **MR. DUPUIS:** Yes, sir.

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

21 And was Mr. Hickerson one of the persons of
22 interest for Project Truth at that time?

23 **MR. DUPUIS:** I believe he may have been, due
24 to some other allegations. I'm not sure about that.

25 **MR. DUMAIS:** Okay. We'll get to those other

1 allegations, but I guess if I can ask you this firstly. C-
2 11 would have indicated that two other people -- and that's
3 at Bates pages 365 -- could corroborate his allegations.
4 That's in the last paragraph. Do you see that?

5 **MR. DUPUIS:** Yes, sir.

6 **MR. DUMAIS:** Do you recall whether or not
7 you were involved in the follow-up to try to find these two
8 people?

9 **MR. DUPUIS:** I don't recall. They should be
10 in the assignment register though. Their names should be
11 there -- who looked after that.

12 **MR. DUMAIS:** Okay. So if that had been
13 identified it would be on the -- in the assignment list.
14 Is that correct?

15 **MR. DUPUIS:** That's correct.

16 **MR. DUMAIS:** All right. And you'd be able
17 to find that by the date. Is that correct? Is that how it
18 works or ---

19 **MR. DUPUIS:** Well, it would obviously be in
20 the assignment register after the date -- the letter
21 received from this gentleman.

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

23 **MR. DUPUIS:** So that would narrow,
24 obviously, the search down.

25 **MR. DUMAIS:** So you'd have some sort of

1 entry for C-11 and then if there was a follow-up you'd have
2 these two names?

3 **MR. DUPUIS:** Yes, sir.

4 **MR. DUMAIS:** All right.

5 Now, my understanding is that after having
6 received this letter you would have contacted C-11 by
7 telephone and advised him that you'd received his statement
8 and that you would communicate with him if you required any
9 further information?

10 **MR. DUPUIS:** That's correct.

11 **MR. DUMAIS:** Right.

12 And if I can just ask you then to turn to
13 the Will-Say statement that you prepared. This is a new
14 document, Document Number 704131.

15 **THE COMMISSIONER:** Thank you. It's a Will-
16 Say of the witness, Mr. Dupuis, and it is Exhibit 2627.

17 **--- EXHIBIT NO./PIÈCE NO. P-2627:**

18 (704131) - Will-Say of Joe Dupuis re:
19 Richard Hickerson

20 **MR. DUMAIS:** So Mr. Dupuis, is this your
21 Will-Say statement indicating your involvement in this
22 file?

23 **MR. DUPUIS:** It would appear so.

24 **MR. DUMAIS:** And if I can just ask you then
25 to turn to Bates pages -- it's the entry on October 10th at

1 the top of -- the entry at 1010 hours.

2 MR. DUPUIS: Yes, sir.

3 MR. DUMAIS: So you indicated there that you
4 would have received a call from a Jos van Diepen. Do you
5 recall that?

6 MR. DUPUIS: Yes, sir.

7 MR. DUMAIS: And Mr. van Diepen is a
8 probation officer here in town, or was at that time?

9 MR. DUPUIS: Yes, sir.

10 MR. DUMAIS: And he indicated to you that he
11 -- one of -- he had an allegation from a person named Keith
12 Ken Oullette, indicating that he had been sexually
13 assaulted by Mr. Richard Hickerson. Is that correct?

14 MR. DUPUIS: That's correct.

15 MR. DUMAIS: And that allegation was made at
16 about the same time that the allegation by C-11. Is that
17 correct?

18 MR. DUPUIS: I don't know when Mr. van
19 Diepen received the complaint.

20 MR. DUMAIS: I mean, certainly you were made
21 aware of it on October 10th, 1997.

22 MR. DUPUIS: That's correct.

23 MR. DUMAIS: And if we look at the entry on
24 June 11th, 1998 at 1612 hours, it appears that you would
25 have taken a statement from Keith Ouellette. Is that

1 correct?

2 MR. DUPUIS: Yes, sir.

3 MR. DUMAIS: And then at 1638 hours, there's
4 a third statement that you take ---

5 MR. DUPUIS: At 1612 sir, I believe that
6 it's a cautioned statement, not ---

7 MR. DUMAIS: I'm misleading you, Mr. Dupuis;
8 let me start again.

9 Now, so let me start again. My
10 understanding is June 11th, 1998 would have been when you
11 would have attended at Mr. Hickerson's residence and
12 confronted him with a number of allegations. Is that
13 correct?

14 MR. DUPUIS: Again, I'm the second officer.
15 Detective Genier, I believe is doing the talking.

16 MR. DUMAIS: But certainly, you're there?

17 MR. DUPUIS: Yes, I am.

18 MR. DUMAIS: All right. And I understand
19 that one of the allegations that you had put to him -- the
20 initial allegation that you had received and that's the
21 allegation from C-11. Is that correct?

22 MR. DUPUIS: Yes, sir.

23 MR. DUMAIS: You had put the second
24 allegation to him, which is Keith Ouellette?

25 MR. DUPUIS: Yes, sir.

1 **MR. DUMAIS:** And then there's a third
2 allegation; there's a name there at 1638 hours. You also
3 put this allegation to him. Is that correct?

4 **MR. DUPUIS:** That's correct.

5 **MR. DUMAIS:** And were you aware of that,
6 that he had made a statement to Project Truth?

7 **THE COMMISSIONER:** That who had made a
8 statement?

9 **MR. DUMAIS:** The third name, Mr.
10 Commissioner. There's no moniker for this gentleman.

11 **THE COMMISSIONER:** M'hm. Okay. So are you
12 aware if that gentleman had given a statement to Project
13 Truth?

14 **MR. DUPUIS:** I can't recall, Mr.
15 Commissioner.

16 **THE COMMISSIONER:** How would you know his
17 name then, in putting it to him?

18 **MR. DUPUIS:** I don't believe I'm putting it
19 to him. I believe Detective Genier is putting it to him.

20 **THE COMMISSIONER:** All right. Okay.

21 **MR. DUMAIS:** Do you recall having any
22 discussion with Detective Genier about the different
23 allegations?

24 **MR. DUPUIS:** I don't recall.

25 **MR. DUMAIS:** Okay. Do you recall whether or

1 not allegations had previously been made by Mr. Hickerson?

2 **THE COMMISSIONER:** Not by Mr. Hickerson.

3 **MR. DUMAIS:** Against Mr. Hickerson?

4 **MR. DUPUIS:** I don't recall.

5 **MR. DUMAIS:** All right. But certainly after
6 this -- at the end of this interview, Mr. Hickerson would
7 have provided you with the name of a fourth possible
8 victim. Is that correct?

9 **MR. DUPUIS:** Yes.

10 **MR. DUMAIS:** All right. And I understand
11 that the investigation essentially never proceeded with Mr.
12 Hickerson as he took his life not long after you guys
13 conducted this interview. Is that right?

14 **MR. DUPUIS:** That's correct.

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

16 **THE COMMISSIONER:** So if I can summarize.
17 You went over there. He admitted to three acts -- well,
18 sexual improprieties on three people that you gave and he
19 volunteered a name of a fourth one.

20 **MR. DUPUIS:** That's correct.

21 **THE COMMISSIONER:** Okay.

22 **MR. DUMAIS:** So then obviously this
23 terminated your involvement in this matter. Is that
24 correct?

25 **MR. DUPUIS:** Yes, it did.

1 **MR. DUMAIS:** Is -- I'm just wondering why a
2 -- why you prepare a Will-Say statement for this
3 investigation, Mr. Dupuis. Is a Crown brief still
4 prepared? Do you know?

5 **MR. DUPUIS:** I don't recall. Obviously it
6 was prepared for a reason. I just don't recall what that
7 reason would be.

8 **MR. DUMAIS:** Okay.

9 **MR. DUPUIS:** It may have been in regards to
10 assist Cornwall in that other investigation.

11 **THE COMMISSIONER:** Other investigation?

12 **MR. DUPUIS:** His suicide.

13 **THE COMMISSIONER:** I'm sorry.

14 **MR. DUPUIS:** His suicide.

15 **THE COMMISSIONER:** Right. Okay.

16 **MR. DUMAIS:** All right. Now if I can then
17 just move on, Mr. Dupuis and ask you a few questions about
18 your involvement in other investigations.

19 Do you recall an investigation into a priest
20 name by the name -- sorry, by the name of Father Romeo
21 Major?

22 **MR. DUPUIS:** Yes, sir.

23 **MR. DUMAIS:** And if I can then just ask you
24 to look at Exhibit 2612 at Bates pages 756?

25 **MR. DUPUIS:** Can I have the page number

1 again, please?

2 **MR. DUMAIS:** Seven five six (756).

3 **THE COMMISSIONER:** Seven five six (756)?

4 Can you try that again, please? Exhibit 212 -- 2612?

5 **MR. DUMAIS:** Two six one two (2612).

6 **THE COMMISSIONER:** Yes.

7 **MR. DUMAIS:** At Bates pages 756.

8 **THE COMMISSIONER:** Seven five six (756).

9 Okay, near the end. Okay.

10 **MR. DUMAIS:** And do you recall whether or
11 not you were the lead investigator in this investigation,
12 Mr. Dupuis?

13 **MR. DUPUIS:** I believe Detective Genier was.

14 **MR. DUMAIS:** Okay. And do you recall
15 attending and speaking to Father Major on March 16th, 2000?

16 **MR. DUPUIS:** Yes, sir.

17 **MR. DUMAIS:** And you have indicated at 0957
18 hours:

19 "Arrive in basement of church with
20 Father Major. When starting statement
21 Father Major said he was told not to
22 say anything. Ask if he wanted
23 caution, et cetera, in French or
24 English."

25 Had you previously advised Father Major that

1 you would be attending or had you spoken to him previously?

2 MR. DUPUIS: I hadn't but possibly Detective
3 Genier.

4 MR. DUMAIS: Okay. And Father Major
5 indicated that he had been advised not to say anything. Do
6 you recall any more details than that?

7 MR. DUPUIS: He requested to call his
8 lawyer.

9 MR. DUMAIS: Okay. And he did and his
10 lawyer would have indicated not to provide you with a
11 statement. Is that correct?

12 MR. DUPUIS: That's correct.

13 MR. DUMAIS: Okay. That's your
14 recollection?

15 MR. DUPUIS: Yes, sir.

16 MR. DUMAIS: All right.

17 Now if you can just have a look at Document
18 Number 704667. I'm just going to ask you some questions
19 about your involvement in the investigation of Father Paul
20 Lapierre.

21 THE COMMISSIONER: Thank you.

22 This is a Will-Say of Officer Dupuis,
23 Exhibit 2628.

24 --- EXHIBIT NO./PIÈCE NO. P-2628:

25 (704667) - Will-Say of Joe Dupuis re:

1 Paul Lapierre

2 MR. DUMAIS: That is your Will-Say statement
3 that was prepared in this file.

4 MR. DUPUIS: It appears so, yes.

5 MR. DUMAIS: All right. And I'm just
6 looking at the entry on the second page, so on March 17th,
7 1998, the entry at 1239 hours.

8 So do you recall meeting with Father
9 Lapierre and him indicating to you -- you've indicated
10 there:

11 "Refused to say anything before first
12 talking to Bishop Larocque."

13 MR. DUPUIS: That's correct.

14 MR. DUMAIS: Is that correct? He would have
15 indicated that to you? Do you know whether or not he spoke
16 to Bishop Larocque afterwards?

17 MR. DUPUIS: I don't know, sir if he did or
18 didn't.

19 MR. DUMAIS: All right.

20 And there's then an interview that's
21 conducted on the 9th day of July, 1998?

22 MR. DUPUIS: Yes, sir.

23 MR. DUMAIS: And at that time Father
24 Lapierre did provide you with a statement?

25 MR. DUPUIS: It appears so, yes.

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

2 **(SHORT PAUSE/COURTE PAUSE)**

3 **MR. DUMAIS:** Now, if I can then just take
4 you to another of your Will Say -- which is Document
5 709721.

6 **(SHORT PAUSE/COURTE PAUSE)**

7 **THE COMMISSIONER:** Thank you.

8 Exhibit 2629 is a Will-Say statement of
9 Officer Dupuis.

10 **--- EXHIBIT NO./PIÉCE NO. P-2629:**

11 (709721) - Will Say of Joe Dupuis re. Ken
12 Martin dated March 17, 1998

13 **MR. DUMAIS:** This is a -- your Will-Say
14 statement in the investigation of Father Ken Martin. Is
15 that correct?

16 **MR. DUPUIS:** Oh, okay. It appears so.

17 **MR. DUMAIS:** And this is a -- I understand
18 you would have conducted or attempted to conduct an
19 interview or take a statement from Father Martin with
20 Detective Constable Genier. Is that correct?

21 **MR. DUPUIS:** That's correct.

22 **MR. DUMAIS:** And do you recall that
23 Detective Constable Genier was the lead in this
24 investigation?

25 **MR. DUPUIS:** Yes, sir.

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

2 And the entry at 15:22 hours reads as
3 follows:

4 "Detective Constable Genier started
5 reading caution rights at counsel.
6 Request to call Bishop."

7 Is that correct?

8 **MR. DUPUIS:** Yes.

9 **MR. DUMAIS:** All right.

10 **(SHORT PAUSE/COURTE PAUSE)**

11 **MR. DUMAIS:** And I understand then that the
12 only other involvement that you would have had in this file
13 is you would have assisted to place Father Martin under
14 arrest on the 9th day of July, '97. Is that correct?

15 **MR. DUPUIS:** That's correct.

16 **MR. DUMAIS:** All right. And this is not an
17 investigation where you would have had any further
18 involvement?

19 **MR. DUPUIS:** That's correct.

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

21 Now, if I can just take you back -- jumped
22 out of order a bit here, Mr. Dupuis -- but I'm going to ask
23 you a few other questions about your involvement with
24 Father Major. I'm going to ask that you look at Exhibit
25 2613 at Bates page 794.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. DUPUIS: The page again, please, sir?

3 THE COMMISSIONER: Seven-nine-four (794).

4 MR. DUMAIS: Seven-nine-four (794).

5 (SHORT PAUSE/COURTE PAUSE)

6 THE COMMISSIONER: Okay.

7 MR. DUMAIS: All right. So I understand
8 that on that day -- I'm just reading at the entry at 14:25
9 hours:

10 "Appointment set by Inspector Hall to
11 interview..."

12 And the name of this alleged victim is C-69:

13 "...at the phone number and at an
14 address at 15:30 hours. Did not
15 disclose why she wanted to talk to us
16 other than she was a victim of a priest
17 that had just been charged."

18 So did you eventually set up a meeting and
19 meet with C-69?

20 MR. DUPUIS: Yes, sir. I'm just checking to
21 see when that ---

22 MR. DUMAIS: I'm looking at Bates page 796
23 at 15:21 hours.

24 MR. DUPUIS: Yes, sir.

25 MR. DUMAIS: So she would have disclosed to

1 you that she had been a victim of Father Major as well;
2 alleged victim of Father Major?

3 **MR. DUPUIS:** Yes.

4 **MR. DUMAIS:** And did she agree to provide
5 you with a statement on that day?

6 **MR. DUPUIS:** No.

7 **MR. DUMAIS:** Did you make a number of
8 attempts to try to obtain a statement from her over the
9 next couple of days?

10 **MR. DUPUIS:** Yes, I did.

11 **MR. DUMAIS:** And did you have some
12 difficulty in ---

13 **MR. DUPUIS:** This person was very fragile I
14 thought, and was having difficulty disclosing her
15 information to us. And I think she kept referring to
16 wanting to speak to her -- or a therapist ---

17 **MR. DUMAIS:** M'hm.

18 **MR. DUPUIS:** --- so we encouraged her to do
19 so.

20 **MR. DUMAIS:** Okay. Do you know if she
21 eventually provided you with a statement?

22 **MR. DUPUIS:** I don't believe she did.

23 **MR. DUMAIS:** Okay. She does -- I'm just
24 going to ask you to look at the entry at Bates page 797.
25 Are you there?

1 **MR. DUPUIS:** Yes.

2 **MR. DUPUIS:** And it reads as follows:

3 "She went on to say that she was paid
4 \$5,000 for treatment and that her good
5 friend, Jacques Leduc, had helped her
6 get that for her. She had been a good
7 friend of Leduc for years. They
8 started school together and after grade
9 school went to grade 13 together at St.
10 Lawrence High School. Leduc had
11 advised her that you could not proceed
12 on any criminal charges due to a limit
13 of two years in the Province of Québec.
14 Leduc was acting as counsel for the
15 Alexandria-Cornwall Diocese at that
16 time. C-69 was paid by a Diocese from
17 Québec. She had to sign documents that
18 she would never talk about the abuse
19 from unknown priests ever again.
20 Bishop Larocque also discussed with her
21 that if she ever talked about abuse, he
22 would see that she was fired from her
23 teaching job at the Catholic Separate
24 School Board. C-69 advised that she
25 had disclosed to Jacques Leduc

1 everything that happened to her."

2 Do you remember that disclosure to you from
3 C-69?

4 **MR. DUPUIS:** Yes.

5 **MR. DUMAIS:** Did you do any follow-up or
6 have any involvement in any follow-up with respect to that?

7 **MR. DUPUIS:** I don't recall, sir. Again,
8 like I say, she was a very fragile person and it was very
9 difficult to have her come forward with the information.

10 **MR. DUMAIS:** Fair enough, but I mean, did
11 you -- would you have done any follow-up in the sense of
12 speaking to the Bishop about this matter or speaking to Mr.
13 Leduc about this matter?

14 **MR. DUPUIS:** I didn't.

15 **MR. DUMAIS:** All right. So do you recall
16 whether or not she had any of the documents with her? She
17 appears to be referring here to some sort of a document.

18 **MR. DUPUIS:** I don't recall seeing them.
19 Now, again, I believe Detective Genier was lead on this and
20 he may have looked into those situations.

21 **MR. DUMAIS:** Okay.

22 **THE COMMISSIONER:** Time for a break, Mr.
23 Dumais?

24 **MR. DUMAIS:** Sure.

25 **THE COMMISSIONER:** Thank you.

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

3 This hearing will resume at 3:20 p.m.

4 --- Upon recessing at 3:03 p.m./

5 L'audience est suspendue à 15h03

6 --- Upon resuming at 3:23 p.m./

7 L'audience est reprise à 15h23

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

10 This hearing is now resumed. Please be
11 seated. Veuillez vous asseoir.

12 **JOSEPH (JOE) DUPUIS, Resumed/Sous le même serment:**

13 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
14 **DUMAIS (cont'd/suite):**

15 **MR. DUMAIS:** Mr. Dupuis, if I can just take
16 you back then to your notes which is Exhibit 2614, at Bates
17 page 980.

18 **(SHORT PAUSE/COURTE PAUSE)**

19 **THE COMMISSIONER:** Okay, so we're there.

20 **MR. DUMAIS:** So we ---

21 **MR. DUPUIS:** Yes.

22 **MR. DUMAIS:** We took an earlier look at this
23 and if you can just -- so Bates pages 979.

24 The entry begins at 16:15 hours and, of
25 course, that's the meeting that you're having with

1 Detective Seguin, Ms. Hallett, Christine Tier, and someone
2 else named Kerry after the charges against Mr. Leduc were
3 stayed, and she's -- so you put down the following entry:

4 "Ms. Hallett very upset with Detective
5 Inspector Hall, saying that he went
6 behind her back and gave memo to the
7 defence. He advised that all
8 disclosure is handled by Crown but in
9 this case he gave the defence copy of
10 memo by telling me to turn same over."

11 Then you continue on and say:

12 "Detective Inspector Hall was requested
13 to attend meeting with Tim Smith in her
14 room on the 20th of February, 2001 but
15 that was in a bar drinking with Smith."

16 Is that something that Ms. Hallett is
17 telling you?

18 **MR. DUPUIS:** Yes.

19 **MR. DUMAIS:** That apparently Inspector Hall
20 could not attend -- did not attend with the meeting with
21 her?

22 **THE COMMISSIONER:** On the 20th of February.

23 **MR. DUMAIS:** On the 20th of February?

24 **MR. DUPUIS:** I guess that's what she's
25 alluding to.

1 **MR. DUMAIS:** Okay.

2 And then if we go down a couple of lines at
3 Bates page 980, she also indicates the following:

4 "She also stated that she never wanted
5 to see or speak to Pat Hall again and
6 if she saw him now would strip out his
7 eyes."

8 And then would have indicated that she may
9 take action?

10 **MR. DUPUIS:** I think that's "scratch out his
11 eyes".

12 **MR. DUMAIS:** Yes. Oh, thank you.

13 So if you go just a couple of lines:

14 "She also advised that she would be
15 taking some action with respect to
16 Detective Inspector Hall."

17 Do you see that?

18 **MR. DUPUIS:** Yes.

19 **MR. DUMAIS:** All right. So these are all
20 things that Ms. Hallett was saying on that day. Is that
21 correct?

22 **MR. DUPUIS:** Yes.

23 **MR. DUMAIS:** She was clearly mad after the
24 charges were stayed?

25 **MR. DUPUIS:** Yes.

1 **MR. DUMAIS:** She was mad at Inspector Hall's
2 action as well?

3 **MR. DUPUIS:** I think, yes, that's ---

4 **MR. DUMAIS:** Was this the first time that
5 you had observed Ms. Hallett make any comments with respect
6 to Inspector Hall?

7 **MR. DUPUIS:** In my presence.

8 **MR. DUMAIS:** Pardon me?

9 **MR. DUPUIS:** In my ---

10 **MR. DUMAIS:** In your presence.

11 So it was not a situation where -- or was it
12 a situation where Ms. Hallett and Inspector Hall were not
13 getting along throughout their working together on all of
14 these investigations that we've looked at?

15 **MR. DUPUIS:** Could you repeat that, again,
16 sir? I'm not quite sure I understand your ---

17 **THE COMMISSIONER:** Was this the first time
18 you saw this or did you have a feeling that before this
19 blow-up that there were some ill feelings between Hall --
20 Hall or Smith?

21 **MR. DUMAIS:** Inspector Hall.

22 **THE COMMISSIONER:** Inspector Hall and Ms.
23 Hallett?

24 **MR. DUPUIS:** No, this would have been the
25 first time that it came of attention to me.

1 **THE COMMISSIONER:** All right. And did you
2 ever hear before any of this, Officer Hall bad-mouthing Ms.
3 Hallett?

4 **MR. DUPUIS:** No, sir.

5 **THE COMMISSIONER:** All right.

6 **MR. DUPUIS:** Definitely not.

7 **THE COMMISSIONER:** Not in her presence, but
8 I mean ---

9 **MR. DUPUIS:** No, sir. No.

10 **THE COMMISSIONER:** Okay.

11 **MR. DUMAIS:** And shortly after this time,
12 Ms. Hallett was no longer involved in any of the
13 prosecutions of Project Truth. Is that correct?

14 **MR. DUPUIS:** That's correct.

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

16 Now, Mr. Dupuis, this is the final
17 investigation that I want to ask you questions about, and
18 that's your involvement in the conspiracy investigation.

19 Am I correct in understanding that you were
20 the lead investigator on the conspiracy investigation?

21 **MR. DUPUIS:** Yes.

22 **THE COMMISSIONER:** Okay, and so what
23 conspiracy? Which one?

24 **MR. DUMAIS:** Yes. It's a little more
25 complicated than that, I think, Mr. Commissioner.

1 Perhaps if I can start with the documents
2 and the brief that you prepared, and let me just try to set
3 it up, Mr. Commissioner.

4 If I can just ask you to look at a number of
5 documents, and the first one is Document Number 703626?

6 **THE COMMISSIONER:** Thank you.

7 Exhibit 2630 is the front page of an OPP
8 document called "Conspiracy to Obstruct Justice:
9 Allegations of Constable Perry Dunlop, Volume 1 of 9".

10 Ms. Lahaie?

11 **MS. LAHAIE:** I'm sorry.

12 **MR. DUMAIS:** I'm advised that this might be
13 Exhibit 2248 already. Certainly ---

14 **THE COMMISSIONER:** Well, not the front page,
15 but the rest of it may well be.

16 **MR. DUMAIS:** Yeah, I believe Exhibit 2248 is
17 actually Document Number 726642.

18 **THE COMMISSIONER:** No, 703636 is Exhibit
19 2248. Same document number as this.

20 **MR. DUMAIS:** Right, sorry. It's the
21 timeline. Is that correct?

22 **THE COMMISSIONER:** Yeah.

23 **MR. DUMAIS:** So ---

24 **THE COMMISSIONER:** Well, just a second now.
25 What are we doing with this?

1 **MR. DUMAIS:** We're filing it as the next
2 exhibit.

3 **THE COMMISSIONER:** Twenty-six-three-zero
4 (2630)? All right.

5 **--- EXHIBIT NO./PIÈCE NO. P-2630:**

6 (703626) - Cover Page of "Conspiracy to
7 Obstruct Justice: Allegations of Constable
8 Perry Dunlop, Volume 1 of 9"

9 **MR. DUMAIS:** And I think the intent,
10 Mr. Commissioner, is -- I understand that in the conspiracy
11 investigation, Mr. Dupuis would have prepared a Crown brief
12 that has nine volumes of documents.

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

14 **MR. DUMAIS:** And my intent here is to file
15 all of the documents that comprise the first volume, and
16 the first volume would contain the argument and the
17 synopsis and the rationalization behind the investigation.
18 So that's my intent.

19 **THE COMMISSIONER:** Okay, but Exhibit 2630 is
20 one page. Okay, keep going. So long as we don't put it in
21 page by page.

22 **MR. DUMAIS:** We will not. There's about
23 eight documents, I think.

24 **THE COMMISSIONER:** All right.

25 **MR. DUMAIS:** So the second document is

1 Document Number 703627.

2 **THE COMMISSIONER:** Exhibit 2631 is the index to the
3 conspiracy to obstruct justice allegations of Constable
4 Perry Dunlop.

5 **---EXHIBIT NO./PIÈCE NO P-2631:**

6 (703627) - Index of Conspiracy to Obstruct
7 Justice Allegations of Constable Perry
8 Dunlop

9 **MR. DUMAIS:** And the next document is
10 Document Number 703628.

11 **THE REGISTRAR:** The next exhibit?

12 **MR. DUMAIS:** Yes.

13 **THE COMMISSIONER:** Two six three two (2632)
14 is the next exhibit, and it's a calendar for 1999 to 2002.

15 **---EXHIBIT NO./PIÈCE NO P-2632:**

16 (703628) - Calendar page of the years 1999
17 to 2002

18 **MR. DUMAIS:** The next document is 703629.

19 **THE COMMISSIONER:** Thank you. Exhibit 2633
20 is another one-page exhibit, which is a map.

21 **---EXHIBIT NO./PIÈCE NO P-2633:**

22 (703629) - Map

23 **MR. DUMAIS:** And then 703630.

24 **THE COMMISSIONER:** And Exhibit 2634 is
25 another map.

1 ---EXHIBIT NO./PIÈCE NO P-2634:

2 (703630) - Map

3 MR. DUMAIS: Seven zero three six three one
4 (703631).

5 THE COMMISSIONER: Thank you. Exhibit 2635
6 is a conspiracy to -- allegations of Perry Dunlop, Exhibit
7 2635.

8 ---EXHIBIT NO./PIÈCE NO P-2635:

9 (703631) - OPP Report of Conspiracy to
10 Obstruct Justice Allegations of Constable
11 Perry Dunlop

12 MR. DUMAIS: And then 703632.

13 THE COMMISSIONER: New Exhibit 2636 is a
14 document entitled, "Synopsis," December 1992 to July 2000.

15 ---EXHIBIT NO./PIÈCE NO P-2636:

16 (703632) - Synopsis re: David Silmer's
17 Sexual Assault Allegation & Perry Dunlop's
18 Conspiracy Allegations

19 THE COMMISSIONER: Okay.

20 MR. DUMAIS: And the next document that
21 comprises -- or is included in Volume 1 is already an
22 exhibit, and I'm not going to ask that it be filed again,
23 but it is Exhibit 672. It's the Amended Statement of Claim
24 of Perry Dunlop.

25 THE COMMISSIONER: M'hm.

1 **MR. DUMAIS:** And the same situation with the
2 next document, so 703634 is already Exhibit 730.

3 The next document is -- and that needs to be
4 filed -- 703625.

5 **THE COMMISSIONER:** Thank you. Exhibit 2637
6 is a letter dated June 23rd, 1997, addressed to Mr. Perry
7 Douglas Dunlop from Peter Griffiths.

8 **---EXHIBIT NO./PIÈCE NO P-2637:**

9 (703635) - Letter from Peter Griffiths to
10 Perry Dunlop dated 23 Jan 97

11 **MR. DUMAIS:** And the last document, which is
12 726642, is already, I believe, Exhibit 2248A.

13 All right, there's already a document, Mr.
14 Commissioner, that's been filed as an exhibit, and that's
15 703636, and that document is Exhibit 2248.

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

17 **MR. DUMAIS:** But the document is incomplete,
18 in photocopying the document some lines are missing, and
19 Document 726642 is the complete document ---

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

21 **MR. DUMAIS:** --- so I would ask to file that
22 as Exhibit 2248A.

23 **THE COMMISSIONER:** So ordered.

24 **MR. DUMAIS:** Thank you.

25 **---EXHIBIT NO./PIÈCE NO P-2248A:**

1 (726642) OPP Project Truth Timeline

2 **MR. DUMAIS:** All right, Mr. Dupuis, if I can
3 just ask you then to look at the index firstly, and that's
4 Exhibit 2631.

5 **THE COMMISSIONER:** Two six three ---

6 **MR. DUMAIS:** And I'm going to ask you
7 firstly to look at Bates pages 932 to 934. Now, in these
8 three pages -- these three pages list a number of police
9 officers and police officer notes, in alphabetical order,
10 is that correct?

11 **MR. DUPUIS:** Is that 932 you're referring
12 to, to start with?

13 **MR. DUMAIS:** Correct.

14 **MR. DUPUIS:** Yes, sir.

15 **MR. DUMAIS:** And, essentially, what you've
16 done here is you've went through all of the documents that
17 Project Truth had assembled over a number of years, and you
18 took out all of these statements that you thought would be
19 relevant to this particular investigation; is that correct?

20 **MR. DUPUIS:** Yes, sir.

21 **MR. DUMAIS:** And you did the same thing for
22 a number of civilian witnesses, and that's the list of
23 documents that we are finding at Bates page 931?

24 **MR. DUPUIS:** Yes, sir.

25 **MR. DUMAIS:** And again that's organized in

1 terms of alphabetical order, is that correct?

2 MR. DUPUIS: It appears to be.

3 MR. DUMAIS: And if I can just take you back
4 then at Bates page 932? I just want you to clear up
5 something for me. If you look at the name of Perry Dunlop
6 and D'Arcy Dupuis ---

7 MR. DUPUIS: Yes.

8 MR. DUMAIS: --- and then next in line in
9 alphabetical order should have been your name; is that
10 correct?

11 MR. DUPUIS: I believe I would have put mine
12 in a Will-Say at the end, not included in this ---

13 MR. DUMAIS: Okay.

14 MR. DUPUIS: --- because I'm the
15 investigating -- the investigating officer in this.

16 MR. DUMAIS: So my understanding is you
17 would have prepared this brief and submitted the brief to
18 the Crown on July 20th, 2000. And if we look at your Will-
19 Say for just a moment, that's Exhibit 2615 -- do you have
20 that document?

21 MR. DUPUIS: Yes, sir.

22 MR. DUMAIS: And that is the Will-Say
23 statement that you prepared in this investigation; is that
24 correct?

25 MR. DUPUIS: Yes, sir.

1 **MR. DUMAIS:** And I'm just looking at the top
2 right-hand corner numbers, the first page is 1859A, and
3 then all the numbers are marked with letters; is that
4 correct?

5 **MR. DUPUIS:** That's correct.

6 **MR. DUMAIS:** All right. So then you would
7 have completed this Crown brief and filed your Will-Say
8 afterwards, when you would have completed your work in this
9 investigation; is that correct? And if you look ---

10 **MR. DUPUIS:** It only goes up to August,
11 2000.

12 **MR. DUMAIS:** Right.

13 **MR. DUPUIS:** It says, "This concludes my
14 involvement to that date."

15 **MR. DUMAIS:** So do you think you were
16 involved past this date?

17 **MR. DUPUIS:** I may have been.

18 **MR. DUMAIS:** Okay. But fair to say that by
19 this time your brief would have been submitted to the
20 Crown?

21 **MR. DUPUIS:** I don't remember -- you gave me
22 the date a while ago, but I forget what it was.

23 **MR. DUMAIS:** Mr. Dupuis, not a whole lot
24 rests on this. I'm just trying to explain why your initial
25 Will-Say was not in the Crown brief. And my understanding

1 is you would have filed it sometime afterwards.

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: But certainly, I guess the
4 important point is that at one point in time you did submit
5 a Will-Say statement. Is that ---

6 MR. DUPUIS: That's correct.

7 MR. DUMAIS: All right.

8 So if we look at your Will-Say statement for
9 just a minute and your first entry in that investigation
10 would have been on the fourth day of August 1998. Is that
11 correct?

12 MR. DUPUIS: That's correct.

13 MR. DUMAIS: And this would have been a
14 little short of a year after your involvement in Project
15 Truth. Is that correct?

16 MR. DUPUIS: Yes, sir.

17 MR. DUMAIS: Is there -- was there a
18 conscious decision made to delay the start of this
19 investigation?

20 MR. DUPUIS: I think it was Inspector Hall's
21 idea that if we went through the other assignments first
22 that that would assist us in completing a proper
23 investigation in this investigation.

24 MR. DUMAIS: Okay. So that was done
25 deliberately. Is that correct?

1 **MR. DUPUIS:** That's correct.

2 **MR. DUMAIS:** Okay. And I'm looking at the
3 first thing you're doing in this investigation and on
4 August 4th, 1998 at 1755 hours -- and that's Exhibit 2615 --
5 you're contacting the Orillia office and you're requesting
6 the notes of Detective Constable Bell and Detective
7 Constable Anthony. Is that correct?

8 **MR. DUPUIS:** That's correct.

9 **MR. DUMAIS:** So my question is, when you
10 first started out this investigation, was there a plan or
11 direction that was given by anyone?

12 **MR. DUPUIS:** I don't recall exactly but I'm
13 sure Inspector Hall would point the direction that he
14 wanted me to go in.

15 **MR. DUMAIS:** Okay. And we spoke about the
16 assignment list that had initially been prepared prior to
17 your arrival at Project Truth, sometime in the summer of
18 1997. Was there a similar assignment list for this
19 specific investigation or were you just generally gathering
20 information in other investigations and then directing it
21 to this investigation?

22 **MR. DUPUIS:** I believe there was only one
23 assignment register.

24 **MR. DUMAIS:** Okay.

25 **MR. DUPUIS:** I don't recall being one

1 specifically for this one.

2 MR. DUMAIS: And generally speaking, if I
3 were to ask you what the scope of this investigation was,
4 how would you describe that to me?

5 MR. DUPUIS: I'm not sure I understand.

6 MR. DUMAIS: This brief is described as a
7 conspiracy investigation. Is that correct?

8 MR. DUPUIS: That's correct.

9 MR. DUMAIS: Was the scope of this
10 investigation framed by Inspector Hall? What were you
11 investigating? What conspiracy were you investigating?

12 MR. DUPUIS: That the Cornwall Police
13 Department in conjunction with the Crown's office -- local
14 Crown's office and the Diocese of Alexandria-Cornwall had -
15 - were trying to obstruct justice.

16 MR. DUMAIS: Okay. So you're taking -- this
17 is taken directly from your mandate. Is that correct?

18 MR. DUPUIS: I believe it was, yes.

19 MR. DUMAIS: Okay. So essentially what
20 you're looking at -- you're trying to determine whether or
21 not there was any conspiracy between these two, these three
22 parties to prevent the laying of criminal charges. Is that
23 correct?

24 MR. DUPUIS: It didn't include all -- it
25 could have been three or it could have been two and a

1 combination if I felt, any one of three -- you know what
2 I'm trying to say, maybe not clearly on this but it didn't
3 have to all include the three. It could have been any one
4 of two ---

5 **MR. DUMAIS:** Yes.

6 **MR. DUPUIS:** --- or a combination thereof.
7 That's what I felt.

8 **MR. DUMAIS:** But what you're looking with
9 this investigation specifically is at the settlement of
10 money that was paid out to David Silmser and the fact that
11 no criminal charges were laid.

12 **MR. DUPUIS:** That was the start of it.

13 **MR. DUMAIS:** Is it more than that?

14 **MR. DUPUIS:** At that time, I didn't know but
15 that was the gist of the first part of these allegations.

16 **THE COMMISSIONER:** So what was the ambience,
17 I guess, in the office tackling this thing? Was it like,
18 we know there isn't one, but we'll go through the motions
19 or ---

20 **MR. DUPUIS:** No, Mr. Commissioner, it was
21 like any other investigation. There was allegations
22 brought to us and they would be investigated to the best of
23 our ability to ---

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

25 **MR. DUMAIS:** Mr. Dupuis, you had been -- you

1 were aware when you first began this investigation that the
2 -- that Inspector Smith had conducted his own conspiracy
3 investigation back in 1994. Is that correct?

4 **MR. DUPUIS:** I don't recall that
5 information.

6 **MR. DUMAIS:** All right. Well perhaps I can
7 ask you to look at Exhibit 2610.

8 **THE COMMISSIONER:** What page?

9 **MR. DUMAIS:** Bates pages 352DT.

10 **THE COMMISSIONER:** There is a reason for
11 these -- this alphabetical breakdown, I guess, eh?

12 **MR. DUMAIS:** Yes.

13 **THE COMMISSIONER:** Just say yes.

14 Thank you.

15 **MR. DUPUIS:** Can I have that number again,
16 please?

17 **THE COMMISSIONER:** Yes. Three five two
18 (352), "D" as in determined and "T" as in Toronto.

19 **MR. DUPUIS:** Thank you.

20 **(SHORT PAUSE/COURTE PAUSE)**

21 **THE COMMISSIONER:** Okay, are you there?

22 **MR. DUPUIS:** Yes, sir. Thank you.

23 **THE COMMISSIONER:** Mr. Dumais.

24 **MR. DUMAIS:** All right. So I'm looking at
25 the entry then on November 26th, 1998 at 1030 hours. And it

1 reads as follows:

2 "Meet with Detective Constable Fagan re
3 MacDonald matter. Turn over to me four
4 volumes."

5 The first one; investigation re sexual
6 assault; second, Cornwall Police Services and Ottawa Police
7 Service investigation re sexual assault; thirdly, alleged
8 agreement not to lay charges, Cornwall Police Service Crown
9 Attorney, Diocese of Cornwall-Alexandria; and then,
10 fourthly, the allegation of obstruct justice re David
11 Silmser.

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** All right. So am I correct
14 then in understanding that in 1998, shortly after you'd
15 begun your conspiracy investigation, you would have
16 requested these documents from Detective Constable Fagan?

17 **MR. DUPUIS:** Yes.

18 **MR. DUMAIS:** All right. And one of those
19 documents is -- was the 1994 -- I believe that's the third
20 document that's identified there; that would have been the
21 conspiracy investigation. Is that correct?

22 **MR. DUPUIS:** Yes.

23 **MR. DUMAIS:** And as well you would have had
24 in your hands the Ottawa Police Service investigation. Is
25 that correct? That would have looked at that issue as

1 well. Is that correct?

2 MR. DUPUIS: Yes.

3 MR. DUMAIS: All right. So in your mind are
4 you auditing these previous conspiracy investigations? Are
5 you adding on to them? Does that form a starting point for
6 you?

7 MR. DUPUIS: I believe I went through there
8 and -- to assist myself, to get me up to speed and to
9 assist me in the upcoming investigation.

10 MR. DUMAIS: I mean, certainly these prior
11 investigations would have relevant documents, relevant
12 statements that could point you in the right direction. Is
13 that correct?

14 MR. DUPUIS: I believe so, yes.

15 MR. DUMAIS: So am I correct then in -- if I
16 would be saying then that you -- in 1998 your conspiracy
17 investigation, at least at the start, was meant to be a
18 reinvestigation of the 1994 conspiracy investigation? Does
19 that make sense?

20 MR. DUPUIS: Yes.

21 MR. DUMAIS: All right. And in reviewing
22 the 1994 conspiracy investigation, you had noted that a
23 number of people had been interviewed?

24 MR. DUPUIS: I would assume so.

25 MR. DUMAIS: Well, if we look at the index,

1 you would have enclosed many of the statements taken from
2 some of these witnesses back in 1994. Do you recall that?

3 **MR. DUPUIS:** No, I don't, but ---

4 **THE COMMISSIONER:** But they're there, right?

5 **MR. DUPUIS:** Yes.

6 **MR. DUMAIS:** So do you recall looking at
7 volumes -- I believe it was Volume 7, your list of civilian
8 witnesses, and you're enclosing all of their statements.
9 Is that correct?

10 So, for example, if I'm looking at ---

11 **MR. DUPUIS:** I think Volume 7 of the --
12 those briefs was police officers.

13 **MR. DUMAIS:** Yes. Well, if we just take an
14 example, Constable Sebalj, Volume 8, so Bates page 933. So
15 what you're including here in your brief is her notes and
16 then the first interview statement that you have, and
17 that's dated July 20th, 1994. Do you see that, right at the
18 bottom?

19 **MR. DUPUIS:** Yes.

20 **MR. DUMAIS:** And then you conduct a second
21 interview on January 18th, 2000 which was continued on
22 February 9, 2000. Do you see that?

23 **MR. DUPUIS:** I think there was more of
24 contacts rather than statements taken from her.

25 **MR. DUMAIS:** Okay. Because Constable Sebalj

1 actually did not want to provide you with a statement. Is
2 that correct?

3 MR. DUPUIS: I believe she was out on stress
4 leave at that time.

5 MR. DUMAIS: And she would not provide you
6 with a statement. Is that correct?

7 MR. DUPUIS: That's correct.

8 MR. DUMAIS: All right. But I guess the
9 only point was -- the initial point I was trying to make is
10 you're looking at the conspiracy investigation in 1994.
11 You go through it. You take out what you believe is
12 relevant and you enclose that in your brief in 19 -- when
13 you start working on it in 1998. Is that correct?

14 MR. DUPUIS: Yes, sir.

15 MR. DUMAIS: All right. And sometimes you
16 feel that there is a need to go back to some of these
17 statements -- to some of these people, and you go back and
18 take a second statement. Do I have that ---

19 MR. DUPUIS: That's correct.

20 MR. DUMAIS: All right. And you would have
21 re-interviewed a number of people and I guess we can tell
22 when there's a 1994 statement, but at times you've
23 identified new people that had not been previously
24 interviewed. Is that correct?

25 MR. DUPUIS: It's correct.

1 **MR. DUMAIS:** So some of these examples of
2 that are Stuart McDonald and Ron Wilson. Is that correct?

3 **MR. DUPUIS:** Yes.

4 **MR. DUMAIS:** And, for example, you also
5 interviewed a number of Cornwall Police Service officers
6 that had not given statements in 1994. Some examples of
7 that are Officer D'Arcy Dupuis, Officer Kevin Malloy,
8 Officer Garry Derochie and Officer Ron Lefebvre. Is that
9 correct?

10 **MR. DUPUIS:** That's correct.

11 **MR. DUMAIS:** And what you're trying to do
12 here is you're trying to plug the holes or find some new
13 information to have a more wholesome conspiracy
14 investigation, if I can call it that way. Is that ---

15 **MR. DUPUIS:** That's correct.

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

17 And there is one issue with respect to the
18 interview and the statement that you took from Officer Ron
19 Lefebvre for the first -- when you're first meeting with
20 him to get his statement. He does not -- he can't find his
21 notes. Do you recall that?

22 **MR. DUPUIS:** Yes.

23 **MR. DUMAIS:** And do you recall whether or
24 not that was an issue or ---

25 **MR. DUPUIS:** I believe he had some

1 difficulty in locating them.

2 **THE COMMISSIONER:** Did he eventually locate
3 them?

4 **MR. DUPUIS:** I believe he did, yes.

5 **MR. DUMAIS:** Okay. Do you believe that
6 Officer Lefebvre was the one that gave you the -- his
7 notes?

8 **MR. DUPUIS:** That would be logical, but I
9 can't guarantee 100 percent.

10 **MR. DUMAIS:** You don't have a specific
11 recollection?

12 **MR. DUPUIS:** No.

13 **MR. DUMAIS:** Okay. Because -- and I know
14 that the notes were eventually provided to you because they
15 form part of your brief.

16 Now, my understanding is that you were not
17 the only investigator that was involved in this
18 investigation. Is that correct?

19 **MR. DUPUIS:** I believe the whole team took
20 part in it in some form or another.

21 **MR. DUMAIS:** And part of your team would
22 include Inspector Hall as well?

23 **MR. DUPUIS:** Yes.

24 **MR. DUMAIS:** And I understand that in
25 preparation for some of these interviews you would prepare

1 a list of questions. Is that correct?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: And do you recall whether or
4 not you would have done that for each interview?

5 MR. DUPUIS: I don't believe so. I would
6 have had to have a previous document to start from.

7 MR. DUMAIS: Yes.

8 MR. DUPUIS: And I'd try to clear up points
9 that I felt may have been missed.

10 MR. DUMAIS: Okay. And am I correct in
11 understanding that these questions would have been prepared
12 by you?

13 MR. DUPUIS: I believe a lot of them were
14 but I can't -- 100 percent sure to say that I done them
15 all.

16 MR. DUMAIS: Okay. Do you recall whether or
17 not Inspector Hall was reviewing the questions that you
18 were preparing and providing you with some input; adding
19 questions, asking you to remove some of them?

20 MR. DUPUIS: I don't recall that but that
21 would be logical.

22 MR. DUMAIS: And am I correct in
23 understanding that prior to conducting these interviews,
24 when you had set -- you had prepared a set of questions,
25 your practice would be to give the person being interviewed

1 a copy of the questions, give them time to think about the
2 questions you're going to ask, and then take the statement.
3 Is that correct?

4 **MR. DUPUIS:** When we would sit down with
5 them in the interview, that's when they were given the
6 questions, to go over them quickly -- just a feel of where
7 we were going to, to assist them in their thought process,
8 shall we say.

9 **MR. DUMAIS:** All right.

10 **THE COMMISSIONER:** And was that given to
11 police officers and to lay people equally or was it just to
12 police officers or just to lay people?

13 **MR. DUPUIS:** I'd have to say just mostly to
14 the police officers. It may have went to some of the lay
15 people but I can't recall, Mr. Commissioner.

16 **THE COMMISSIONER:** So is this a normal
17 procedure, to give people questions before they answer?

18 **MR. DUPUIS:** No.

19 **THE COMMISSIONER:** So why did you do that?

20 **MR. DUPUIS:** Just to make them aware of
21 where we're going to, what our purpose was, make them feel
22 comfortable in these interviews.

23 **MR. DUMAIS:** But clearly when you're
24 interviewing -- and I understand that these are fellow
25 police officers -- but the institution which they work for

1 is part of your investigation at this point; correct?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: Now, I understand that another
4 of the -- part of your investigation is that you're asking
5 some of these witnesses questions about whether or not they
6 have been at Ken Seguin's home and whether or not they have
7 been at Malcolm's cottage. Is that correct?

8 MR. DUPUIS: That's correct.

9 MR. DUMAIS: So some of these questions
10 certainly appear to fall outside of the specific settlement
11 for the non-laying of the charges on David Silmser. Is
12 that correct?

13 MR. DUPUIS: That's correct.

14 MR. DUMAIS: So is this one example of this
15 conspiracy investigation taking on a different format or a
16 ---

17 THE COMMISSIONER: Widening in scope.

18 MR. DUMAIS: Thank you.

19 MR. DUPUIS: Yes. Thank you.

20 THE COMMISSIONER: Is that ---

21 MR. DUPUIS: Yes, it's ---

22 THE COMMISSIONER: So how did that come
23 about?

24 MR. DUPUIS: As we were going through with
25 the investigation we wanted to cover any possible misuse

1 of, say, the justice ---

2 MR. DUMAIS: Yes.

3 MR. DUPUIS: --- by anyone. Might have been
4 the 32,000 but there might have been something else that
5 would fall into this category. So we tried to look at
6 everything.

7 MR. DUMAIS: Then is it your evidence,
8 Mr. Dupuis, that you're looking at a lot more than this
9 specific settlement, the \$32,000?

10 MR. DUPUIS: Yes.

11 MR. DUMAIS: You're looking at whether or
12 not there's any evidence of any collusion in any of these
13 investigations. Am I correct in that?

14 MR. DUPUIS: Yes, I would have to agree with
15 you there.

16 MR. DUMAIS: All right.

17 THE COMMISSIONER: But are you also going as
18 far as to investigate whether or not there's a ring of --
19 never mind a ring; that there are people abusing children?

20 MR. DUPUIS: I don't know, Mr. Commissioner.

21 THE COMMISSIONER: Okay.

22 MR. DUMAIS: No, one of the examples of this
23 expanding scope of your investigation would be the --
24 looking into the destruction of videotapes. Is that
25 correct?

1 **MR. DUPUIS:** No, I don't believe I had
2 anything to -- to look into that.

3 **MR. DUMAIS:** You'd not looked at ---

4 **MR. DUPUIS:** I'm sorry. Okay, I do recall.

5 **MR. DUMAIS:** All right, so ---

6 **MR. DUPUIS:** There was people interviewed in
7 regards to that matter.

8 **MR. DUMAIS:** So -- and these interviews
9 would have been the interviews that you would have
10 conducted of Officer McDougald, Officer Dussault and
11 Officer McWade. Is that correct?

12 **MR. DUPUIS:** That's correct.

13 **MR. DUMAIS:** Right. And this is something
14 that was new, in that it had not been previously looked at
15 in Tim Smith's 1994 conspiracy investigation. Is that
16 correct?

17 **MR. DUPUIS:** That's correct.

18 **MR. DUMAIS:** All right. So then -- and this
19 is an allegation that had been made in both Ron Leroux's
20 statement and it had also been made in Perry Dunlop's
21 material. Is that correct?

22 **MR. DUPUIS:** Yes, I believe so.

23 **MR. DUMAIS:** And that allegation, if I can
24 paraphrase it, was that videotapes had been illegally
25 seized from Leroux's home in 1993 and then destroyed by the

1 OPP. Is that correct?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: And certainly looking into this
4 allegation formed part of your investigation. Is that
5 correct?

6 MR. DUPUIS: Yes.

7 MR. DUMAIS: And neither Mr. Leroux or
8 Mr. Dunlop had, in their materials at least, suggested that
9 the OPP had any involvement in the initial conspiracy
10 investigation. Is that correct?

11 MR. DUPUIS: I think -- could you give me
12 that again, please?

13 MR. DUMAIS: Well, perhaps let me ask you
14 this instead. Where did the idea of looking into the
15 seizure of these videotapes come from?

16 MR. DUPUIS: I believe that was mentioned in
17 Mr. Dunlop's allegations.

18 MR. DUMAIS: Okay. Did it have anything to
19 do with the fact that Mr. Guzzo had mentioned this? Does
20 that refresh your memory?

21 MR. DUPUIS: Yes. I believe he also had
22 made mention of that as well.

23 MR. DUMAIS: Because, I mean, as I
24 understand it, you're looking into -- or at least when you
25 first started this conspiracy investigation you're looking

1 into Cornwall Police Service, the Diocese, and the Ministry
2 of the Attorney General; correct?

3 MR. DUPUIS: Yes.

4 MR. DUMAIS: But with this new part of your
5 investigation you're looking at -- into something that
6 other OPP officers did; correct?

7 MR. DUPUIS: Correct.

8 MR. DUMAIS: And as a result of that you
9 would have interviewed Officer McDougald and you would have
10 been involved in that, Mr. Dupuis?

11 MR. DUPUIS: I believe Inspector Hall was
12 the actual lead on those interviews due to the fact that
13 he's the inspector, I'm the constable, and it's ---

14 MR. DUMAIS: Okay. He has a higher rank so
15 ---

16 MR. DUPUIS: Definitely.

17 MR. DUMAIS: Okay, and that's why Inspector
18 Hall would be involved.

19 But you would have participated in the
20 interview of Officer Dussault -- sorry, I believe that --
21 do you recall whether or not you were involved in the
22 interview of Officer Paul Dussault?

23 MR. DUPUIS: I'd have to look at the
24 statement to see if my name was on it.

25 MR. DUMAIS: And what about Officer McWade;

1 do you -- were you involved in this interview?

2 MR. DUPUIS: Again I'd -- Officer McWade at
3 that time was a staff sergeant. Protocol would call that I
4 would not interview him.

5 MR. DUMAIS: Okay.

6 MR. DUPUIS: Now, my understanding, in
7 looking at this issue, was you're trying to determine
8 whether or not videotapes had actually been seized by Ron
9 Leroux's home. Is that correct?

10 MR. DUPUIS: From Ron Leroux's home?

11 MR. DUMAIS: Yes.

12 MR. DUPUIS: Yes.

13 MR. DUMAIS: And you were able to confirm
14 that in interviewing these people?

15 MR. DUPUIS: Yes.

16 MR. DUMAIS: All right. And my
17 understanding is that one of these witnesses would have
18 indicated to you that the videotapes had been destroyed by
19 a caretaker working at the detachment. Do you recall that?

20 MR. DUPUIS: There was -- they were
21 destroyed. There seemed to be some confusion as to who
22 actually destroyed them. There was two people. It could
23 have been the caretaker or it also may have been Staff
24 McWade.

25 MR. DUMAIS: All right.

1 **MR. DUPUIS:** But I'm not sure.

2 **MR. DUMAIS:** Do you recall whether or not
3 you were ever able to speak to the caretaker and interview
4 him? Because it's certainly not one of the statements that
5 forms part of your conspiracy brief.

6 **MR. DUPUIS:** I don't recall interviewing
7 him.

8 **THE COMMISSIONER:** When you interviewed
9 about the tapes and the destruction of the tapes did you
10 become aware that there had not been a return to the
11 Justice of the Peace about those tapes?

12 **MR. DUPUIS:** No, Mr. Commissioner. There
13 may have been. I ---

14 **THE COMMISSIONER:** No, we know as a fact
15 that the return to the Justice of the Peace of the search
16 warrant had two guns, had a check mark through the section
17 number dealing with other material but did not list out the
18 other things that were seized. You ---

19 **MR. DUPUIS:** No, I don't.

20 **MR. DUMAIS:** If I can just ask you to look
21 at Exhibit 2635, and that's a document that's entitled
22 "Conspiracy to Obstruct Justice: Allegations of Constable
23 Perry Dunlop."

24 And so you're a listing a number of
25 documents, and we filed those already and we know that they

1 were all in Volume 1 of your conspiracy brief. So the
2 first document that's identified is Mr. Dunlop's Amended
3 Statement of Claim. The second document is a memo from the
4 Solicitor General.

5 The third document is an audiotape interview
6 of Constable Perry Dunlop, and the fourth document is a
7 Will Say statement of Perry Dunlop which is dated April 7,
8 2000.

9 Now, it also references that some of the
10 information is coming from Ron Leroux, as well as the
11 *Police Services Act* hearing, and I'm assuming it's
12 involving Mr. Dunlop. Is that correct?

13 **MR. DUPUIS:** I believe so.

14 **MR. DUMAIS:** All right. So you've extracted
15 -- or let me ask you, firstly, do you recall who would have
16 prepared this document, Mr. Dupuis?

17 **MR. DUPUIS:** No, I don't.

18 **MR. DUMAIS:** So if I look at this document,
19 there appears to have been extracted four points from the
20 documents listed above, and my question is whether or not
21 you are able to explain that, why that had been done?

22 **MR. DUPUIS:** No, sir.

23 **MR. DUMAIS:** And if we just take one of
24 these statements that -- or one of the comments that was
25 extracted. Just as an example, if we look at number 3, it

1 says:

2 "Dunlop, on page 23 of his Will State
3 raises a concern as to why the report
4 was put on a project file."

5 Then there is some argument or some
6 explanation, and then there's a rationalization at the end,
7 and it says:

8 "Most large departments in Ontario do
9 not use that system. Dunlop neglects
10 to mention that charged persons are
11 entered on the Canadian Police
12 Information Centre, administered by the
13 RCMP, and is accessible to all police
14 departments."

15 And then, the final four lines:

16 "Project files are used for many
17 reasons such as internal
18 investigations, high-profile
19 investigations, intelligence, property,
20 drug projects, et cetera. The
21 circumstances surrounding the Silmsler
22 matter do not indicate the project file
23 was used for any illegal purpose."

24 So was that your rationalization,

25 Mr. Dupuis, or was that someone else's?

1 **MR. DUPUIS:** That would be someone else's, I
2 believe.

3 **MR. DUMAIS:** All right. So you believe
4 -- and would it make sense that -- you don't know where it
5 comes from?

6 **MR. DUPUIS:** I'm not 100 percent sure, no.

7 **MR. DUMAIS:** All right. Now, if we can
8 just -- I should be done in about 15 minutes,
9 Mr. Commissioner.

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

11 **MR. DUMAIS:** So if you can just have a look
12 at the timeline that you prepared, and that's Exhibit 2248?

13 **MR. DUMAIS:** Or 2248A.

14 So I'd just like you to take just a few
15 minutes, just to look through this document for a second
16 then.

17 So, Mr. Dupuis, am I correct in
18 understanding that you would have prepared this timeline?

19 **MR. DUPUIS:** I believe I did.

20 **MR. DUMAIS:** Okay. And do you recall what
21 your thought process or what your objective was in
22 preparing this timeline?

23 **MR. DUPUIS:** To just give the person that
24 was going to review this an idea of -- from the time this
25 started until where the end of the timeline is finished, to

1 assist them in their ---

2 MR. DUMAIS: Do you believe that this
3 timeline was meant to be a chronology of all of the
4 significant events relevant to the conspiracy
5 investigation?

6 MR. DUPUIS: I don't believe I had them all
7 in the timeline. There could have been others added to it,
8 but it may have not have been available to me at that time
9 when this was made.

10 MR. DUMAIS: Okay. Because I'm looking at
11 this document and most of your entries in the timeline have
12 to do with actions taken by members of the Cornwall Police
13 Service and its members?

14 MR. DUPUIS: That's correct.

15 MR. DUMAIS: Am I correct in that?

16 MR. DUPUIS: That's correct.

17 MR. DUMAIS: Like, for example, there is
18 nothing in the timeline about the drafting of the actual
19 release; Malcolm MacDonald's involvement, Jacques Leduc's
20 involvement, the actions taken by the Crown's office,
21 actions and knowledge that the Diocese would have had. You
22 agree with me?

23 MR. DUPUIS: That's correct.

24 MR. DUMAIS: So I'm just not understanding
25 what the purpose of your timeline was if I look at it in a

1 conspiracy investigation.

2 MR. DUPUIS: I don't recall ---

3 MR. DUMAIS: All right.

4 MR. DUPUIS: --- why.

5 MR. DUMAIS: Now, if I can just ask you to
6 look then at the synopsis document?

7 THE COMMISSIONER: Exhibit 2636?

8 MR. DUMAIS: Yes, thank you.

9 Do you know, Mr. Dupuis, who would have
10 prepared this document?

11 MR. DUPUIS: I believe Inspector Hall.

12 MR. DUMAIS: Okay. And I saw you
13 flipping -- you're looking at the last page and you see his
14 initials at the bottom. Is that correct?

15 MR. DUPUIS: That's correct.

16 MR. DUMAIS: All right. So do you recall
17 whether or not you would have had any involvement in the
18 preparation of this document?

19 MR. DUPUIS: I don't recall.

20 MR. DUMAIS: You don't recall whether or not
21 you had any input?

22 MR. DUPUIS: I don't recall, sir.

23 MR. DUMAIS: Now, I'm just going to ask you
24 to look at your Will Say, Mr. Dupuis, and that's Exhibit
25 2615.

1 If you look at the entry on August the 9th,
2 2000 at 12:40 hours, you would have arrived at the Jones
3 residence. "12:54, written interview of Helen Jones".

4 Can you just, firstly, just explain to us
5 who is this Helene Jones and why you're interviewing her?

6 **MR. DUPUIS:** Which date again, sir, was
7 that, please?

8 **MR. DUMAIS:** Bates pages 918.

9 **MR. DUPUIS:** Yes, sir.

10 **MR. DUMAIS:** So do you recall who Helene
11 Jones was?

12 **MR. DUPUIS:** Mr. Leduc's secretary.

13 **MR. DUMAIS:** All right.

14 And the -- you would have completed -- you
15 initially take a statement from her. You complete that
16 statement at 1322 hours, and then you have a further entry
17 at 1541 hours. So did you recall why that was, why there's
18 a span of time here?

19 **MR. DUPUIS:** We had left the residence and
20 then she made a phone call to me.

21 **MR. DUMAIS:** And what would she have
22 indicated to you at that phone call?

23 **MR. DUPUIS:** That she recalled that she was
24 asked to wipe the memory out of her typewriter.

25 **MR. DUMAIS:** All right.

1 And was the question that you were
2 specifically asking her is whether or not she remembers
3 having any involvement in the preparation of the release
4 documents? Do you recall that?

5 **MR. DUPUIS:** I believe I asked her if she
6 did that, yes.

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

8 **MR. DUPUIS:** I'd have to see her statement
9 to see what I actually asked her.

10 **MR. DUMAIS:** All right.

11 **THE COMMISSIONER:** Ms. Lahaie to the rescue.

12 **MR. DUMAIS:** Was that in the cross
13 documents? We do have -- I do have this statement, Mr.
14 Commissioner. I'm not sure if it's in the cross documents
15 or not. Perhaps it might assist Mr. Dupuis in refreshing
16 his memory. It's Document Number 703759.

17 **(SHORT PAUSE/COURTE PAUSE)**

18 **MR. DUMAIS:** Actually, Mr. Commissioner,
19 it's the initial statement, but ---

20 **THE COMMISSIONER:** Can we put it on the
21 screen?

22 **MR. DUMAIS:** So the first paragraph -- the
23 first question you ask her reads as follows:

24 "We are investigating allegations of
25 historic sexual assault involving the

1 clergy and other persons in Cornwall
2 and surrounding areas. What if
3 anything can you tell me about the
4 agreement between the Diocese of
5 Alexandria-Cornwall and a person by the
6 name of David Silmser?"

7 And her answer:

8 "I don't recall his name being on this
9 document. The names would have been
10 added, I believe, at Adam's office.
11 The wording or the names, I don't
12 recall. I don't know if he drew up the
13 document or someone else did. I don't
14 remember."

15 So that's the statement that you initially
16 took from her. Is that correct?

17 **MR. DUPUIS:** That's correct.

18 **MR. DUMAIS:** And then following that
19 statement, she remembered or recalled something and called
20 you again and told you about erasing the document from her
21 -- the memory on her typewriter. Is that correct?

22 **MR. DUPUIS:** That's correct.

23 **MR. DUMAIS:** All right.

24 So I'm ---

25 **THE COMMISSIONER:** Just a second. Just a

1 second.

2 **MS. ROBITAILLE:** I think it's important for
3 the record, Mr. Commissioner, if we can go to page 2 of the
4 statement. Could you make it bigger, Madam Clerk? Thank
5 you.

6 The answer here, Mr. Commissioner:

7 "It may have come back one time. I
8 can't remember if we drew up the
9 document."

10 It may be relevant given ---

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

12 **MS. ROBITAILLE:** --- the topic.

13 **THE COMMISSIONER:** You can hold that thought
14 in the cross-examination.

15 **MS. ROBITAILLE:** I will. Thank you.

16 **THE COMMISSIONER:** Thank you.

17 **MR. DUMAIS:** Has the document been filed,
18 Mr. Commissioner?

19 **THE COMMISSIONER:** It has been filed. If
20 you want an exhibit number, Madam Clerk?

21 **MR. DUMAIS:** Yeah.

22 **THE COMMISSIONER:** It'll be an exhibit.
23 You'll get the ---

24 **THE REGISTRAR:** Two six three eight (2638).

25 **THE COMMISSIONER:** Two six three eight

1 (2638) and this is a statement of Ms. Jones; her first name
2 is Helene Jones and the statement's on the 9th of August of
3 2000.

4 --- EXHIBIT NO./PIÉCE NO. P-2638:

5 (703759) - Interview Report of Helene Jones
6 dated 09 Aug 00

7 **THE COMMISSIONER:** Okay, so bottom line is
8 you interview her; right? This is what she tells you and
9 then afterwards she phones you up and she tells you that
10 Monsieur Leduc asked her to take the -- you tell me.

11 **MR. DUPUIS:** He asked her to erase the
12 memory from the typewriter.

13 **THE COMMISSIONER:** All right.

14 **MR. DUMAIS:** Now, this statement and the
15 second conversation would have occurred on August 8, 2000;
16 is that correct?

17 **MR. DUPUIS:** The statement was August 9th.

18 **MR. DUMAIS:** August 9th, I apologize. Yes.
19 On August 9th, 2000.

20 **MR. DUPUIS:** Yes, sir.

21 **MR. DUMAIS:** And we've -- and if I look at
22 the -- your -- the index, the name of Helene Jones does not
23 appear as a civilian witness in Volume 3, and I believe
24 your conspiracy brief would have been released to the
25 Crown's office some time in July; is that correct?

1 **MR. DUPUIS:** I believe so.

2 **MR. DUMAIS:** Do you recall whether or not
3 you would have included the civilian statement later on for
4 the Crown to review?

5 **MR. DUPUIS:** I believe so, but I'd have to -
6 --

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

8 **MR. DUPUIS:** --- check the brief.

9 **THE COMMISSIONER:** Here we go.

10 **MS. ROBITAILLE:** Mr. Commissioner, I'd like
11 to register my objection on this line of questioning.

12 **THE COMMISSIONER:** Yes.

13 **MS. ROBITAILLE:** This interview with Ms.
14 Jones and the subsequent phone call was not put to my
15 client in examination in-chief or in cross-examination.

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

17 **MS. ROBITAILLE:** I just want to register
18 that for the record.

19 **THE COMMISSIONER:** Thank you.

20 **MR. DUMAIS:** Now, my understanding is after
21 the brief was turned over to the Crown's office, you were
22 waiting for an opinion. Is that correct?

23 **MR. DUPUIS:** That's correct.

24 **MR. DUMAIS:** And the initial Crown that was
25 looking at -- that was supposed to review your Crown brief

1 was Shelley Hallett. Is that correct?

2 MR. DUPUIS: That's correct.

3 MR. DUMAIS: And she would have received the
4 brief from you sometime in July of 2000?

5 MR. DUPUIS: That's correct.

6 MR. DUMAIS: And my understanding is that it
7 was not until the spring of 2008 that Crown Lorne McConnery
8 would have started looking at this brief.

9 MR. DUPUIS: What year, sir?

10 MR. DUMAIS: In the spring of 2001.

11 MR. DUPUIS: Okay.

12 THE COMMISSIONER: You had said 2008.

13 MR. DUMAIS: Two thousand and one (2001).

14 MR. DUPUIS: That sounds more logical.

15 MR. DUMAIS: Thank you. Am I correct that
16 Crown Hallett had never provided you an opinion on the
17 conspiracy brief?

18 MR. DUPUIS: I don't believe she did, but
19 that would have been between Ms. Hallett and Inspector
20 Hall.

21 MR. DUMAIS: I see.

22 And I understand that on July 4, 2001, you
23 would have met with Crowns Lorne McConnery and Kevin
24 Phillips regarding the conspiracy briefs and they would
25 have requested some follow-ups from you.

1 **MR. DUPUIS:** Yes.

2 **MR. DUMAIS:** Okay.

3 And if we can just have a look then at
4 Exhibit 2613 on July 14, 2001; 020. Exhibit 2613 at Bates
5 pages 020. Sorry, 2614; that's correct.

6 **THE COMMISSIONER:** Okay, so we're there.
7 Are you there, sir?

8 **MR. DUPUIS:** Yes, I am. Thank you.

9 **MR. DUMAIS:** So you see there that there was
10 a meeting with the Crown and that Mr. McConnery and Kevin
11 appears to be asking you for follow-ups. Is that correct?

12 **MR. DUPUIS:** Yes, sir.

13 **MR. DUMAIS:** And there would have been a
14 number of meetings and follow-up requests with the Crown's
15 office?

16 **MR. DUPUIS:** Yes, sir.

17 **MR. DUMAIS:** And the exchange of information
18 and documents between the Crown's office and Project Truth
19 was done by Inspector Pat Hall. Is that correct?

20 **MR. DUPUIS:** Yes, sir.

21 **MR. DUMAIS:** Okay. So do I understand your
22 tasks to be that you do the follow-ups, find the documents,
23 remit everything to Inspector Hall?

24 **MR. DUPUIS:** Yes.

25 **MR. DUMAIS:** And then he would communicate

1 with the Crown's office?

2 MR. DUPUIS: Yes.

3 MR. DUMAIS: All right. And that in
4 August 2001 you would have received the Crown's opinion on
5 whether or not to lay charges in this investigation?

6 MR. DUPUIS: Yes.

7 MR. DUMAIS: And no charges were ever laid.
8 Is that correct?

9 MR. DUPUIS: That's correct.

10 THE COMMISSIONER: Well, wait a minute now.
11 Mr. MacDonald was charged.

12 MR. DUMAIS: No charges were laid with
13 respect to the conspiracy investigation -- in the
14 conspiracy investigation.

15 All right, Mr. Dupuis, these are the
16 questions I have for you. At about this time I would
17 provide you with the opportunity to make a statement
18 regarding recommendations or affects that -- but perhaps we
19 can adjourn that to tomorrow morning if you would rather.

20 MR. DUPUIS: I think that would be a good
21 idea.

22 MR. DUMAIS: All right.

23 THE COMMISSIONER: All right. Thank you.

24 Mr. Dumais, could you please canvass counsel
25 to see how much time they will be using tomorrow for cross-

1 examination?

2 **MR. DUMAIS:** Sure.

3 **THE COMMISSIONER:** Thank you. We'll see you
4 tomorrow morning at 9:30, sir.

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

7 This hearing is adjourned until tomorrow
8 morning at 9:30 a.m.

9 --- Upon adjourning at 4:37 p.m. /

10 L'audience est ajournée à 16h37

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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CVR-CM